



**RESOLUTION URGING THE PATENT AND TRADEMARK OFFICE TO PROVIDE
GOVERNMENT INFORMATION ON CD-ROMS TO DEPOSITORY LIBRARIES**

- WHEREAS,** The American Library Association believes that access to government information is a public right that should not be restricted by format or ability to pay; and
- WHEREAS,** The Federal Depository Library Program was established to protect and enhance that right of access; and
- WHEREAS,** Many publications and data formerly available in print form are now available in CD-ROM or other electronic formats; and
- WHEREAS,** The Assistant General Counsel for Administration of the Department of Commerce has issued a memorandum which concludes that CD-ROMs are not government publications and therefore not subject to 44 USC, 1901 with the result that the Patent and Trademark Office (PTO) is not required to supply copies of CD-ROMs to the federal depository libraries; and
- WHEREAS,** The primary purpose of Public Law 103-40, Government Printing Office Electronic Information Access Enhancement Act of 1993, is "to increase the access of the public to public information of the federal government in electronic form"; and
- WHEREAS,** The Office of Management and Budget (OMB) has issued a revised Circular A-130, dated June 25, 1993, stating that "agencies shall provide electronic information dissemination products to the Government Printing Office for distribution to depository libraries"; now, therefore, be it
- RESOLVED,** That the American Library Association urge the Department of Commerce and the Patent and Trademark Office to provide government information in CD-ROM format to federal depository libraries for equitable and ready access by the American public, in compliance with OMB Circular A-130, the GPO Electronic Information Access Enhancement Act of 1993, and the 1962 Depository Library Act.

Adopted by the Council of the
American Library Association
New Orleans, Louisiana
June 30, 1993
(Council Document 27.6)