

## OMB Circular A-130 revision

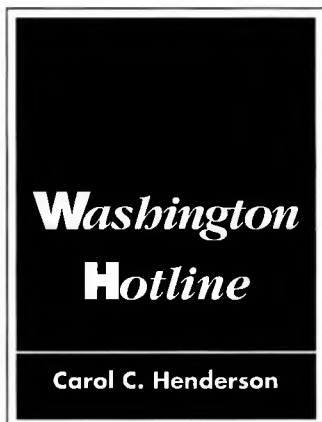
The long-pending proposed revision of Circular A-130, Management of Federal Information Resources, was issued by the Office of Management and Budget on April 29 (57 *Federal Register*, pp. 18296-306). Comments on the proposed revision are due to OMB by August 27. For further information, contact Peter Weiss at OMB at (202) 395-4814. ALA will be submitting comments.

Preliminary analysis indicates that the proposal softens the emphasis in the current circular on maximum feasible reliance on the private sector. However, the proposed revision devotes considerable attention to the Government Printing Office Depository Library Program, but excludes electronic information from the definition of government publications to be included in depository distribution. OMB says agencies "should provide appropriate electronic information products to the GPO for inclusion in the depository library program insofar as budgetary resources permit."

## Copyright-ERIC Database

Language added by Rep. Major Owens (D-N.Y.) to a pending education bill would prohibit any clearinghouse or other entity from copyrighting or charging a royalty or other fee for the use or redissemination of any database or other information produced with assistance under the ERIC subsection. The bill (HR 4014) would reauthorize the educational research and dissemination activities of the Department of Education and is now awaiting floor action.

The Owens amendment, which ALA supported in a May 18 letter, was a reaction to the recent ERIC database copyright established by the ERIC Processing and Reference Facility contractor. The ERIC (Educational Resources Information Center) database, the world's largest source of education information, contains more than 735,000 abstracts of documents and journal articles on education research and practice.



The federal government subsidizes the entire cost of developing the ERIC database by a contractor who operates the ERIC facility. The contractor requested permission to copyright the database, an action agreed to by Department of Education officials.

## Copyright-legal compilations

A House subcommittee on intellectual property held a hearing on May 14 on HR 4426, a bill introduced by Rep. Barney Frank (D-Mass.) to exempt from copyright protection the names, numbers, and citations of state and federal laws and regulations, and the volume and page numbers of state and federal regulations and judicial opinions. Registrar of Copyrights Ralph Oman said the Copyright Office supported the general principle of the bill, but felt it might be unnecessary since the courts are likely to sort it out themselves over time. West Publishing Company and the Information Industry Association opposed the bill; Thompson Electronic Publishing supported it.

Laura Gasaway of the University of North Carolina, Chapel Hill, represented the American Association of Law Libraries (AALL) which lent its qualified support for HR 4426, saying the division of text by volume and page numbers does not involve any originality and should not be protected by copyright. Citation information for statutes should also be in the public domain. AALL did not support the section which would clarify that states may charge "reasonable fees for services incidental to making available, as part of the public domain, laws, regulations, or judicial opinions." AALL said that implicitly authorizing governments to charge fees for access to their legal publications was unwise public policy. ALA submitted a statement for the hearing record supporting the AALL testimony.

## Library of Congress Fund legislation

On May 20 Sen. Claiborne Pell (D-R.I.) introduced, at the request of the Library of Congress, a new version of legislation to provide LC with authority for the provision of fee-based

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Senegal, and Mauritania. The collection includes manuscripts from his articles, books and speeches, diaries, foreign service dispatches, and correspondence from numerous American statesmen including Dwight Eisenhower, Christian Herter, Hubert Humphrey, John F. Kennedy, and Lyndon B. Johnson.

**Microfilm runs of the major newspapers** of record produced by the Chicago gay and lesbian community between 1973 and the present have been donated to the **Chicago Historical Society** by Robert B. Marks Ridinger of Northern Illinois University in memory of the late Joseph Gregg, head of the Henry Gerber and Pearl M. Hart Library and Archives. Gregg died of AIDS in 1987. The donation includes full runs of *The Chicago Gay Crusader*, *Gay Life*, *Windy City Times*, and *Chicago Outlines*.

**The entire book collection from Alliance** College of Cambridge Springs, Pennsylvania, has been donated, upon the college's closing, by the Polish National Alliance to the Hillman Library at the **University of Pittsburgh** (UP). The collection of 35,000–45,000 items consists mainly of Polish-language books on the history of Poland, Polish literature, and the history of Poles in America. A small part of the collection contains English-language books on the same topics. To help catalog the collection UP has hired a full-time cataloger, and the Polish-American Kosciuszko Foundation is sending an exchange fellow from Poland to work for ten months beginning in the fall.

**Eleven ink, pencil, and watercolor drawings** of the "Yellow Kid" by artist Richard Felton Outcault (best known for his later creation, "Buster Brown") have been discovered in the archives at **Syracuse University Library**. The "Yellow Kid" was America's first comic strip superstar according to Brian Walker of the Museum of Cartoon Art. The 11 illustrations are believed to be designs for the *Yellow Kid* magazine. The Yellow Kid character was a bald, beady-eyed street urchin with two teeth, large ears, and bare feet, dressed in a formless yellow nightshirt.

**Papers of the Barbarian Press, a small press** in British Columbia, have been donated to the **University of British Columbia** (UBC). The press had a varied output from fine mono-

graphs, miniatures, and pamphlets, to typographical oddities, broadsheets, keepsakes, and business cards. The papers include project files, financial records, and sample presswork.

UBC also received an addendum to the papers of Nan Cheney (1897–1985), a noted landscape and portrait painter, and the first medical illustrator at UBC (1951–1962). The addendum includes editorial pages generated by the publication of Emily Carr's letters to Cheney (UBC Press, 1990) and a large collection of medical drawings spanning Cheney's career.

**Actor, writer, and director Crane Wilbur's** papers have been acquired by the **University of Southern California** Cinema-Television Library. Correspondence, scrapbooks, photographs, diaries, and scripts are included in the collection which covers a 58-year show business career encompassing motion pictures, television, radio, and the Broadway stage. Wilbur first gained recognition on the stage, then rose to international fame as Handsome Harry, Pearl White's leading man in the 1914 movie *The Perils of Pauline*. He also produced a script for the 1953 3-D chiller "House of Wax." ■

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library products and services. S. 2748, the Library of Congress Fund Act of 1992, replaces the earlier S. 1416. While the new bill includes some improvements suggested by ALA's Committee on Legislation together with the Association of Research Libraries and the American Association of Law Libraries, problems remain.

Improvements include a clearer delineation of three different kinds of LC products and services—core (no cost), national (distribution cost only), and specialized (full cost recovery). Protections have been added concerning depository library distribution, copyright, and reciprocal exchange agreements. Problems include inclusion of both direct and indirect costs of distribution, a broad and inclusive list of distribution cost elements, and a too-limited protection against redistribution fees. An overarching problem is the difficulty of drawing the line between core and fee-based services, made even more troublesome by LC's late addition of "electronic access to the contents of the collections" to the list of specialized full-cost recovery services. At this writing, ALA's Committee on Legislation was engaged in further analysis of S. 2748. ■