

**FINAL REPORT of the OCLC REVIEW BOARD ON
PRINCIPLES OF SHARED DATA CREATION AND STEWARDSHIP**

June 22, 2009

TO: Larry Alford, Chair
OCLC Board of Trustees

Jan Ison, President
OCLC Global Council

CC: Jay Jordan, CEO, OCLC

FR: Jennifer Younger, Chair
OCLC Review Board on Principles of Shared Data Creation and Stewardship

RE: **FINAL REPORT**

I. Policy rollout, reception and formation of the OCLC Review Board

OCLC issued a proposed *Policy on the Use and Transfer of WorldCat Records (Policy)* on November 4, 2008. The proposed *Policy* was accompanied by a “Frequently Asked Questions (FAQ)” document. These documents were intended as a replacement for the *Guidelines for Use and Transfer of OCLC-Derived Records*, issued on November 16, 1987. As issued, the *Policy* had an intended effective date of November 19, 2008. Although OCLC had consulted with some OCLC members, the proposed *Policy* was a surprise to many in the community. Reactions from both OCLC members and non-members were immediate, numerous and primarily negative. Subsequently, the OCLC Board of Trustees postponed the implementation of the *Policy* and formed this review board.

In addressing the OCLC Members Council on February 9, 2009, Larry Alford, Chair, OCLC Board of Trustees, posed three questions, of which two are relevant here::

1. Can we agree that WorldCat and the ability to perform and record iterative updates to records, so that the intellectual effort of one librarian builds on the intellectual effort of the next, is worth preserving?
2. Is an international union catalog of records important for the promotion of research and learning and the support of teaching around the world?

He went on to note that the responses he had received to these questions were “a universal and enthusiastic yes.” Similarly, although input from the broader community identified numerous issues and requested that the proposed *Policy* be withdrawn, the community in large numbers asked not only that a new record use policy be developed, but also that it be developed with member participation. These requests from the OCLC member and non-member community reaffirmed the need for and value of sustaining WorldCat. With the need to sustain WorldCat as the basis for moving forward, Larry Alford and Loretta Parham, then President of OCLC

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Members Council, charged the Review Board on Principles of Shared Data Creation and Stewardship with the following:

- Consult with librarians and member representatives as appropriate.
- Review reports, letters and comments including blog and listserv messages from the global library community regarding the revised Policy.
- Recommend principles of shared data creation and changes in the proposed *Policy on the Use and Transfer of WorldCat Records* that will preserve the community around WorldCat infrastructure and services, and strengthen libraries.

II. Issues with the proposed Policy

Commentary on the proposed policy was received in the form of letters to OCLC, letters from over thirty individuals, institutions and organizations to the Review Board, discussions on several e-lists, blog and wiki posts, and online petitions. Several organizations convened committees to review and comment on the *Policy*, including the American Association of Law Libraries (AALL), the Association of Research Libraries (ARL), the Chief Officers of State Library Agencies (COSLA), the International Coalition of Library Consortia (ICOLC) and the Online Audiovisual Catalogers (OLAC). (The reports of these organizations are included in the appendices to this report.) These groups raised many substantive questions and concerns about the process, as well as about the proposed policy provisions themselves. The Review Board systematically and comprehensively reviewed the input from all sources. The Review Board also interviewed key stakeholders inside and outside of OCLC. In addition, Review Board members attended various state, regional and international meetings where the proposed *Policy* was on the agenda. From this broad array of input, we have listed below the questions and issues that were of the most importance in our deliberations and subsequent recommendations. These issues are of importance for several reasons. First, they were voiced by many. Second, they relate directly to members' concerns about their future use of their own records in their local catalogs, within their consortia or networks, and with other third parties for services valued by the members. Third, they point to a lack of clarity about the problems the proposed *Policy* was intended to address, and question whether the proposed *Policy* will, in fact, address those problems. Finally, they reflect the views of members that the proposed *Policy* unacceptably alters the nature of the relationship between OCLC and its members.

Some of the significant issues raised included the following.

- There was no clear statement of the context in which the proposed *Policy* was issued, the problems it was intended to address, or what was missing from the current guidelines. The scope of the proposed policy appeared to go beyond curbing what was characterized, generally, as inappropriate exploitation of WorldCat. There were questions about the extent to which trying to control the use and transfer of bibliographic metadata is in the best interests of members.

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- The policy development process did not involve the membership, the Members Council, or the wider community. There was no understanding of or consensus on these issues among OCLC members prior to the release of the policy. Members stated that sustaining WorldCat is ultimately dependent on the ongoing contribution and maintenance of records by members; thus, member agreement about underlying policy goals and principles is essential. There were also concerns that the same lack of consultation and consensus building that characterized the development of the proposed *Policy* would be reflected in its subsequent evolution and amendment.
- Members expressed great uncertainty about how the proposed *Policy* would permit them to use their own records. The need to request approval from OCLC for such uses as sending records to a third party for processing, contributing them to a union catalog, or making them available to a library partner in order to obtain desired services, was widely seen as unnecessarily restrictive and administratively burdensome. Although the FAQ attempted to provide use cases, there was no clear sense of how the new *Policy* would be applied.
- There were questions about whether the *Policy* would limit innovation by members and third parties—especially those with whom members work most closely. Concerns were expressed that the *Policy* would limit experiments for improving access to formats besides books, that the *Policy* reflects a world that is rapidly passing into history, and that the *Policy* insufficiently recognizes the substantial network of relationships between and among partners in today’s information landscape.
- There were technical concerns raised about local library systems having to implement a persistent provenance field, and about the feasibility of attempting to limit the reuse of individual records or portions of records.
- The *Policy* appeared to be one-sided, without a clear indication of what constitutes acceptance by members, and without clear methods of negotiation of terms, or of appeal.
- Many questions were raised about whether parts of the proposed *Policy* would meet legal challenges, including, but not limited to, questions of ownership of the records. Concerns were raised about how the policy would be enforced, and that libraries would have greater responsibilities for monitoring record use by other parties and potential application to downstream uses.

A positive basis for moving forward

Despite the preponderance of input explicitly critical of the proposed *Policy*, the reactions from the community implicitly convey a more positive outlook. Although requesting a retraction of the proposed *Policy*, those communicating with the Review Board went on to request involvement in defining and understanding the problem, and generally affirmed the need for a clear and appropriate policy. Those communicating with the Review Board emphasized their

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pride in the collective enterprise that is WorldCat, their appreciation of the public purpose OCLC serves in stewarding WorldCat, and their continuing support for sustaining WorldCat.

III. Highlights of the survey conducted by the Review Board

The purpose of the Review Board’s survey was to gather, within a short period of time, targeted input that would inform and broaden the diverse perspectives of Review Board members. The survey was widely distributed throughout the library community, with the request that people respond with their own views, not those of their institutions. The Review Board saw this as an opportunity to gather perspectives from many kinds of libraries and organizations, as well as to hear what range of views might exist within these organizations.

A total of 1,620 respondents completed the survey. Of these, eighty-two percent were from OCLC member institutions, including all types of libraries and memory institutions. There were also responses from individuals working for vendors, publishers, and data aggregators. While most of the respondents were from the United States, altogether the respondents came from 54 countries. Directors responded in an unusually high percent in comparison with other OCLC surveys. When combined with managers, including those in information technology, technical services, and public services, administrators amount to almost half the number of total respondents.

In what follows, the Review Board highlights selected points from the survey to help guide those that will be taking the next steps in looking at developing a policy on WorldCat record use and transfer.

Selected points

- In substantial numbers, respondents indicated that they care about the issues surrounding record use and transfer, and want to be included from the very beginning in formulating policy. They want to understand the challenges that are motivating the OCLC Strategic Leadership Team and the OCLC Board of Trustees in seeking to develop a new policy.
- Survey respondents, both OCLC members and non-members, expressed their belief that “OCLC and its members jointly own WorldCat bibliographic data and are jointly responsible for its sustainability as a shared asset” (Q. 17). OCLC members, as one might expect, agreed more strongly than did non-members. Comments from the respondents emphasized that *members* own the data, and are responsible for data creation and the sustainability of WorldCat as a shared asset. Similarly, the majority of respondents endorsed the idea that OCLC adds value to the data (Q. 16).
- Only a slight majority of OCLC member respondents agreed with the statement that “OCLC members should benefit from uses of WorldCat records outside the membership, wherever the records are shared or transferred,” while a majority of non-members disagreed with the statement. The comments illustrated many points along a continuum, from what kind of benefit was meant, to monetary benefits for commercial use, to benefits other than financial, to indirect benefits in the context of the library culture of resource sharing. Some respondents

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rephrased the idea of “receiving benefit” to one of “not being harmed” by the uses others make of WorldCat records. Perhaps a fitting summary came from one respondent: “You can’t write a blanket statement about that.”

- While survey respondents were concerned about the implications of the proposed *Policy* for their own use of records in the future, they recognize the unique role of WorldCat. They seek a policy that, on the one hand, facilitates sustaining WorldCat as a community asset (which some consider a “common good”), and, on the other, does not stymie potential innovation and new applications.
- From the responses, it was clear that OCLC management concerns leading up to the proposed *Policy* were simply not on the radar of the average member. OCLC management and Board needed to share more information about these concerns and the reasoning behind specific provisions of the proposed *Policy*.
- Respondents confirmed that WorldCat is a unique and valuable resource for their organizations. It is considered a foundational resource or tool for potential innovation, innovation likely to benefit members individually or collectively. Making WorldCat accessible is viewed as part and parcel of the public purpose manifest in OCLC’s status as a [U.S.] not-for-profit organization.
- As anticipated, the survey responses demonstrated that the diversity of perspectives amongst the collective OCLC membership—and the assumptions that inform those perspectives—affected, in turn, the responses themselves. Some basic concepts need to be better defined and accepted in the WorldCat context. Such a shared understanding is necessary to ensure a clear and common vision of and for the OCLC cooperative

About the survey

The survey cast a wide net across the library community with no attempt made to define or limit the total population reached. The numbers reported out indicate the views of the respondents. The survey was not intended to generate statements that can be generalized from the respondents to the whole. If generalizable results are desired, a new survey would be in order.

The survey results, however, are a valuable addition to other input the Review Board has gathered. The responses are from a large number of individuals across a broad representation of organizational types and positions within organizations, and reveal a great deal of consensus across different demographic categories. On this issue at least, organizational type and position within an organization do not appear to have had a substantial impact on perspectives.

The narrative comments supplied by respondents for Q. 11-18 provide a rich set of observations about the values, concerns, and wishes of those respondents. They also provide additional insight into the “Agree/Disagree” responses, as the two are linked. Appendix 2 presents a selective

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sampling of the narrative comments in order to illustrate the primary concerns expressed and issues raised by survey respondents in their own words.

We believe the “no preference” responses to Q. 11 – 18 within the survey should not be interpreted as an indication of a lack interest in, concern about, or appreciation for policies regarding record use and transfer. Rather, the Review Board suggests that the “no preference” election may indicate a lack of awareness of *any* OCLC guidelines, existing or otherwise, on the part of the current membership. A full generation of librarians has entered the workforce since the original guidelines were promulgated.

IV. Principles upon which an OCLC “Record Creation and Use” Policy should be based

1. As OCLC is a cooperative membership organization, its Members must be actively engaged in any initiative that defines or refines the nature and scope of the relationship between OCLC Management and individual Members or the collective membership.
2. The OCLC Cooperative embodies a social contract between OCLC Members and OCLC Management and Staff. This contract obliges all participants to understand and honor the policy for record creation and use set out by the Cooperative.
3. Participants in the OCLC Cooperative serve global and local memory organizations through their stewardship of records, including the collaborative creation, enhancement, and use of those records, and their development of services based on those records that promote the discovery, dissemination, distribution, and sharing of information.
4. Membership in the OCLC Cooperative entitles Members to the rights, and obligates Members to the responsibilities, embodied in the *Principles of Cooperation*, which describe the exchange of value and commitment between OCLC and its cataloging members, as adopted by the OCLC Members Council on May 21, 1996.
5. Participation in the OCLC Cooperative is a global enterprise. Therefore, the nature of an individual Member’s legal relationship with OCLC can vary significantly depending upon the country in which the Member institution is located. It is essential that OCLC actively engage all participants in the formulation, approval, and implementation of record creation and use policies.
6. The purpose of the Policy is to maximize the reach and value of WorldCat, and to enable and facilitate innovation of all kinds based upon WorldCat, while sustaining the integrity of WorldCat and its economic underpinnings.

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V. Recommendations

1. Officially withdraw the proposed policy and develop a new policy.

We affirm that a policy is needed. However, the proposed *Policy* is sufficiently flawed that a fresh start is necessary. A new policy must begin with a clear statement of goals and expectations, support innovation not yet imagined, and impart confidence to members as well as to their partners in the information ecosystem who are building strategies for access to information predicated on the use of WorldCat. Implicit in the word “policy,” here, is the sense that at least some elements of a new policy would need to be of a legally enforceable nature. The Review Board agrees that some uses of WorldCat are undesirable, inappropriate, or unacceptable and that strategies for preventing, discouraging, or minimizing such uses, or limiting their impact, may require a legal underpinning. At the same time, in an organization that is a membership cooperative, a policy must be firmly grounded in the values and interests of the cooperative as a whole. This leads directly to the second recommendation below.

Until a new policy is in place, OCLC should reaffirm the existence and applicability of the *Guidelines for the Use and Transfer of OCLC-Derived Records*, dated November 16, 1987. We also emphasize the responsibilities of members to understand and honor the *Guidelines* and the *Principles of Cooperation* in their contribution to and uses of WorldCat-derived records and the obligations of OCLC to facilitate authorized uses of OCLC records, systems and services.

2. In order to form a clear and coherent foundation for a new policy on record use, revisit, reaffirm, and document the social contract between OCLC and its members.

The equilibrium within OCLC has been disrupted by the proposal of this *Policy*. While certain canonical OCLC documents—including the aforementioned *Guidelines for the Use and Transfer of OCLC-Derived Records* and the *Principles of Cooperation* (adopted by Members Council on May 21, 1996)—include elements of the social contract that undergirds OCLC, there is no single document that articulates that contract clearly.

This is problematic because, while there are many individuals in member institutions with a rich and shared knowledge of the origins and purposes of OCLC, and a continuing view of “together, we are OCLC,” it is increasingly difficult, though more important than ever, to explain the social framework to new generations of members coming into our ranks. In part, the challenge is the same one faced by any organization in communicating its values, principles, rights, and responsibilities to new members. The unique nature of OCLC as a global membership cooperative makes this common challenge an even bigger one, however. The lack of awareness amongst the current membership of the *Guidelines* is troubling. OCLC leadership and members must work together to solve “the gap problem,” both as it relates to the past and, more importantly, as it relates to the future. We must ensure that the principles that define the OCLC

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cooperative, as well as the respective rights and obligations of the cooperative's members, are clearly articulated in a single document.

One issue that emerged from both survey responses and other input is the need to clarify whether or not WorldCat is a "common good" (also referred to by respondents as a "public good"). There is confusion about the public purpose manifest in OCLC's not-for-profit status (in the U.S.) and OCLC's need to generate sufficient revenue to sustain WorldCat and make it accessible at the lowest possible cost.

This confusion is further exacerbated by the fact that, while OCLC does not directly receive public funds, many contributing OCLC members are publicly supported institutions and thus "public money" does go towards building and maintaining the database. In economic terms, WorldCat is a membership resource, created and sustained by the cooperative, not a "public good" created by a taxing authority. Nevertheless, there are expectations for how a not-for-profit organization, especially one formed on the values of cooperation that imbue the broad community of memory institutions, develops and stewards its core activity. OCLC members are well served by their sharing and re-use of data, just as they are well served by the services of other partners who base those services—or could base those services—on the use of WorldCat records. Members want to be assured that WorldCat is available for reasonable use on a non-discriminatory basis to members, as well as to other partners. Thus, the question of how the collaborative works with both its members and others in the information ecosystem is important to consider in the context of the social contract between OCLC and its members.

3. Develop and maintain a new policy through a consultative, transparent process.

The creation, stewardship, and use of WorldCat records is fundamental to the functioning of OCLC. It is essential, therefore, that any policy governing record use be seen by all to appropriately promote the values and activities of the membership cooperative. The development of the proposed *Policy* without sufficient consultation has led some to conclude that OCLC members are not successfully influencing the directions of their own organization. This, in turn, is viewed by some as weakening OCLC, which is not at all in our best interests. Seeking and incorporating input from the broader community is necessary in order to appropriately take into account the multiplicity of points of view extant within information ecosystem of which OCLC and its members are a part.-

We recommend that OCLC establish a Record Use Policy Development Task Force with formal representation from the Global Council, the OCLC Board, and the OCLC Strategic Leadership Team. Additionally, we recommend that, for its membership, such a task force draw upon other experts as appropriate both from within and outside of the OCLC community. OCLC and its members operate in a highly complex global information ecosystem with technical, economic, social, and legal dimensions. It is important that the recommended task force be both sensitive and responsive to the multiple interdependencies and relationships between and amongst the many players in this ecosystem, and that it consider the work of other agencies in addressing the complexities surrounding the management and use of catalog data (e.g., "On the Record" by the LC Working Group on the Future of Bibliographic Control and "Creating Catalogues" by the

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Research Information Network). Libraries and other memory institutions are members of, or work directly with, OCLC, networks, consortia, and vendors of library services, all of whom in turn work with each other, thus weaving a multi-dimensional, multi-layered web of relationships.

Finally, a formal, transparent and well-managed process must be developed for vetting the new draft policy and, subsequently, for amending it if and when necessary. Adoption of this policy should follow discussion and consensus-building within the established OCLC governance structure.

4. Desirable elements of a new policy.

Libraries and other memory institutions are members of OCLC because they share joint objectives for creating workplace efficiencies and for delivering better services to their constituencies. At the same time, these same libraries and memory institutions are members of and/or work with multiple other partners in the information ecosystem. In the eyes of a majority of the survey respondents, “WorldCat is based on a system of shared responsibility for creating, maintaining and preserving the data” between OCLC and its members. WorldCat has served OCLC members well by facilitating their sharing and re-using bibliographic records and holdings data. WorldCat records are the basis of a wide range of services, some provided by OCLC and some by other partners in the information ecosystem. OCLC members are intent upon building and benefiting from a future in which WorldCat is available for reasonable use on a non-discriminatory basis not only to members, but to other partners as well.

In moving from an environment of data protection to one of data exchange, sustaining member engagement in the stewardship of WorldCat will be essential to the very sustainability of the OCLC cooperative itself. To that end, the Review Board recommends that the crafting of a new Policy on Record Use be explicitly tied to the goal of ensuring that adequate and appropriate means are in place for sustaining WorldCat as a shared, living resource. The policy should begin with a clear identification of the major encroachments that threaten the economic, technical, or operational sustainability of WorldCat and should emphasize the need to preserve the characteristics that make WorldCat valuable over time: quality, comprehensiveness, and authoritativeness. The notions of shared responsibility for stewardship, and the multilateral decision making that attends upon that responsibility, must be operationalized in the new policy. This is the general context within which both appropriate and inappropriate record uses need to be identified.

More specifically, the new policy should:

- Affirm the stewardship rights and responsibilities of OCLC members (current and former) and OCLC management.
- Identify acceptable uses to which members can put records they themselves have created, without prior consultation with OCLC management. including member-mediated third party uses

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- Identify acceptable uses to which members can put WorldCat-derived records in their local catalogs, without prior consultation with OCLC management.
- Identify the parameters within which members can pursue other WorldCat-based activities and choose partners with which to pursue such activities, without prior consultation with OCLC management.
- Identify acceptable uses to which non-members can put WorldCat records without prior consultation with OCLC management.
- Identify the steps members and non-members need to take to secure permission for other uses.
- Identify the steps OCLC management can take when improper use is made of WorldCat.

Finally, it is essential that the policy clearly articulate the relationship between potential threats to WorldCat and actions authorized under the policy.

5. Develop a policy to enable expanding the role and value of WorldCat in the broad information ecosystem.

One of the recommendations of the LC Working Group on the Future of Bibliographic Control was to extend the reach of WorldCat and library catalogs, particularly in ingesting more kinds of metadata. Today, the attention of many players is turning to the creation of services layered on aggregated metadata collections, one example of which is WorldCat. How can WorldCat be integrated into other sources and services—by OCLC, by libraries, by other partners in the information ecosystem?

The expanded leveraging of WorldCat will call for new approaches to thinking about acceptable and reasonable uses of WorldCat. Amongst others, the following questions should be asked in considering a proposed WorldCat use:

- Would the proposed use by an OCLC member or non-member lead to a less comprehensive or authoritative WorldCat?
- Would the proposed use deprive OCLC of a significant cash flow that is, or could be, used for maintaining WorldCat?
- Would the proposed use benefit some segment of the library (or other memory institution) community disproportionately to, or to the detriment of, some other segments?

This new approach also calls for more nuanced thinking about WorldCat not just as a collection of bibliographic records that in aggregate have specific characteristics, but as a complex collection of interlinked databases (e.g., authority files) and services. In the future, consideration

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of a particular proposed use of WorldCat will need to focus on more than simply the collection of bibliographic records.

As OCLC management stated in the proposed *Policy*, the use of WorldCat is desirable and should return benefits to the membership. These benefits, however, should be understood to take various possible forms, including creating greater visibility for collections, driving more traffic to member institutions, attracting more records to WorldCat, increasing processing efficiencies through data exchange, increasing innovations in access and delivery, and generating financial resources. Moreover, some benefits will accrue, and appropriately so, to some members and not to others.

Concluding comments

In his closing remarks to the member delegates at the February 2009 Members Council meeting, Larry Alford expressed his hopes and thoughts for how we might move forward as a community. He anticipated and articulated ideas which we are bringing forward as well in our recommendations and thus his remarks are a fitting close to our report.

I look forward to working with Members Council, the leadership of Members Council, and the new Review Board to determine how we can continue to preserve WorldCat as a vital commons for the world's libraries and strengthen the social contract that over the past 40 years has made Mr. Kilgour's great idea such an important part of the information landscape. Certainly that landscape is changing, as is WorldCat. I believe that our common goal and single purpose must be to preserve that which needs to be preserved while enabling libraries and librarians to make creative and innovative use of WorldCat and the records contained therein, and to share those uses to enhance access to information around the world.

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Appendix 1. Review Board Members

- Caroline Brazier (EMEA): Head of Resource Discovery, British Library
- Christopher Cole (FEDLINK): Associate Director for Technical Services, National Agricultural Library
- Poul Erlandsen (EMEA): Head, Document Access Services and Collection Management, Danish University of Education, National Library of Education
- Pat French (OCLC Western): Manager, Collection and Technical Services, Multnomah County Library
- Clifford A. Lynch: Executive Director, Coalition for Networked Information (CNI)
- Brian E. C. Schottlaender (OCLC Western): The Audrey Geisel University Librarian, UC San Diego Libraries
- Ted Schwitzner (ILLINET): Head, Bibliographic Services Division, Illinois State University, Milner Library
- Roberta Shaffer (FLICC/FEDLINK/LC): Executive Director, Federal Library and Information Center Committee, Library of Congress
- Lamar Veatch (COSLA/SOLINET): State Librarian, Georgia Public Library Service—University System of Georgia
- Elsie Weatherington (SOLINET): Dean, University Library, Virginia State University
- Jennifer Younger (INCOLSA): Edward H. Arnold Director of Hesburgh Libraries, University of Notre Dame
- Karen Calhoun, OCLC liaison

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**Appendix 2. Review Board Survey Comments:
A Selective Sampling of Key Issues and Concerns**

- The existing guidelines seem less restrictive than the proposed policy. I also don't like the fact that the new policy requires going to the FAQs for full information. Everything needed to understand and apply the policy should be in the policy.
Addresses the need for policy clarity.
- I feel that the proposed policy violates any sense that OCLC is a member organization whose policies are created in the interest of the members. The proposed policy is one that is created in the interest of preserving a commercial advantage for OCLC as a corporate entity that is not necessarily motivated by the interests of the OCLC members.
Addresses the widely held perception of OCLC's remoteness from its members.
- The bibliographic universe is enlarged by any who contribute records to it. OCLC and its members would benefit from commercially produced or enhanced records. If this means that those outside the membership will pay for the records and thus help defray OCLC costs, then I agree. If this means something else, it is not clear to me. Examples of such use would help.
Addresses the need for more explanation of business model and intent.
- I see OCLC as more of a steward rather than an owner of the bibliographic records that have been shared with OCLC with the intention that the records would continue to be shared. If ownership must be divided or assessed, the creator (or the institution) who provided the record should be the primary owner.
Addresses the need for definition of stewardship and ownership.
- OCLC has not made clear what the threat is to them from others.
Addresses the inadequacy of policy explanation.
- I do understand the risks of moving too far toward open use sharing. I would like to be convinced that the proposed policy represents a vigorous move in that direction but would also like to be convinced that risks have been calculated.
Addresses the need for more understanding of issues.
- The distinction between "a library providing bibliographic data to the public" and a "service providing bibliographic data to the public that may compete with OCLC" is not clear. In essence, the availability of the bibliographic data on a library's site is the same as its availability on a "competitor to OCLC's" site. The data is the same. The access is the same.
Addresses the need for defining the distinction between ownership and access to data.

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- OCLC, a non-profit library cooperative, did not seem to register the importance of seeking member libraries' input on this very crucial issue of record use policy.
Addresses the process of policy development and some understanding of the dilemma of providing open access to information while protecting a valuable asset.
- As the coordinator for our state's group cataloging subscription, the Policy will impact my renewal deliberations – paying for our public libraries to catalog using OCLC may no longer be the best use of resources. Other sources without this level of control are available.
Addresses the perception that the proposed policy unacceptably increases OCLC's control over member-contributed data.
- I'm worried about non-compliance with the policy for any unintended use of our records, commercial or not, downstream. We could be cut off without any recourse. OCLC is the final arbiter of who complies, who doesn't, and there is no method of appeal, nor criteria for judgment. I also believe that the records in WorldCat are not OCLC's but belong to the membership, and any restriction on their use affects my institution and all libraries.
Addresses the need for an appeal process in any question of policy violation and also addresses the almost-universal opinion as to records ownership.
- There should not be a distinction between OCLC and its members. The members own the records and the OCLC enhancements, all of which the members have financed. OCLC should not have an existence aside from its members.
Addresses the perceived loss of focus by OCLC as a membership collaborative.
- But as it is worded now, it seems like it would add additional hurdles to working with vendors and potentially put a preemptive kibosh on projects not yet even imagined.
Addresses the issue of not stifling innovation and library freedom to use records.
- My colleagues aren't all savvy vis-à-vis intellectual property and digital rights; I think that responsibility lies with them. Nonetheless, I do think that OCLC should also be an honest broker and better explain the context around the need for rights revision, what our institutions lose as part of this revision, what OCLC gains, and what could be achieved by a partnership.
Addresses the issue of lack of understanding and knowledge about policy provisions.
- My biggest concern with the proposed policy is that in a time when libraries should be lowering barriers to our data, OCLC's policy puts them up. The proposed policy appears to make OCLC a de facto third party partner for every data sharing agreement entered into by a library. OCLC has every right to limit the transfer of data from WorldCat proper, but libraries should have the same right with their own catalogs.
Addresses the issue of lack of understanding and intent of proposed policy.

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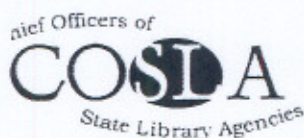
- As an entity of another government, my library cannot agree to the provision in E9 which states that the policy is governed by the laws of the state of Ohio.
Addresses the issue of legal enforcement and contractual provisions.
- Commercial use of records is acceptable and should be encouraged. Innovation must happen, including new ways to share and display records. Requiring OCLC’s permission for innovative uses of records will only slow down or entirely stifle innovation.
Addresses the intent of policy and concern for future innovation.
- I’m concerned that if there is sufficient backlash against the new policy there is the potential to severely damage OCLC’s position in the bibliographic marketplace and re-fragment cataloging and bibliographic control.
Addresses the degree of member discontent.
- I’m not sure what is meant by “benefit” as used here. This seems like it could be interpreted in a number of different ways.
Addresses the need for definition of concepts to support understanding and adoption by library community.
- Joint responsibility doesn’t necessarily mean that members and OCLC administration see sustainability in the same light.
Addresses the need for definition of concepts to support understanding and adoption by library community.
- What does “preserving” mean? If preserving means limiting use, then I am against it. If preserving means making sure the data is saved for the future, then I am fine.
Addresses the need for definition of concepts to support understanding and acceptance by members.

**FINAL REPORT of the OCLC REVIEW BOARD ON
PRINCIPLES OF SHARED DATA CREATION AND STEWARDSHIP**

Appendix 3. Responses from Five Organizations

- Memo from the American Association of Law Libraries (AALL). Resolution accessible at http://www.aallnet.org/about/resolution_oclc.asp
- Ad Hoc Task Force to Review the Proposed OCLC Policy for Use and Transfer of WorldCat Records: Final Report to the ARL Board, January 30, 2009. Accessible at <http://www.arl.org/bm~doc/oclc-report-jan09.pdf>
- Letter from the Chief Officers of State Library Agencies (COSLA).
- Statement on the Proposed OCLC Policy for Use and Transfer of WorldCat Records by the International Coalition of Library Consortia (ICOLC). First issued May 11, 2009, updated periodically with additional endorsements. Accessible at <http://www.library.yale.edu/consortia>
- Online Audiovisual Catalogers (OLAC) Statement on OCLC's Proposed Policy for Use and Transfer of WorldCat Records. Accessible at http://www.olacinc.org/drupal/capc_files/OLAConOCLCPolicyFinal.pdf

COSLA



CHIEF OFFICERS OF STATE LIBRARY AGENCIES

President
Susan McVey
State Librarian
State of Oklahoma

Jay Jordan, President, OCLC, Inc.
Larry Alford, Chair of OCLC Board, Temple University, Dean of Libraries

Vice President/President-Elect
Lamar Veatch
State Librarian
Georgia Public Library Service

January 30, 2009

Secretary
Donna Jones Morris
State Librarian
Utah State Library

Gentlemen:

I am writing on the matter of OCLC's proposed *Policy for the Use and Transfer of WorldCat Records*. We wish to express COSLA's support for the decision made by OCLC management on January 13th, to delay implementation of this policy and announce the formation of a "Review Board of Shared Data Creation and Stewardship."

Treasurer
Ann Joslin
State Librarian
State of Idaho

As you know, COSLA represents the state library agencies of all states and U.S. territories. As such, COSLA members play significant, if not leadership roles, in OCLC group services within their respective states. Indeed, in a majority of the states, important statewide library resource sharing networks are funded and managed through these state library agencies. These networks rely upon the WorldCat records that have been generated by the thousands of member libraries and that are being so well maintained and organized by OCLC.

Director
Jan Walsh
State Librarian
Washington State Library Division

Director
Jeanne Sugg
State Librarian and Archivist
Tennessee State Library and Archives

State Librarians serve a unique role as library representatives of both state governments and of the many hundreds of consortial member libraries within their individual state borders. Therefore, COSLA requests and respectfully urges that a current member, or members, of COSLA be appointed to the "Review Board" to insure a voice in this matter for all the state library agencies and for the many public and other types of libraries that COSLA membership collectively represents throughout the United States.

Immediate Past President
Vacant

COSLA looks forward to a most fair and equitable process of policy development for the use of WorldCat records. It is in our collective best interest to insure this outcome. COSLA offers its assistance in this very important effort.

Sincerely,

Susan McVey, President

CC: Jennifer Younger, Director of University Libraries, University of Notre Dame
Loretta Parham, Director, Robert W. Woodruff Library, The Atlanta University Center