



#alctsAC18



Endangered Government Information: Strategies to Protect Government Collections

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GODORT



REPORT

OF THE

COMMISSION

APPOINTED TO INQUIRE

INTO THE

STATE OF THE PUBLIC RECORDS

1897



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN
EXCELLENT MAJESTY
1898

REPORT.

To the Honourable the Treasury Board:

The undersigned, in conformity with the terms of a Minute Board recommending their appointment as a departmental commission into the whole question of the state of the public records, which was approved by His Excellency the Governor General in Council on the 18th of July, 1897, have the honour to report:

That in the execution of this duty they have visited the several departments and made as thorough an inspection of the records in each as circumstances permit. This examination discloses a state of affairs which, in the opinion of the undersigned, calls for prompt and vigorous measures of reform.

The objects of the inquiry falling under several heads, it may be convenient to observe a similar division in this report. It is proposed to examine the subject under the following sub-heads, which method is adopted to exhibit the whole question in the clearest manner:

1. The actual state of the records and public documents in the several departments.
2. The danger to which they are exposed from fire.
3. What papers or records might be destroyed and after what time.
4. General recommendations of the Commissioners.

1.—THE ACTUAL CONDITION OF AFFAIRS.

Throughout their inspection the commissioners were impressed with the want of any community of plan among the several departments for the preservation of their records. As a rule departmental papers of some years back are convenient of access. Those of older date are confined to the basement (apparently rather as lumber to be got rid of than as records to be preserved) where they are stored, often under conditions unfavourable to their preservation and use. In some departments part of the papers are destroyed after periods varying from three to ten years. In the majority of instances, however, they remain indefinitely in underground stores, becoming more and more difficult of access as fresh accumulations are added. This condition of affairs is due to the want of a uniform system for the service for the disposal of records, and is aggravated by the

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COMMISSION ON PUBLIC RECORDS.

the departments which are gradually becoming choked with an ever increasing mass of documents.

The above remarks apply to public documents generally. As regards the older papers of historic interest which form the archives of the country, the undersigned are unable to speak more favourably. It is true there is a collection of valuable papers bearing on the early history of Canada in the Department of Agriculture, under the control of an official known as the Dominion Archivist, but this officer though amply qualified for the post, has never been provided with facilities for its adequate administration, nor enjoyed anything beyond a casual and perfunctory recognition. The Department of the Secretary of State possesses a similar collection of papers under the immediate charge of an officer known as "The Keeper of Records." These two branches of the public service, though ostensibly devoted to the promotion of a common object, are not in any sense of the word auxiliary to each other. On the contrary, they are distinct, and even antagonistic. The Commissioners, for instance, understand that for the purpose of bridging over breaks in the archives, copies have been made of documents in the libraries of European capitals when the originals of these very documents were at the time in the custody of one or other of the public departments. It is not too much to say that the rivalry existing between these offices has long been an obstacle to the attainment of that unity of responsibility and control essential to the introduction of a perfect system. Another collection of State papers relating to the century immediately preceding Confederation exists in the Privy Council Office, and there are many minor deposits to one of which reference may be made. In the Department of Indian Affairs the Commissioners were shown a number of bound volumes of manuscript containing the reports of the Indian Commissioners at Albany, from 1722-23, and amongst other matters of historic interest the story, in part, of the Mohawk war, the conspiracy of Pontiac, and the migration of the Six Nation Indians. These books are quite unprotected from fire and their destruction would be a serious loss. Thus, records which united would form a collection of rare interest, are dispersed throughout the departments, where they lie in every stage of insecurity, often unarranged and undescribed, suffering more or less from damp, their value sometimes unrecognized and their very existence, it may be, unknown. Nor is this surprising when it is borne in mind that until the fire of February last the care of records was not considered a matter of immediate concern.

2.—THE DANGER TO WHICH THE GOVERNMENT RECORDS ARE EXPOSED FROM FIRE.

Recent experience must have taught all persons, as it has greatly impressed the undersigned with the conviction, that the danger from fire to which the public records are exposed is a serious and ever present one.

Canada's access to government information timeline

1897 - 1916: reports, loss due to fire, more reports, more threats due to fire

- **1897** Western Block fire (150,000 public works documents were destroyed)
- **1898** Canada. Departmental Commission Appointed to Inquire into and Report upon the State of Public Records, Report of the Commissioners. Ottawa.
- **1914** Canada. Departmental Commission Appointed to Inquire into the State of the Records of the Public Departments (Pope Commission). Ottawa. (recommended building a library for government records and publications)
- **1916** Fire on Parliament Hill (Library of Parliament spared due to iron doors installed at librarians' insistence)



<https://www.pinterest.ca/pin/403212972869515723/>

Canada's access to government information timeline

1927 Depository Services Program (DSP) established

- Program of an executive branch agency, subject to Treasury Board of Canada (~OMB) Policies and Procedures
- Not a publisher, compliance from publishing agencies always a problem
- Distributed government publications to libraries (including LAC post-1953)
- Stopped distributing paper in 2013 (end of depository contracts allowed libraries to dispose of their print collections)
- Collects, catalogues, and provides access to electronic government publications
- Works with CGI DPN to preserve government publications

1953 National Library of Canada established (with legal deposit *authority*)

- Received print government publications via the DSP (collection incomplete)
- Merged with National Archives of Canada in 2004 to create the Library and Archives of Canada (LAC), reports to Parliament through the Minister of Heritage
- Stopped accepting provincial government materials and ended most reciprocal partnership arrangements in the mid 2010s, during cutbacks in budget, staff, and services
- Web archiving activity (federal only) sporadic and selective, more collections added in last few years

Canada's access to government information timeline

2011 Canada joined the Open Government Partnership

- Virtual Library was a goal... downgraded to a portal without preservation... upgraded to portal/repository... finally launched in 2014... holds ~278 publications in June 2018
- [Open government licence](#): lawful uses (only a court of law can determine fair dealing); attribution required; does not apply to third party content, names, crests, logos, or other official symbols
- Publication equivalent (PDF) of web-based content still includes statement, "Crown copyright. All rights reserved. All requests for permission to reproduce this document or any part thereof shall be addressed to the Department of..."
- [2017 Canada added to OGP Steering Committee, named lead](#)

Open Government Portal

As we launch this enhanced integrated Open Government Portal search, you may notice that there has been a reduction in the number of open information records. Please note that you can still access the publications that no longer appear here by visiting: [Government of Canada Publications](#) and [Library and Archives Canada](#). If you have any comments or questions [contact us](#)!

Search Records

222 records foundOrder by Relevance

Search Filters [Clear All](#)

Portal Type

☐ Open Data (118244)

☒ Open Information (222)

Collection Type

☐ Publications (222)

Open Information Portal

Our goal is to provide access to all information collections throughout the Government of Canada. To accomplish this, we are applying a 'phased' approach to integrate the different technical systems currently in use across the Government of Canada. This release of the 'Open Information portal' is the first of multiple

Removed due to incompatibility
with OGL (e.g., Crown copyright).

Sea

Search...



170,180 resources found

Order by

Last Modified

Search Filters

Language

[English \(97964\)](#)[French \(86684\)](#)

Organization

[Statistics Canada \(19231\)](#)[Canada Mortgage and](#)[Housing Corporation \(13426\)](#)[Fisheries and Oceans Canada](#)[\(8489\)](#)[Health Canada \(8037\)](#)[Natural Resources Canada](#)[\(6220\)](#)

Government of Canada web content timeline

- pre 2000: range of styles, content on agency websites
- Common Look and Feel (CLF) standard: implemented 2000; new versions implemented 2008, 2011
- 2010: federal court case, [Jodhan v. Canada \(Attorney General\). 2010 FC 1197 \(CanLII\)](#)
- 2012-2013: “Web Renewal Action Plan” based on removing ROT (redundant, outdated, and trivial content)
- Wayback Machine (Archive.org): some gc.ca sites prior to 2012; “full” crawl in early 2013 due to advocacy efforts of GODORT IDTF (lots of dead links); first choice for journalists and other users
- How do you know what’s been lost?
 - Anecdotes
 - ATIP (FOI) documents
 - Selective comparisons using archive.org and LAC web harvests

Libraries and copyright chill

Asked permission to web archive site (2012):

Unfortunately we are not in a position to help advise you on how to resolve your technical difficulties in archiving GoC website content.*

My more immediate concern is ensuring you are provided proper guidance and information regarding Crown Copyright and Licensing and what the Library of Canada has to say on archiving government websites. I have already written an email to the Crown Copyright and Licensing and Library of Canada seeking their advice and input on this matter.

Where is such guidance and why is it necessary if noncommercial use is ok?

*not wanting to circumvent a robot.txt file

Asked permission to web archive site (2013):

I apologize for the delay in getting back to you. Unfortunately, we decline your request to allow your user agent archive.org_bot to crawl the website. To respect the recommendation of the Office of the Privacy Commissioner of Canada that xxxx protect personal information on their website, we have implemented a protocol that prevents our crawler from accessing any personal information on the website. This protocol is in line with the recommendations of the Office of the Privacy Commissioner of Canada and the Googlebot protocol. We are sorry that we cannot provide you with the information you requested as it is not in the best interest of the government of Canada to release this information. We will continue to work on our website that include personal information about individuals who participate in xxxx processes and displaying these search results.

Why is restricted personal information openly available on a government web site in the first place?

Libraries and copyright chill

Asked permission to make a copy for a library collection (2015):

Usually, when a publication is not on the website anymore, it means it is no longer available to the public and the government of Canada is not

allowed to make a copy for a no-profit library. Even for a no-profit library, the public can be helped by owned publications ever withdrawn from depository libraries? help you in your research:

<http://www.DEPARTMENT.gc.ca/home-accueil/important-eng.php>

"What the Heck is Happening Up North? Canadian Government Information Circa 2014." *Documents to the People (DTTP)*, 42.1 (Spring 2014), p. 15-20.

<http://hdl.handle.net/10402/era.38740> (OA via ALA GODORT:

https://wikis.ala.org/godort/images/9/9c/DttP_42n1.pdf)

www.fixcrowncopyright.ca

What is Crown copyright?

Copyright Act, s.12 (emphasis added)

Without prejudice to any **rights or privileges of the Crown**, where any work is, or has been, **prepared or published** by or under the direction or control of Her Majesty or any government department, the copyright in the work shall, subject to any agreement with the author, belong to Her Majesty and in that case shall continue for the remainder of the calendar year of the first publication of the work and for a period of fifty years following the end of that calendar year.

“Crown copyright comes from and is justified by a particular non-democratic conception of government.” -- David Vaver

<https://web.archive.org/web/20100527140536/http://www.lexum.umontreal.ca/conf/dac/en/vaver/vaver.html>



image courtesy of
Kim Kemmer

Overview

- Canada & U.S. Contexts
- Government Information Access
- CGI-DPN
- Initiatives & Activities



@WhiteHouse on Twitter

Government Information Landscape: Similarities

- Collaborative initiatives
- Digital preservation concerns
- Focus on “Open” Government
- Commercialization of government information
- Shrinking quantity of print materials issued
- Exponential growth of e-only information
- Fugitive government information

Government Information Landscape: Differences

- Two official languages
- Federal print depository program terminated in 2014
- No legislation analogous to USC Title 44
- *Ad hoc* Government Information Network
- Declining number of government information librarians
- Copyright significantly different

Open Government

- OGL conflicts with Crown Copyright
- Open Government Portal
 - Open Information
 - Federal Science Library
 - Open data
 - <https://open.canada.ca>



Photo by [Abele Gigante](#) on [Unsplash](#)

Depository Services Program

Pre-2014

- 1927: DSP established by an OIC
- 1952: First Daily Checklist
- 1981: DSP LAC established
- 1995: DSP website created,
- 2012: Economic Action Plan (Budget)
- 2014: Print distribution ceases
- 2014: Copyright clearance devolved back to issuing agency

Post-2014

- Reliance on e-publications
- Community of practice
- New ILS
- Statistics Canada Historical Digitization Project
- Reimagined DSP Library Advisory Committee

DSP User Survey Findings

Library professionals deem government publications “unique,” of particular resonance, part of an important historical record, and essential to government accountability, an engaged citizenry and the nation’s capacity to learn from the past.

Publishing & Depository Services Directorate
Client Satisfaction Survey Report (2017)

Canadian Government Information Access Today

- Diminished access
 - Need for connectivity
 - Concerns over stability
 - Concerns over findability
- Increased reliance on ATI / FOI requests
- DSP Advisory Council
- Naylor Report
- How will all this government information will be preserved?

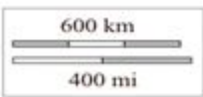
Canadian Government Information - Digital Preservation Network (CGI-DPN)

- To preserve and provide perpetual access to digital content originally published by government agencies in Canada
- Decentralized and distributed preservation (Lots of Copies Keeps Stuff Safe)
- Local custody and control of assets
- Affordable and sustainable
- https://plnwiki.lockss.org/index.php?title=CGI_network

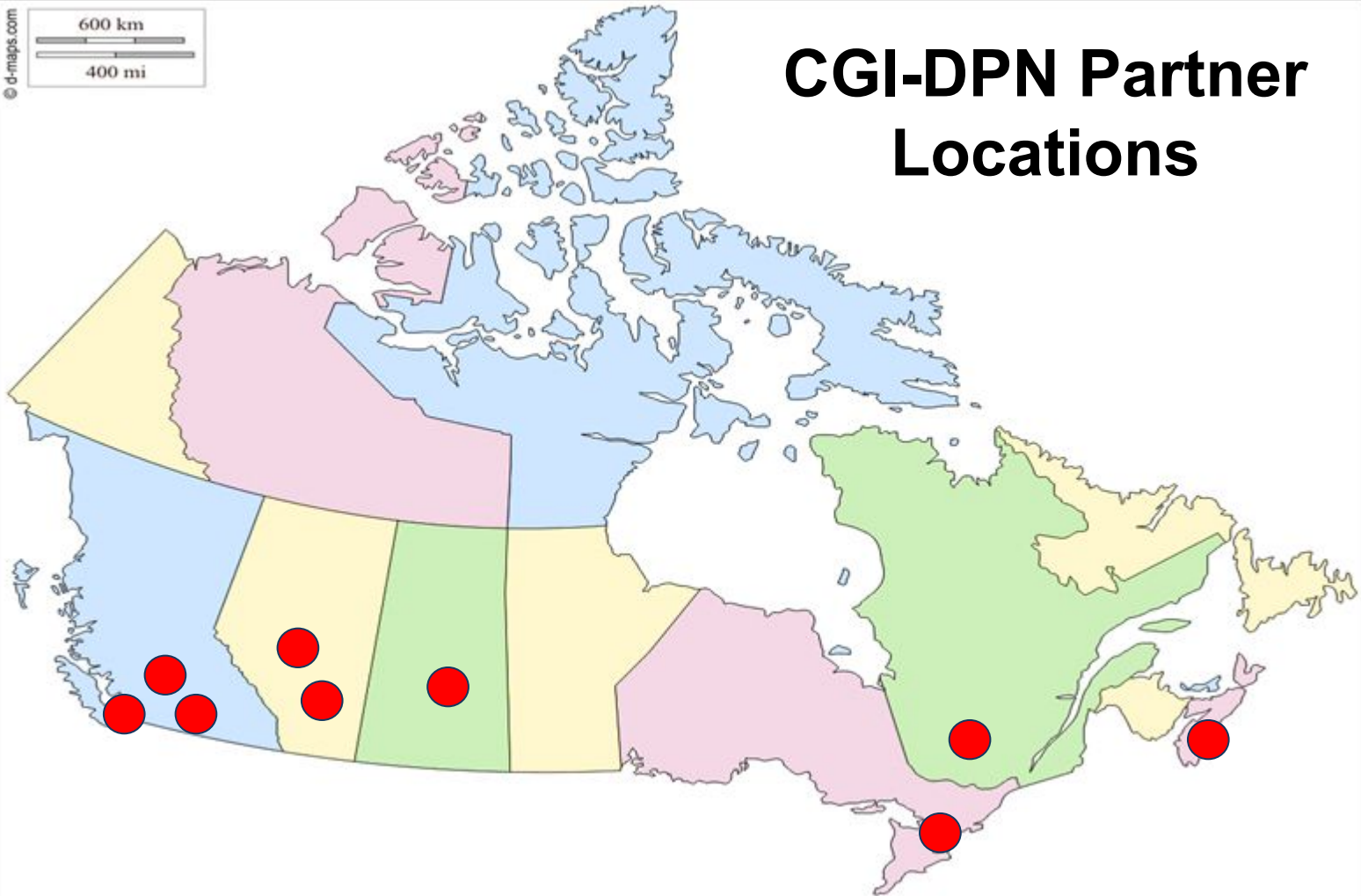
Possession is 9/10 of the ~~law~~ solution

Memory institutions have played a vital role in preserving government publications and making them accessible for long-term use. A distributed, tamper-evident preservation infrastructure is required to maintain this stewardship role in a digital environment.

Canadian Government Information -
Digital Preservation Network mission



CGI-DPN Partner Locations



CGI-DPN Collections

- DSP E-collection
- At-risk content
- Provincial and territorial government sites
- Thematic collections (e.g. opioid crisis)
- Statistics Canada site
- Available on the CGI-DPN Archive-It site

<https://archive-it.org/organizations/700>



Photo by [Samuel Zeller](#) on [Unsplash](#)

Ministry of **Finance**

Reports and Publications Archive

Please Note: Updates to the Ministry of Finance website are currently in progress. You may experience broken links and/or missing graphics when viewing archived documents.

Initiatives & Activities

- Provincial web archiving
- Canadian Web Archiving Coalition (CWAC)
- Registry of Canadian Government Information Digitization Projects
- Advocacy (GovInfo Day)
- COPPUL Shared Print Archive Network
- Digitization grants
- National government information network discussions
- GALLOP Portal

Final thoughts...

We need to work together to pursue collaborative partnerships to safeguard past, present, and future government information for the public's long-term access and consumption, and to promote services that encourage our users to critically evaluate and interrogate all information [...] the solutions we create today need to be adaptable for the government information landscape of the future.

Kian A. Flynn & Cassandra J. Hartnett
University of Washington Libraries

Acknowledgements

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Government Information and
Research Data Services Librarian at
Simon Fraser University and the
ongoing support of my
CGI DPN colleagues.

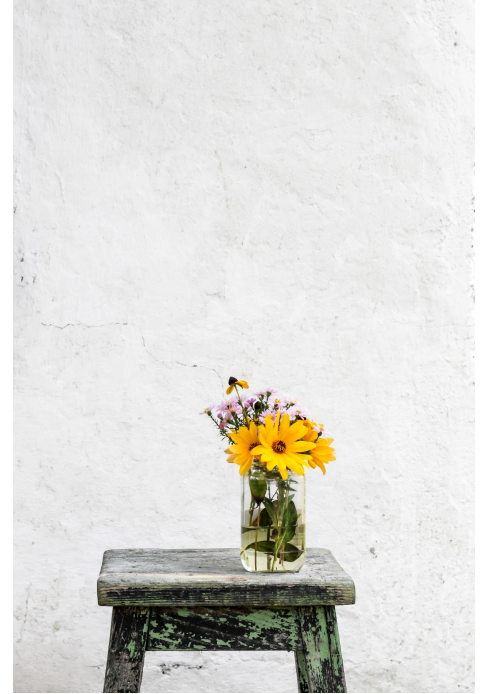
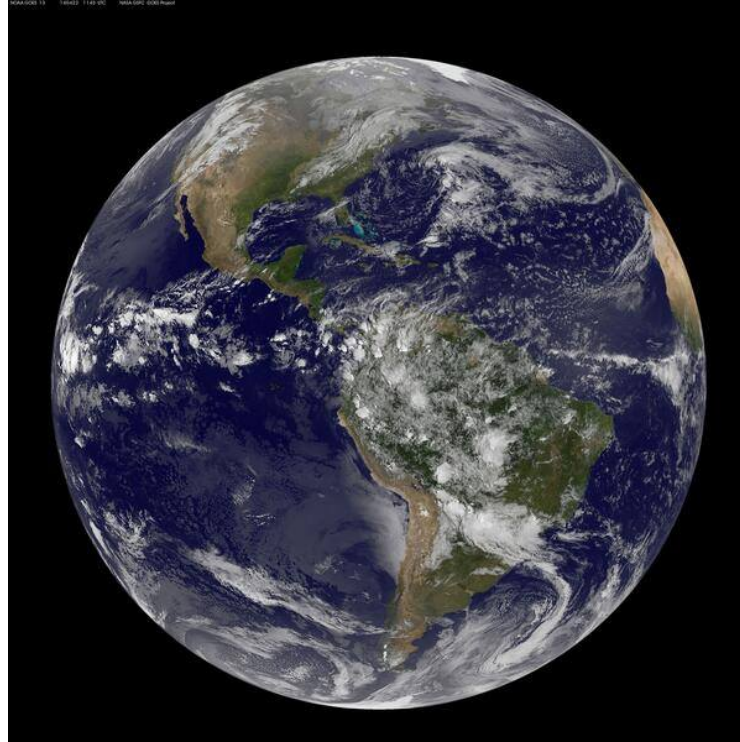


Photo by [NordWood Themes](#) on [Unsplash](#)

Venn diagram of government information



Where Documents Are Obtainable

When the office of the Superintendent of Documents has been fully organized and all the provisions of law relating to it have become operative, it is expected that it will be able to supply all ordinary demands for the purchase of the current documents and most demands for copies of the older documents. It will, however, be some time before this expectation can be entirely realized.

At present the State Department sells the Statute Laws, and the Bureau of American Republics, attached to the State Department, sells its own publications.

The Treasury Department sells the Catalogue of Copyrights, the Monthly Statements of Finance, Commerce, and Immigration by the Bureau of Statistics, and the publications of the Coast and Geodetic Survey.

The War Department sells the Rebellion Record.

The Post-Office Department sells the post-route maps.

The Navy Department sells the Naval War Record and the publications of the Nautical Almanac Office and the Hydrographic Office.

The Interior Department sells the publications of the Census Office; the Decisions and Maps of the General Land Office; the reports, maps, monographs, and bulletins of the Geological Survey; the Decisions of the Pension Office, and the numerous issues of the Patent Office. The average number of newly issued patents for which specifications are printed each week is 450. Copies of these specifications are sold at 10c each. A list of them appears weekly in the Patent Office Gazette, for which the subscription price is \$5.00 a year.

"Issued for Gratuitous Distribution":
The History of Fugitive Documents
and the FDLP"

<https://freegovinfo.info/node/12735>



**ALA Washington Office Chronology
INFORMATION ACCESS**

American Library Association, Washington Office
1301 Pennsylvania Avenue, NW, Suite 403
Washington, D.C. 20004-1701
Tel: 202-628-8410 Fax: 202-628-8419 E-mail: alawash@alawash.org http://www.ala.org/washoff
June 1998

**LESS ACCESS TO LESS
INFORMATION BY AND ABOUT
THE U.S. GOVERNMENT: XXX**
A 1998 Chronology: January - June

*Less Access to Less information
by and about the US Government*
https://freegovinfo.info/less_access

Controversial tobacco document pulled from congressional Web site

After mounting thousands of secret tobacco industry papers on their public Web site, the House Commerce Committee removed a controversial 104-page memo after R.J. Reynolds Tobacco Company officials objected it being made public.

The memo described how RJ R's lawyers suppressed research on the health hazards of smoking over a 30-year period. The Committee held back 400 documents from the public in response to tobacco industry pleas that the papers contained trade secrets or were entitled to confidentiality because they had been prepared by outside lawyers now working for

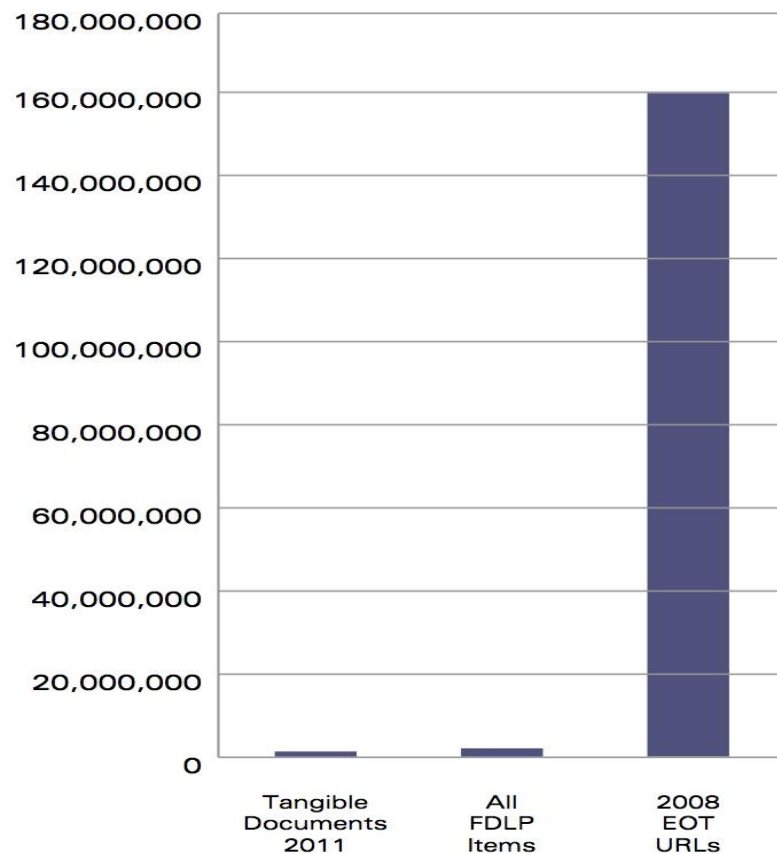
Fugitives scope

“The number of fugitive print documents has been estimated as about 50% of the universe of Federal printing, but this estimate may be conservative.”

Gil Baldwin, “Fugitive Documents – On the Loose or On the Run,” Administrative Notes: Newsletter of the Federal Depository Library Program 24, no. 10 (August 15, 2003): 4–8, <http://web.archive.org/web/20160321083457/http://www-personal.umich.edu/~graceyor/govdocs/adnotes/2003/241003/an2410d.htm>

“The Superintendent of Documents recently stated that 85% of these non-GPO publications fail to appear in the Monthly Catalog due to the fact that the issuing agencies do not provide copies of them to GPO for cataloging.”

GODORT Federal Documents Task Force, “Suggestions to GPO. A Letter to the Superintendent of Documents. February 5, 1973,” *DttP* 1(3) (May 1973): 21–28. <https://searchworks.stanford.edu/view/wf053wt9145>



James A. Jacobs, *Born-Digital U.S. Federal Government Information: Preservation and Access*, March 2014. Prepared for Leviathan, the Center for Research Libraries Global Resources Collections Forum. <http://www.crl.edu/leviathan>



End of Term Web Archive

US Federal Web Domain at Presidential Transitions



<http://eotarchive.cdlib.org>

<https://govinfo.gov>

https://www.hathitrust.org/usdocs_registry

<https://lockss-usdocs.stanford.edu>

<http://climatemirror.org>

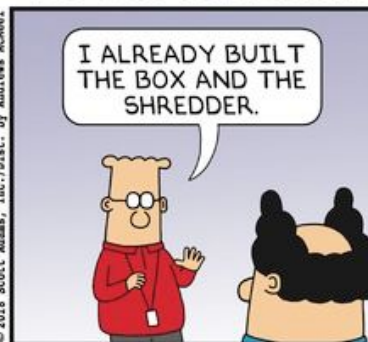
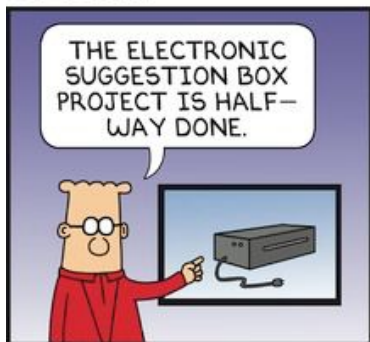
<https://www.datarefuge.org>

<https://enviroadatagov.org>

GOVT INFORMATION ECOSYSTEM

DILBERT

BY SCOTT ADAMS



Twitter: @scottadamssays

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Dilbert.com 4-15-18

Guiding principles of government information

Information must be:

Not just *preserved*, but *discoverable*.

Not just *discoverable*, but *deliverable*.

Not just *deliverable* as bits, but *readable*.

Not just *readable*, but *understandable*.

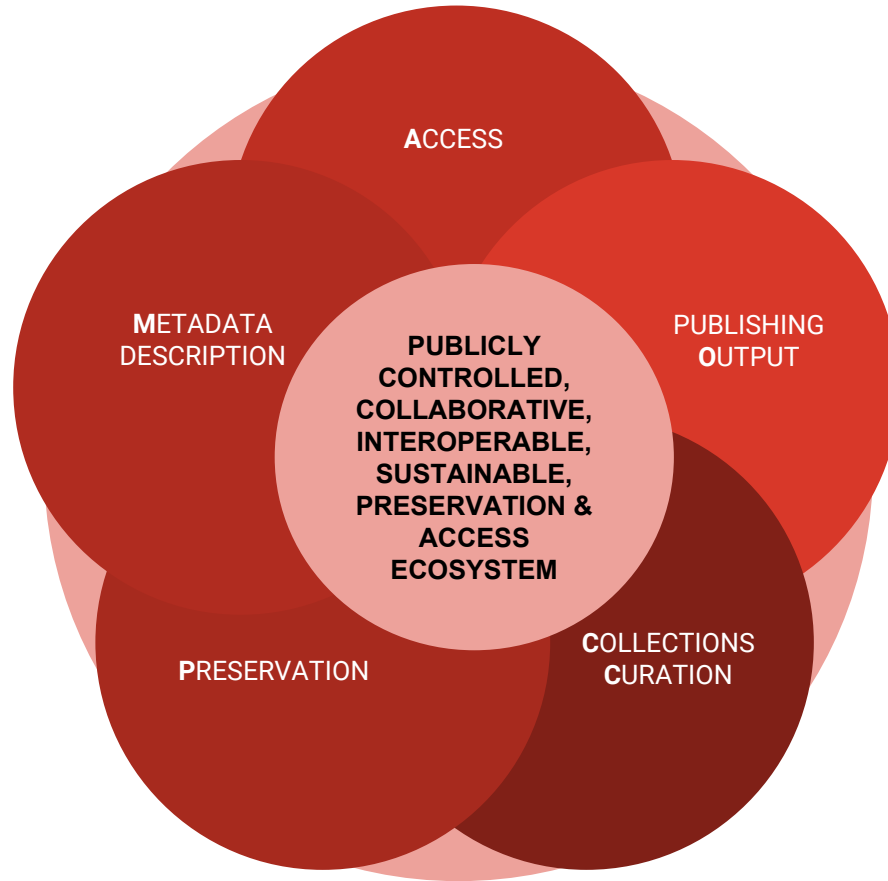
Not just *understandable*, but *usable*.*

*[Open Archival Information System \(OAIS\) principles](#)

HT to Ranganathan's 5 laws of library science!

Already happening:

LOCKSS (C, P)
Hathitrust (A, M)
GOVINFO (O, A)
EOT (C, P)
Memento (A)
Cobweb (C)
Perma.cc (A)
DPLA (A, M)
Science.gov (O, A)



Needs:

Public Policy
Funding!
DOI/Purl
Versioning
(Git/wiki)
Open standards
Open APIs
Interoperability
Provenance
Redundancy

Short-term and long-term strategies

- Librarians can use existing tools to preserve government information today.
- But we must also **lead** a movement for a long-term, comprehensive plan for the **life-cycle** of government information.

“The only kinds of fights worth fighting are those you are going to lose because somebody has to fight them and lose and lose and lose until someday, somebody who believes as you do wins. In order for somebody to win an important, major fight 100 years hence, a lot of other people have got to be willing -- for the sheer fun and joy of it -- to go right ahead and fight, knowing you're going to lose. You mustn't feel like a martyr. You've got to enjoy it.”

--I.F. Stone



#alctsAC18



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for attending this ALCTS program

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<https://www.surveymonkey.com/r/JRY5BGJ>

