In This Issue:

- "The Twilight Zone": Congressionally Chartered Organizations
- 2023 GODORT Award Winners



Documents to the People Summer 2023 | Volume 51, No. 2 | ISSN 2688-125X





DttP: Documents to the People (ISSN: 2688-125X) is published quarterly in spring, summer, fall, and winter by the American Library Association (ALA), 225 N. Michigan Ave., Suite 1300, Chicago, IL 60601. It is the official publication of ALA's Government Documents Round Table (GODORT).

DttP features articles on local, state, national, and international government information and government activities of GODORT. The opinions expressed by its contributors are their own and do not necessarily represent those of GODORT.

Editorial Staff:

Please see the website for full contact information: https://journals.ala.org/index .php/dttp/about.

Lead Editor:

Jennifer Castle, Tennessee State University; dttp.editor@gmail.com

Editors:

Benjamin Grantham Aldred, University of Illinois at Chicago; baldred2@uic.edu Susanne Caro, North Dakota State University; susanne.caro@ndsu.edu Julia Ezzo, Michigan State University; julia@msu.edu

Megan Graewingholt, CSU Fullerton Pollak Library; mgraewingholt@fullerton.edu Kathy Hale, Pennsylvania State Library; kahale@pa.gov

Dominique Hallett, Arkansas State University; dhallett@astate.edu

Richard Mikulski, William and Mary University; rmmikulski@wm.edu Laura Sare, Texas A&M University Libraries; lsare@library.tamu.edu

Laudene Sproles, University Inflattes, Isat@noraly.tanit.edu Claudene Sproles, University of Louisville; (502) 852-6076; claudene.sproles@ louisville.edu

Reviews Editors:

Brianne Hagen, Humboldt University, brianne.hagen@humboldt.edu Dana Piazzon, Library Systems & Services, LLC, dpiazzon@gmail.com

Advertising Coordinator:

Joseph Yue, University of California Los Angeles, dttp.advertising@gmail.com

Advertising: Inquiries about advertising may be addressed to the Advertising Coordinator. *DttP* accepts advertising to inform readers of products and services. *DttP* will adhere to all ethical and commonly accepted advertising practices and will make every effort to ensure that its practices in relation to advertising are consistent with those of other Association publications. *DttP* reserves the right to reject any advertisement deemed not relevant or consistent to the above or to the aims and policies of ALA.

Distribution Manager: ALA Subscription Department, 225 N. Michigan Ave., Suite 1300, Chicago, IL 60601; 1-800-545-2433, press 5; fax: (312) 280-1538; subscriptions@ala.org

Subscriptions: *DttP* is accessible to ALA/GODORT members on a per volume (annual) basis. For subscriptions, prepayment is required in the amount of \$35 in North America, \$45 elsewhere. Checks or money orders should be made payable to "ALA/GODORT" and sent to the Distribution Manager.

Contributions: Articles, news items, letters, and other information intended for publication in *DttP* should be submitted to the Lead Editor. All submitted material is subject to editorial review. Please see the website for additional information: https://journals.ala.org/index.php/dttp/about/editorialPolicies#focusAndScope.

Indexing: Indexed in Library Literature 19, no. 1 (1991) and selectively in PAIS 33, no 1 (2005). Library, Information Science & Technology Abstracts (2004). Full text also available in HeinOnline 1, no.1 (1972).

Editorial Production: ALA Production Services—Tim Clifford and Lauren Ehle.

Columnists:

Documents Without Borders Dorianne Shaffer Research, Education & Outreach Librarian, Michigan Technological University dmshaffe@mtu.edu Not Just in English Jane Canfield Pontifical Catholic University of Puerto Rico jcanfield@pucpr.edu

Get to Know . . .

Gwen Sinclair University of Hawaiʻi at Mānoa gsinclai@hawaii.edu

DCCCP Documents to the People

Summer 2023 | Volume 51, No. 2 | ISSN 2688-125X

Columns

- 2 Editor's Corner—Jennifer Castle
- 4 From the Chair—Kian Flynn
- 5 Get to Know ... Jesse Silva—Gwen Sinclair
- The Congressional Joint Committee on Printing (JCP)
 —Bernadine Abbott Hoduski
- 10 Not Just in English Anymore—Jane Canfield

Review

11 *Final Report of the Select Committee to Investigate the January 6th Attack on the United States Capitol—Kelly Bilz*

Features

12 "The Twilight Zone": Congressionally Chartered Organizations Gwen Sinclair

'Round the Table

20 2023 GODORT Award Winners

About the Cover: Sokol, Bill, Artist. Enjoy Summer More, Read Books, 1966. [New York: New York Times] Photograph. https://www .loc.gov/item/2015647886/.

Copyright © 2023 American Library Association

R emember when we were all shaking our heads in August about the classified government documents found at Mara-Lago, then it so happened that former Vice President Mike Pence and President Joe Biden also had classified materials? It seems folks who work at the White House may have a penchant for taking them home.

All three are being investigated, though former President Donald Trump may be in the hottest of water. Attorney General Merrick Garland has appointed special counsel Jack Smith, who is investigating Trump's complicity in the January 6 attack and the wider attempt to overturn the 2020 election.¹ Smith is also probing the former president's actions over the classified materials found at his Florida home after he refused to hand them over for months.

Pence also took classified documents to his Indiana home and has since returned them.² Garland has not appointed a special prosecutor to investigate Pence.

Documents dating back to Biden's tenures as senator and vice president were also found in the president's former office and home.³ Though it is reported he began returning them as soon as Biden became aware of their location, the White House did not announce when they were first discovered, reportedly around the 2022 November midterm elections.⁴ Selected by Garland, special prosecutor Robert Hur will investigate.⁵

The so-called congressional "Gang of Eight" was recently granted access to the documents found in the possession of the three men.⁶ The eight politicians, comprising the four party leaders in the House and Senate and the four chairs and ranking members of the House and Senate intelligence committees, have access to the most sensitive information.

News later broke that an unspecified number of documents from the Pentagon had been found posted on social media, particularly on a video game chat service called Discord.⁷ Some files have been identified as highly sensitive, revealing US intelligence efforts regarding notable allies and oppositions. Among the documents were worries regarding vulnerable areas in Ukraine's military strength after more than a year of war.⁸ The country's top officials have, naturally, argued the leak may be a Russian disinformation effort.

Also among the Pentagon leak, documents on China revealed assessments on risks posed by the country, specifically its willingness to send deadly aid to Russia, and details of an experimental hypersonic weapons test conducted in February.⁹

Jennifer Castle

One leaked evaluation posited an attack from Ukraine on Russian soil using NATO weaponry could draw Beijing into the war.¹⁰

Possible security breaches and sensitive materials don't have to come from the upper echelons of political power or even the US government. During Biden's trip to Belfast in April to commemorate the 25th anniversary of the Good Friday Agreement, the Police Service of Northern Ireland made the Secret Service aware of local reports of a document related to the president's visit that was found on a city street. The man who discovered the PSNI document called a BBC radio show and said the paper had information such as road closures, police commanders assigned to various posts, and phone numbers.¹¹

It makes you wonder how many documents are not where they're supposed to be and are in the hands of people who shouldn't have them.

Jennifer Castle (jcastle@tnstate.edu), Instruction and Engagement Librarian, Tennessee State University

Notes

- Office of the Attorney General, "Order No. 5588-2023: Appointment of Robert K. Hur as Special Counsel," Justice.gov, January 12, 2023, https://www.justice.gov /d9/2023-01/Order.Appointment%20of%20Robert%20 Hur.11223%20%28002%29.pdf.
- Jeff Mason, "Classified Documents Found at Former U.S. Vice President Pence's home," Reuters, January 24, 2023, https://www.reuters.com/world/us/classified-doc uments-found-former-us-vice-president-pences-indiana -home-cnn-2023-01-24/.
- Richard Sauber, "Statement from Richard Sauber, Special Counsel to the President," January 12, 2023, https://www.documentcloud.org/documents/23572482 -richard-sauber-statement.
- Dustin Jones, "Biden Says He Has 'No Regrets' on How He's Handled Classified Documents Discovery," NPR, January 19, 2023, https://www.npr.org/2023/01 /19/1150144933/biden-no-regrets-classified -documents-investigation.

- 5. Office of the Attorney General, "Appointment of Special Counsel," Justice.gov, November 18, 2022, https://www .justice.gov/opa/pr/appointment-special-counsel-0.
- 6. Rebecca Beitsch, "Gang of Eight' Now has Access to Classified Documents Found at Trump, Biden and Pence Homes," The Hill, April 11, 2023, https://thehill .com/homenews/senate/3943806-gang-of-eight-now -has-access-to-classified-documents-found-at-trump -biden-and-pence-homes/.
- Nomaan Merchant, "Leaked Documents May Have Origin in Chatroom for Gamers," AP News, April 11, 2023, https://apnews.com/article/classified-documents -leaks-chatroom-discord-social-media-5fff130f2ca9581b c14514a4e29c7b64.
- 8. Alex Horton et al., "The Key Countries and Revelations from the Pentagon Document Leak," *Washington Post*,

April 11, 2023, https://www.washingtonpost.com /world/2023/04/10/pentagon-document-leak -russia-china-israel.

- 9. Horton et al., "The Key Countries and Revelations from the Pentagon Document Leak."
- 10. Horton et al., "The Key Countries and Revelations from the Pentagon Document Leak."
- Rebecca Shabad, "Secret Service Informed of 'Potentially Sensitive Document' on Biden's Travel Reportedly Found on Belfast Street," NBC News, April 12, 2023, https://www.nbcnews.com/politics/white-house/secret -service-informed-document-biden-travel-reportedly -found-belfast-rcna79424?fbclid=IwAR07sLLRCe5va mLIU4BQnTnAE4ugyFdLHzQ2KMa5hq74Y5PVpa uwXiREUdI.

From the Chair

Summer in Chicago

The last time I was in Chicago, a chapter of my life had just ended. I had just graduated from Carleton College in Northfield, MN, and took a summer road trip with family south and east from the Carleton campus to the Windy City. We caught a Cubs game at the iconic Wrigley Field, watched the July 4th fireworks over Navy Pier, and posed for photos under the Bean. As I basked in a glorious Chicago summer week, I wasn't sure what the next chapter of my life would be. Applying for library school was still a year away.

I look forward to returning to Chicago this month, over ten years later, at the closing of another chapter of my professional life. It has been a true honor to serve as the Chair of the Government Documents Round Table over the past year. It has been a pleasure working with my colleagues on the GODORT Steering Committee, promoting GODORT and our services to the broader association and membership, and thinking about how we can continue to be instrumental in promoting access to government information in libraries.

Though my year as Chair will be coming to a close in Chicago, I won't be going anywhere, and I look forward to contributing in the future to GODORT. I know I'll be leaving the chairship in the capable hands of Benjamin Aldred.

But before I pass on the gavel, we have a busy and exciting month ahead of us. First, we hope to see you all at the virtual GODORT meetings (https://godort.libguides.com/2023 annual) that will be taking place the week before the ALA Annual Conference in Chicago. These meetings are a great opportunity for old and new members alike to get up to speed on what is happening in GODORT.

The week after, we hope you will join us in Chicago for an exciting weekend of events. GODORT has a nice mix of educational programming, social events, and celebrations lined up to supplement the many other great programs on tap at the conference. A few highlights:

1. GODORT will be sponsoring three different programs at Annual, all three highlighting Chicago libraries and collections: Chicago Data in Action with PPIRS, Advocacy Stories from Chicago Libraries (GODORT Chair's Program), and Revealing Chicago's Planning Past Digitally with MAGIRT

- 2. GODORT's five ALA Emerging Leaders—Jennifer Castle, Laura Tadena, Kelly Bilz, Amanda He, and Hale Polebaum-Freeman—will be presenting their work on the GODORT Library Communities Vote project at the Emerging Leaders poster session
- 3. GODORT will celebrate our Award recipients at our Awards Reception on Sunday night (June 25th) at the Glessner House. Join us for light refreshments and a toast to our award-winning colleagues: Stephen Hayes, Nia Rodgers, Marie Concannon, Mary Sine Clark, Ben Amata, James Church, Kay Cassell, and Kathryn Tallman.

In order for GODORT to continue offering these types of programs and events, we encourage you to consider donating to GODORT this summer or bidding in our GODORT Silent Auction sponsored by Readex for vacation rentals in Vermont and Florida.

As we come to the end of the '22–'23 GODORT year, I also would like to thank all of our committee chairs and members for their contributions to GODORT this year. I look forward to toasting your accomplishments in Chicago. If you haven't already, I highly encourage you to consider volunteering for service on a committee this year and keeping the great work of GODORT moving forward.

Kian Flynn (flynnk7@uw.edu), Geography and Global Studies Librarian, University of Washington.

Get to Know . . .

Jesse Silva

Jesse Silva has long been a familiar face at FDLP conferences. He is the Scholarly Resources Strategy and Federal Government Information Librarian at the UC Berkeley Library, a position he has held for about four years. He is responsible for policy development, implementation, and budgeting for scholarly resources and collections. Jesse has been at Berkeley for about sixteen years and, in his previous position, had liaison responsibilities for legal studies, political science, and public policy in addition to federal government information.

A native Californian, Jesse attended UC Santa Cruz, where he worked as a student assistant in the library. After graduating in 2000, he took a staff position in the government documents department. Jesse explained, "When September 11 happened, it was really interesting to see the dialogue on Govdoc-l about scrubbing of websites and information being removed, and that's what motivated me to go to library school." While working on his MLIS degree at San Jose State University, he moved to San Francisco. He accepted a job as a government documents cataloger at San Jose State, which gave him a completely different perspective on the field.

Jesse cited the Census Bureau publication *Measuring America* as a favorite resource.³ "It really shows our history in terms of race, gender, and how we classify and count people," he explained. He also identified the classic *United States Government Publications* by Boyd and Rips, which he learned about from Andrea Sevetson, as "a great resource that has helped me to answer so many questions and learn about the publishing history of many documents."⁴

Jesse's job as a government information librarian led him to work on a particularly meaningful project on LGBTQ history. It began when Jesse did a presentation with Kelly Smith of UC San Diego about LGBTQ history in government documents at the 2016 Depository Library Conference (an updated version of the presentation was done in 2018).¹ Jesse repeated the presentation at UC Berkeley, where colleagues were inspired to work with him to create a major exhibit in the Brown Gallery at Doe Library, "We're Here, We're Queer, We're in the Public Record," that showcased government documents related to LGBTQ history. What Jesse found especially moving was seeing what viewers had written in the comment books, some of which can be read in the Library's annual report.²

Jesse's research on the LGBTQ History Project inspired him to embark on a much larger project to research the Immigration and Nationality Act of 1952 (McCarran-Walter Act,

Gwen Sinclair

P.L. 82-414), which among other things, explicitly prevented homosexuals from immigrating to the US. Jesse was awarded funding from UC to research the act's legislative history at the National Archives. He will also visit the Library of Congress to explore Representative Francis Walter's political papers and travel to the University of Nevada at Reno to review Senator Pat McCarran's papers to learn what was going on behind the scenes when the law was passed.

In addition to his research projects, Jesse shared another aspect of what he loves about his work: "The people! Everyone is very committed to the work that they're doing." He enjoys working with bright and motivated faculty and students at Berkeley. His job also gives him a great opportunity to learn what goes on in the government and to see how world events are reflected in government documents. He finds the recent developments related to the all-digital FDLP intriguing because, he explained, staff cuts and space reductions have necessitated the deselection of most print at his library. Consequently, Berkeley has gone from being an 80 percent tangible selective to being an 80 percent digital selective.

When asked what advice he would give to a newly-minted government information librarian, he recommended reading the *Washington Post* to learn about what goes on in Washington, DC. He encouraged librarians new to the field to reach out if they have questions because the government information community is very welcoming. He joked, "We're all kind of weirdos in a sense!"

Gwen Sinclair (gsinclai@hawaii.edu), Chair, Government Documents & Maps Department, University of Hawai'i at Mānoa Library.

Notes

- Jesse Silva and Kelly L. Smith, "We're Here, We're Queer, and We're in the Public Record: Federal Government Documents on the LGBT Movement" (webinar, Federal Depository Library Program, June 19, 2018), https://tinyurl.com/4w83r3ss.
- University of California at Berkeley Library, "We Inspire Conversation," *Annual Report FY 2017–18* (Berkeley: University of California at Berkeley Library, 2018), https://tinyurl.com/2wbfwywp.

Get to Know ...

- 3. J. C. Gauthier, *Measuring America: The Decennial Censuses from 1790 to 2000* (Washington, DC: Census Bureau, 2000), https://tinyurl.com/2p8skmeh.
- 4. Anne Morris Boyd and Rae Elizabeth Rips, *United States Government Publications*, 3rd ed. rev. by Rae Elizabeth Rips (New York: Wilson, 1950).

The Congressional Joint Committee on Printing

The Nation's Guardian of Public Access to Government Publications and Information

The Congressional Joint Committee on Printing has been the nation's guardian of public access to government publications for over a hundred years. Depository libraries have a close relationship with the members of Congress in their own state because those members are the ones that designate them as depositories. JCP has taken many steps to improve services to libraries and the public, including hiring the first librarian with the charge of helping Congress improve information services for the public and the libraries that serve them.

JCP membership comes from the Committee on House Administration and the Senate Rules Committee. The Joint Committee on Printing was established in 1846 to adopt measures "deemed necessary to remedy neglect, delay, or waste" on the part of government printing contractors. Over the years, Congress assigned more duties to JCP and consolidated it's duties under the 1895 Printing Act, and codified all of its responsibilities into U.S.C. Title 44. Congress also moved the Federal Depository Library Program from the Department of Interior to GPO, thus creating JCP as the champion for public access to government publications. Congress also approved the JCP and the Library of Congress's request to transfer the International Library Exchange Program from the Smithsonian to GPO in order to improve services and cut the cost by some million dollars per year.

JCP has reviewed Title 44 over the years by conducting a number of exhaustive studies. In 1978 the JCP established the Ad Hoc Committee on Revision of Title 44 and included representatives from fifteen organizations. Francis Buckley and Lois Mills, both GODORT members, were chosen to represent the library community. Roy Breimon and myself served as JCP staff to assist the advisory committee.

The committee report "Federal Government Printing and Publishing: Policy Issues" explained the role of the Joint Committee On Printing as follows:

Under Title 44, United States Code, the primary responsibility for setting and administering policy for the printing and distribution of government publications rests with the Joint Committee on Printing. Section 103 establishes the major JCP policy goal to "remedy neglect, delay, duplication, or waste in the public printing and distribution of Government publications." In addition, other sections of the law state that specific actions or assignments are "subject to regulation by the JCP," or must be "approved by the JCP."

The report goes on to list some of the responsibilities of JCP:

- 1. Establishment of policies for the federal printing and distribution system through regulations.
- 2. Establishment of standards and specifications for federal paper procurement and use.
- 3. Oversight of the operation of almost 300 departments and agency printing plants worldwide.
- 4. Approval of agency requests to purchase printing and binding equipment.
- 5. Oversight of the Federal Printing Procurement Program, whereby a substantial percentage of the Government's printing requirements . . . are purchased from commercial sources via competitive bids.
- 6. Oversight of the Government Printing Office's operation and policies. Additionally, under 44 U.S.C. the Kiess Act, the committee serves as the final board of appeal in GPO labor/management negotiations pertaining to wage-related matters.
- 7. Oversight over public access to government information through various programs, including by-law distribution, document sales, and the Depository Library Program.
- 8. Promotion of cooperation between the Senate and House of Representatives publishing activities in such areas as automated production of Congressional publications and automated indexing.
- 9. Formulate recommendations to Congress for the updating, revising, and /or eliminating sections of Title 44 of the United States Code.
- 10. Compilation, publication, and distribution of certain Congressional publications and supplements, including: "The Congressional Directory," The Congressional Pictorial Directory," "The Capitol Magazine," and the "Biographical Directory of the American Congress."

JCP, until its separate office and staff were taken away in the late '90s, worked every day to provide oversight of the executive and judicial branches. JCP had liaisons in every department and agency and held a yearly meeting with them to review JCP regulations and discuss new printing and information

Bernadine Abbott Hoduski

The Congressional Joint Committee on Printing

policies. JCP worked with the Government Accounting Office, the LC Congressional Research Service, and the former Office of Technology Assessment to explore ways to improve GPO's ability to do its job.

JCP employed staff who were experts on the legislative process and the publications that support that process, such as the bills and the Congressional Record. They were knowledgeable about printing, paper, binding, technology, publishing, appropriations, depository libraries, and labor. The JCP separate office was gotten rid of by Congress as a cost-saving gesture. The JCP parent committees, Senate Rules Committee, and Committee on House Administration (now Committee on Oversight) have one or two staffers assigned to conduct the work of the JCP.

JCP, since 1846, has more than proved its worth. JCP developed many policies that saved hundreds of millions of dollars. JCP helped GPO use technology to reduce GPO's staff from about 9,000 to a little over a thousand staffers without firing a single person.

JCP held public meetings all around the country to solicit feedback from GPO's staff and customers, librarians, printing and paper contractors, and commercial publishers about needed legislative and regulatory changes in 1980 and 1981. JCP inspected all the GPO plants, bookstores, the Pueblo Distribution Center, many agency in-house printing facilities, and 50 depository libraries. JCP continued to inspect printing and procurement plants until their staff was eliminated.

JCP worked closely with all the library associations and often sent staff to speak at their meetings. JCP encouraged GPO to support the Depository Library Council and sent JCP staff to their meetings. Often the professional staff was accompanied by the staff director, deputy staff director, or legal counsel.

JCP coordinated the efforts to pass the "1962 Depository Act," the law to bring law libraries into the depository library program, and the "GPO Access Act of 1993." JCP laid the groundwork for bringing electronic publications into the depository library program by interpreting the law to say that printing included electronic publications.

JCP worked with GPO to develop the requirements for the first contract for an electronic printing press. JCP directed GPO to use recycled paper for regular printing and archival paper for publications like the Serial Set. JCP directed GPO to use soy-based ink for printing. JCP chaired the working group that automated the "Congressional Record Index." JCP, with the cooperation of the Bookbinder to the Senate and GPO, developed binding standards for Congress, thus improving the quality and cutting costs. JCP worked with GPO in developing bibliographic and technical standards for GPO microfiche. JCP investigated why the microfiche for a number of years was of poor quality and took steps to correct the problem.

JCP staff worked with the Superintendent of Documents to automate the "Monthly Catalog of U.S. Government Publications" using international standards such as AACR and MARC format, which made it possible for libraries, networks, and others to incorporate those cataloging records into their electronic catalogs. JCP, working with the Federal Library Committee, brokered the contract to allow GPO and federal libraries to catalog directly into OCLC. Vendors were able to take the cataloging data and produce secondary products. The Senate and House Libraries, the Supreme Court, the Library of Congress, the Congressional Research Service, and GAO used GPO's cataloging records rather than doing their own cataloging. They saved the judicial and legislative branches a lot of money. Most of the executive and federal court libraries followed suit, saving the federal government millions of dollars.

JCP encouraged GPO to hire professional librarians and raise the librarians' grades by two grades in order to compete with LC for experienced catalogers.

JCP worked with GPO to develop a marketing plan for the sale of government publications, including the publication of a sales catalog so customers would know the price and availability of publications before they ordered them. JCP worked with GPO in designing an automated sales order fulfillment system, which made it possible for staff to search a database when an order arrived and to process the order electronically. JCP worked with commercial bookstores to stock GPO publications. This was made possible because JCP persuaded Bowker and GPO to assign ISBN numbers to GPO publications and to use bar codes on sales publications which allowed their easy purchase by commercial bookstores

JCP established the Ad Hoc Committee on Depository Library Access to Federal Automated Data Bases, which recommended to the JCP that electronic government information be provided to depository libraries and further recommended that the economic feasibility of such provision be tested through pilot projects. JCP staff convinced 16 agencies to develop electronic pilots. JCP convinced Census to publish their pilot CD-ROM through GPO. It was the first CD-ROM published through GPO.

JCP visited 55 congressional committees in 1975 and 1976 and persuaded them to allow GPO to ride their print order for committee prints for depository libraries.

JCP worked with Congressional, LC, and GPO staff to transfer the International Exchange Program from the Smithsonian to GPO, thus improving service to the libraries and cutting the cost of the program by several million per year. JCP persuaded the map-producing agencies, who had legal permission to print their maps themselves and therefore had to pay for the printing of copies for depository libraries, to provide those maps to GPO for libraries. In return, GPO agreed to pay for the handling, mailing, and postage. Providing their maps through GPO allowed the agencies to cull their own mailing lists while being assured that the maps were getting too many users.

JCP worked with the sci/tech agencies to persuade them to provide their publications and reports to depository libraries. Many sci/tech publications were issued in microfiche. Since JCP had adopted a policy that microforms were publications, the agencies could not refuse to provide their publications to depository libraries.

The Congressional Joint Committee on Printing

In conclusion, JCP has listened to the concerns of government printers and publishers, GPO staff, depository librarians, purchasers of publications from GPO, and contractors of printing equipment and services, and took steps to improve services by developing better policies and by effective oversight. It takes a bipartisan committee with knowledgeable and full-time staff to be responsive to Congress's constituents.

Bernadine Abbott Hoduski (ber@montana.com), Professional Staff Member (retired), Congressional Joint Committee on Printing and author of *Lobbying for Libraries and the Public's Access to Government Information* (Rowman, 2003). M oney, dinero, 钱, denaro, novac: In any language our users deserve accurate information.

Sixty-eight million people in the United States speak a language other than English. Spanish speakers make up 13.2% of the US population. The number of other language speakers in the United States tripled from 23.1 million in 1980 to 67.8 million in 2019. The five most spoken languages other than English are Spanish, Chinese, Tagalog, Vietnamese and Arabic. (https://www.census.gov/library/stories/2022/12/languages-we -speak-in-united-states.html)

Each of us perform daily financial tasks from paying bills, to accessing bank information, investing in our retirement accounts, buying groceries and cars and houses, dealing with inflation, and planning our future budgets. The federal government does provide information in other languages to help with these tasks as well as information to protect us from fraud and scams. I have found three main sources of financial information in other languages: benefits.gov, usa.gov, and the Consumer Financial Protection Bureau (CFPB). The first two offer information primarily in English and Spanish. The CFPB provides substantial information in a variety of languages. Each site is discussed in more detail:

https://www.benefits.gov/es

The stated mission of benefits.gov is to increase citizen access to benefit information. The site partners with multiple federal agencies to provide information on financial benefits for disaster relief, healthcare, loans, food assistance, and aid for victims of domestic violence, educational aid, housing aid, and assistance for immigrants. The site can be searched by category. A video tutorial is included on how to use the site.

https://www.usa.gov/es/

The mission of the USAGov program is to allow people to locate and understand the government services and information they need.

The site was first offered in Spanish in 2003 as FirstGov.gov as a response to a presidential executive order.

Information is offered on food assistance, finding employment, help with payments to utility services, and information on scams and frauds. The site also provides links to state government agencies which can provide economic Aid.

https://www.consumerfinance.gov/ https://www.consumerfinance.gov/es/ (Spanish page of CFPB)

The Consumer Financial Protection Bureau implements and enforces Federal consumer financial law and ensures that markets for consumer financial products are fair, transparent, and competitive. The agency has both rulemaking and enforcement powers. The agency offers frequent webinars in financial training for librarians, teachers, social workers and those in the financial sector. Topics include working with senior citizens to prevent fraud, and resources in other languages.

Both the English and Spanish websites offer information on a variety of topics including loans, bank accounts, credit, mortgages, financial planning, daily budgeting, and payday loans among others. The site also provides a link for making a complaint in various languages and provides links to videos on various consumer issues.

https://www.consumerfinance.gov/language/

On this page of the CFPB website, there is information on how to contact the agency by phone for help in more than 180 languages. The site allows change to the following languages: [English | Español | 中文 | Tiếng Việt | 한국어 | Tagalog. The language page provides information on how to order or download publications in a variety of languages on topics such as fraud, credit, student loans, senior citizens, and others. Some publications are provided in an audio format.

Together, these three sites, and in particular, the CFPB, provide various and excellent resources we can share with our users who speak other languages. Please take some time to try each site and learn what you can do to help users who do not speak English well.

Jane Canfield (jcanfield@pucpr.edu), Federal Documents and Information Specialist, Pontifical Catholic University of Puerto Rico.

House Select Committee to Investigate the January 6th Attack on the United States Capitol. *Final Report of the Select Committee to Investigate the January 6th Attack on the United States Capitol.* H.R. Rep. No. 117-663 (2022). https://purl.fdlp.gov/GPO/gpo190110

It's finally here-the January 6th report, or its full title, Final Report of the Select Committee to Investigate the January 6th Attack on the Capitol. This report might not be what you expect: it focuses far more on the 2020 election and electoral law than the Wednesday in January 2021 when a mob of armed and angry citizens breached the Capitol building. The crux of the report, instead, is a meticulous compilation of activities by the Trump administration leading up to the 6th, involving memos, tweets, office politics, allegations of election fraud, and attempts to overturn the 2020 election results. Through its intense level of detail, extensive endnotes, and frequent appeals to bipartisanship, the report aims to demonstrate transparency in order to assure anyone who needs it of the integrity of the 2020 election.

This title—which, for brevity's sake, I will just call "the report"—is immense, coming in at 845 pages (for comparison, the 9/11 Commission report is 585 pages). Its collection on GovInfo even has additional content, like excerpts of videos of testimony. The executive summary lays out the select committee's argument that the 6th Capitol riot was the result of a deliberate, multi-pronged

plan by the Trump administration to overturn the 2020 election results. It starts with the "Big Lie," as the report calls it, referring to allegations about the integrity of the election that the Trump administration and its allies spread. The executive summary painstakingly reviews cases where courts declared there was no evidence of fraud, quotes witnesses who testified that they told the President as much, and compiles a table comparing when Trump was informed that an allegation was false to a later date when he spread that disinformation anyway. Next, the summary covers the creation of false electoral slates that had been sent to the National Archives, as well as the pressure put on Mike Pence to refuse to certify the count of electoral votes at the joint session on January 6th. Again, in painstaking detail, the executive summary details why this strategy had no legal basis, based on the Electoral Count Act of 1887 and the 12th Amendment. Only after this do we arrive at the Ellipse speech, law enforcement's reaction, the "187 minutes" before Trump tweeted that rioters should disperse, and the committee's recommendations.

The subsequent eight chapters follow this same structure, supplying additional detail. Chapter 6, about the Proud Boys and Oath Keepers and how they joined forces, might be of particular interest to readers. Some sections are difficult to read—like the 9/11 Commission report, we revisit a democracyredefining moment and accompany people on one of the worst days of their lives—but reading other sections is like trying to keep up with high school gossip: who called whom what on the phone when which other people were in earshot (respectively: Trump, Pence, "the p-word," Ivanka, and three others; see p. 457 for more). Some other valuable content, like intelligence gathering leading up to the 6th or the three-hour delay before sending in the National Guard, are relegated to appendixes.

What the ultimate legacy of the Capitol attack will be is uncertain. Still, the January 6th Final Report is the most thorough, most definitive account of what happened that day, from multiple perspectives: those in the Trump administration, those in the intelligence community, those who marched to (and on) the Capitol, and finally, those who were inside the building. The main weakness is that it is repetitive, reiterating its potentially inflammatory findings frequently: Trump knew better but did it anyway. This report does not mince words when it comes to the former president and his connections to election disinformation, conspiracy theorists, and militia groups. This report comes at a time when more books on our shelves are being challenged than ever before, so I leave that choice entirely to your discretion-after all, despite attempts to make it otherwise, it's a free country.-Kelly Bilz (bilzk@ thomasmore.edu), Reference & Government Documents Librarian, Thomas More University

"The Twilight Zone"

Congressionally Chartered Organizations

Gwen Sinclair

G overnments worldwide have established a variety of corporations, instrumentalities, quasi-official agencies, quangos, and other "hybrid" entities. This paper explores congressionally chartered organizations (CCOs) in the United States. First, it seeks to explain why CCOs exist and why Congress establishes them. Next, it reviews the cases of some specific organizations to illustrate the complexities of these anomalous entities. It concludes with a discussion of how CCO publications are treated in the Federal Depository Library Program (FDLP) and how laws that promote public access may not be applicable to CCOs.

Congressionally chartered organization is the umbrella term used to describe organizations or corporations that have been granted charters by Congress through the enactment of public laws. A congressional charter is the founding legislation that establishes a for-profit or nonprofit corporation. The Congressional Research Service (CRS) offered this definition: "A congressional or federal charter is a federal statute that establishes a corporation."1 Generally, charters are granted to organizations whose missions promote a public purpose that attracts private funding. As the Government Accountability Office (GAO) explained, "CCOs have been described as being perceived to be better suited than typical government agencies to handle certain issues and deliver services by partnering activities with nonfederal entities to produce public value greater than what the federal government can accomplish alone."² The United States chartered its first corporation in 1791 when Congress granted a charter to the Bank of the United States. In the early years of the republic, most congressional charters were granted in the District of Columbia, over which Congress has administrative power. Many of the early CCOs were banks or transportation companies that operated roads, bridges, or ferries, especially in the DC area. Subsequently, several interstate bridge companies and railroads were given charters.

A charter typically lists the organization's name, purpose, duration of existence (if applicable), governance structure, operational powers, and federal oversight. Charters can be granted indefinitely or for a defined period. For instance, the charter of the Grand Army of the Republic (consisting of the Union veterans of the US Civil War) stated that it would terminate when the last member died. The Resolution Trust Corporation and the Pennsylvania Avenue Development Corporation were created by Congress for specific purposes and were phased out when their goals had been achieved. While Congress can also revoke an organization's charter, as of this writing, it has never done so.³

According to CRS, "since 1989 the House Judiciary Committee's subcommittee of jurisdiction has placed a moratorium on the chartering of additional nonprofit corporate organizations. This moratorium has been reaffirmed at the beginning of each new Congress."⁴ However, Congress has since granted charters to a few organizations, such as the Military Officers Association of America. Efforts to designate new CCOs continue. For instance, the National Fab Lab Network Act of 2021 was introduced to establish a new nonprofit corporation that would create a national network of digital fabrication laboratories for workforce development.⁵ Also in 2021, Rep. Nicole Malliotakis, R-NY, introduced a bill to grant a federal charter to the National Lighthouse Museum.⁶ Many other bills have proposed new CCOs, but like these two bills, they have not advanced.

Researchers have identified several reasons for the continued existence of CCOs. Political scientist Harold Seidman viewed the proliferation of autonomous agencies, including government-sponsored enterprises, as a way for the government to exempt certain programs from the management controls imposed on traditional agencies and to exclude large sums of money from the federal budget. He observed that there was no consistent pattern or logic in the creation of these programs, and if traditional tests of government enterprise were applied to them, many would be considered agencies subject to the same controls as the main cabinet-level agencies. Seidman also stated that CCOs exhibit an array of management structures, with some being completely independent from the government, while others have boards appointed by the president or consisting in part or in whole of federal administrators.⁷ Seidman and Rober S. Gilmour later characterized this ambiguity as the "twilight zone between the public and private sectors."⁸

Law professor A. Michael Froomkin outlined four reasons why the government establishes government corporations:

- 1. Efficiency: the belief that a non-government entity can perform functions more efficiently than a government agency.
- 2. Political insulation: a government corporation needs to be shielded from interference by a cabinet-level agency.
- 3. Subsidy: a government corporation establishes a captive agency to provide subsidies to a constituency.
- 4. Subterfuge: activities are conducted "off-budget" and are therefore not subject to scrutiny in the budget process.⁹

The next section outlines the different types of CCOs and their purposes.

Types of CCOs

Both GAO and CRS have created different typologies of CCOs to help members of Congress understand the nature and characteristics of these organizations. These typologies are combined below to provide an overview of the incredible variety of CCOs and the ways in which they are related to the federal government.

GCCA Corporations

Entities listed in 31 U.S.C. Chapter 91, which is commonly referred to as the Government Corporation Control Act (GCCA) of 1945, are defined as government corporations. They include fourteen wholly owned government corporations and five mixed-ownership government corporations. Examples include the Overseas Private Investment Corporation and the Tennessee Valley Authority. The boards of directors of these entities are appointed by the president or other executive branch officials. GCCA requires wholly owned government corporations to submit a budget to the president each year and these budgets are included in the proposed budget of the US government.¹⁰ They are considered agencies and are subject to all laws that govern agencies (this is not the case with most CCOs).¹¹

Non-GCCA Corporations

Four government corporations are subject to the GCCA provisions but are not listed in 31 U.S.C. Chapter 91: the African Development Foundation, the Inter-American Foundation, the Presidio Trust, and the Valles Caldera Trust. The African Development Foundation "invests directly in African grassroots enterprises and social entrepreneurs." Similarly, the Inter-American Fund "invests in community-led development across Latin America and the Caribbean." The Valles Caldera Trust was created in 2000 to preserve and protect the 89,000-acre Baca Ranch inside a volcanic caldera in New Mexico's Jemez Mountains.¹² The Presidio Trust Act (Public Law 104-333) established the Presidio Trust as a wholly owned government corporation. The trust manages leases and directs the renovation and environmental restoration of the former military properties at the Presidio in San Francisco. It can borrow funds from the US Treasury and may make loans to tenants who make capital improvements.¹³

Title 36 Corporations

Title 36 corporations are organizations that have been established and chartered by Congress to serve patriotic, charitable, historical, or educational purposes under Title 36 of the US Code. Generally, these organizations are established under state laws and then make a request to Congress to grant them a federal charter. The inaugural version of Title 36, issued in 1926, listed eight nonprofit chartered organizations. From the beginning, Title 36 did not list all organizations that had been granted charters, nor has it ever contained a comprehensive list of them.¹⁴ These so-called Title 36 corporations are now listed in Subtitle II, "Patriotic and National Organizations." They can be roughly categorized as follows:

- Federal-government-affiliated organizations, such as the National Film Preservation Foundation
- Youth-oriented organizations, e.g., Big Brothers-Big Sisters of America
- National historical associations such as the United States Capitol Historical Society
- Charitable and benevolent societies, e.g., the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia
- Educational institutions, including George Washington University, Howard University, Southeastern University, and Gallaudet University
- Veterans and patriotic societies such as the National Society of US Daughters of 1812

Gwen Sinclair

• Professional associations such as the American Historical Association

According to CRS, organizations seek Title 36 status due to its perceived prestige and implied official imprimatur. CRS also noted,

In effect, the federal chartering process is honorific in character. This honorific character may be misleading to the public, however, when such organizations feature statements or display logos that they are "chartered by Congress," thus implying a direct relationship to the federal government that does not, in fact, exist. In addition, there may be an implication that Congress approves of the organizations and is somehow overseeing [their] activities, which is not the case.¹⁵

Adjunct Organizations

Another category of CCO is adjunct organizations that are under the control of an executive branch agency. According to CRS,

Over the years, departments and agencies have found it useful and advantageous to ask Congress to create, or authorize a department to create, nonprofit organizations to perform functions that the department itself finds difficult to integrate into its regular policy and financial processes. This is true, for example, when a department or agency receives gifts of real property and monetary gifts.¹⁶

For example, the National Park Foundation accepts funds to support the National Park Service. Another example is the Securities Investor Protection Corporation of the Securities and Exchange Commission, which is explicitly not a government agency, yet its board of directors consists of government appointees.¹⁷

Another type of adjunct organization is agricultural marketing boards, also known as "check-off programs" because agricultural producers indicate through a check mark that they wish to participate. The earliest such board was established by the Agricultural Marketing Service in 1954 but most date to the 1980s and 1990s. There are currently seventeen agricultural marketing boards.¹⁸

Several adjunct organizations serve the armed services or veterans. These include the Henry M. Jackson Foundation for the Advancement of Military Medicine, established in 1983, which partners with other organizations to fund healthcare research. The Department of Veterans Affairs (VA) has a network of "nonprofit research and education corporations" attached to its medical centers. In 2019, there were eighty-one such corporations.¹⁹

Government-Sponsored Enterprises

According to GAO, "Government-sponsored enterprises (GSEs) are federally chartered but established to be privately owned and operated financial institutions that are authorized to make loans or loan guarantees for limited purposes."²⁰ There are five GSEs at present:

- 1. Federal National Mortgage Association (Fannie Mae)
- 2. Federal Home Loan Mortgage Corporation (Freddie Mac)
- 3. Federal Agricultural Mortgage Corporation (Farmer Mac)
- 4. Federal Home Loan Bank System (twelve banks)
- 5. Farm Credit System

GSEs were designed to serve an area of debt financing that would otherwise not be economically feasible. Although all have different charters and ownership structures, they share four characteristics: "(1) private sector ownership, (2) limited competition, (3) activities limited by congressional charter, and (4) chartered privileges that create an inferred federal guarantee of obligations." GSEs have been characterized as quasi-governmental organizations and are considered instrumentalities of the government but are not agencies. Instrumentalities are private organizations not bound by the administrative regulations applicable to agencies, but they are subject to whatever limitations are stated in their charters.²¹ Critics have expressed concern about the financial condition of GSEs, leading Congress to consider additional regulations to increase oversight. In 2008, Fannie Mae and Freddie Mac were placed in government conservatorship and were subsequently infused with billions in government funds. This was not the first time that GSEs developed problems, either. Fannie Mae and Freddie Mac both were found to have accounting irregularities in the mid-2000s and the Farm Credit System had to be bailed out in 1988.²²

Quasi-Official Agencies

The 2021 edition of the *United States Government Manual* (USGM) lists five "quasi-official agencies": the State Justice Institute, the Smithsonian Institution, the United States Holocaust Memorial Museum, the United States Institute of Peace, and the Legal Services Corporation (LSC). In previous editions, the Corporation for Public Broadcasting, the National

Trust for Historic Preservation in the United States, Amtrak, the National Consumer Cooperative Bank, and the National Academy of Sciences were listed in this category. In general, the quasi-official agencies are not executive agencies as defined by law but are required to publish information on their programs and activities in the *Federal Register*.²³

Commercial Corporations

Congress has occasionally established commercial corporations to handle matters in which the federal government has an interest. The first corporation that the United States acquired outright was the Panama Railroad Company, which the United States purchased from the French Panama Canal Company in 1903.²⁴ The World War I era saw growth in government corporations with the establishment of twelve federal land banks in 1916. Other corporations created because of the war included the War Finance Corporation and the United States Housing Corporation.²⁵ During the Great Depression, the Reconstruction Finance Corporation and the Tennessee Valley Authority were established.²⁶ The following are additional examples of commercial corporations.

Comsat

The intention of the law that created Comsat was to expand the US's capacity to launch satellites by encouraging private industry to develop satellite communications. According to its website, "COMSAT was originally created by the Communications Satellite Act of 1962 and incorporated as a publicly traded company in 1963. Its initial purpose was to serve as a public, federally funded corporation intended to develop a commercial and international satellite communications system." According to a RAND report, "Comsat... is unique among private, for-profit entities...in that it was expressly established by an act of Congress, and three of the fifteen members of its board of directors are appointed by the President."²⁷

Venture Capital Funds

Congress has established at least three chartered venture capital funds, which are nonprofit corporations established with members of the venture capital community to foster innovation on behalf of affiliated agencies. They invest in small firms to develop technologies. OnPoint and In-Q-Tel were formed to develop technologies for the Department of Defense and the CIA, respectively. Red Planet Capital was a nonprofit organization created to establish a strategic venture capital fund for NASA to fund Mars exploration. Congress has also established venture capital funds that do not have congressional charters.²⁸

Alaska Native Corporations

Under the Alaska Native Claims Settlement Act, thirteen regional Alaska Native corporations and 182 Alaska Native villages were incorporated. Some American Indian tribes also have federal charters, as do some casino operations such as the Big Sandy Rancheria Enterprise in California.²⁹

Conrail

Conrail is an example of a "transition vehicle" created as an intermediate step toward privatization. Congress created Conrail in 1976 from seven bankrupt private railroads to facilitate the continuation of freight rail service in the Northeast. During a tenyear transition period, Conrail became profitable, and Norfolk Southern Corporation and CSX Corporation acquired it.³⁰

Governance of CCOs

Each CCO is unique and there is no standard governance structure for these entities. The following examples show the variability in how CCOs are organized.

- The GAO has characterized the United States Postal Service (USPS) as a "corporation-like organization" established by the government. USPS has itself claimed that it is not a government corporation and sees itself as operating like a private corporation, except that it is governed by a Board of Governors whose membership is mostly appointed by the president.³¹
- The Smithsonian Institution, established in 1846, is one of the oldest CCOs. It is governed by a Board of Regents consisting of the US vice president, the chief justice of the Supreme Court, three senators, three members of Congress appointed by the Speaker of the House, and nine citizens.³²
- The United States Institute of Peace (USIP) is listed as a "quasi-official agency" in the USGM. It is governed by a board of directors composed of twelve members from outside federal service who are appointed by the president and four ex-officio members: the Secretary of State, the Secretary of Defense, the president of the National Defense University (or their designees), and the president of USIP. The board is prohibited by law from having more than eight voting members of the same political party.³³

Standards and Regulations

President Truman established criteria for public corporations in his 1948 budget message, which defined a government corporation as a program that is revenue-producing, potentially self-sustaining, and engaged in business-type transactions with the public.³⁴ In 1965, President Lyndon Johnson suggested that Congress establish criteria for the establishment of CCOs. In 1969, subcommittees of both the House and Senate Judiciary Committees jointly issued a statement of policy, "Standards for Granting of Federal Charters." This statement set forth five minimum standards to be met by a private organization seeking a federal charter from Congress:

- 1. Operating under a charter granted by a state
- 2. Of such a unique character that it can only be incorporated by means of a federal charter
- 3. Organized and operated solely for charitable, literary, educational, scientific, patriotic, or civic improvement purposes
- 4. Organized as a nonprofit and nonpartisan organization
- 5. Organized for the primary purpose of conducting activities that are national in scope.³⁵

CRS noted, "Various proposals [have] been made over the years to adopt federal statutory procedures for chartering non-profit organizations, but Congress has not enacted any of them."³⁶

To some extent, regulations applying to the activities of CCOs are stated in the establishing legislation. CCOs subject to GCCA are considered federal agencies and are subject to the laws that apply to agencies. However, many CCOs are, or are treated like, private organizations and are therefore not required to submit budgets or conduct audits and are not subject to the Freedom of Information Act (FOIA) or other laws that govern federal agencies. This lack of transparency has long been a concern of members of Congress, presidents, and government watchdog organizations. Yet, there is apparently no political will to do away with CCOs or to attempt to standardize and regulate them uniformly.

Issues and Controversies

While some CCOs have operated without drawing undue attention, a CRS report noted that,

Congressionally chartered corporations have raised diverse issues for Congress, including (1) Title 36 corporations' membership practices; (2) prohibitions on Title 36 corporations engaging in "political activities"; (3) confusion over which corporations are governmental and which are private; and (4) federal management of these corporations.³⁷

This section will present examples that illustrate these issues.

Boy Scouts of America

Members of Congress have occasionally moved to revoke the charters of organizations whose policies are objectionable. Boy Scouts of America (BSA) is one of the oldest CCOs, with a charter dating to 1916. BSA immediately benefited from this federal recognition, which enabled it to have access to military equipment. Even as recently as 2005, an unsuccessful bill was introduced to amend BSA's charter to make Department of Defense facilities available to the Boy Scouts for official activities.³⁸ In the 106th Congress (2000), legislation was introduced to revoke BSA's charter following a Supreme Court ruling that BSA was within its rights to refuse to appoint an assistant scout master who was openly gay. The House measure to revoke the charter was voted down, however.³⁹

American Gold Star Mothers, Inc.

Congress has been drawn into controversies over membership in CCOs, as in the case of American Gold Star Mothers, Inc. (AGSM). The organization was established in 1928, and it obtained a congressional charter in 1984. Its membership consists of women who have lost sons or daughters in military service. In 2005, ASGM denied membership to Ligaya Lagman, an immigrant from the Philippines whose son died in Afghanistan. The president of AGSM questioned why Ms. Lagman had not become a US citizen. AGSM's refusal to admit Ms. Lagman drew a stern rebuke from Congressman Eliot Engel. AGSM subsequently changed its rules to allow admission of non-citizens.⁴⁰

National Aviation Hall of Fame

There is no single government agency or office with oversight responsibility for CCOs. Congressional oversight is usually performed by the relevant congressional committee. In the case of the National Aviation Hall of Fame (NAHF), Representative Michael Turner seems to have single-handedly taken on oversight duties. In January 2017, Representative Turner issued a news release stating that he was leading an investigation into the finances of NAHF, located in Dayton, Ohio. He convened a blue-ribbon panel to conduct the investigation and determine the appropriate course of action to prevent the NAHF from disposing of its artifacts. Turner later threatened to draft legislation to remove the organization's congressional charter when NAHF made plans to move away from Dayton.⁴¹

United States Investigation Services

United States Investigation Services (USIS) represents a very odd arrangement: it was a CCO created to employ laid off federal workers that then contracted with the government to perform the work formerly done by the terminated employees. As part of a mid-1990s government reduction, the investigative branch of the Office of Personnel Management (OPM) was downsized. According to CRS, in 1996 the director of OPM created a private corporation, USIS, whose employees, 700 OPM investigators who had been laid off from OPM, would become its owners under an Employee Stock-Owned Plan. Critics claimed that USIS received special considerations that would not have been extended to other private corporations. In 2014, the US Department of Justice launched a fraud investigation into USIS. Subsequently, OPM did not renew the company's contracts, and it eventually declared bankruptcy.⁴²

Civilian Marksmanship Program

The Civilian Marksmanship Program (CMP) is a national organization formed in 1903 as the National Board for the Promotion of Rifle Practice. It has an ambiguous arrangement with the federal government. Originally managed by the Army, its purpose was to promote marksmanship and prepare individuals for military service. In 1996, Congress moved it out of the Army's control and established CMP as a CCO whose purpose was to educate US citizens about firearms safety. Since then, the Army, operating under a Memorandum of Understanding with CMP, has transferred more than 700,000 surplus firearms to it. CMP is authorized to loan these firearms to affiliated youth organizations and to sell surplus firearms to affiliated organizations such as gun clubs that offer firearms safety training. Most of its funding comes from the sale of these surplus firearms.⁴³

Another military-related CCO is the Civil Air Patrol, a non-profit organization that functions as an auxiliary to the US Air Force and receives appropriations from Congress. Given such ambiguous structures, it is not surprising that members of Congress and others have expressed confusion over whether some CCOs are government organizations or not.

National Education Association

Members of Congress have, at times, objected to the political activities of CCOs, and many CCOs have restrictions on political activities written into their charters. The National Education Association (NEA), chartered by Congress in 1906 in the District of Columbia, has no such restriction. Representative Scott Fitzgerald introduced H.R. 7510 in the 117th Congress to repeal the NEA's charter due to its political activities, stating, "The NEA can no longer be considered a public service worthy of its Federal charter as it has drifted substantially from its core mission and become a massive political operation dedicated to electing Democrats and imposing a radical progressive agenda on America's schools."⁴⁴

CCOs and the FDLP

For the most part, the publications of CCOs are not included in the FDLP, though annual reports of some CCOs were formerly published in the US Congressional Serial Set. A few, such as the annual report of Howard University, have been published by the Department of the Interior. Monographic and serial publications of some CCOs have also been distributed through the FDLP, including those of the Smithsonian Institution, Civil Air Patrol, Tennessee Valley Authority, and USPS. However, in recent decades, Congress has specified that most reports are not to be printed at public expense. According to CRS, "corporate bodies are required to make annual reports of their activities to the Congress. Public access to the records and reports of Title 36 corporations varies. For example, the charter of the National Ski Patrol System (36 U.S.C 1527) requires that its annual report be submitted each year to Congress but prohibits the public printing of it." In 1995, Congress enacted the Federal Reports Elimination and Sunset Act of 1995 (P.L. 104-66), which ended the requirement that federally chartered private corporations had to send financial audit reports and some proceedings to Congress.⁴⁵ The recently passed Access to Congressionally Mandated Reports Act (P.L. 117-263 (2022)) explicitly excludes federally chartered corporations from the requirement for GPO to place congressionally mandated reports in a repository.

Per GPO, publications produced using federal funds are considered to be within the scope of the FDLP, making most CCO publications out of scope. Most CCOs do not report their in-scope online publications to GPO, and consequently, they have not been included in GPO's Cataloging and Indexing Program. GPO has prioritized CCOs for web harvesting in order to account for these unreported publications. For example, publications of the Legal Services Corporation can be found in the Catalog of Government Publications up to 2008, but online publications dating from 2014 to the present are available in the FDLP Web Archive.

There is no comprehensive, up-to-date list of CCOs. Title 36 organizations are listed in the US Code. The Library of Congress has occasionally published lists such as *Corporations Chartered by Special Act of Congress.*⁴⁵ Various reports prepared by GAO and CRS list some CCOs but neither agency has developed a methodology to identify or list all CCOs in existence. While a few CCOs are listed in the General Services Administration's A to Z directory of federal agencies, most are not.

Conclusion

CCOs are heterogeneous organizations that have been a source of confusion for Congress, GAO, CRS, and researchers. Public

access to CCO publications may be limited because of CCOs' unique governance structures and public/private statuses. Those publications that are within the scope of the FDLP may be captured by the various mechanisms used by GPO. However, Congress has excluded most CCO reports from being printed at public expense. Moreover, while federal agencies are bound by laws and regulations related to open government and record retention and control, organizations that are not deemed government agencies are not subject to these controls. CCOs represent a somewhat murky group of organizations that exist in a "twilight zone" of government entities. Ultimately, it is up to Congress to determine how to bring these organizations into the daylight.

Gwen Sinclair (gsinclai@hawaii.edu), Chair, Government Documents & Maps Department, University of Hawai'i at Mānoa Library.

Notes

- 1. Kevin R. Kosar, *Congressional or Federal Charters: Overview and Enduring Issues* (Washington, DC: Congressional Research Service, 2013), 2, https://www.everycrs report.com/reports/RS22230.html.
- US Government Accountability Office, Congressionally Chartered Organizations: Key Principles for Leveraging Nonfederal Resources (Washington, DC: GAO, 2013), 1-2, https://purl.fdlp.gov/GPO/gpo38395.
- Kevin R. Kosar, Congressionally Chartered Nonprofit Organizations ("Title 36 Corporations"): What They Are and How Congress Treats Them (Washington, DC: Congressional Research Service, 2011), 11, https://www.everycrs report.com/reports/RL30340.html.
- 4. Kosar, Congressionally Chartered Nonprofit Organizations, 2.
- National Fab Lab Network Act of 2021, H.R. 3274, 117th Cong. (2021), https://www.congress.gov/117/bills /hr3274/BILLS-117hr3274ih.pdf.
- 6. National Lighthouse Museum Act, H.R. 1839, 117th Cong. (2021), https://www.congress.gov/bill/117th -congress/house-bill/1839.
- Harold Seidman, "Government-Sponsored Enterprise in the United States," in *The New Political Economy: The Public Use of the Private Sector*, ed. Bruce L. R. Smith (New York: MacMillan, 1975), 83-108.

- Harold Seidman and Robert Gilmour, *Politics, Position,* and Power: From the Positive to the Regulatory State, 4th ed. (New York: Oxford University Press, 1986), 309.
- A. Michael Froomkin, "Reinventing the Government Corporation," *University of Illinois Law Review* 1995, no. 3 (1995): 543-634.
- US Government Accountability Office, Federally Created Entities: An Overview of Key Attributes (Washington, DC: GAO, 2009), 13-15, https://purl.fdlp.gov/GPO /LPS120056.
- Kevin R. Kosar, Federal Government Corporations: An Overview (Washington, DC: Congressional Research Service, 2011), 4, https://www.everycrsreport.com /reports/RL30365.html.
- 12. GAO, Federally Created Entities.
- US General Accounting Office. National Parks: Significant Progress Made in Preserving the Presidio and Attaining Financial Self-sufficiency: Report to Congressional Requesters (Washington, DC: GAO, 2001), https://purl .fdlp.gov/GPO/LPS17908.
- Henry B. Hogue, *Title 36 Charters: The History and Evolution of Congressional Practices* (Washington, DC: Congressional Research Service, 2022), 5-6, https://crsreports.congress.gov/product/pdf/R/R47236.
- 15. Kosar, Congressionally Chartered Nonprofit Organizations, 4.
- Kevin R. Kosar, *The Quasi Government: Hybrid Organizations with Both Government and Private Sector Legal Characteristics* (Washington, DC: Congressional Research Service, 2011), 14-15, https://www.everycrsreport .com/reports/RL30533.html.
- 17. Kosar, The Quasi Government, 15.
- US General Accounting Office, US Agricultural Marketing: Federally Authorized Commodity Research and Promotion Programs (Washington, DC: General Accounting Office, 1994), https://www.gao.gov/assets /rced-94-63.pdf; US Agricultural Marketing Service, Be a Voice for Your Industry (2014), https://www.ams .usda.gov/publications/content/be-voice-your-industry.
- Kosar, *The Quasi Government*, 16-17; Department of Veterans Affairs, Office of Inspector General, *Inadequate Financial Controls and Payments Related to VA-Affiliated Nonprofit Corporations* (Washington, DC: Department of Veterans Affairs, 2021), https://www.va.gov/oig/pubs /VAOIG-20-03704-165.pdf.
- 20. GAO, Federally Created Entities, 17.

- 21. Kevin R. Kosar, *Government-Sponsored Enterprises* (GSEs): An Institutional Overview (Washington, DC: Congressional Research Service, 2007), 2-3, https://digi tal.library.unt.edu/ark:/67531/metadc812792/
- 22. Kosar, The Quasi Government, 10.
- 23. Kosar, The Quasi Government, 6.
- 24. Kosar, Federal Government Corporations, 3.
- 25. Harold Archer Van Dorn, *Government Owned Corporations* (New York: Knopf, 1926).
- 26. Kosar, Federal Government Corporations, 3-4.
- COMSAT, About COMSAT, https://web.archive.org /web/20190729182849/https://www.comsat.com/about -comsat/; Leland L. Johnson, Issues in International Communications: Government Regulation of Comsat, R-3497-MF (Santa Monica: The RAND Corporation, 1987), iii.
- 28. Kosar, Congressional or Federal Charters, 21-22.
- 29. GAO, Federally Created Entities.
- 30. Kosar, Federal Government Corporations, 11-12.
- US General Accounting Office, U.S. Postal Service: Issues Related to Governance of the Postal Service (Washington, DC: GAO, 1997), https://www.gao.gov/products /ggd-97-141.
- 32. Smithsonian Institution, "The Board of Regents," https://www.si.edu/regents.
- 33. United States Institute of Peace, "Board of Directors," https://www.usip.org/about/leadership/board-directors.
- 34. Seidman, "Government-Sponsored Enterprise," 85.
- 35. US Senate Committee on the Judiciary, *Standards for the Granting of Federal Charters to Nonprofit Corporations*, S. Prt. 98-62 (Washington, DC: GPO, 1983), https://cata log.hathitrust.org/api/volumes/oclc/9872566.html.
- 36. Kosar, Congressionally Chartered Nonprofit Organizations, 7.

- 37. Kosar, Congressional or Federal Charters, 2.
- 38. A Bill to Amend the Federal Charter of the Boy Scouts of America in Title 36, H.R. 1301 109th Cong. (2005), https://www.congress.gov/109/bills/hr1301/BILLS -109hr1301ih.pdf.
- 39. Kosar, Congressionally Chartered Nonprofit Organizations, 9-10.
- 40. Kosar, Congressional or Federal Charters, 4.
- Michael Turner, "TURNER to NAHF: Preserve NAHF Artifacts," Jan. 13, 2017, https://turner.house.gov/press -releases?ID=A1B9B7DD-66FE-4752-BEB7-C0E 18FDCFD07; Michael Turner, "TURNER to NAHF: No Congressional Oversight, No Congressional Charter," Feb. 15, 2017, https://turner.house.gov/press -releases?ID=1AAFB211-FB59-4CF8-9F6B-FC722 8A8058A
- 42. Kosar, The Quasi Government, 28-29.
- 43. US Government Accountability Office, *Civilian Marks*manship Program: Information on the Sale of Surplus Army Firearms (Washington, DC: GAO, 2019), 4-5, https://www.gao.gov/products/gao-19-287.
- 44. An Act to Incorporate the National Education Association of the United States, P.L. 59-398; National Education Association Charter Repeal Act, H.R. 7510, 117th Cong. (2022), https://www.congress.gov/bill/117th -congress/house-bill/7510.
- 45. Kosar, Congressionally Chartered Nonprofit Organizations, 9; 14-15.
- Margaret Fennell, Corporations Chartered by Special Act of Congress (Washington, DC: Legislative Reference Service, 1945), https://hdl.handle.net/2027/uc1 .31822024186637.

'Round the Table: 2023 GODORT Award Winners

James Bennett Childs Award

The recipient of the 2023 James Bennett Child Award is **Stephen M. Hayes**, retired Entrepreneurial Spirit Endowed Business Librarian and Director, Thomas Mahaffey, Jr. Business Library at the University of Notre Dame. The Childs Award is a tribute to an individual who has made a lifetime and significant contribution to the field of documents



librarianship and is based on stature, service, and publications.

During his tenure of over four decades at the University of Notre Dame, Steve, who transitioned from a Government Documents/Reference Librarian to Business Services Librarian, always maintained a strong commitment to the promotion and use of open-access government information. He served on and chaired numerous GODORT committees, including Chair, 1987-1988. Steve's work with ALA's Committee on Legislation Subcommittee on Government Information and the ALA Ad Hoc Task Force on Restrictions on Access to Government Information was particularly noteworthy because his service occurred during a period when access to government information was threatened by political and economic restrictions with the government. Steve also chaired the GODORT Reorganization Committee. Steve's dedication and advocacy of government information is also evidenced by having served two terms, 1994-1996 and 2010-2013, on the Depository Library Council to the Public Printer. One of Steve's nominators said, "Steve always made his point in such a manner that you knew where he stood yet always appreciate his passionate arguments without anger or bitterness." Another nominator remarked, "In short, the modernization of GODORT and the Depository Program owes much to Steve Hayes."

ProQuest/GODORT/ALA "Documents to the People Award

Stephani (Nia) Rodgers, Public Affairs Research Librarian at Virginia Commonwealth University, is the 2023 recipient of the ProQuest/GODORT/ ALA "Documents to the People" Award, which honors an individual, library, institution, or other non-commercial groups that have most effectively encouraged the use of government documents



in support of library service. Nia's nomination letters focused on her podcast entitled Civil Discourse and her Constitution Day series. Her Civil Discourse podcast was one of the first of its kind on the Virginia Commonwealth University campus and an early entry in the library podcast lineup. The podcast has more than 150 episodes which have been downloaded over 13,300 times, covering a multitude of topics-federal budgets, national parks, the post office, elections, COVID-19 vaccinations, and even NORAD's Santa tracker. The content is presented as a conversation in accessible language, and as one listener commented, it's "informative, interesting, and just fun to listen to." Nia has coordinated a thriving Constitution Day series that has built an audience that averages 60 attendees a year, with the same or more recorded sessions. Partnering with local experts, Nia facilitates engaging discussions on the Constitution. Nia's enthusiasm for government information has been described by more than one nominator as "contagious." One nominator remarked, "People come away from interactions with Nia and the programming she creates with a deep appreciation for library services and government information, and for her."

NewsBank/Readex/GODORT/ALA Catharine J. Reynolds Research Grant

The recipient of the 2023 NewsBank/ Readex/GODORT/ ALA Catharine J. Reynolds Award is **Marie Concannon**, Head of Government Information & Data Archives at the University of Missouri, Columbia, for her website, **Prices and Wages by Decade**. This award provides funding for research in the field of documents librarianship or in a related



area that would benefit the individual's performance as a documents librarian or make a contribution to the field. **Prices and Wages by Decade** is a LibGuide hosted by the University of Missouri Library. The guide provides over 19,000 links leading to retail prices and wages found mostly in government publications that may not be easily discoverable without the guide. As one nominator commented, "The transformative nature of this project is in its use of freely-available, full-text digitized government publications." In 2021, **Prices and Wages by Decade** received more than 850,000 page views from visitors in 185 countries. Concannon plans to use the stipend to employ a student assistant to add more links and streamline the site for enhanced usability. She would also like to add more earnings data by race and more nineteenth-century wage data for states having large minority populations.

Bernadine Abbott Hoduski Founders Award

The Bernadine Abbott Hoduski Founders Award recognizes documents librarians who may not be known at the national level but who have made significant contributions to the field of state, international, local, or federal documents. This award recognizes those whose contributions have benefited not only the individual's institution but also the profession. This year the Awards Committee selected three recipients.

Mary Sine Clark is being recognized for her contribution to state documents, although her accomplishments over the past three decades cover a range of activities that have impacted access to government information and the Federal Depository Library Program. Mary successfully shifted the Virginia Depository Program from a print-based to an



Ben Amata, Librarian, California State University Sacramento, is being recognized for his contribution to federal documents. Ben has worked with state and federal documents since 1980. Ben has long been a champion of freedom of information, as demonstrated by his efforts to identify and publicize federal government documents related



to current events. His frequent posts to Govdoc-l to inform colleagues about newly released public documents are a great

service to the profession. His diligence in identifying unreported government publications (formerly known as "fugitive documents") and asking GPO to include themes in the Catalog of Government Publications (CGP) has been extremely valuable. In addition to his beneficial and ongoing work of Govdoc-L, Ben has published more than a dozen articles on federal and international government information over the years.

James Church, Librarian for Economic, Global Studies, Political Economy, and International Government Information at the University of California, Berkeley, is being recognized for his contributions to international documents. He has demonstrated his leadership and expertise in teaching, learning, researching, writing, and advocacy work with international government organizations (IGO's) and non-governmental organizations (NGO's) for over twenty years. One nominator commented, "His articles and response posts to questions on GOVDOC-L and INTLDOC-L shed a light onto the problems around access to IGO information as well as provide useful instruction on how to approach answering a question. They are edifying in such a way that any new or even an "accidental government information librarian" could use his writings as a primer for international documents librarianship."

Margaret T. Lane/Virginia F. Saunders Memorial Research Award



The 2023 Margaret T. Lane/Virginia F. Saunders Memorial Research Award is awarded to the editors of the article, **The Government Information Landscape and Libraries** (https:// repository.ifla.org/handle/123456789/842) published via the International Federation of Library Associations and Institutions (IFLA) Repository. The authors are Dr. Kay Cassell, James Church, Kathryn Tallman, Nerisa Kamar, Dr. Clive Tsuma, Susan Paterson, Dr. Mohammad Zuheir Bakleh, Lize Denner, Anna Mastora, Maria Koloniari, Maria Monopoli, Jungwon Yang, Anastasia A. Drozdova, Hannah Chandler, Jennie Grimshaw, Fiona Laing, Kian Flynn, Cass Hartnett, Maya Swanes and Robert Lopresti. This award is given



annually to an author(s) of outstanding published research in which government information forms a substantial part of the documented research. The report illustrates the challenges and complexities posed by government publishing systems and the need to maintain professional government information expertise in libraries to help users discover and interpret it. Megan Price, Professional Support Officer of IFLA, summarizes: "In addition to its value to professionals working within the field, the publication also provides valuable support for advocacy and engagement in wider open government discussions. It has already received a warm reception from UNESCO, and has formed the basis for engagement at the African Union's African Regional Peer Review Mechanism. Through this, we are able not only to show the knowledge and insight of libraries in questions of open government but also advocate for our institutions to be given a stronger role in delivering it and the resources to match."-Melanie Sims, Head of Access Services & Government Information, LSU Law Library, notmes@lsu.edu

Larry Romans Mentorship Award

The American Library Association (ALA) Rainbow and Government Documents Round Tables (RRT and GODORT) are proud to announce **Debbie Rabina** as the 2023 recipient of the Larry Romans Mentorship Award.

The Award's namesake, Larry Romans, mentored numerous librarians at Vanderbilt University, where he

worked for over 30 years. For decades, he was also a tremendous leader and mentor in the Tennessee Library Association, providing a positive influence on the association and the careers of innumerable librarians, many of whom have gone on to be leaders in ALA. Of particular note, during his 23 years of service to ALA Council, Larry mentored countless new and veteran councilors.

Rabina's commitment to fostering a two-way relationship of teaching and learning with her students at the Pratt Institute School of Information and Library Science has sparked new ideas and created lasting impressions in the field of government information access, storage, and retrieval. Her curiosity and dedication is reflected in the way her colleagues speak about her. Her students are no different, citing her engagement with them and on their behalf as key models for how they should interact and move forward on their path to librarianship.



The award consists of a citation and \$1,000. The award will be presented at the GODORT Awards Program at the ALA Annual Conference. In addition, recognition of the recipient will also take place at the beginning of the Stonewall Book Awards Program held at the ALA Annual Conference.

To learn more about the Larry Romans Mentorship Award, please visit http://www.ala.org/glbtrt/award/larry -romans-mentorship-award.

The Rainbow Round Table of the American Library Association is the oldest professional association for lesbian, gay, bisexual, transgender, pansexual, genderqueer, queer, intersex, agender, asexual, and ally (LGBTQIA+) people in the United States. It is committed to serving the information needs of the LGBTQIA+ professional library community and information and access needs of individuals at large. It is home to Rainbow Book Month, a nationwide celebration every June and the Stonewall Book Award, the oldest award honoring LGBTQIA+ books. RRT is committed to encouraging and supporting the free and necessary access to all information, as reflected by the missions of the American Library Association and democratic institutions.

The Government Documents Round Table provides a forum for the discussion of problems and concerns and for the exchange of ideas by librarians working with government documents. It provides a nexus for initiating and supporting programs to increase the availability, use and bibliographic control of documents and increases communication between documents librarians and the larger community of information professionals, and contributes to the education and training of documents librarians.

David W. Rozkuszka Scholarship

The GODORT Committee is pleased to announce the selected recipient of the 2023 David W. Rozkuszka Scholarship as **Amy Enberg**. The selection committee was impressed with Amy's goals for future work with government documents as well as her dedication to her academic pursuits. Enberg cites her desire to work in government documents



as, "driven by a passion for research and a desire to promote the accessibility of legal and federal information for students, academics, and community patrons."

The David W. Rozkuszka Scholarship is awarded to a prospective student, or a student who is pursuing their masters of library science from an ALA accredited school. The Scholarship provides \$3,000 to the recipient to help cover financial costs. The award is in honor of its namesake, David W. Rozkuszka, former documents librarian at Stanford University and an influential member of GODORT. To learn more about the David W. Rozkuszka Scholarship, please visit: https://www.ala.org/educationcareers/godort -david-w-rozkuszka-scholarship.

Congratulations to Amy Enberg on her award!