

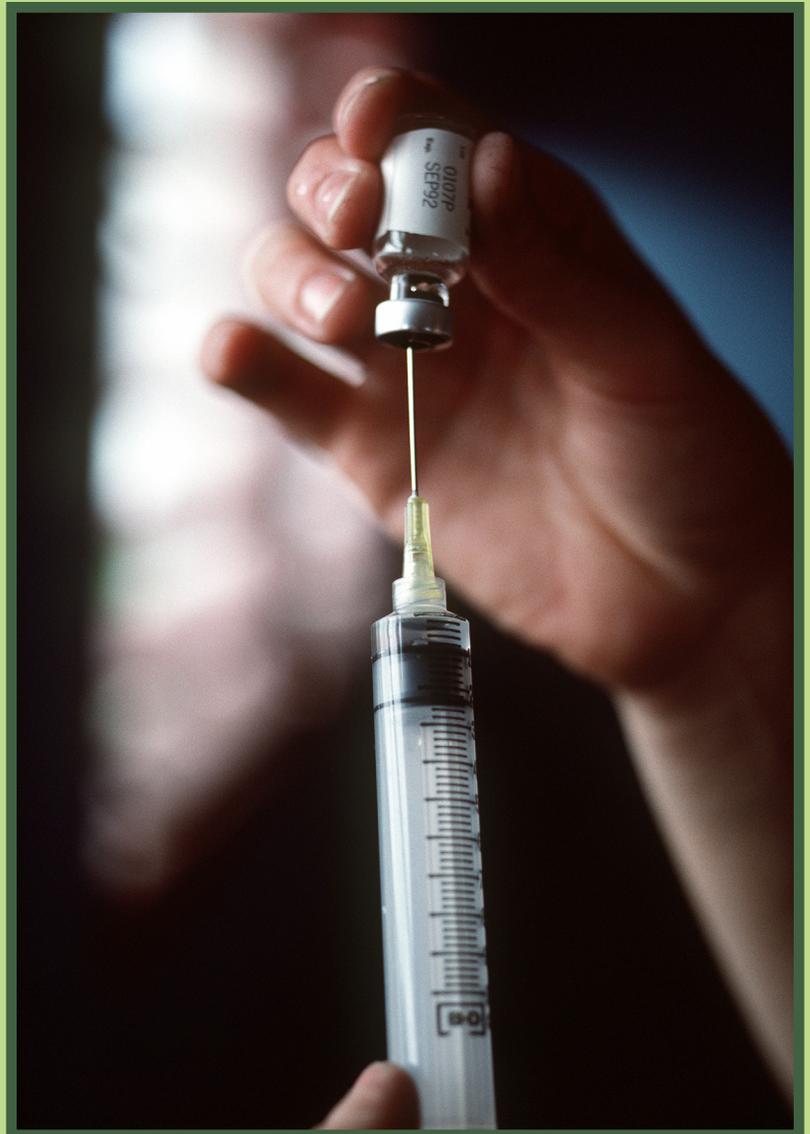
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DtttP

Documents to the People

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DttP

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About the Cover: "A syringe is prepared for giving immunizations during Gabon Medflag '88, in which U.S. military personnel provide medical assistance and training to the Gabonese. Villagers are being immunized against mumps, polio, measles, rubella, yellow fever and typhoid." US National Archives, Combined Military Service Digital Photographic Files, 1982-2007. US National Archives' Local Identifier: 330-CFD-DF-ST-89-09859.jpeg. <https://catalog.archives.gov/id/6438779>

Greetings! My name is Jennifer Castle. I'm the government documents librarian at Tennessee State University, an HBCU in Nashville, and your new *DttP* editor. I'm excited to work with everyone to contribute to scholarly conversations on government information.

Before I begin, I want to express my sincere gratitude to my predecessor, Laura Sare, for her kindness, patience, and conversation as we made this transition. I'm pleased she wishes to remain a reviewer because her editorial insights are invaluable. I'd like to thank Tim Clifford, our wonderful production editor at ALA, for providing me with support while I learn the ropes. And last (but certainly not least), I want to recognize the *DttP* reviewers for their hard work and flexibility.

A little about me: I've been working with government information for more than a decade, previously as a newspaper journalist and now as a gov docs librarian. I'm active in the GODORT and Politics, Policy, and International Relations groups.

I would like to briefly discuss the Biden administration's efforts to mandate vaccinations for federal employees, military personnel (active duty, reserves, or National Guard), health care professionals, and workers at businesses with 100 or more employees.¹ Naturally, some states felt the administration was overreaching and challenged the mandates all the way to the Supreme Court. January 13, the justices handed down two decisions: employees at Medicare or Medicaid-certified facilities must vaccinate; and those at larger companies do not.²

A week later, a federal judge in Texas ruled the administration cannot enforce a mandate on federal employees and issued an injunction to cease nationwide efforts.³ The same day, Kansas lawmakers introduced Senate Bill 370, also known as the Defend the Guard Act, "to establish when the Kansas national guard may be released into active-duty combat and to prohibit COVID-19 vaccination requirements for national guard members."⁴

However, a US district court judge in Rhode Island denied a request to block the state from enforcing the vaccine mandate, writing, "Courts in this country have held for over a century that mandatory vaccination laws are a valid exercise of a state's police powers, and such laws have withstood constitutional challenges."⁵

On February 2, the Biden administration released its "Commitment to Global Health" statement, which outlines plans and initiatives for global health programs, listing

supporting and strengthening the World Health Organization and leading the international COVID-19 response among its pledges.⁶ Clearly, the COVID battles, whether over health care policy or politics, are far from over.

February 4 marked 900,000 Americans dead from COVID-19, and my adopted state of Tennessee tops the list of highest number of deaths in lower-vaccinated states.⁷ I must wonder how many of those lives could have been saved if efforts to staunch the spread of the virus had been implemented earlier without being politicized.

Notes

1. "FACT SHEET: President Biden to Announce New Actions to Get More Americans Vaccinated and Slow the Spread of the Delta Variant," The White House, July 29 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/29/fact-sheet-president-biden-to-announce-new-actions-to-get-more-americans-vaccinated-and-slow-the-spread-of-the-delta-variant/>; "Fact Sheet: Biden Administration Announces Details of Two Major Vaccination Policies," The White House, November 4, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/11/04/fact-sheet-biden-administration-announces-details-of-two-major-vaccination-policies/>.
2. "21A240 Biden v. Missouri (01/13/2022)," Supreme Court of the United States, January 13, 2022, https://www.supremecourt.gov/opinions/21pdf/21a240_d18e.pdf; "21A244 National Federation of Independent Business v. OSHA (01/13/2022)," Supreme Court of the United States, January 13, 2022, https://www.supremecourt.gov/opinions/21pdf/21a244_hgci.pdf.
3. Jeffrey Vincent Brown, "Feds for Medical Freedom, et al. v. Joseph R. Biden, Jr., et AL.," PacerMonitor, January 21, 2021, https://www.pacermonitor.com/view/PDMVBYQ/Feds_for_Medical_Freedom_et_al_v_Biden_Jr_et_al__txsdce-21-00356__0036.0.pdf.
4. "SB 370 Defend the Guard Act," Kansas Legislature, January 21, 2022, http://www.kslegislature.org/li/b2021_22/measures/documents/sb370_00_0000.pdf.
5. Katie Mulvaney, "Federal Judge Refuses to Block Rhode Island COVID-19 Vaccine Mandate for Health-Care Staff," *Providence Journal*, January 10, 2022, <https://www>

- .providencejournal.com/story/news/courts/2022/01/07/ri-covid-vaccine-mandate-federal-judge-refused-block/9135375002/.
6. "FACT SHEET: The Biden Administration's Commitment to Global Health," The White House, February 2, 2022, <https://www.whitehouse.gov/briefing-room/state-ments-releases/2022/02/02/fact-sheet-the-biden-administrations-commitment-to-global-health/>.
 7. Nigel Chiwaya, "900,000 Dead: Covid Deaths are Surging in Low-Vaccination States," *NBC News*, February 4, 2022, <https://www.nbcnews.com/news/us-news/900-000-dead-covid-deaths-are-surging-low-vaccination-states-n1288586>.

From the Chair

Midwinter/LibLearnX Round Up

Robbie Sittel

In what is a new tradition, GODORT hosted a series of meetings the week of January 10 ahead of the ALA LibLearnX conference, ALA's new concept for the Midwinter Meeting. Hosting committee and interest group meetings outside of ALA's formal conference provides opportunities for members and prospective members to attend without the added burden of registration fees or travel expenses (when we travel again). This year 108 registered for our series of Midwinter meetings. Twenty-eight of our registrants indicated they are not GODORT members with a few noting they are new to government information and many more stating an affiliation with federal libraries. It was good to have so many people join us for our meetings and I hope our newcomers become regular attendees and participants, virtually and in-person.

The week's offerings included a GODORT 101 session, Friday Chat with SRRT Coordinator Sherre Harrington, and an FDLP Update from Superintendent of Documents Laurie Hall who was joined by Cindy Etkin, and Kate Pitcher. The Chairs from the following Committees also hosted meetings and provided updates on their work: Education, Publications, Cataloging, Legislation, Rare and Endangered Publications (REGP), Membership, Gov Info for Children (GIC), and the 50th Anniversary Coordinating. As GODORT Chair, I was able to attend most of the meetings and appreciated the opportunity for committee updates and discussions with colleagues.

My own highlights from the week include an informal discussion about succession planning and leadership transitions within our round table. I've been thinking since that meeting about ways we can better prepare our newly elected or appointed leaders for success. If folks have thoughts on their current or past experiences, I invite you to reach out so we can be more deliberate and thoughtful going forward. I was glad to sit in on the REGP meeting to learn more about their project aimed at determining at-risk government publications. The REGP discussion took a slight turn toward born-digital government information (thank you, James Jacobs) and also included a conversation on ways libraries might frame, or reframe, their tangible government information collections in a way that better illustrates their uniqueness and value to deans or other administrators. The Friday Chat with Social Responsibility

Round Table (SRRT) Coordinator Sherre Harrington offered highlights of many SRRT initiatives and activities. She shared information about an upcoming homelessness summit and an afternoon of social justice, both of which may be of interest to GODORT members and may present opportunities for GODORT involvement. She also shared information about an SRRT travel grant, which is another idea GODORT might consider to help grow our membership and develop librarians' interest in government information. My final highlight of the week was the FDLP update, which left me saying yay for the end of microfiche and with a knot in my stomach over the prospect of an all-digital FDLP. I do not envy the work of the task force but am grateful to those that have agreed to serve. It is a strong group that I imagine will ask hard questions and push back on assumptions. These are not the only highlights of the week, just a few I thought to share.

As an ending note, I did participate in LibLearnX the week after the GODORT meetings, as an attendee and presenter. Aside from the absence of working committee meetings, LibLearnX didn't seem that different from other ALA conferences. I want to commend and thank the presenters who took the time to submit, plan, and execute the LibLearnX educational sessions. Every session that I attended was well worth the time and offered many takeaways I can use in my work. While it is nice to have the virtual format for greater inclusion in GODORT's activities, I do look forward to seeing many of you this summer in Washington, DC, to celebrate the 50th Anniversary of GODORT.

Robbie Sittel (roberta.sittel@unt.edu), Department Head, Government Information Connection, University of North Texas

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Reviews

***This Is Who We Were.* New York: Grey House Publishing. 14 vol.**

This Is Who We Were is a fourteen-volume series documenting what life was like throughout American history. The first volume, *This Is Who We Were: A Companion to the 1940 Census* was published in 2012, and covers life in the 1930s, leading up to the 1940 Census. The most recent volume, *This Is Who We Were: In the 2010s*, was published in 2020. Each volume follows a similar outline: personal profiles; historical snapshots; economy of the time; “All Around Us—What We Saw, Wrote, Read & Listened To”; and Census summary and comparison data. After the first volume, which was essentially “in the 1930s,” the series takes on primarily a decade-by-decade format, with subsequent volumes covering 1880-1889, the 1910s, 1920s, 1940s, 1950s, 1960s, 1970s, 1980s, 1990s, 2000s, and 2010s. The two remaining volumes broke from the single decade format, with one covering the 1900s and the other Colonial America (1492–1775).

This series is a fun and easy to understand way to explore history and life in America. The profiles and historical snapshot sections are both composed of bullet points, which lends to browsing. One small complaint would be that the historical snapshot section is typically broken down into “early,” “mid,” and “late” decade, however an exact date or even year is not given. (See *In the 1990s*, page 171: Early 1990s, “Civil rights advocate Ruth Bader Ginsburg was named to the U.S. Supreme Court.”) A particularly fun section is “Economy of the Times,” where readers can learn that in 1932, a lawn mower cost \$5.49 or a box of 200 marshmallows cost \$0.65

(*This Is Who We Were: A Companion to the 1940 Census*, p. 249). “All Around Us” aims to transport readers back in time and put them in the heads of previous generations by reprinting important media items from the time.

A major strength of this series is the range of source material. The books contain a multitude of Census data and statistics; however, it is presented alongside fun facts and easily understandable descriptions of daily life. Entertaining and informative, this series is an excellent resource for exploring life in America.—*Megan Vladoiu (mvladoiu@iu.edu), Indiana University*

O’Hare, William P., *Differential Undercounts in the U.S. Census: Who is Missed?*. Springer Nature, 2019. <https://library.oapen.org/bitstream/id/844a03c4-b79d-4b2e-93fe-2267f284daf/1007071.pdf>.

As the topic of social injustice becomes more prominent in academic and community discussions, the general public and researchers may be interested in learning about the relationship between data accuracy in census surveys and social inequality in the United States. This book is a compilation of statistics and data discussing why certain groups of people have historically been uncaptured and omitted in the decennial census. The decennial census is a count conducted every ten years of every person living in the United States in order to allocate federal funding to states for social services, determine state and congressional legislative districts, and the number of US House of Representatives for each state. William O’Hare gathers available information regarding undercounts and omission rates in the

decennial census and summarizes the data to make it understandable for a general audience, as often this data is buried within census reports and presentations. In addition, O’Hare provides references to the data and methodology.

This book is freely available through an open access Creative Commons license and most of the statistics and data presented in the book are freely available through the Census Bureau. The intended audience are practitioners and advocates, such as civil rights organizations like the National Association for the Advancement of Colored People (NAACP) and the Mexican-American Legal Defense and Education Fund.

O’Hare begins with a background on the Census Bureau and the definitions of the concepts of omissions and undercounts in the decennial census. Then the author describes the importance of the accuracy in census surveys, as the data is used by businesses, policy and planning, and redistricting. O’Hare further outlines how the Census Bureau measures the accuracy of the decennial census and offers detailed references to explore the methods used by the Census Bureau to determine net undercount and omission rates. The subsequent chapters review the characteristics of groups that are traditionally undercounted by race and ethnicity, by sex, age, and tenure (renters or homeowners). In particular, the author summarizes that the following populations are undercounted: young children who are ages zero to four; renters; and race and ethnic groups that are black, Hispanic, and American Indian. The organization of the book is one of its strengths, as each chapter focuses on a particular characteristic and makes it convenient

for readers to find relevant information to their interests.

Next, O'Hare details possible explanations as to why certain groups may be missed in the data collection. Some reasons stated by the author were people living in complex or untraditional housing, such as a garage or basement converted into a separate household unit; confusion on who is included in the census, such as a misconceived perception that young children are not supposed to be included in the census; and people wanting to conceal themselves from the government for fear of negative outcomes, especially in the immigrant community. One example of missing data is when O'Hare states that prior to 1990, Hispanics were not systematically identified in birth and death certificates in all fifty states. Hence, only undercount estimates for Hispanics under

twenty years old are available for the 2010 census. Another important point was that the Census Bureau treats the Hispanic population as a homogeneous group. However, the subgroups within the Hispanic population, like Mexican, Puerto Ricans, Central American, etc., are distinct in immigration and citizen statuses and have diverse social, economic, and cultural characteristics. Finally, O'Hare ends by examining the issues, such as underfunding and mistrust of the government, surrounding the 2020 census.

One strength of this book is at the end of each chapter there is a useful list of references for readers to conduct further research into the topics described in the book. O'Hare's work is useful for researchers or non-academics interested in why certain populations are not counted accurately and to advocate for

these groups in the next decennial census. Many librarians participated in disseminating accurate information for the 2020 census. As a result, we may already recognize the populations of people who have been traditionally undercounted in our local areas. However, this book goes deeper into technical and historical explanations surrounding the reasons why these groups are undercounted. Conducting a nationwide survey is a difficult endeavor but learning about the process of data collection and recognizing how and why some groups are not counted is a great step for anyone interested in understanding the inequality of services and representation for marginalized populations in the United States.—*Eimmy Solis (eimmysol@usc.edu), Social Sciences Data Librarian, University of Southern California Libraries.*

Cartographic Treasures in the Records of the Supreme Court of the United States

William Sleeman

“It is interesting that these maps that are now seen as ‘an icon of gorgeous cartography’ weren’t part of the canon until long after they were made . . . there might be countless other gorgeous maps buried in government reports that we don’t know about.”

— Bill Rankin¹

As many government information librarians know, maps can be found in official publications and documents from just about every type of government agency but as often as we come across them in the expected places there are just as many sources, as historian and cartographer Bill Rankin suggests, of sometimes-stunning maps, plats and images that remain largely unexplored. Often providing crucial context, these maps are usually overlooked once an issue has passed from the news, as they are subordinate to the document or report that they were created to support. This article will introduce one of these unexplored resources: the *Records and Briefs of the Supreme Court of the United States*. A familiar resource for information about the Supreme Court, the records and briefs are rarely thought of as a resource for cartographic or other visual information yet the historical records and briefs abound with this material.²

By way of introduction, this article will briefly consider how maps and other images have been used—or not used—by the Supreme Court,³ describe the library and the collection, and review a current project within the library to improve access to this graphic material for Supreme Court researchers, while providing a few sample images along the way.

Maps and Images at the Supreme Court of the United States

Law and geography often go hand-in-hand. As individual citizens, we interact with the law daily and usually without even

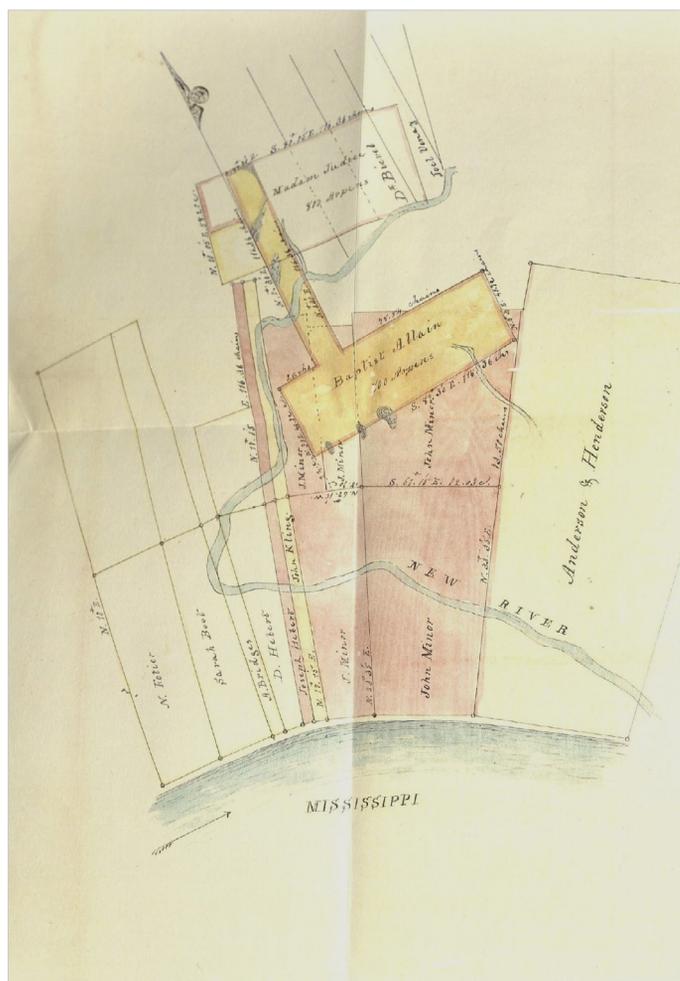


Image 1. John Minor's claim. Transcript of Record, 1833, v.2

considering the spatial context in which it operates. Laws tell us where we can drive, where we can and cannot build, where we can smoke, and where we can and cannot live. Laws can even reach into as intimate a space as where we can worship or which bathroom can be used and by whom. From the early English

Law of the Forest to modern laws of war and through to the most recent travel restrictions and “stay-at-home” orders issued during the COVID-19 pandemic, law and place are intertwined.⁴ Geography and maps, according to historian Susan Schulten, are essential to the administration of government.⁵ While a scholarly focus on the ways that geography and law intersect has slowly gained prominence in academia, the connection between law and geography has always been present.

Perhaps reflecting this wider connection, illustrative material, especially cartographic images, have been a part of the Court’s working resources from its earliest history. Some of the Court’s most famous early cases are ones in which geography and maps played an important role. These include *New York v. Connecticut*, 4 U.S. 1 (1799), *Fletcher v. Peck*, 10 US 87 (1810) and *Barron v. Baltimore*, 32 US 243 (1833). The Library’s onsite collection of Records and Briefs begins in 1832 and these first volumes include hundreds of hand drawn maps such as the claim by John Minor and others below that are essential to understanding the geography and the context of the cases.

Despite this rich historical connection, courts generally have not always valued the presence of maps as *prima facie* evidence.⁶ Although the Supreme Court has long received maps and other images with the lower court record, an attorney appearing for oral arguments was usually discouraged from trying to present any cartographic material at argument. As recorded by former Reporter of Decisions, Charles Henry Butler:

Another of Marshal [John M.] Wright’s stories told how counsel spread out a large map. One of the Justices asked what it was, and counsel replied that it was a bird’s-eye view of the scene where the cause of action arose. Another Justice interposed: “Well, as we are not birds, you can take it away.”⁷

In spite of this antipathy towards maps, the Court acknowledged the need to have access to all the lower court documentation including any illustrations or maps by issuing one of its first rules specifically addressing illustrative material in 1823:

Rule 31 (1823)

*No cause will hereafter be heard until a complete record, containing in itself, without references aliunde, all the papers, exhibits depositions, and other proceedings which are necessary to the hearing in this Court shall be filed.*⁸

More recently and on “rare occasions,” the Court has given permission for attorneys appearing before the Court in patent cases to include in their briefs illustrations “which may

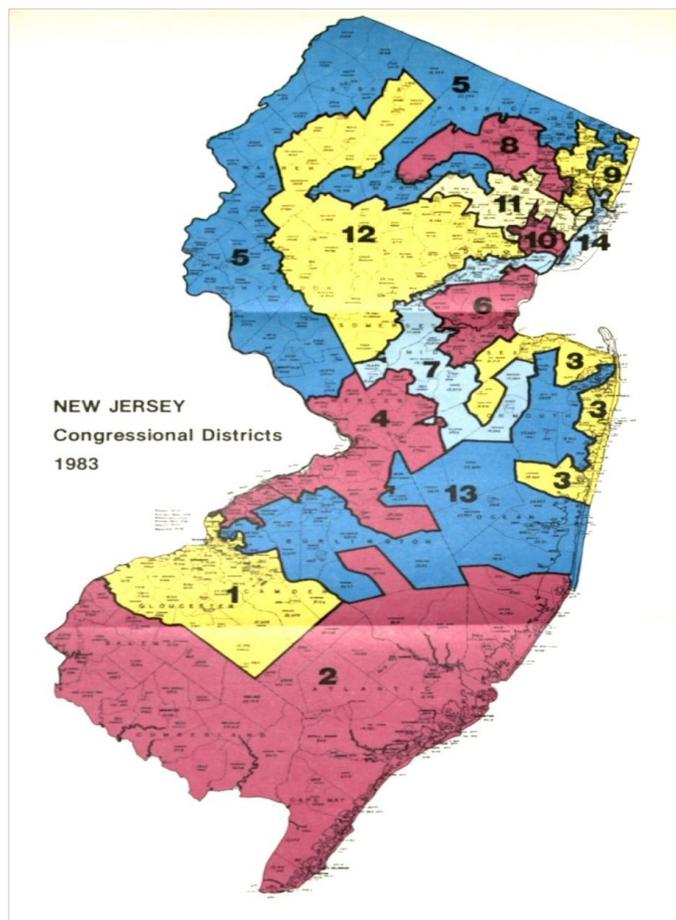


Image 2. *Karcher v. Daggett*, 462 US 725 (1983)

be duplicated in such size as is necessary in a separate appendix.” The limits of the Court’s current practice are explained in *Supreme Court Practice* (11th edition):

In addition, with the permission of the merits clerk, documents that include extensive maps, drawings, tables, or other material that do not lend themselves to printing in the booklet format may also be reproduced by clear photographic means in an 8½- by 11-inch bound volume, if these exceed the printer’s ability to deal with the items using methods such as fold-out pages from a booklet-format appendix.⁹

As suggested here, while maps and images have been present in the record from early in the nineteenth century, even when presented at Court they do not often make their way into the final published opinion. As noted in the opinion of the Court in the 1854 case of *Brooks v. Fiske*, Court Reporter Benjamin Howard wrote of the patent illustrations included at argument:

The Reporter finds himself unable to give an intelligible explanation of the arguments of counsel, without

introducing engravings, *which would be out of place* in a law book. [Emphasis added]¹⁰

In those instances when the Court included a map, it was often done with some misgivings.¹¹ The late Justice Stevens, in discussing his separate opinion in the Gerrymandering case of *Karcher v. Daggett*, 462 US 725 (1983) explained that despite the Chief Justice’s reluctance and “because the colored map provided the most persuasive evidence supporting my view of the law, I requested the Court’s Printer to include it in the official report of the case.”¹²

Researchers though will have difficulty finding this unique content as it is mostly absent from the familiar Supreme Court indexing tools and databases.¹³ Because of the size and makeup of the many maps in the historical records very few of them—most often when they are limited to the standard page size of the brief itself—are included in the Gale-Cengage Making of Modern Law Records and Briefs Collection.¹⁴ Nor are larger cartographic images, such as the Colus Rancho plat from the case “*United States v. Semple*,” shown below included (again with a few exceptions) in the West or Lexis collections of briefs. Our project sought to improve access to this material for our onsite court users.

About the Library

The Supreme Court of the United States Library’s primary mission is to assist the Justices, both active and retired, in fulfilling their constitutional responsibilities by providing them with the best reference and research support in the most efficient, ethical, and economic manner. The Library holds over 600,000 print volumes, 200,000 microform volumes and a wide variety of electronic resources. The collection focuses primarily on Anglo-American law and is rich in United States federal and state primary law, works on constitutional law and history, legal dictionaries, and US government documents acquired both by “riding the jacket” directly and through our participation in the FDLP. Central to the Library’s support of the Court is the Records and Briefs Collection. Containing opinions, briefs, transcripts, lower court records, and oral arguments the collection is the most comprehensive archival set of these materials. It is from this collection that the images described in this article are drawn.

The Records and Briefs Inserts Project at the Supreme Court of the United States Library

The Records and Briefs Inserts project was developed to identify and record the location of each illustration in the documents

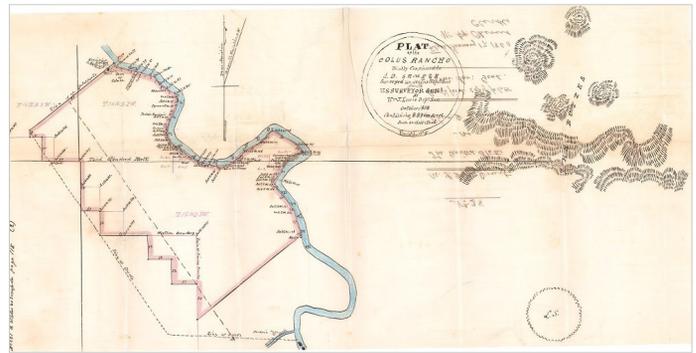


Image 3. Plat of the Colus Rancho. Transcript of Record—1864, v.2

filed with the Supreme Court regardless of the content of the image. For the purpose of this project, an image is defined as any data, graphic, or text that is included as a separate piece or page in the bound Records and Briefs and that either exceeds or is smaller than the normal page size of the volume. Within the Library, these images are referred to as “inserts” for how they are placed into the bound record. Information that appears as part of a printed page and that conforms to the printed page size of the brief are not included in this project, as those items have generally been included in other commercial databases.

At the Supreme Court of the United States, a conservation project has been underway since 2004 to identify and protect Records and Briefs volumes in deteriorating condition. These volumes are sent to an off-site conservation center and in the course of the conservation work, the images are removed and copied. In addition, an archival quality working copy of the volume is also created. As the images—particularly the oversized items—are often in fragile condition, the originals are removed, treated and returned to the Library to be stored separately. Prior to this project, a brief location guide had been created for the largest oversized maps while the smaller inserts were placed in boxes by size and volume year. This location guide however did not include sufficient information to associate the insert with the case or documents from which it was drawn—only where it was filed. Clearly if the value of metadata for access lay in part in its completeness, our location guide was lacking.¹⁵

In 2016 when staff were asked to locate images by case for a possible display it quickly became evident that the basic location guide would no longer suffice. In response, the Technical Services and Special Collections Department of the Library, which also has responsibility for the Court’s federal depository collection, initiated a project to fully identify and record the location of each insert in both the original Records and Briefs volume and to coordinate that information with the file location.

Since the items included in the existing location guide are limited to those volumes that had conservation work and we

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Title	Year	Record and Brief Volume	Record and Brief Part	Record and Brief Page Range (spine)	1st Page # (handwritten page number)	2nd Page # (printed page number)	Case Name	Official US Rpt. Cite		Type of Document	Document size (h x w)	LC Subject	Geographic location name (state/city/territory/etc.) if map	Note (free text - but brief description re: unique features if present)	Map Cabinet location
Transcripts of Records	1832	-	-	-	-	-	John Minor, plaintiff in error, versus Shurbal Tillotson	32 US 99 (1833)	7 Pet. 99 (1833)	Map	26 x 20 cm	Land titles x Mississippi	Mississippi	Hand drawn and colored	
Transcripts of Records	1833	2	n/a	427-769	535	18	John Minor, plaintiff in error, versus Shurbal Tillotson	32 US 99 (1833)	7 Pet. 99 (1833)	Map	27 x 35 cm	Land titles x Mississippi	Mississippi	Hand drawn and colored	
Transcripts of Records	1833	2	n/a	427-769	543	34	John Minor, plaintiff in error, versus Shurbal Tillotson	32 US 99 (1833)	7 Pet. 99 (1833)	Map	24 x 31 cm	Land titles x Mississippi	Mississippi	Hand drawn and colored	
Transcripts of Records	1833	2	n/a	427-769	547	42	John Minor, plaintiff in error, versus Shurbal Tillotson	32 US 99 (1833)	7 Pet. 99 (1833)	Map	30 x 28 cm	Land titles x Mississippi	Mississippi	Hand drawn and colored	
Transcripts of Records	1833	2	n/a	427-769	696	26	Martin Pickett's Heirs, plaintiffs in error, versus Samuel Legenwood, et al.	32 US 144 (1833)	7 Pet. 144 (1833)	Map	22 x 20 cm	Land titles x Kentucky	Kentucky		
Transcripts of Records	1833	2	n/a	427-769	729	46	John Holmes et al., appellants, versus Daniel Trout et al.	32 US 171 (1833)	7 Pet. 171 (1833)	Map	121 x 40 cm	Land titles x Kentucky	Kentucky	Hand drawn and colored; there are two maps at different scales attached together	
Transcripts of Records	1834	2	1	1285-1830	1741	8	The United States, appellant, versus Antonio Huertas	33 US 475 (1834)	8 Pet. 475 (1834)	Map	21 x 22 cm	Land titles x Florida	Florida		
Transcripts of Records	1834	2	1	1285-1830	1773	6	The United States, appellant, versus George Flemming's Heirs	33 US 478 (1834)	8 Pet. 478 (1834)	Map	20 x 22 cm	Land titles x Florida	Florida		
Transcripts of Records	1834	2	1	1285-1830	1787	8	The United States, appellant, versus Joseph M. Hernandez	33 US 485 (1834)	8 Pet. 485 (1834)	Map	17 x 22 cm	Land titles x Florida	Florida		
Transcripts of Records	1834	2	1	1285-1830	1803	8	The United States, appellant, versus John Huertas	33 US 488 (1834)	8 Pet. 488 (1834)	Map	29 x 30 cm	Land titles x Florida	Florida	Hand drawn, accompanied by a second smaller map of area	

Figure 1. Inserts spreadsheet

needed to create a comprehensive guide for all the inserts, it was decided to start from the first volume and to incorporate whenever possible the existing file location information as part of the new data recordation process.

Although paging through each volume by hand is labor intensive, the process for creating the index content itself is straightforward. Beginning in 1832, with the earliest volumes in the Library’s collection, volumes are removed from the shelf and paged through by hand with the data compiled in an Excel worksheet. After discussing with other library staff it was decided that the spreadsheet finding aid would include year, volume, page number, case name, official and parallel citations, material type, document size and subject. The subjects are created by using Westlaw headnotes or reading the case and applying Library of Congress Subject headings. Information that is not required but provided whenever available includes geographic location, local notes and the original cabinet location. As mentioned above, the map cabinet location is only included for those oversized insets already present in the older location guide. Finally, if the item *has not* been sent to conservation, a note is made of that as there will be no inserts in the file cabinets and the only copy will be the original on the shelf.

Looking Ahead

In fall of 2019, a review of the full set of nineteenth century volumes was completed. Working with staff from MARCIVE, a complete set of MARC records have been created for this content and the records have been added to the Court’s online catalog. A project to undertake a similar survey of and indexing of the twentieth-century cases along with their maps and other illustrations, placed on hold due to COVID, will get underway

in the summer of 2022. Once completed, library staff at the Supreme Court of the United States will be able to provide comprehensive access for our onsite users to these important and overlooked resources.

Acknowledgment

The author thanks the editorial staff of *Unbound: A Review of Legal History and Rare Books* (AALL) for permission to use portions of an earlier article on this project here (<https://www.aallnet.org/lhrbis/wp-content/uploads/sites/10/2019/10/LHRBSIS-Unbound-Volume-11-Number-2.pdf>). I also extend appreciation for my colleague and co-author of the earlier article, Joann Maguire-Chavez, Special Collections / Records and Briefs Librarian, for her support and permission as well.

William Sleeman (wsleeman@supremecourt.gov), Assistant Librarian for Technical Services and Special Collections, Supreme Court of the United States.

Notes

1. Betty Mason and Greg Miller, *All Over the Map: A Cartographic Odyssey* (National Geographic Press, 2018), 16.
2. Although often described as “foldouts” in digitization projects because the graphic image is usually “inserted” into the record as an exhibit we have retained the use of the word “insert” to describe this content.
3. Nothing in this article should be understood to represent the position of the Supreme Court of the United States regarding any of the cases discussed or referenced.

- Descriptions of the cases whenever provided will be drawn from the published headnotes or “questions presented.”
4. The author acknowledges a western bias for the purpose of this intentionally brief introduction and does not mean to convey that other systems of law or world views do not have a similar (or differing) experience regarding the “spatiality” of the law. See generally Irus Braverman et al., *The Expanding Spaces of Law: A Timely Legal Geography* (Stanford, CA: Stanford Law Books, 2014).
 5. Susan Schulten, *Mapping the Nation: History and Cartography in Nineteenth Century America* (Chicago: University of Chicago Press, 2012), 7.
 6. “Prima facie evidence: evidence that will establish a fact or sustain a judgment unless contradictory evidence is produced.” *Black’s Law Dictionary*, 7th ed., Bryan A. Garner, editor in chief (St. Paul, MN: West Group, 1999), 579. For a detailed study of how maps are used as evidence generally, see Hyung K. Lee, “Mapping the Law of Legalizing Maps: The Implications of the Emerging Rule on Map Evidence in International Law,” *Pacific Rim Law and Policy Journal* 14, no. 1 (January 2005).
 7. Charles Henry Butler, *A Century at the Bar of the Supreme Court of the United States* (New York: G.P. Putnam’s Sons, 1942), 89.
 8. 21 US V, VI (1823).
 9. BNA. *Supreme Court Practice: Chapter 12. Preparing and Printing the Joint Appendix*. *Supreme Court Practice* 11th edition. at 12.7.
 10. *Brooks v. Fiske*. 56 US 212, 214 (1854).
 11. For a detailed examination of how the Supreme Court of the United States has responded to the presence of images see Hampton Dellinger, “Words are Enough: The Troublesome Use of Photographs, Maps and Other Images in Supreme Court Opinions,” *Harvard Law Review* 110 (1997), 1754.
 12. John Paul Stevens, *The Making of a Justice: Reflections on My First 94 years* (New York: Little Brown and Company, 2019), 193.
 13. Dellinger, “Words are Enough.”
 14. Author’s e-mail exchange with project staff from Gale-Cengage (2015). On file with the author.
 15. Articles that address the challenges presented in creating metadata for digital projects abound. For a recent analysis see Marta Kuzma and Albina Moscicka, “Metadata Evaluation Criteria in Respect to Archival Maps Description: A Systemic Literature Review,” *The Electronic Library* 38, no. 1 (2020): 1–27.

Contributing to HathiTrust on a Smaller Scale

Suzanne Reinman, Juliana Nykolaiszyn, and Tabitha Carr

In 2021, the Oklahoma State University Library contributed titles from the Bureau of Indian Affairs in their regional depository library collection to the HathiTrust Digital Library. A coordinated effort, this allowed the university library to expand the mission and outreach of the Federal Depository Library Program and also disseminate information and further education as part of the responsibility of a land-grant institution. Contributing Bureau of Indian Affairs materials enhanced the OSU Library's role as a preservation partner with the Federal Depository Library Program, supported the state with the importance of Native American tribes in Oklahoma, and complemented the goals of the HathiTrust Federal Documents Collection Framework as a key agency to complete as to a comprehensive collection.

The Oklahoma State University Library (OSU) is a regional depository library for the Federal Depository Library Program and also a member institution of HathiTrust (HT), a “collaborative of academic and research libraries preserving over 17 million digitized items.”¹ Working to comprehensively catalog its federal documents collection, second copies and other publications were retained for potential contribution to the HathiTrust database to fulfill in part its mission as a land-grant university in the advancement of knowledge.

The US Federal Documents Program at HathiTrust is one of six programs that furthers HathiTrust’s mission and goals. The Program serves to “expand access to and preserve US federal publications.”² Selecting “Browse Collections” from the HathiTrust main page, *US Federal Documents* is a collection in progress identified through the Federal Government Documents Registry, “a database of metadata intended to represent the comprehensive corpus of U.S. federal documents produced from 1789 to the present.”³ Other pages related to federal document collections include the HathiTrust US Federal Government Documents Program,⁴ expanding access to and preserving US federal publications “through coordinated and collective

action, expand and enhance digital access to U.S. federal publications including those issued by GPO and other federal agencies,” through its goals of a comprehensive digital collection, enduring access, and community.

Project Background

As a member institution and a regional depository library, OSU considered it important to contribute federal publications not yet included in HathiTrust through its U.S. Federal Documents Program, serving researchers worldwide. Contacting the Government Documents Registry Analyst at HathiTrust, the library inquired about contributing materials to the database. In 2019, HathiTrust included materials from about 55 members in the repository; most of the items in the database come from the Google scanning workflow. An overview of existing digitized content and the Hathi ingest process is presented at Getting Content into HathiTrust.⁵ Although the bulk of the content is mass-digitized, HT is very interested in working with members to ingest locally-digitized material and they plan to work with members to provide additional support and guidance for this process in the coming years.

To align its contributions with the collections sought for the database, the OSU Library reviewed the HathiTrust Federal Documents Collection Framework,⁶ also the US Federal Documents Collections outline.⁷ Comprehensive runs of essential titles are listed as priorities as well as publications from specific agencies.

OSU serves as a Preservation Steward for the Federal Depository Library Program for the Bureau of Indian Affairs (BIA). The library chose to begin with this agency because it aligned with both institutions’ priorities—US Federal Documents Collection. In addition to history of native peoples in Oklahoma and the tribes that were relocated to Indian Territory, Oklahoma is also a state with 35 currently federally recognized tribes and one of the highest percentages of Native

Americans as part of its population. Working with the Program Officer for Collections and Federal Documents and the Collection Services Librarian, the contact for digitization and ingest, the library sent their holdings for the BIA in 2019 for a comparison as to what the registry, updated daily, was able to ingest as to titles not yet in the HT database from OSU. Twenty-seven titles were selected for contribution from the comparison that were substantial in their content.

Requirements

The original process for contributions as outlined by HT in 2019 was revised in 2020. Other institutions have described the earlier process.⁸ The technical requirements did not change. The revised and current workflow is as follows. Working with the original process proved to be challenging; it is now much more streamlined and direct. Getting Content Into HathiTrust is part of the Digital Library page:

Members may deposit digitized materials with HathiTrust for long-term preservation and access. These materials are stored in our repository and made available for search, display, and computational research, in addition to other uses as permitted by U.S. Copyright Law. We encourage all members to deposit material.⁹

The sections under Getting Content into HathiTrust include the following:

- Bibliographic Metadata Specifications, hathitrust.org/bib_specifications
- Bibliographic Rights Determination, hathitrust.org/bib_rights_determination
- Ingest Checklist, hathitrust.org/ingest_checklist
- Ingest Reports, hathitrust.org/ingest_reports
- Ingest Reports Description, hathitrust.org/ingest_reports_description
- Bibliographic Metadata Submission, hathitrust.org/bib_data_submission
- Ingest Tools, hathitrust.org/ingest_tools

Also see the Guidelines for Digital Object Deposit in the Policies section,¹⁰ which includes four sections:

The purpose of these guidelines is to facilitate deposit of digital content from a variety of sources into the HathiTrust repository. The guidelines contain an introduction to the HathiTrust Digital Library, a

description of its guiding principles and design, a brief overview of the ingest process, and definitions, policies and procedures related to the ingest of digitized book and journal content and associated metadata.

- Technical Requirements for Digitized Page Images Submitted to HathiTrust see <https://bit.ly/2OS8byR>
- Submission Package Requirements for Digitized Content Submitted to HathiTrust <https://bit.ly/2SB3ytK>
- Bibliographic Metadata Specifications see <https://bit.ly/2UMFUNE>
- Overview of Bibliographic Metadata Submission Process see <https://bit.ly/39uD9Vq>

The library reviewed the scanning and bibliographic record specifications, also submission requirements, *Bibliographic Metadata Specifications and Overview of Bibliographic Metadata Submission Process* above. Following the Ingest Overview in Getting Content into HathiTrust, the Digital Asset Submission Inventory form was completed to set up the content stream in the HathiTrust repository and signed by the dean of libraries, also the Administrative Coversheet to be used for setting up the configuration for loading the bibliographic data into Zephir, the bibliographic metadata management system for HT.

For the bibliographic records, a test file of a 10 percent sample of the bibliographic metadata to be submitted was required. Working with the metadata analyst at the California Digital Library, the process for the submission of bibliographic metadata to Zephir, is outlined at Bibliographic Metadata Submission,¹¹ and the specification for the records themselves is posted at Bibliographic Metadata Specifications.¹²

Scanning Workflow

HathiTrust outlines technical requirements when scanning materials for inclusion, such as specifications for image capture, resolution, color, format, and file naming conventions.¹³ Many scanners have the ability to set up jobs with predefined settings within their proprietary software. Designing a HathiTrust specific preset is beneficial, and helps scanning operators understand key specifications without the need to consult documentation every time.

One of the technical barriers for OSU was identifying existing scanning equipment within the building to produce quality scans based on the technical requirements. Specifications include creating scans with a bitonal resolution of 600 pixels per inch (ppi) with CCITT Group 4 compression in TIFF format, or continuous tone images with a minimum resolution of

300 ppi in TIFF or JPEG2000 format. This, combined with the requirements to produce optical character recognition (OCR) for each scanned page via TXT files, object metadata as a YAML file, and an MD5 fixity check comprise the Submission Information Package (SIP) needed for transfer to HathiTrust.¹⁴

In breaking down the SIP further, producing OCR files for each scan can be a challenge. Institutions may turn to commercial products to assist in this process, but the need to produce one text file per image can be quite cumbersome. While open-source options like Tesseract or fee-based programs like Adobe Acrobat or ABBYY FineReader may be helpful to explore, at OSU, our scanner's proprietary software was able to generate the much-needed text file per image, based on presets set up during configuration.

Looking closer at the object metadata, while not difficult to generate, it does take some time to configure using a mix of CSV files and helpful Python code created by the HathiTrust community to generate the necessary YAML file. This file contains specific metadata information, including scanner type, DPI, compression, extensions, and page breakdowns. Helpful Github repositories to potentially use when setting up your own processes include Caruso's *YAMLgenerator*¹⁵ or Tillman's *YAML Generator for Digitized HathiTrust Submissions*.¹⁶ Each can be adapted to fit your needs, and also provides a great starting point with respect to understanding metadata requirements.

Once all the scans, OCR files, and the YAML file have been generated, it is time to focus on creating an MD5 checksum to record fixity. Fixity refers to the overall integrity of a digital file. A fixity check, in this case, in the form of a checksum, helps verify if the file has been changed or altered in the transfer process. While there are many types of checksums, the MD5 hash is commonly used for this purpose, and is included as an option in many fixity programs. While there are many tools on the market to record fixity, one free option is *ExactFile*.¹⁷ *ExactFile* is easy to use, cost effective, and provides numerous hash options, such as MD5. Once the checksum is complete, this is also included in your SIP to HathiTrust. It is at this point when you compress all items in a ZIP file named accordingly, usually with the item's barcode. According to HathiTrust, the package should contain the following:

- An image file for each page with proper naming conventions (.tif or .jp2)
- A plain text OCR file for each page (.txt) or coordinate OCR for each page (.html)
- A metadata file (.yaml)
- A checksum file for the SIP (.md5)

For those concerned if everything is completed properly, HathiTrust also provides a Submission Information Package Validator¹⁸ to check ZIP files. Once done, completed ZIP files are then ready for the final step, transmission to HathiTrust for ingestion.

Bibliographic Records and Metadata

The Bibliographic Metadata Specifications for HathiTrust are outlined in their digital library. The documents coordinator, working with members of the cataloging department, was responsible for the metadata process and utilized Alma, FileZilla, MarcEdit, and Outlook as tools for this process. The steps for the metadata follow.

The first step in providing useable metadata was to create an itemized set of physical items, working from a spreadsheet containing barcodes of each item scanned in the first column under the header "Barcode" and formatted as a text column (format as text so numbers are not converted to scientific notation). It is also possible to work from a list of OCLC numbers as long as the text file has the header "035 field" as the first column. See images 1 and 2 for examples of our spreadsheets for creating a set of records.

Once the spreadsheet is created, return to Alma and navigate to "Add set," select "itemized," and set the content type as "Physical Items." This is preparation for the upload of the spreadsheet file. There is a space to upload the file and this is where you will upload a spreadsheet like those above and finish creating the set. After the set is created, confirm the count of set members matches the items on the spreadsheet uploaded. If it does, then proceed to step two.

Export the file from the library's management system (Alma at OSU). A publishing profile and job are required for this. Check that the profile includes the holding and items information and full bibliographic information. Once the file is published, download it from the local ftp server. Filezilla was used to facilitate this process.

Using MarcEdit, open the file in MarcEdit-MARC tools and convert the file to .mrk using the MARC Breaker function. Open the .mrk file and remove all 9xx fields except for the 955 field with the barcode of the specific item you are including in the Alma set. The example below highlights what this will look like for a single record. Other records follow in the same format after a single line break (see image 3).

If there are multiple items that are associated with one bibliographic record (for example a multi-volume set), use a separate copy of the record for each item; the only difference between each will be the 955. Only include one 955 per record. MarcEdit has a find (ctrl-f) function that will allow you to

	A
1	BARCODE
2	36135019278318
3	36135022320206
4	36135000058950
5	36135022319687
6	36135003970912
7	36135019278250
8	36135003971050
9	36135022330585
10	36135022329900
11	36135022121976
12	36135010825919

or

	A
1	035 field
2	(OCoLC)320199034
3	(OCoLC)320220628
4	(OCoLC)05630081
5	(OCoLC)13961262
6	(OCoLC)811619226
7	(OCoLC)2788400
8	(OCoLC)42141115
9	(OCoLC)38525738
10	(OCoLC)263684196
11	(OCoLC)947057456
12	(OCoLC)822030432

Images 1 and 2. Examples of OSU Library's records spreadsheets.

locate all instances of a field and see if multiple versions of that field exist in one record. Image 4 shows an example of what that search could look like.

The results above show us that many records have multiple 955 fields (often because a 955 field containing the call number as well as barcode was added). By navigating to each additional occurrence, the records are able to be edited for compliance. HathiTrust asks submitters to also remove 035 \$9, 019, and 035 \$z. All records must include LDR (000), 001, 008, 035 \$a (OCoLC), 040 \$c, 245, and 300 \$a. Removing and adding fields, except for the 955, can be accomplished using a normalization rule.

A good verification step is to check that the number of each required field matches the number of items (one bibliographic record per item record) that you are submitting to HathiTrust. This may be done using Find All and comparing the results count of each field. After this is confirmed, run MarcEdit Marc validation report (ctrl-M) and validate headings. Next, compile the saved .mrk file into MARC and close the resulting .mrc file. Next, use MarcEdit Marc Tools to convert the .mrc file to MARC21XML. The resulting .xml file will be the final file and the one that is shared with HathiTrust.

Upload the files to Zephir using an FTP tool (such as Filezilla) using the naming convention provided by HathiTrust. If a second file is uploaded on the same date, make sure that it has a unique distinguishing identifier at the end. Files cannot have the same name as a previously loaded file. Once the file is uploaded to Zephir, send a notification email and make sure to check the FTPS space for run reports or error files later that week. If there are errors, re-submit the corrected records

```
=LDR 01182cam a2200301Ma 4500
=001 9937481184602681
=005 20190530112940.0
=008 901108s1900\ldcu\l\0000\engld
=035 \$(OCoLC)320199034
=035 \$(OCoLC)jcn320199034
=040 \$(CLUS)sc:CLUSdOCLCO$dOCLCQ$dOCLCA
=049 \$(OKSU
=110 1\$(United States: SbBureau of Indian Affairs.
=245 12\$(A new era for the American Indians : SbPresident Nixon sets new Indian policies and goals /ScBureau of Indian Affairs.
=260 \$(Washington, D. C. : SbThe Bureau Sc[19--.]
=300 \$(12 pages
=336 \$(Text)stxt$2rdacontent
=337 \$(unmediated)bn$2rdamedia
=338 \$(Volume)bn$2rdacarrier
=500 \$(Cover title.
=500 \$(The president's message to the congress of the United States on the America Indians, July 8, 1970."
=583 \$(apermanently retained)Federal Information Preservation Network Preservation Copy of Record
=949 \$(HELD BY OKS: 2 OTHER HOLDINGS
=955 \$(36135022330320
=960 \$(SPMS1(OCoLC)jcn320199034$29937481184602681$70
=994 \$(20$bOKS
=852 \$(b10049267$822337971770002681
```

Image 3. Example of a single record.

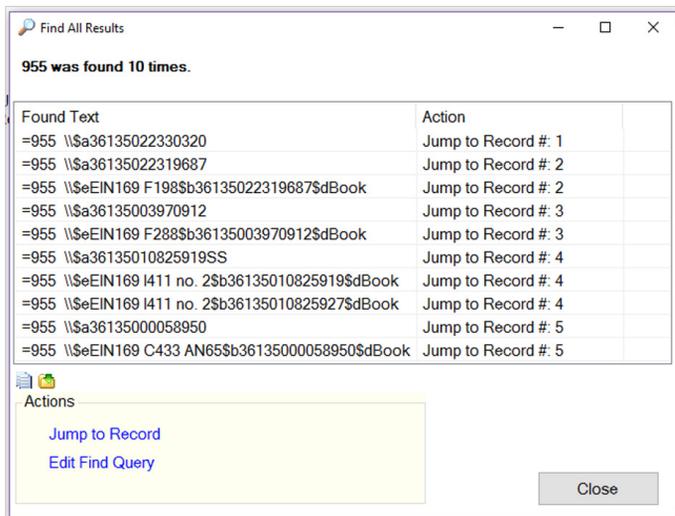


Image 4. Example of MarcEdit find results of 955 fields.

following the same process and notification as before updating the date in the filename.

Submission of Records and Staffing

A box folder at the University of Michigan was shared for the uploading of the digital object packages. HathiTrust is now using DropBox. Correspondence with feedback@issues.hathitrust.org included items ready for deposit and that they were successfully submitted. Materials were available in the database shortly after submission.

The Government Documents department managed the project with the Digital Resources and Discovery Services department navigating HathiTrust's scanning requirements. Staff with a background in cataloging and metadata are also necessary to work with the HT bibliographic metadata specifications. The months with COVID extended the process. The staff at HathiTrust were essential in their guidance in addition to the documentation.

Conclusion

A technical and labor intensive but valuable project, a combined departmental effort and melding of skill sets made this

contribution possible. Depository libraries nationwide have comparable collections but making them digitally available through a national database serving international communities expands the mission and outreach of the Federal Depository Library Program. It also disseminates information and furthers education as part of the responsibility of a land-grant institution. Contributing Bureau of Indian Affairs materials enhanced the OSU Library's role as a Preservation partner with the Federal Depository Library Program, supported the state with the importance of Native American tribes in Oklahoma, and complemented the goals of the HathiTrust Federal Documents Collection Framework as an agency to complete as to a comprehensive collection. Future contributions will be considered based on the HathiTrust Federal Documents Collection Framework.

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Notes

1. "HathiTrust Digital Library," HathiTrust, accessed February 10, 2022, <http://hathitrust.org/>.
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15. Moriah Caruso, "YAMLgenerator," accessed February 4, 2022, <https://github.com/moriahcaruso/HathiTrustYAMLgenerator>.
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17. Brandon Staggs, "ExactFile," accessed February 4, 2022, <https://www.exactfile.com/>.
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ALA Midwinter GODORT Committee Highlights

Cataloging Committee Summary

Ex-officio member Jim Noel of Marcive gave a report that the first batch of Serial Set cataloging records from GPO came into Marcive production. For most libraries these will be invisible as they have no GPO item numbers involved with selection, but libraries that want them can contact Jim Noel to have that set up. There are 9,000 records this month, which will be an ongoing project in the long term. Over the course of 10 years, they could be expecting 350,000 records. There are still library openings in the CRDP (Cataloging Record Distribution Program).

Special Guest from the Library of Congress, Director for Acquisitions and Bibliographic Access Beacher Wiggins, attended the committee's meeting to discuss some insights, updates, and hold Q&A about the Library of Congress' Policy and Standards Division annual meeting that the Library of Congress will replace aliens and illegal aliens subject headings with new subject headings

“Noncitizens” and “Illegal immigration: <https://classweb.org/approved-subjects/2111b.html>.

Chair Andie Craley is working to organize a future “Ask a Cataloger” Friday Chat with committee volunteers with possible breakout rooms during chat on workflows related to OCLC in public libraries, law items, CRDP, and state and local documents. Chair Andie Craley is also working on follow-up with a contact to do a LibGuide Feedback form linked to all three of the Cataloging Toolboxes under “Help/Contacts.”—*Andie Craley, Chair, Cataloging Committee*

Program Committee Highlights

The GODORT Program Committee heard back from ALA that our juried program proposal, “Social Justice & The Kerner Report: The Consequences of Inaction,” for the upcoming ALA Annual Conference in Washington, DC, was accepted.

In this panel discussion, the audience will hear from historians, academics, and activists reflecting on the

significance and impact this government document has had over the past 50 years and what we can still learn from its content today. The committee is now in the process of reaching out to a shortlist of potential panelists for the program.—*Kian Flynn, Chair, Program Committee*

Legislation Committee

The Legislation Committee met with Gavin Baker from ALA's Public Policy and Advocacy (PPA) office; Joe Thompson, current chair of the ALA Committee on Legislation (COL); and Lisa Jochelson, current chair of the COL Government Information Subcommittee (COL-GIS). The Committee held a productive conversation about ALA's legislative agenda, and discussed ways for GODORT to collaborate with PPA and COL-GIS. In the coming months, the Committee will continue its work implementing GODORT's FDLP Advocacy Plan.—*Shari Laster, Chair, Legislation Committee*