

# LIBRARY OF CONGRESS

## COLLECTIONS RETENTION POLICY

September 2020

The policy of the Library is to retain permanently the materials in its collections, although not necessarily in their original format nor in multiple copies. Thus, materials that have been added to the collections, in all formats, are not to be deaccessioned (“withdrawn”) except under specific circumstances as described below and as authorized in *Library of Congress Regulation 2-710, Disposal of Surplus Collection Materials*.

When an item or collection is added to the Library’s permanent holdings, the intention is to retain it in perpetuity and to make it discoverable and available to users as openly as possible. As the de facto national library, it is essential that the Library’s collections, including digital content, are permanently preserved and remain accessible. This requires a robust preservation program for all materials, both tangible and digital. Preservation includes the replacement of physical materials through reformatting before their original state has deteriorated. It also includes conversion or transcoding of digital materials to different formats to ensure their long-term preservation and access.

### **Special Circumstances**

#### ***Non-Selected Materials***

Materials that are received by the Library but subsequently are not selected for the collections are not within scope for this policy. Disposition of such physical materials should follow the appropriate existing policies, including *Library of Congress Regulation 2-710, Disposal of Surplus Collection Materials*.

#### ***Materials Mistakenly Added to the Collections***

Given the large volume of materials received and processed by the Library each year, it is possible for materials that are out-of-scope of the Library’s collection development policies to be added to the collections without being fully evaluated by a recommending officer. Such items may be withdrawn at the discretion of the custodial division upon approval of an appropriate recommending officer, provided the item has not circulated.

#### ***Deteriorated or Damaged Physical Items***

An item may be withdrawn from the collections if it has deteriorated or been damaged to the extent that it cannot be repaired, copied or reformatted and if replacement with another copy is not feasible.

### ***Reformatted Physical Items***

Original physical items of low artifactual value that have been reformatted may be withdrawn at the discretion of the appropriate custodial division. In cases where the reformatted items were originally recommended by a division other than the custodial division, the recommending division should be consulted.

### ***Cumulated Materials***

Superseded individual issues may be withdrawn after a cumulated volume containing the same content is received.

### ***Archives (Personal papers, organizational records, and other collections of unpublished materials)***

After receiving an archives or archival collection, the Library continues to evaluate the value and relevance of materials within that collection during processing. The Library may determine that some or all items should not be retained according to the Library's collecting policies and a consideration of multiple factors, including provenance, content, authenticity, legibility, condition, completeness, or intrinsic value. This appraisal applies to items in any format. Items not selected for retention during processing are discarded, returned, or transferred according to terms specified in the gift agreement or *Library of Congress Regulation 2-710, Disposal of Surplus Collection Materials*. In exceptional circumstances when an archival collection is determined out-of-scope in its entirety, it may be deaccessioned with the approval of the Principal Deputy Librarian, in consultation with the Office of the General Counsel, and following best practices outlined in the [Society of American Archivists' Guidelines for Re-Appraisal and Deaccessioning](#).

### ***Revised and Corrected Editions of Printed and Electronic Textual Works***

Unintentional mistakes can surface after a printed work has been published. Often, the publisher distributes an errata sheet, which the Library will physically add to its copy, or copies, of the work. If the publisher distributes a new printing of the work, the Library may decide to replace the original version with the new version, noting in the appropriate records that a substitution has been made. If the new version includes editorial changes to the text, then the original version should be retained, and the new version may be selected and added to the collection, with the bibliographic record providing the appropriate edition statement. Retention and/or selection decisions should be made by the custodial division or, in the case of the General Collections, by the custodial division in consultation with the recommending division.

Publishers of e-books and e-serials often electronically distribute digital updates to their publications. If those updates are simple copy editing revisions, the Library's policy is to retain and make available the most recent edition only. If the update includes editorial changes to the text, then the original version should be retained, and the new version may be selected and added to the collection as a new edition. Retention and/or selection decisions should be made by the custodial division or, in the case of the general digital collections, by the custodial division in

consultation with the recommending division. [These practices are to be implemented once necessary tools and systems are in place.]

Collecting guidelines for rare books and other special collections may call for retaining all representations of a work over time, edition, and format. Retention and/or selection decisions in these cases should be made by the custodial division.

### ***Duplicates and Additional Copies***

Historically, multiple physical copies of collection materials, generally of low artifactual value and regardless of format, have been added to the collections with the primary purpose of ensuring that user demand could be satisfied to the greatest extent possible. Standard procedures have been established to enable the deaccessioning of such additional service copies. In addition, duplicates of identical content in alternate formats need not be kept as long as at least one copy is retained, according to the local retention policies of individual custodial/curatorial divisions.

### ***Challenged Materials***

The Library's [Collections Policy Statements](#) define in detail the scope of materials that can be added to its collections. That scope is intentionally broad and deep as befits the nation's library. Thus, there are items in the collections that some will find objectionable or may challenge. For example, authors or publishers may request that particular materials be withdrawn from the collections. To meet its mission, though, the Library must include such materials in the Library's collections. Barring exceptional legal or ethical circumstances, any requests to remove within-scope items on such grounds will be declined. A decision may, however, be made to restrict access to the materials. Requests for removal should be directed to the Collection Development Officer, who will coordinate as necessary with other Library stakeholders, including the Office of the General Counsel (OGC).

### ***Materials Containing Personally Identifiable Information***

An unknown number of items in the collections include personally identifiable information (PII). If the Library receives a request to remove a specific physical item, or items, from the collection because of the inclusion of PII, the materials may be transferred to a secure custodial location and served under appropriate restrictions. Likewise, if the materials in question are digital and include PII, they may be restricted from open access (if they are being made available by the Library in that manner) or from the Library's onsite systems and then made available under appropriate restrictions. The Office of the General Counsel will determine if a PII-related removal request is valid and under what restrictions the materials or content may be served.

In archival collections, if out-of-scope PII materials are discovered during processing, they may be shredded or returned to the donor according to disposal clauses in gift agreements and the custodial division's guidelines for processing collections.

### ***Web Archives and Open Digital Content***

For the most part, the Library's web archives program is based on a notice and permissions system. If a site owner asks for a site to be removed, access will be restricted to onsite use at the Library. Requests to make web archives content completely inaccessible are to be declined, barring exceptional legal or ethical circumstances. A similar approach should be taken with open digital content for which the Library provides access via its website. Should the intellectual property owner request that the Library remove such content, access will then be restricted to onsite use or as a specific applicable collection agreement allows. Requests to remove such content completely from the collection are to be declined, barring exceptional legal or ethical circumstances.

Digital content that has been unintentionally acquired and added to the collection (as through incidental or accidental crawling of a web page or document) may be made inaccessible, or withdrawn and deleted.

### ***Licenses and Formal Agreements***

If the Library is asked to remove an item from the collection, and a license or other formal agreement obliges the institution to do so, the item will be removed after consultation with OGC.

### ***Provenance and Questions of Ownership***

If the Library becomes aware that a collection item is potentially the legal property of another entity, it will take the necessary steps to resolve the status of the collection item, as indicated in *Library of Congress Regulation 2-150, Provenance of Cultural Items*.

### ***Deposits***

Deposit of material in lieu of an outright donation is strongly discouraged, except in exceptional circumstances. As defined in *Library of Congress Regulation 2-240, Deposits*, a deposit consists of "...individual items or collections, that are placed in the custody of the Library, without transfer of title to the Library, for service to the public for an extended or indefinite period, with the intention that such materials will ultimately be donated to the Library." However, the owner may legally withdraw a deposit rather than conveying it to the Library. In some cases, the original materials may be withdrawn while the Library retains physical or digital copies.

### ***Exceptional Circumstances***

As noted above, exceptions to the general policies can be made based on legal or ethical circumstances. Those decisions are to be made by the Principal Deputy Librarian in consultation with the Office of the General Counsel.