OVERSIGHT HEARING ON THE LIBRARY OF CONGRESS: CURRENT ISSUES IN LIBRARY MANAGEMENT

HEARING

BEFORE THE

COMMITTEE ON HOUSE ADMINISTRATION HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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WEDNESDAY, OCTOBER 24, 2007

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC.

The committee met, pursuant to call, at 11:08 a.m., in room 1310, Longworth House Office Building, Hon. Robert A. Brady (chairman of the committee) Presiding.

Present: Representatives Brady, Ehlers, Lungren, and McCarthy.

Staff Present: Liz Birnbaum, Staff Director; Michael Harrison, Professional Staff; Khalil Abboud, Professional Staff; Matt Pinkus, Professional Staff/Parliamentarian; Kyle Anderson, Press Director; Kristin McCowan, Chief Legislative Clerk; Matthew DeFreitas, Staff Assistant; Fred Hay, Minority General Counsel; Bryan T. Dorsey, Minority Professional Staff; Katie Ryan, Minority Professional Staff; and Salley Collins, Minority Press Secretary.

The CHAIRMAN. I would like to call the Committee on House Administration to order and thank everyone for being here and wish everyone a good morning.

We are convened this morning to continue our oversight on the management of the Library of Congress. Today, we will focus on three important issues facing the Library: inventory of the collection, cataloging, and the status of the Law Library.

As the only institution of its type, the Library of Congress is unique. It is the largest repository of books, films, photography, maps, music and priceless artifacts in the history of the world. It is the premier destination for researchers, both nationally and internationally. The Library is the research wing of the U.S. Congress, providing information and guidance daily to Members and staff alike.

A collection of this size, however, can be both a blessing and a curse. While an invaluable amount of the world's knowledge is stored at the Library of Congress, keeping track of this precious collection has proven difficult. Approximately 20 percent of the Library's collection has been inventoried, while the balance has not.

The Library of Congress also provides official tools for other libraries throughout the Nation. Before domination by the Internet, research was done at libraries, through card catalogs, and the Library of Congress provided the basic information for card catalogs across the country. While the digital revolution has caused a steep decline in manual research, the art of cataloging is still integral to

library science. Although the technology changes, the need to distill essential information for researchers remains. Implementing and developing new strategies for cataloging in an ever-changing environment must remain a top priority for the Library.

Finally, the Law Library of Congress is also relied upon by lawyers, judges, law students and researchers throughout the Nation. It serves as the first stop for research for the United States Supreme Court. In the past, it has provided a comprehensive collection of legal materials to support historical and current legal analysis. But recent budget limits have led to cutbacks in its collections and in the reference staff that assists its users. We must ensure that the Law Library continues to serve as the reference of record for legal research.

I look forward to the testimony of the witnesses on these issues.

And I would like to recognize the ranking member, Mr. Ehlers, for any comments that he would like to make.

[The statement of the Chairman follows:]

Committee on House Administration

Oversight Hearing on the Library of Congress

"Current Issues in Library Management"

Chairman Robert A. Brady

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Mr. EHLERS. Thank you, Mr. Chairman.

First of all, I would like to thank you for calling today's hearing. It is a very important issue. It is not the type that draws headlines, but it is essential to the perpetuation of the Library. The successful information of Library operations is truly a bipartisan interest, and I am thankful for this opportunity to join with you to work together on this important matter.

I would also like to thank each of our witnesses for joining us today, as we discuss the current and future state of operations within the Library of Congress.

There are fundamentally three operational goals the Library must have in order to achieve its mission of serving the Congress while preserving a universal collection of knowledge and creativity for future generations.

First, the Library must ensure the vigilant protection of the Library and its inventory through effective security protocols. Former House Administration Chairman Bill Thomas was instrumental in the creation of the Library's security plan, which provided a foundation for many of the Library's current safeguards against criminal activity. Several security measures, including metal detectors at the entrances and exits of the Library, the closed stack system, security cameras and Library of Congress Police inspections, were successfully implemented over the past several years. While I am hopeful that additional measures will be put in place to prevent further theft of its inventory, I am pleased that the Library's focus on securing its assets has created increased confidence that the institution is being protected from criminal activity.

So it is one thing to worry about criminal activity, but there is also a matter of concern about sloppiness. I am not accusing the Library of that, but I certainly accuse a lot of your patrons of that, after having seen some of them.

The Library has also made tremendous progress in the area of digital preservation of materials, both through digital reproduction of its existing inventory and in its collection of digital content for preservation purposes. And the Library is certainly to be commended for this.

In digitally reproducing its existing inventory, the Library is leveraging the latest technology to capture materials digitally before the natural acidification process or other deterioration takes place to ensure that its treasures will be preserved for generations to come.

The Library's preservation of digital content involves identifying and collecting at-risk digital materials, creating a national network of partners working together to preserve digital content, and developing technical tools and services for preservation. And I commend the Library for all their good work in this area.

While these strides in securing and preserving the Library's materials are crucial for future patrons of the institution, there is still much work to be done in the area of inventory management. The Library's own Inspector General has found that at least 17 percent of the Library's general collection cannot be located. When nearly two out of 10 items in the Library's most often used collection are unaccounted for, we must demand answers where these items are

and why they have not been captured in the Library's efforts to catalog its items.

Another area of concern is the failure of administrators to complete a comprehensive inventory of the Library's items. The Baseline Inventory Program started in 2002, and now, 5 years later, only 20 percent of the project has been completed.

This is particularly troublesome given the pending merger between the LOC Police and the Capitol Police. A bill that approves the merger between the Library of Congress Police force and the United States Capitol Police force will soon come before this panel for a markup. This merger represents a new era of security for the Library and an opportunity to put in place even tighter inventory controls.

To measure the impact of changes resulting from the merger, a complete inventory of all the Library assets is essential. With a thousand new items being shelved each day by Library employees, this is a problem that is growing rapidly. Without a completed inventory, the Nation's most prestigious library is in danger of becoming little more than a neglected storage facility, rather than the world's standard-setter for best practices in collections administration.

I am eager to hear from our witnesses as to what plans are in place to assail this growing threat.

And let me also say publicly the same thing I said to you privately: You might be well-advised to consult with Wal-Mart, Target, other major chains. They certainly keep track of as many items of inventory and manage to do it successfully every day and make money while doing it. That might be a good model to follow.

I thank our witnesses for joining us today. I welcome your testimony. God bless you in your important work, and we hope we can continue to work well together.

Thank you.

[The statement of Mr. Ehlers follows:]

Opening Statement [After Brady's Remarks]

First, I thank the Chairman for calling today's hearing. The successful administration of Library operations is truly a bi-partisan interest, and I am thankful for the opportunity to join with my friend and colleague Mr. Brady to work together on this important matter. I would also like to thank each of our witnesses for joining us today as we discuss the current and future state of operations within the Library of Congress.

There are fundamentally three operational goals the Library must have in order to achieve its mission of serving the Congress while preserving a universal collection of knowledge and creativity for future generations.

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With that, once again, I thank our witnesses for joining us today, and welcome your testimony.

The CHAIRMAN. Thank you.

Any other members of the committee that would like to make a statement?

Hearing none, thanks.

Our first witness is Dr. James Billington.

And I would like to thank you for showing up today. I understand you have your wingman and wingwoman here, Dr. Marcum and Dr. Medina, for purposes of helping us with any questions. And we thank them also.

I understand you are celebrating your 20th year as Librarian of Congress.

During his tenure at the Library of Congress, the collection has expanded by more than 50 million items. Since 1987, Dr. Billington's first year as Librarian of Congress, the Library has raised more than $322 million in private contributions and in-kind gifts to supplement federally appropriated funds.

We welcome your testimony today. We do have a 5-minute clock because we have another large panel, and we would like to get this done before we have to run back and forth to votes. So we do thank you all for being here.

And now we recognize Dr. James H. Billington.

STATEMENT OF MR. JAMES H. BILLINGTON, LIBRARIAN OF CONGRESS, LIBRARY OF CONGRESS; ACCOMPANIED BY MS. DEANNA MARCUM, ASSOCIATE LIBRARIAN FOR LIBRARY SERVICES, LIBRARY OF CONGRESS, AND MR. RUBENS MEDINA, LIBRARIAN, LAW LIBRARY OF THE LIBRARY OF CONGRESS

Mr. BILLINGTON. Thank you, Chairman Brady, Mr. Ehlers, members of the committee. We are glad to have a chance to appear before you to discuss the Library's inventory, management and the Law Library collections.

Accompanying me is Dr. Deanna Marcum, associate librarian for library services, and Dr. Rubens Medina, the law librarian of Congress. Each will speak briefly after my remarks. I have asked them to comment specifically on the article that appeared in this morning's Washington Post about so-called missing collections and on the testimony that has been submitted by outside witnesses without consultation with the Library but which was made available to us last night. So I would like to set the record straight, which Dr. Marcum will proceed to do, with updated and more accurate information.

The Congress of the United States has been the greatest patron of the Library in human history, preserving far more of the world's knowledge and America's creativity than any other institution. Our collections are in almost every language and format. They total nearly 135 million physical items and 229 terabytes of stored digital material.

But we are a working library, not a storehouse of information to be locked down. Our mandate is to provide direct public access, often on a circulating basis, to our collections. And this distinguishes us from most museums and other cultural institutions and requires a different approach to assessing what we hold and how to protect it.

Our challenge was, and is, to maximize both access and security and to balance these equally important but often competing imperatives. Early in my tenure, we developed an integrated plan to secure the collections based on three components: physical security, bibliographic and inventory controls, and physical preservation.

I could go through the history here, but let me shorten it and just say that we developed a number of security protocols. In 1997, a Library of Congress security plan defined the threat to the collections using a five-tiered framework of risk of importance in our collections and created a system of physical security controls—which Mr. Ehlers has already mentioned, to some extent. Since then, we have further refined our practices and now operate under a strategic plan for safeguarding the collections shared with and approved by this committee, with goals, objectives and performance measures.

Protecting the collections requires a policing function, bibliographic and inventory controls, and state-of-the-art preservation treatment.

Inventory efforts have no precedent in the world library community for a collection of this size and complexity. I am not aware of any other major research library or similar cultural institution that has even attempted to completely inventory its collections on anything like this scale because of the inherent difficulties and cost. The cost would be astronomical for a collection of this size, shelved on 615 miles of shelving and, as an ultimate inventory should cover every moment and stage of an item's life cycle during its entrance and usage in the Library.

We are now supplementing traditional methods of inventory, which have been in effect, by inventorying materials when they are moved from one point in the life cycle to another, such as when a congressional staff member borrows a book that has not yet been barcoded. This supplementary use-driven method of inventory means that item holdings are added every time a previously unrecorded item is retrieved for use or moved to another location.

A successful recent example of the use-driven technique is the examination we have made of the 6.2 million items in our Moving Image and Sound Recording Collections in preparation for relocating them at the new, state-of-the-art Packard campus in Culpeper, Virginia. Lessons learned in this successful process will help us shape broader inventory practices in the future.

Our security office conducts inspections of the collections, and our Inspector General independently performs regular reviews. They have found no significant deficiencies in our safeguards. We have had no known instances of theft from the collections since the 1990s, when I implemented our expanded collection security protocols. The Library of Congress collections security program has been viewed as a model for some time now by a number of national and international cultural institutions.

You asked also for my comments on the state of the Library's law collections. As you know, the top priority of the Law Library is service to Congress, using the largest collection of authoritative legal sources in the world, including more than 2.5 million volumes and almost 134,000 digital items.

The Law Library's goal is the same as the Library as a whole, namely to continue to add to its collections, keeping them up-to-date without subtracting. Legal collections must provide a complete cumulative record, up-to-date, to be useful.

The Law Library contains a complete record of American law and unparalleled foreign and international law materials. Because, for instance, we hold the largest collection of Afghan laws that exist in the world today, the Law Library was able to locate a missing portion of Afghanistan's traditional law that was destroyed by the Taliban, which was unavailable anywhere else in the world, and has been restored for post-Taliban Afghanistan usage.

As the Law Library celebrates its 175th anniversary this year, it faces growing obstacles to keeping its collections current because of flat appropriations, declining rate of the dollar, and steep price increases by legal publishers. That affects, by the way, right across the Library as well. For the first time, the Law Library has reluctantly begun canceling $200,000 worth of subscriptions.

As the Librarian of Congress, I have a continuing, high-priority responsibility to safeguard the collections and to sustain them. And we will continue to approach the bibliographic and inventory controls as critical components of our overall collection security program.

I would be happy to answer any questions, but I think you want to hear, perhaps, also, from Dr. Marcum and from Dr. Medina.

Thank you, Mr. Chairman, for this opportunity.

[The statement of Mr. Billington follows:]

Statement of Dr. James H. Billington
The Librarian of Congress
before the
Committee on House Administration
U.S. House of Representatives
October 24, 2007

Chairman Brady, Mr. Ehlers, and members of the Committee: It is a pleasure to appear before you today to talk about the Library's collections inventory management program.

Last year before this Committee, and this past March before the House Appropriations Subcommittee on the Legislative Branch, we articulated our plans for the digital future. Today, I would like to provide you with some context and recent history regarding the Library's non-digital collections. I have asked Dr. Deanna Marcum, Associate Librarian for Library Services, to address more specifically the work we have done and are planning to do to ensure inventory and bibliographic control of our collections. Also joining us is Dr. Rubens Medina, Law Librarian of Congress, who will speak to you about the current state of the law collections.

The Library of Congress is a unique institution with a unique mission: to acquire, preserve and make accessible – to Congress and the public – the world's knowledge and the nation's creativity. The scope of our collections in terms of size, variety of formats, intrinsic value, historical significance, and rate of growth is daunting. When I became the Librarian of Congress 20 years ago, the collections numbered 86 million physical items, and we had a staff of 5000. Today we have amassed almost 50 million more items (totaling nearly 135 million physical items) and 229 terabytes of stored digital materials. We are handling all of this with nearly 1200 fewer staff.

Each working day, another 22,000 items come into the Library, primarily through copyright deposit, and on average we select 10,000 of those for our collections. Counting all Capitol Hill and off-site facilities, we have 615 miles of shelves which, if laid end to end, would stretch from Washington, D.C. to beyond Chicago. These collections include many priceless and irreplaceable artifacts such as the first document ever to use the word "America," the 1507 Waldseemüller map and Thomas Jefferson's rough draft of the Declaration of Independence.

That part of our mission that promotes ***access*** to these collections distinguishes us from most museums and other cultural institutions, and requires a different approach to assessing what we hold and protecting these holdings from risk. Take a reference book. What threatens it, makes it useless? It could be misplaced, inadvertently misshelved. It could be incorrectly cataloged and hence unretrievable. It could be awaiting cataloging in a backlog somewhere on a book truck. It could be brittle and crumble when you turn pages. It could be physically damaged through a vandal=s razoring out a color plate. It could be stolen.

Throughout my first decade as Librarian, we worked to develop a comprehensive

collections security program. The Library's approach to collections security had been fragmented and lacked an overall strategy. We also needed to think about collections security as more than just a policing function. We came to realize that ensuring the safekeeping of these collections has to involve in an integrated manner three components: physical security, bibliographic and inventory controls, and preservation.

When I became Librarian of Congress, the approach to safeguarding the collections was very different than it is today. The general collections were open to all staff and many patrons. Neither staff nor researchers wore credentials. Doors to the stacks were unlocked. No security cameras panned the collections areas. No exit inspections were conducted in any of our 21 public reading rooms. The Library had suffered some theft and mutilation of books and other items through the years.

One of my first acts 20 years ago upon being sworn in as Librarian of Congress was to request the first-ever audit of the Library by the then-titled General Accounting Office. One of the recommendations from the auditors was that we should put a precise monetary value on our collections. While we prevailed on the point that this was neither possible nor necessary (we were not going to be selling or trading them), we began to view our collections as Aheritage assets,@ our share of the national patrimony warranting commensurate levels of accountability.

I also quickly recognized the need to reassess the balance between access and security. In 1992, after concerns arose about the prevalence of theft from libraries nationwide, including the Library of Congress, I made the unpopular move of closing the stacks to the general public – and later, to most Library staff. I also directed the installation of electronic theft detection gates at all Library exits, and began a program of installing theft detection targets in the spines of books to activate those gates when an individual tried to exit with library materials.

I convened the Collections Security Oversight Committee (CSOC), from across custodial, curatorial, processing, and policing divisions to articulate an integrated plan for reducing risks to the collections. CSOC published its *Plan for Enhancing Collections Security* in 1992, offering 46 initiatives for improving security, including reader registration. I also engaged an outside security expert, the Computer Sciences Corporation, to conduct vulnerability assessments and make recommendations to improve physical security measures.

In 1997, I created a single entity within the Library, the Office of Security, to consolidate and further develop the Library's security program. Under a directive from Congress, the Office of Security, working with CSOC, developed the 1997 *Library of Congress Security Plan*, which defined the threat to the collections, created a planning framework of physical security controls to protect our collections, and established strategies to protect Library facilities, staff, visitors, and other assets. The 1997 plan has been continually reassessed, updated and improved. It is a framework for assessing risks, identifying unmet requirements, and forming budget requests to address these needs. The CSOC continues to spearhead development of standards for physical security, preservation, bibliographic and inventory management controls within this plan=s framework of risk.

Inventory control is but one facet of how the Library safeguards and controls the collections.

Our already-mentioned three-pronged approach is designed to minimize risks that could affect a researcher's access to a book and ensure that the book is available. But just as not all risks are equal, our comprehensive plan recognizes that not all collections are equal.

As part of our 1997 security plan, we identified five levels of value or risk that apply to the entire spectrum of the collections:

- **platinum** designates the irreplaceable, unique items of the highest intrinsic value, what we have designated our "top treasures," such as the rough draft of the Declaration of Independence and Abraham Lincoln=s holograph copy of the Gettysburg Address.

- **gold** collections include the Library's rare items that have prohibitive replacement cost, high market value, and significant cultural, historical, or artifactual importance.

- **silver** collections require special handling and include the Library's items at particularly high risk, such as computer software, popular print titles, videos and DVDs, and compact disks.

- **bronze** collections include those items served to patrons without special restrictions in the Library's reading rooms as well as materials that may be loaned to other institutions without stringent protections.

- **copper** collections are those that the Library does not intend to retain, but holds the materials while deciding, for example, which may be used for its gift and exchange programs or made available as surplus books offered to schools and libraries in Congressional districts.

Risks to collections vary not only on the basis of value or scarcity, but also based on an item's location in its movement throughout the Library and usage as part of the collections. These definitions allow the assignment of greater or lesser control for the five categories at various points in this "life cycle."

- **In process** refers to the collections while held during accessioning, organizing, processing, and transport to storage.

- **In storage** refers to the collections while held in permanent storage on Capitol Hill or off-site.

- **In use** refers to the collections while being used by researchers or Library staff.

- **In transit** refers to the collections while being transported from permanent storage to another location (such as a bindery, a traveling exhibit, or a preservation center for deacidification).

- **On exhibit** refers to collections items removed from the storage location and placed on exhibit for viewing by Library visitors.

The Library currently operates under the 2005-2008 *Strategic Plan for Safeguarding the Collections*, developed by the Security Office and the CSOC. The current plan, built on the original 1997 plan and approved by the Congress, highlights significant actions we have already accomplished, identifies additional initiatives and funding needed in the future, and addresses projected time lines to establish controls that will effectively protect the collections if we have adequate resources for implementation. The plan addresses all three key elements that together ensure future availability of the collections: physical security, bibliographic and inventory controls, and preservation. The 2005-2008 integrated plan will continue to be updated.

In addition, our Library Services unit is completing a more detailed strategic plan covering 2008-2013, to supplement the 2005-2008 plan. Preparation of this plan has involved a thorough review of the goals, processes and lessons of the efforts to date to complete inventory and bibliographic records for both incoming and retrospective collections. To review what we have learned and how best to accomplish what is still needed, Dr. Marcum and staff from acquisitions, cataloging, reference and technology functions, have consulted with experts from the Copyright Office and Library infrastructure. They are developing goals, targets and recommendations for the future of the inventory which will become the basis for budget requests, resource allocation and performance evaluations. I commend the dedicated staff for their stewardship of the collections.

Inventory Management

The task of accounting for every single item in our huge and diverse collections is massive. The size and complexity of our ongoing inventory efforts have no precedent in the world library community. No other major research library has even attempted the task of trying to inventory its collections because of the daunting complications and costs. The task is time consuming, labor-intensive, and requires major new resources at a time of stringent budgets and important competing priorities. It is not cost-effective or necessary in a collection of 135 million items to account for every single item at every moment and stage of its "life cycle" within the Library.

Inventory management, simply put, is how we determine what is in the collections, how many copies we hold, and where they can be found. It is much more complicated than simply counting what we have; it encompasses interlocking elements of physical security, bibliographic and inventory controls and preservation.

For books, journals and other library materials cataloged in the Library's Integrated Library System (ILS), the bibliographic record describes the intellectual content of the item; and, because we have a wide range of formats, we use a variety of descriptive schemes to describe the collections. "Piece identification" represents Ahow many@; a barcode on the physical item is linked to the online record. The Awhere@ is the specific collections storage area where the item is permanently assigned or a temporary location to which it has been charged out.

Prior to 1999, when the Library, with funding from the Congress, instituted the Integrated Library System, we relied almost exclusively on dozens of manual and legacy systems to track collections that were not linked to online bibliographic controls. As a consequence, there was no easy way to determine how many copies of a given title we owned and where they were located at any given time. With the ILS, the Library has a system that makes possible an integrated approach to inventory management.

We began item-level inventory of the collections as part of the implementation of the ILS. The ILS, acquired in fiscal year 2000, gave us for the first time the capability for item-level control. However, in order to make the ILS database useful for this purpose, it has to be populated with accurate data; that is, the Library has to attach accurate item information to each bibliographic record, including data from various legacy systems. This data is primarily cataloging information, to which we add inventory data.

We undertook the unprecedented task in 1998 of designing and creating the Baseline Inventory Program (BIP), a sequential inventory of all the Library=s 17 million print materials – books, journals and serials – already contained in the general, area studies, and law collections. This effort was not designed to inventory the vast multi-format special collections which include most of the Library's collections (maps, manuscripts, moving image and sound recordings, music, photographs). We estimated in 1998 that the BIP might be completed in eight years at an annual cost of $1.1 million.

However, these goals for this never-before attempted project proved far more ambitious than originally foreseen. We have to date surveyed approximately 2.9 million items under the BIP, and we estimate it could take ten more years to complete with available funds.

In parallel with the BIP for the general collections, we have inventoried, through statistical sampling, representative portions of our special collections, and our inventory control program is now structured to include the entire scope of the Library's collections. Attached is a table listing the Library=s individual collections with the name of the collection, custodial unit, building where the collection is located, estimated number of items, and a brief status of the inventory.

What we have learned is that inventory controls are most efficiently applied when collection items migrate from one point in the "life cycle" to another; such as when an item is moved to off-site compact storage modules at Ft. Meade, MD, or when a Congressional staff member borrows a book that has not yet been bar-coded.

This "use-driven" inventory means that bibliographic records are reviewed and item holdings added every time a previously unrecorded item is retrieved for use or moved to another location. This focus of the BIP has proven so successful that, at our storage facilities at Ft. Meade, we have a 100% retrieval rate – meaning that we know where every collection item is at any given moment. Another very recent example of applying the use-driven technique is the examination of 6.2 million items in our moving image and sound recording collections in preparation for relocating them to the new state-of-the-art Packard campus in Culpeper, VA. These lessons learned will help us shape our broader inventory practices in the future.

Our Security Office, together with the CSOC, conducts regularly-scheduled inspections of the collections; our Inspector General independently performs regular reviews; we have found no significant deficiencies in our safeguards. We have had no known instances of theft from the collections since the 1990's, when I implemented our expanded collections security protocols. We know that, during this period, rare maps have been stolen from other prominent public and research libraries by an individual who also used the Library of Congress collections. We are certain that he did not steal maps from the Library because we accounted for every item he was served. The Library's collections security program is viewed widely by national and international cultural institutions as a model.

I and other senior Library managers continually stress to Library staff our shared responsibilities in our security measures.

Inventory management, a key element of collections security, has been an important priority for the institution as we balance our mission to acquire collections, provide access to them and ensure their availability for use by future generations. We will continue to seek ways to improve inventory management, and it will always be an important priority.

Law Collections

The Committee has also asked us to discuss the currency and condition of the law collection. The Law Library of Congress has been an effective steward of its traditional law collections – items which are often held nowhere else in the world. In 1832, Congress established the law collection as the first separate department of the Library of Congress. The Law Library continues to serve as the *de facto* national Law Library. It provides research and reference services to Congress in foreign, comparative and international law.

The top priority of the Law Library is to serve to Members, Committees and staff of the Congress and the Congressional Research Service. The Law Library also provides officers of the legislative branch, Justices of the Supreme Court and other judges, the Departments of State and Justice, and other federal agencies with bibliographic and informational services, background papers, comparative legal studies, legal interpretations, and translations. In support of this mission, the Law Library sustains the largest collection of authoritative legal sources in the world, including more than 2.5 million volumes as well as almost 134,000 digital items.

The Law Library also makes its collections available to a diverse community of users – the foreign diplomatic corps, international organizations, members of the bench and bar, educational institutions, non-governmental libraries, legal service organizations, and the general public – directly serving more than 100,000 users annually and offering information to the global public through its online services. In fiscal year 2007, the Law Library provided the Congress 245 studies on a wide variety of foreign and comparative law subjects, including a comprehensive analysis on legislative responses to terrorism and immigration. Over 3700 Congressional users were provided legal research assistance on a wide range of topics. Fulfilling its statutory mandate, the Law Library Reading Room remains open as long as either the House or the Senate remains in session; in fiscal year 2006, that amounted to over 1200 hours beyond normal public service hours.

With Congressional interest and support, the Law Library has created and continues to expand the Global Legal Information Network (GLIN), a non-commercial, cooperatively built database which links together 46 separate national jurisdictions – with a focus on emerging democracies where information can be difficult to come by. GLIN provides the Congress and member jurisdictions up-to-date information about new laws and legal trends as they are promulgated in different countries. Increasing globalization and the growing complexity of lawmaking around the world has increased demand for foreign, comparative and international legal information. Using GLIN, researchers access nearly 130,000 laws and related legal materials from nations across Asia, Africa, Europe and the Americas – searchable in 13 languages.

The Law Library's goal is the same as that of the Library as a whole – to add without subtracting. It is especially critical in legal collections to have the complete, cumulative record within any given jurisdiction – statutory, case law, official gazettes, legal journals and treatises. Along with the rest of the Library, the Law Library develops, maintains and preserves its

collections under budgetary limitations caused by recent flat appropriations, the severe decline of the dollar against foreign currencies, and high price increases. These problems have been especially great within legal publishing industries.

The Law Library has a special responsibility to collect and maintain the archival set of U.S., foreign and international law materials. It is a repository for the complete record of American law. The international law collection is the largest in the world, covering all major national, state and equivalent jurisdictions. The Law Library seeks to acquire and retain for the permanent collections all official and many unofficial legal publications from all systems of law – from the Code of Hammurabi to the laws of today's emerging democracies.

To ensure authenticity, courts around the world currently recognize paper as the archival medium of choice. Therefore, the Law Library continues to collect in print-on-paper wherever it is still available.

As the Law Library celebrates the 175th anniversary of its creation by Congress this year, the following are some of the challenges it faces in keeping our collections current:

Subscriptions

The Law Library acquires by subscription more reporters and journals in print than we did ten years ago. In fiscal year 2007, the Law Library for the first time has reluctantly begun to cancel at least $200,000 worth of subscriptions. The Law Library has worked with the Copyright Office, but this process alone will not prevent further cancellations in future years without additional funding.

During fiscal years 2004 and 2005, the Law Library requested and Congress provided budget increases* to purchase over two hundred fifty new or lapsed books or journals from around the world, including court reports from Eastern Europe and Australia, law reviews on the topic of Canon law, native people, and general law reviews.

Treatises and Official Gazettes

Because the price increase of legal subscriptions is usually at least double the rate of inflation and because we must maintain all current subscriptions (reporters, journals, etc.), Significantly fewer treatises can be purchased today.

An official gazette is the legal newspaper of a country, containing the statutorily recognized authentic version of new laws – decrees, regulations, treaties, legal notices and court decisions. Unlike regular law journals that can be preserved by binding, official gazettes are generally printed on fragile newsprint which, for preservation, must be reformatted on microfilm.

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* $80,000 for electronic resources in fiscal year 2005; and for law books, $297,000 (after rescission) in fiscal year 2004 and $125,000 in fiscal year 2005.

The Law Library was able to microfilm just under 2.5 million pages of official gazettes from different countries during fiscal year 2007. We have on hand at least twice this amount of material awaiting microfilming, and receive about 52,000 issues each year in new receipts.

Reclassification

Approximately 675,000 volumes in the Law Library, more than one quarter of the total law collection, are only accessible by title or author because they are not classed under the modern "K" classification system. As a result, similar subjects are not shelved together and this material, mainly foreign law monographs, is not co-located by country. It would cost $2.5 million to re-classify this material into the "K" classification system. The most efficient way to do this would be to spread the project over ten years. This project is complicated by the number of foreign languages in the collection and the extreme difficulty in finding experienced staff who (a) know the "K" classification schedules and (b) have adequate knowledge of the field of law or foreign language expertise.

Once this project is completed, these legal materials will be more easily accessible. Legal specialists will then be able to browse by subject. Collection development specialists will be better able to strengthen subjects that are not adequately covered in each country collection. Each title will have a unique call number to facilitate inventory control.

The greatest strength of our law collection is its wide-ranging foreign and international law materials. With the largest collection of Afghanistan's laws in the world, we were able to locate a missing portion of Afghanistan's traditional body of law that was destroyed by the Taliban, unavailable anywhere else in the world and made available to post-Taliban Afghanistan.

Conclusion

In 2000, the Library's independent external auditing firm audited the 1999 Financial Statement, including a review of the Library's collections management/security program. In referring to the Library's innovative framework of risk (the Library's analysis and definition of risk), the outside auditor concluded:

> *The external auditors have adopted this framework in their evaluations of collections security. In our research of other major cultural institutions and their security practices, we have not found another that has developed as complete a plan as that of the Library.*

The Library takes its stewardship of our heritage assets seriously. For eleven consecutive years, the Library has received "clean" audit opinions of its financial statements. Anticipating changes in the federal auditing guidelines, we have recently developed a "managed collections" based methodology identifying ninety discrete collections. We will be reporting this "managed collections" count one year ahead of the reporting requirement. We will continue to approach bibliographic and inventory control as critical components of our overall collections security

strategy. As Librarian of Congress, I have a continuing high priority responsibility to safeguard the collections.

The collections that we have now and will acquire in the future must remain our nation's pre-eminent reservoir of knowledge and creativity in order to meet the seen and unforeseen needs of both Congress and the public. The Congress of the United States has been the greatest library patron in the history of the world. Throughout America's history, the Congress's Library has acquired, preserved and provided free access to the largest and most wide-ranging intellectual storehouse in human history. What has given coherence to very disparate collections and programs is the goal of furthering human understanding and keeping democracy dynamic by providing ever-widening access to the world's knowledge and to America's creativity.

Library Congress 10/ /2007

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
In-Process Materials (A constantly changing collection of materials being processed for eventual permanent placement in custodial units.)	**Acquisitions and Bibliographic Access Directorate**	**Madison**	600,000 items	Inventory records are created by processing units as soon as bibliographic description is completed.
African Pamphlet Collection	**African and Middle Eastern Division**	**Jefferson**	22,000 items	Collection level record, with brief title listing in a manual file
African and Middle Eastern Reading Room Reference Collection	**African and Middle Eastern Division**	**Jefferson**	15,000 volumes.	Entire collection inventoried by Division staff since 2001.
Hebraic Collections (Hebrew and related languages, such as Yiddish, Ladino, Syriac, and the languages of Ethiopia)	**African and Middle Eastern Division**	**Jefferson**	180,000 volumes	Manual card file and/or finding aids provide inventory of 98% of this collection.
Near East Collections (Contains materials in more than 35 languages, the major holdings of which are in Arabic, as well as in Persian, Turkish, non-Cyrillic Central Asian languages, Armenian, and Georgian .)	**African and Middle Eastern Division**	**Jefferson** **Fort Meade**	228,000 volumes 72,000 volumes	Fort Meade portion (24%) of collection was completely inventoried by BIP. Most (about 93%) have are fully cataloged and controlled by manual files or finding aids.
Archive of Folk Culture (includes photographs, manuscripts, audio recordings, moving images, artifacts and computer files)	**American Folklife Center**	**Jefferson**	Over 4,000,000 items	Inventory control varies by type of collection from collection level records to detailed item level description. All archival collections are under inventory control.
Veterans History Project Archive (collections include manuscripts on, recordings, photographs, artifacts and computer files)	**American Folklife Center**	**Adams**	Over 50,000 collections	Inventory control is maintained in an in-house database.
Asian Reading Room Reference Collection	**Asian Division**	**Jefferson**	8,000 items	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
Chinese Collection In addition to Chinese language publications, it contains several thousand volumes in Manchu, Yao, Naxi (Moso) and other minority languages.	**Asian Division**	**Jefferson** **Fort Meade**	994,117 volumes	Approximately 170,000 volumes completely inventoried by BIP and sent to Fort Meade.

Library Congress 10/ /2007

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Japanese Collection	**Asian Division**	**Jefferson** **Fort Meade**	1,151,267 books, 14,872 serial volumes, 9,500 reels of microfilm, and 15,000 sheets of microfiche	Approximately 195,000 volumes completely inventoried by BIP and sent to Fort Meade.
Korean Collection	**Asian Division**	**Jefferson** **Fort Meade**	249,102 volumes, 6,300 periodical titles, and 250 newspapers, and 10,000 reels of microfilm	Approximately 42,000 volumes completely inventoried by BIP and sent to Fort Meade.
Mongolian Collection	**Asian Division**	**Jefferson**	3,877 monographs, 160 serial titles, over 3,247 microfiche, and 600 volumes of rare books	Only items received since 2000 have item records created by the processing divisions.
South Asia Collection (in the languages of Bangladesh, India, the Maldives, Nepal, Pakistan, and Sri Lanka)	**Asian Division**	**Jefferson**	239,341 volumes; an almost equally large collection of microfiched books, pamphlets, and serials, plus manuscripts	Only items received since 2000 have item records created by the processing divisions.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Southeast Asia Collection (in the languages of Brunei, Burma, Cambodia, East Timor, Indonesia, Laos, Malaysia, Singapore, Thailand, the Philippines, and Vietnam)	**Asian Division**	**Jefferson**	181,345 volumes and ephemera, manuscripts on a variety of materials, incised bamboo, and broadsides	Only items received since 2000 have item records created by the processing divisions.
Tibetan Collection	**Asian Division**	**Jefferson**	10,154 volumes, 3,000 rare books, 50 serials, 760 microfilm and 14,481 microfiche	Only items received since 2000 have item records created by the processing divisions.
Collection Level Cataloging Collection (Groups of materials on a related subject that are stored together physically (in archival boxes) and that are described in one bibliographic record. Most of the materials are unbound, and many are pamphlets. There are often dozens of items housed together under one CLC number)	**Collections Access, Loan & Management Division**	**Adams**	700 boxes	Not inventoried.
Directories (City, Criss-Cross & Telephone) & Social Registers	**Collections Access, Loan & Management Division**	**Adams Jefferson**	109,100 volumes	Not inventoried, kept until microfilmed.
General Collections (Books, bound serials and other materials classified under the LC Classification System comprise this collection. Includes all such items not assigned to other Library custodial units)	**Collections Access, Loan & Management Division**	**Adams Jefferson Landover Fort Meade**	12,000,000 volumes	Approximately 2,900,000 volumes completely inventoried. In addition, all bound volumes (approximately 3,000,000) added to this collection since 2000 have item level inventory control.

Library Congress
Collections List, Location and Inventory Status

10/ /2007

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Lesser-Known Languages Collection (Assemblages of uncataloged materials printed in over 600 languages, dialects, pidgins and creoles. The materials for each language are grouped together and stored in archival boxes. The number of items per language varies greatly. In some cases, there are only one or two items for a language, while others have over one hundred.)	**Collections Access, Loan & Management Division**	**Adams**	754 boxes	Not inventoried.
MLC Collection (Comprised of monographs that have received minimal level cataloging treatment. Items do not receive Library of Congress call numbers, but instead are assigned "one-up" MLC numbers that facilitate the shelving of items by size.)	**Collections Access, Loan & Management Division**	**Jefferson** **Fort Meade**	10,124 volumes 348,314 volumes	Fort Meade portion (97%) of collection was completely inventoried by BIP.
Priority 4 Collection (Monograph and serial volumes, in various subject areas, that were given minimal cataloging treatment. Concept similar to MLC and MLC cataloging took the place of P4 cataloging.)	**Collections Access, Loan & Management Division**	**Landover** **Fort Meade**	100,000 volumes	CALM and Preservation are actively preparing rehousing for shipment to Fort Meade. About 1,000 are completed, but they expect to finish this year.
Special Format Collection (Collections items with unique characteristics that require special handling, e.g., pop-up children's books, books with parts)	**Collections Access, Loan & Management Division**	**Adams** **Fort Meade**	10,000 items	About 50% have been inventoried by BIP and sent to Fort Meade.
WMLC Collection (Comprised of bound serials that have received minimal level cataloging treatment)	**Collections Access, Loan & Management Division**	**Landover**	5,000 volumes	Not inventoried.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
X Collection (The materials in this collection are predominantly of a pamphlet or ephemeral nature.)	**Collections Access, Loan & Management Division**	**Jefferson**	2,600 boxes	Not inventoried.
American Memory (digitized versions of the rare and unique multimedia materials from the Library and its partners)	**Collections and Services (Library Services) and Law Library**	**Digital**	135 digitized collections	Digital collections are not controlled by physical inventory
National Digital Library	**Collections and Services (Library Services) and Law Library**	**Digital**	over 11,074,000 digital files	Digital collections are not controlled by physical inventory
Web Content	**Collections and Services (Library Services) and Law Library**	**Digital**	more than 1,000,000,000 digital documents downloaded from the Web	Digital collections are not controlled by physical inventory
Copyright In-Process Materials (A constantly changing collection of materials being processed for eventual permanent placement in custodial units.)	**Copyright Office**	**Madison**		Inventory records are created by processing units as soon as bibliographic description is completed.
Classics Collection (Complete or collected works of leading authors from most European countries.)	**European Division**	**Jefferson**	7,400 volumes	All have item records in ILS
Cyrillic 4 Monograph Collection (monographs on all subjects, published from the1880s to 1940s)	**European Division**	**Jefferson**	5,000 volumes	Very few online bibliographic records. They are about one year into a 10 year project to create catalog records and item level inventory control.
East European Independent Press Collections (mostly newspapers, primarily from the 1980s, in 3 separate collections: Poland, Ukraine and Soviet/Baltic)	**European Division**	**Jefferson**	13,500 items	Finding aid describes collection at item level.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
European Reading Room Reference Collection	**European Division**	**Jefferson**	12,500 volumes	Entire collection inventoried by Division staff since 2001.
Microform Collections (European Division)	**European Division**	**Jefferson**	1,000 reels	Titles are cataloged in the ILS, but there are no item level records.
Pamphlet collections, Russian and Ukrainian	**European Division**	**Jefferson**	4,750 pamphlets	Pre-1865 Russian pamphlets have no finding aid, but most of 1866-1949 collection have been microfilmed or digitized with finding aids available.
Post-Soviet Ephemera (Items range from propaganda posters and new political party proclamations to exhibition pamphlets and profiles of contemporary artists.)	**European Division**	**Jefferson**	200 files	Finding aid describes collection at item level.
Slavic and Baltic Newspapers	**European Division**	**Jefferson**	15,300 reels	Titles are cataloged in the ILS, with holdings records..
Slavic and Baltic Periodicals	**European Division**	**Jefferson**	3,500 titles	Titles are in the ILS with holdings records, loose issues are checked in and displayed in the ILS.
Atlases	**Geography and Map Division**	**Madison**	75,000 atlases	G & M is beginning to work on these, only about 3,000 are done
Electronic Geospatial resources (CDs and DVDs)	**Geography and Map Division**	**Madison**	15,000 computer files	Completely cataloged and inventoried.
Geography and Map Reading Room Reference Collection	**Geography and Map Division**	**Madison**	8,000 items	Entire collection inventoried by Division staff since 2001.
Globes and Terrain Models	**Geography and Map Division**	**Madison**	More than 400 terrestrial and celestial globes, armillary spheres, 150 globe gores and over 2,000 three-dimensional relief maps.	All globes are completely inventoried. Three dimensional maps are 90% completed.
Maps/Charts	**Geography and Map Division**	**Madison**	over 5,000,000 map sheets	30% are completed.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Special Collections	**Geography and Map Division**	**Madison**	over 100 collections	All collections in the vault are completely inventoried. About 50% of the rest have general description.
Archive of Hispanic Literature on Tape (recordings of approximately 680 contemporary authors)	**Hispanic Division**	**Jefferson**	800 tapes	Entire collection inventoried by Division staff since 2001.
Hispanic Reading Room Reference Collection	**Hispanic Division**	**Jefferson**	5,122 books, 655 CD-ROMs and 23,000 pamphlets.	Entire collection inventoried by Division staff since 2001.
General Collections (Microforms) (While a number of these items duplicate items in the Library's print collections, most are available only in microform)	**Humanities and Social Sciences Division**	**Jefferson**	7,000,000 items in microfilmed formats	Not inventoried.
Local History and Genealogy Reading Room Reference Collection	**Humanities and Social Sciences Division**	**Jefferson**	5,000 titles	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
Machine Readable Collection (includes books and serials with disks, CD-ROMS, software packages, video disks)	**Humanities and Social Sciences Division**	**Jefferson**	70,000 items	Only items received since 2000 have item records created by the processing divisions.
Main Reading Room Reference Collection	**Humanities and Social Sciences Division**	**Jefferson**	70,000 titles	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Vertical File (Local History and Genealogy Reading Room) (Contains miscellaneous materials relating to specific family names, to the states, towns, and cities of the United States, and to genealogical research in general. Included are pamphlets and other materials donated to the Library, magazine and newspaper clippings, genealogical charts and newsletters, and brochures of genealogical interest relating to organizations, societies and libraries throughout the nation.)	**Humanities and Social Sciences Division**	**Jefferson**	1,200 files	Not inventoried.
Law Library Collection	**Law Library**	**Madison Fort Meade**	2,500,000 volumes, 20,200 serial titles, 81,000 microfilm reels, 2,200,000 microfiche	174,000 volumes sent to Fort Meade have been completely inventoried by Law Library staff and contractors. All new materials received from processing since 2000 have item records In addition Law has been inventorying between 100,000 and 200,000 items per year during preparation for binding, reclassification work and whenever staffing allows.
Law Library Reading Room Reference Collection	**Law Library**	**Madison**	60,000 volumes	All items received since 2000 have item records created by the processing divisions. The Law Library has augmented this by creating records so that 50% of this collection is inventoried. Completion of the inventory of reading room collections is a very high priority.
Law Rare Book Collection (books and bound manuscripts issued prior to 1801)	**Law Library**	**Madison**	25,000 volumes	New items received since 2000 have item records and several small collections have been inventoried. Plans are underway to continue this process as time permits.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Manuscript Division Collection	**Manuscript Division**	**Madison Landover**	58,560,000 processed and approximately 8,000,000 unprocessed	15% of the processed collections and all of the unprocessed are at Landover. There are approximately 11,000 collections--of these 5,000 are single folder collections and are described at the folder level. The remainder are described at the container (usually box) level. It has been the Division's practice for the past 20 years to describe all incoming collections at the folder level.
Moving Image Collections (Motion picture, television, and video collections on a broad range of film, videotape, disc, digital file and other formats)	**Motion Picture, Broadcasting and Recorded Sound Division**	**Culpeper**	1,200,000 items	Approximately 85% of this collection has item level inventory control.
Recorded Sound Collections (Music, spoken work and radio sound recordings on a broad range of cylinder, disc, audiotape, digital file and other formats)	**Motion Picture, Broadcasting and Recorded Sound Division**	**Culpeper**	3,000,000 items	Approximately 70% of this collection has item level inventory control.
Audiovisual Reference Documentation (Scripts, posters, photographs, copyright deposit records, trade periodicals, clipping files, corporate papers, manuscripts, and other supporting documents related to the sound and moving image collections)	**Motion Picture, Broadcasting and Recorded Sound Division**	**Culpeper**	2,000,000 items	Approximately 38% of this collection has item level inventory control.
General Collections (Music) (published musical scores, and books and periodicals on music-related subjects)	**Music Division**	**Madison**	6,922,371 items	There are item level copyright registration manual files for the entire collection. Only a few have been cataloged online. The Music Division is seeking grant funding to do a retrospective conversion of this card file.
Musical Instruments	**Music Division**	**Madison**	2,000 instruments	All have item level control.
Performing Arts Reading Room Reference Collection	**Music Division**	**Madison**	3,256 items	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Special Collections (Music)	**Music Division**	**Madison**	13,000,000 items in 550 collections	Over 200 collections (36%) are completely processed with finding aids and control at the box or folder level.
Master Microform Collection (master and printing negative microforms of preserved Library materials)	**Photoduplication Service**	**Adams Landover**	500,000 reels	A contract has been funded to inventory the newspapers on microfilm which is about half of this collection. To date about 82,440 have been done. The entire collection is projected to be completed within 2 years of the opening of the third Fort Meade module where all will be ultimately housed.
Preservation In-Process Materials (Materials already part of the collection receiving preservation treatment)	**Preservation Directorate**	**Madison**	0	Materials being processed by Preservation are assigned to other collections
Architecture, Design & Engineering (Drawings and photographic prints that document the built environment	**Prints and Photographs Division**	**Madison Landover**	350,000 items	Over 95% have Group Level description and item level identification numbers assigned.
Books (Rare monographs and serials that include original photographs or prints)	**Prints and Photographs Division**	**Madison Landover**	2,500 volumes	All books have ILS catalog records, describing the item in detail, but only a few have actual ILS item records.
Fine Prints & Drawings (Original engravings, etchings, lithographs, watercolors, and other fine art prints and drawings)	**Prints and Photographs Division**	**Madison Landover**	90,000 items	There are few records in the ILS, most are described at the item level in a manual card file.
Mixed Prints & Photos (General files and subject-related sets containing both printed and photographic documentary visual materials arranged as portraits, geographic views, and by subject or creator)	**Prints and Photographs Division**	**Madison Landover**	1,750,000 items	Group level description for 1,250,000 items. About 500,000 are in a manual self indexing file in the P & P Reading Room.
Negative & Transparency Series (Glass and film negatives and color slides and transparencies documenting many subjects)	**Prints and Photographs Division**	**Madison Dayton/Culpeper**	7,250,000 items 250,000 items	Group level description for most. Only a small proportion have item level Identification numbers assigned.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Photographs (Rare historic formats, such as daguerreotypes, panoramas, and stereographs)	**Prints and Photographs Division**	**Madison Landover Adams**	1,300,000 items	Group level description and group level control for 1,250,000 items. About 50,000 in the special formats, such as daguerreotypes and panoramas have item level description and item level control.
Popular & Applied Graphic Arts (Original cartoon and documentary drawings and popular and political prints)	**Prints and Photographs Division**	**Madison**	50,000 items	All have item level description and item level identification numbers.
Posters (Posters featuring original graphic designs, social and political activities, theatrical performances, movies, and wars)	**Prints and Photographs Division**	**Madison**	75,000 items	Manual card file has item level description and item level identification numbers for all
Processing Reserves (Accessioned collections served by appointment until processing resources are available)	**Prints and Photographs Division**	**Madison Landover Adams**	3,000,000 items	Group level control for entire collection. About 250,000 items have item level identification numbers.
Reference Collection	**Prints and Photographs Division**	**Madison**	10,000 volumes	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
General Collections (Rare Book)	**Rare Book and Special Collections Division**	**Jefferson**	400,000 volumes	Most of collection has only manual catalog records, conversion to online files must be done in order to inventory the collection.
Pre-1801 Collection	**Rare Book and Special Collections Division**	**Jefferson**	45,000 volumes	Most of collection has only manual catalog records, conversion to online files must be done in order to inventory the collection.
Rare Book and Special Collections Reading Room Reference Collection	**Rare Book and Special Collections Division**	**Jefferson**	3,000 volumes	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
Special Collections (Rare Book and Special Collections Division)	**Rare Book and Special Collections Division**	**Jefferson**	300,000 items in over 100 collections	Most of collection has only manual catalog records, conversion to online files must be done in order to inventory the collection.

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Business Reference Services Reference Collection	**Science, Technology and Business Division**	**Adams**	20,000 volumes	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
Current Journals (Science)	**Science, Technology and Business Division**	**Adams**	55 titles	Not applicable, these are duplicate copies that are not retained.
Current Selected Journals (Business)	**Science, Technology and Business Division**	**Adams**	100 titles	Not applicable, these are duplicate copies that are not retained.
Microfiche Collections (Business) Includes corporate annual reports of United States companies, and International Annual Reports Collection (1983-1987).)	**Science, Technology and Business Division**	**Adams**	100,000 items in 3 collections	Access to these collections is through various online and printed indexes.
Science Reference Services Reference Collection	**Science, Technology and Business Division**	**Adams**	30,000 volumes	Only items received since 2000 have item records created by the processing divisions. Completion of the inventory of reading room collections is a very high priority.
Science Vertical Files (Material is clipped from newspapers and journals or photocopied from Library materials. Includes brochures, pamphlets and booklets requested from organizations and institutions--types of material not collected by LC)	**Science, Technology and Business Division**	**Adams**	900 topics	Not applicable, a working collection that is constantly weeded and augmented
Technical Reports and Standards	**Science, Technology and Business Division**	**Adams**	3,000,000 technical reports in microform, CD and paper	The technical reports collection has no item level control, access to the collection is through various online and printed indexes.
Pamphlet Boxes (Contains clippings, pamphlets, and photocopied materials on each title in the LC Tracer Bullet series)	**Science, Technology and Business Division**	**Madison**	Approximately 275 boxes	Not applicable, a working collection that is constantly weeded and augmented

Collections List, Location and Inventory Status

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Current Periodicals (Current unbound serial issues)	**Serial and Government Publications Division**	**Madison**	906,980 items for 45,349 titles	Inventory records are created when unbound periodicals are prepared for binding--usually a year to year and a half after receipt. This is performed under the contract for binding preparation. Funding is being requested for an essential data clear up activity to update holdings records for 59,995 titles which were bound between the 2000 and 2005.
United States Government Publications (U.S. Federal government publications distributed through the depository program)	**Serial and Government Publications Division**	**Madison**	833,845 items in various formats	The Federal Depository publications distributed through the Superintendent of Documents collection has no item level control, access to the collection is through the Monthly Catalog of the Superintendent of Documents.
Newspaper and Current Periodical Reading Room Reference Collection	**Serial and Government Publications Division**	**Madison**	15,503 items	Only items received since 2000 have item records created by the processing divisions (about 1/3 of the collection). Completion of the inventory of reading room collections is a very high priority.
Newspapers (Includes current, retrospective and historic runs of newspapers)	**Serial and Government Publications Division**	**Madison Landover Jefferson**	711,360 microfilm reels, 30,874 bound volumes, 730,000 loose newspaper issues, 306,170 digitized newspaper pages	About 74,000 reels of microfilm (10% of the collection) have item level control because records were created at the time of circulation (use driven inventory). A contract has been awarded to create records for all the bound newspaper volumes within the next year. No loose newspapers will be inventoried because they are only kept until replaced by Library produced or commercially produced microfilm.

Collection Name	Custodial Unit	Building	Estimated Number of Items	Inventory Status
Special Collections (Serial)	**Serial and Government Publications Division**	**Madison**	115,000 comic books, 30,672 items of the Federal Advisory Committee Collection, 648,364 items in United Nations Collection	About 80,000 comic books (70% of the collection) have item level control. Completing the inventory of this collection is a high priority. The Federal Advisory Committee Collection has no online bibliographic or inventory control at this time. The United Nations collection of microfiche has no item level control, access to items is through the UN Document Index.

The CHAIRMAN. You are welcome.

Sure, Dr. Marcum.

Ms. MARCUM. Thank you.

Chairman Brady, Mr. Ehlers, members of the committee, until I saw this morning's Washington Post headline, I was prepared to talk solely about the progress we have made on the Baseline Inventory Program. In response to the headline and in response to the testimony that has been submitted by the American Library Association, I am compelled to talk about broader issues.

First, I would address Inspector General Karl Schornagel's report of March 13, 2007, the preliminary "Survey of Collections Access, Loan and Management Division Service." That was the basis of the article in the Post this morning.

What was not included in the article were these sentences from the executive summary, in which the Inspector General says, and I quote, "We performed a survey of the material retrieval service provided by Collections Management. We initiated this project to determine if the division efficiently and effectively responds to requests to retrieve collection items." He concludes, and, again, I quote, "We did not become aware of any material weaknesses in Collections Management operations during our survey and concluded that further audit work on this project is not necessary at this time. Our survey indicated that Collections Management is providing timely and accurate retrieval service, especially considering the volume of material it handles and the size of the Library's general collections."

Today's article did not correctly interpret the IG's audit report. The headline's misleading reference to 17 percent is not a number reflecting books that are missing. As the IG report states, once we have identified that a book is not where we expect it to be, the more intensive search results in finding the item in all but about 10 percent of the time. And I would note, for the committee's information, that the not-on-shelf rate for the Library has been cut in half over the past several years.

I want to assure the committee that we take our responsibility for stewardship very seriously, and we are working on the Baseline Inventory Program that the Congress funded beginning in 2002. That name, "Baseline Inventory Program," sounds unexciting, but the program is critical. It enables us to identify what we actually have on our shelves at any given time.

This program was begun at a time when we were pulling all of the separate divisions' catalogs into a single, online public access catalog. For this catalog, we had to combine bibliographic descriptions, which are used by libraries worldwide, with descriptions from our manual card files. Only then could online users identify items that we hold, determine the formats in which those items exists, and determine the items' locations. This effort has no precedent among large research libraries. It helped us keep track of our collections and give users more accessible information about our holdings.

The Library of Congress is not like a commercial warehouse that can close for a few days to take an inventory. New materials come to us constantly, roughly 10,000 items per day. Therefore, control-

ling our inventory is not simply a project that we can complete, but it is a continuous, ongoing core activity.

In the Baseline Inventory Program, as of June 2007, we had inventoried 2.9 million books and journals. And, as you noted, that is about 20 percent of the general collections. To these items, we have added nearly 2 million volumes that we inventoried to be moved to Fort Meade and 6.2 million audiovisual collections that we moved to our new Packard campus in Culpeper, Virginia. Additionally, members of our collections format divisions have inventoried, as a separate activity, many of the special collections.

Now we have begun to implement recommendations made by our Strategic Planning Working Group. The most important is to continue our initial sequential inventory but to supplement it with use-driven inventory controls for materials in special format collections and materials moved to new locations. To carry out the working group's additional recommendations, we will need to add staff and financial resources over the next 18 to 24 months.

In strategic planning for the Library Services Service Unit, my management team is now weighing recommendations from all of the working groups in light of available resources and future priorities. Many pressing core activities still need funding, such as cataloging for the digital information era, about which the American Library Association will appeal to you shortly, because so many libraries depend on our leadership in cataloging.

You will also hear from ALA that the Library has been less cooperative than it once was and that it is reducing the number of its catalogers. Please allow me to clarify the facts.

The Library of Congress works with 694 other libraries in its Program for Cooperative Cataloging. This is a program we both staff and support. We participate in literally dozens of committees and organizations that collaboratively set cataloging policies.

In addition, after ALA complained about a decision that the Library made to streamline its cataloging processes by not creating series authority records, I responded by forming a Working Group on the Future of Bibliographic Control. I invited ALA to appoint three members to this group. It did, and joined representatives from all of the other major library associations on this project. The group has held open hearings in all regions of the country, including ALA headquarters in Chicago. We maintain a Web site for this project so that anyone, from any part of the country or, indeed, any part of the world, can comment both on the papers that are forming the working group's deliberations and the process.

The CHAIRMAN. Excuse me. We will be voting pretty soon. Could you summarize a little bit? We will have Mr. Medina testify, and then we will be called for a vote and will come back and have some questions.

Ms. MARCUM. All right. Okay.

Let me just say that, in terms of cataloging productivity, even though we have reduced the number of catalogers from 650 in 1987 to 400 today, in the late 1980s we were cataloging 200,000 books a year and today we are cataloging 363,000 books a year. Add to that, we are adding table-of-contents information and, in cases where we can, full text to the bibliographic record.

So we are trying to meet all the needs with existing staff by streamlining and finding imaginative solutions. Inventory control is especially pressing because the special funding for the project runs out after 1 year. Support for this program enables us to keep track of our valuable holdings in a way that also makes it easier for millions of students, scholars and others across the country to find the material they need.

Thank you for this opportunity to speak to you today.

The CHAIRMAN. Thank you.

Mr. Medina.

Mr. MEDINA. Thank you, Mr. Chairman.

Chairman Brady, Mr. Ehlers, members of the committee, the Law Library's top priority has always been to respond to congressional needs for legal information—national, foreign and international.

The need for access to foreign and comparative law has never been greater or more immediate, as demonstrated by the interest of Congress in their request for studies, as well as the requests we get from the legal and business community. At the same time, the questions are increasingly more complex and the sources more abundant than ever before. In this environment, the Law Library is challenged to meet rising expectations. These expectations include the capability to have immediately at hand current and complete legal information.

To meet these challenges, the Law Library has launched an initiative to take advantage of appropriate technology to gain timely access and make available critical primary sources of law in an authoritative form. The Global Legal Information Network is a cooperative effort linking together the legislatures of the world to provide mutual access to laws, regulations, court decisions and related legal materials.

By working collaboratively with national legislatures or their designated agencies, we are ensuring that information in the system is of the highest possible quality, in contrast to a great deal of the content available on the Internet, which is of questionable origin and authenticity.

This system holds great promise for the future, as more countries join each year and the system grows to become a comprehensive, unparalleled collection of global legal information. We appreciate the Congress' support for GLIN over the last 5 years and hope we can enjoy your continued support.

The Law Library has also just completed a major upgrade of its Web site to deliver legal content to Congress and the Nation. This site includes the Global Legal Monitor, a monthly online publication offering highlights of legal developments from countries around the world that was launched by the Law Library in 2006. In addition, we offer studies on current legal topics, such as the judicial crisis in Pakistan and the trial of Saddam Hussein.

We are also digitizing the Law Library's collections not available elsewhere online, including approximately 70,000 volumes of congressional hearings that will be made available through GLIN, THOMAS, and the LIS. We are starting with those covering immigration, the national census and freedom of information.

The availability of more digital legal sources has not, however, replaced print sources. In fact, we are faced with an increase in both media. The key to the future is to successfully integrate all print and media collections to allow users the ability to seamlessly find high-quality information that is customized to their particular needs. Law libraries face some particular obstacles, such as the need to continue to collect laws and other regulatory publications in their official form, which is still print.

Through digital means, the Library can make its collection accessible to the entire world. And with that accessibility comes demand for services, as well. Last fiscal year, approximately 20 percent of the Law Library's online inquiries came from countries other than the U.S.

In making this material available globally, we work, for example, with the House Democracy Assistance Commission, as they assist parliaments of new democracies for the purpose of strengthening their parliamentary infrastructure. Countries with access to law and other information, as we know, are more likely to build strong democracies based on the rule of law.

This year, the Law Library celebrates its 175th anniversary as the oldest separate department of the Library of Congress. We have been celebrating this milestone with programs featuring legal scholars discussing current issues, national security and the rule of law, effective assistance of counsel. And I invite you and the members of this committee to join us for these lively and timely programs.

Mr. Chairman, Mr. Ehlers, I thank you for the opportunity to highlight new developments at the Law Library of Congress. And my colleagues and I would be, I am sure, happy to answer any questions. Thank you.

The CHAIRMAN. Thank you.

We do have a vote going on, but Mr. Lungren probably has to leave, so I will allow him to ask a question of the panel.

Mr. LUNGREN. Thank you very much, Mr. Chairman. I appreciate that.

You know, I am one of those that brags on the Library of Congress, and I think it is one of the great institutions. But I must tell you, I am concerned about what I read in The Washington Post. And what I understand is we started with the 17 percent. Then they found 4 percent. And now you tell us, Dr. Marcum, that actually the loss is only 10 percent, if I understand your testimony correctly.

With all the great things the Library is doing and that we take great pride in, that is still a concern for us, as Members here, and for our constituents, as well.

I would like to ask two questions. One is that, in both the Inspector General's 2002 March report, collection security audit, and the March 2007 survey of collections, it cites that one of the major deficiencies in the Library's inventory management is the continued use of paper call slips by users to request items in reading rooms. It is not tracked within the integrated Library system.

The thing that jumps out at me is this was suggested in 2002; we then see the report in 2007 suggesting that not much has been

done about that. Are you doing something on that? And if you are, is it going to take another 5 years for it to actually get into effect?

Ms. MARCUM. We are, indeed, doing something about that. We have a consultant working with us now.

The difficulty was in creating a database that had the names and passwords for all of the users. So we have been working on getting the patron database in place. That is now in place. The work will be done in the next 18 months, at the latest.

Mr. LUNGREN. It will be completed within 18 months?

Ms. MARCUM. It will be completed within 18 months.

Mr. LUNGREN. The second question I would have is this. And I take seriously what Mr. Ehlers said, about looking to the private sector. And I know you are smiling when I say that. But the fact of the matter is, I remember when I went to law school, we were told, as we went through the library stacks, that they would never be computerized because that was an impossible thing to do. You needed the human element there, and we would always have to have those little books that would allow us to go back in previous decisions. And now, it is one of the easiest things. I find that new people coming out of law school can't believe we used to actually go in the stacks and do that ourselves.

Ms. MARCUM. Right.

Mr. LUNGREN. But this: When I was attorney general of California, we had a problem with our criminal histories, similar to what you are talking about, as you had some manual things you had to digitize, you had to bring your programs together and so forth. And every time, for about 3 years, I talked to them about bringing it up-to-date, because I think the criminal history filing in California gets something on the order of 2 million inquiries per day—they have to be instantaneous and accurate, because you are dealing with people's lives—what I was told was that we needed more money and more manpower. I seem to hear the same thing from you.

But the fact of the matter is, this wasn't more money and manpower; it was putting the proper system in place to do that. And we actually got some good ideas from the private sector. If UPS can track something, tens of thousands, if not millions, of pieces per day, and does not have a loss rate of 10 percent, why can't you?

Ms. MARCUM. I appreciate your point. We want to reduce that number, and we are working on that. The one thing I think you should understand is we are a living, breathing library. Things are moving all the time. They are being checked out to Members of Congress or to staff.

Mr. LUNGREN. You did not check to see if I have any overdue books, did you? I was a little concerned about that.

I mean, I appreciate your comments. I appreciate that. I appreciate it is a living, working library. But I would say, in the private sector, we have literally millions of pieces of material moving all across the world, and you can, within a relatively short period of time, find out where that is. And I would bet you that, if UPS or any of the others had a loss rate of 10 percent, they would be out of business.

Ms. MARCUM. No doubt.

I should mention—Mr. Ehlers asked about RFID. That is one of the recommendations that has been made by our working group looking at this situation. And there it really is a matter of money. An RFID tag costs between $0.50 and $0.65, based on exactly the type. The labels we are using now cost $0.08. It is a huge difference in cost. And in this case, it is a matter of money.

Mr. LUNGREN. Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you.

We do have to vote. And we will be back, hopefully, within about 40 minutes, and we can ask some more questions we might have. Thank you all.

[Recess.]

The CHAIRMAN. I would like to call the hearing on House Administration back to order.

Thank you all for your patience and waiting.

I do have some questions from Zoe Lofgren, who is stuck in a markup in another committee, and so I would like to enter them for the record. And they will be forwarded to you, and you can answer them for her.

[The information follows:]

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 Longworth House Office Building
Washington, D.C. 20515-6157
(202) 225-2061
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November 6, 2007

Dr. James Billington
Librarian of Congress
Office of the Librarian
The Library of Congress
LM-608
101 Independence Avenue, S.E.
Washington, DC 20540-1000

Dear Dr. Billington,
Thank you for your testimony at the Committee on House Administration's Library of Congress oversight hearing on October 24th.

As we discussed at the hearing, some Members of the Committee have written questions that they would like answered for the record. They are attached to this letter. Please provide answers to the Committee on House Administration by November 16, 2007.

If you have any questions please contact Khalil Abboud at (202) 225-3280.

Sincerely,

Robert A. Brady
Chairman

Committee on House Administration

Oversight Hearing on the Library of Congress:
"Current Issues in Library Management"

Questions for the Record

Librarian of Congress, Dr. James H. Billington

1. You have said that the cuts in the Law Library budget are part of the overall cuts in the past to Library of Congress budget. As the Law Library serves as the *de facto* national Law Library, sustaining the largest collection of legal sources in the world, budget cuts impact more than just Congress and the staff who depends on the information. Law changes and in canceling journal subscriptions or just not having the most up to date information, the Library is doing its 'customers' a disservice. What process does the Law Library go through before deciding to cancel subscriptions? Who is consulted? Does the Law Library work with groups such as the ABA or the American Association of Law Libraries in making those decisions?

2. An independent line item for the Law Library of Congress in the federal budget of the Library of Congress has been suggested by Senator Stevens. Why is the Library of Congress opposed to this proposal?

3. The Inspector General reported that the Baseline Inventory Project of the current general collections is 20% complete. The Library accepts an additional 10,000 items per day. What standards has the Library established to consider this project complete? What is the current timeframe for completion of the baseline inventory? At current funding and staffing levels of this program, is the Library merely keeping pace with the influx of new items?

4. The Library has decided to use mostly contractors to inventory the general collections. What is the justification for using contractors as opposed to Library employees who are more familiar with Library systems and protocols? Is the Library hiring contractors with relevant inventory management experience or is the Library relying upon a manpower company, like a temp agency, to supply an adequate number of employees? Please describe the initial training program that the contractors receive and any additional on the job the training. What is the turnover rate of contractor employees?

5. The Library has made improvements in protecting the collections through increased physical security. Dr. Billington closed the stacks to the public in 1992, the police conduct exit inspections, the Library has installed and monitor cameras throughout the buildings, and there are contract security guards to supplement the Library employees who monitor activity in the reading rooms. With this increased level of security, has the Library identified any statistics on the instances of attempted thefts or destruction to the collections that have been prevented as a result of the increased security compared to before the collections security plan was implemented?

6. Please provide the Committee with the Library's annual travel expenditures (including transportation, lodging, parking, taxis, per diem, etc.), by budget object class, for fiscal years 2002 through 2007, broken out by fiscal year. In addition, please segment these annual

expenditure totals into federally appropriated funds and funds provided from private sources, if applicable.

7. Your testimony states "It is not cost-effective or necessary in a collection of 135 million items to account for every single item at every moment and stage of its 'life-cycle' within the Library." Could you explain your rationale regarding why you believe such an inventory is not necessary?

8. What kind of "meaningful consultation" would ALA like to see established and what mechanism or type of meetings would you envision?

9. Have the two Working Groups - one on Section 108 and other on the Future of Bibliographic Control - been effective?

10. How would you propose that LC ensure that there is sufficient cataloging expertise with the impending retirements and open positions?

11. Could you please tell us more about the shared cataloguing projects?

12. How could there be more efficiencies in expanding cooperative cataloguing - especially for the public, school, and college libraries that you have indicated rely so much on LC cataloguing?

THE LIBRARIAN OF CONGRESS

December 17, 2007

Dear Mr. Chairman:

Enclosed as requested are answers for the record to written questions of members of the Committee on House Administration following the October 24, 2007, oversight hearing of the Library of Congress.

Thank you for these questions, and please let me know if I can provide further information.

Sincerely,

James H. Billington
The Librarian of Congress

Enclosure

The Honorable Robert A. Brady
Chairman
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

101 Independence Avenue, S.E. Washington, DC 20540-1000 Tel.: (202) 707-5205 Fax: (202) 707-1714 E-mail: libofc@loc.gov

Library of Congress Answers for the Record
Committee on House Administration
Oversight Hearing on the Library of Congress
"Current Issues in Library Management"

1. *You have said that the cuts in the Law Library budget are part of the overall cuts in the past to Library of Congress budget. As the Law Library serves as the de facto national Law Library, sustaining the largest collection of legal sources in the world, budget cuts impact more than just Congress and the staff who depends on the information. Law changes and in canceling journal subscriptions or just not having the most up to date information, the Library is doing its 'customers' a disservice. What process does the Law Library go through before deciding to cancel subscriptions? Who is consulted? Does the Law Library work with groups such as the ABA or the American Association of Law Libraries in making those decisions?*

Answer:

The Law Library, constituting about 12% of the Library of Congress' collections, receives approximately 15% of its acquisitions appropriation, in recognition of the fact that law collections tend to be more costly and are more heavily impacted by inflation than general collections. It is particularly critical to keep law collections current. The Library as a whole has experienced a serious erosion in buying power for acquisitions; we have for a number of years requested increased funding for general collections acquisitions, including the Law Library.

The Law collection, because of the character of the discipline, is organized according to a hierarchy of legal sources, under the standard shared by all law libraries:

- Primary sources of executive, legislative and judicial branches: public laws, statutes, regulations and case law; and
- Secondary Sources: monographs and periodicals. Legal periodicals - with the exception of official gazettes and court reporters - fall in the second category, and where budget cuts make acquisitions reduction necessary, legal periodicals are the only category where the Library of Congress can economize.

Before making cuts in collections, the Law Library has re-aligned all the resources it possibly can. For example, we have delayed filling critical positions and used more economical contracts whenever possible to divert savings to alleviate funding deficiencies. We have also worked creatively with the Copyright Office to fill in our collections with copyright deposits where possible.

Additionally, the American Bar Association closely monitors budgetary cuts that threaten the effectiveness of legal research. Members of the Bar depend heavily on the Law Library's reference services, more so in the area of foreign and comparative law. Their awareness has made them active supporters of the Law Library's budget requests. The Bar has a tradition, since establishment of its Standing Committee on the Law Library of Congress in 1932, of interest and special attention to the Law Library. As a result of the Committee hearing in October, we have invited the ABA and AALL to meet with the Librarian of Congress to discuss ways that the Bar can augment the Law Library's acquisitions budget with private support.

2. *An independent line item for the Law Library of Congress in the federal budget of the Library of Congress has been suggested by Senator Stevens. Why is the Library of Congress opposed to this proposal?*

Answer:

The Law Library is already, by statute, a separately authorized entity within the Library of Congress. However, the Library believes that it would be unwise to create a separate budget line-item for the Law Library, with no apparent benefit.

As part of the Library of Congress/Salaries and Expenses appropriation, the Law Library has received higher percentages of increases for its acquisitions budget than other parts of the Library. Funds have not been diverted from the Law Library, but other parts of the Library have covered the costs of several Law Library projects. The Law Library benefits from cataloging done by Library Services. Our IT, Human Resources, General Counsel, facilities services and other infrastructure units service the Law Library. In addition to its share of acquisitions funding and general cataloging services, the Law Library benefits from significant staff resources dedicated by Library Services to re-classify the older "Law" system to the current "K" classification system.

3. *The Inspector General reported that the Baseline Inventory Project of the current general collections is 20% complete. The Library accepts an additional 10, 000 items per day. What standards has the Library established to consider this project complete? What is the current timeframe for completion of the baseline Inventory? At current funding and staffing levels of this program, is the Library merely keeping pace with the influx of new items?*

Answer:

The Baseline Inventory Project (BIP) that Congress funded beginning in 2002 is part of an encompassing effort to identify what we actually have on our shelves at any one time and ensure that the information on the book itself (the author, title, call number, etc.) is the same as that in its online catalog record. BIP was started when we integrated separate divisions' catalogs into one online catalog for public access. To create this unified electronic catalog – only possible with the implementation of the Integrated Library System (ILS) – we combined standardized bibliographic descriptions with those typed in our card catalogs. This effort was unprecedented among large research libraries.

The current thrust of the Baseline Inventory Project is to support the transfer of collections from Capitol Hill to off-site storage at Ft. Meade, Md. To date, more than 2.4 million books have gone through the BIP process and now are shelved in Ft. Meade storage modules 1 and 2.

While inventorying each item going to Ft. Meade is not as fast as doing a complete shelf inventory (item by item in order), it is essential to ensure that items transferred off-site are retrievable. The decision to implement this approach is supported by the fact that more than

60,000 items have been requested from Ft. Meade, and the retrieval success rate remains at 100%.

For the inventory project as a whole, the original estimate of eight years to inventory seventeen million items was based on having a previous project, conversion of the entire card shelflist to an online database, completed. A decision was made early in the planning for the project to eliminate this interim step (manual shelflist conversion) and combine the file conversion with the physical inventory. We believed that this was a far better approach and would result in more meaningful information. The combined approach increased the estimated per-item time from one minute to two-and-a-half minutes. This would increase the total time of the inventory from eight to twenty years. This modified approach was shared with Congress in the quarterly reports submitted during the implementation of the ILS.

We can assure you that the Library is both keeping pace with incoming material and simultaneously inventorying the retrospective collections, as they are called up or transferred off-site. Contract staff review every new book and bound periodical entering the collections to ensure that the bibliographic and item information is accurate and to change the item status in the database from "In Process" to "Available". Thus we are ensuring the same level of accuracy for new receipts as for retrospective collections through the inventory process.

After the hearing on October 24, 2007, the Associate Librarian for Library Services met with key staff with responsibility for the Baseline Inventory Project and charged the group with exploring new and improved methods for proceeding with the inventory. She will meet with the group monthly to review progress. We will keep the Committee apprised of our progress.

4. *The Library has decided to use mostly contractors to inventory the general collections. What is the justification for using contractors as opposed to Library employees who are more familiar with Library systems and protocols? Is the Library hiring contractors with relevant inventory management experience or is the Library relying upon a manpower company, like a temp agency, to supply an adequate number of employees? Please describe the initial training program that the contractors receive and any additional on the job the training. What is the turnover rate of contractor employees?*

Answer:

Outsourcing of the BIP was the best way to approach this since it was considered a special project. The Library awarded contracts to companies that specialize in work for libraries (Library Systems and Services, Inc. and Library Associates). These are not people obtained through "manpower" companies, but have the library experience necessary to succeed.

At the beginning of the contract, employees engage in a training and orientation process and receive a manual for reference and training purposes. The project manager for the contractor and the Library managers provide both initial and supplemental training as new collections are addressed and as requirements change. Library managers and staff serve throughout the project as trainers, reviewers and resource people to work with, and respond to questions from the project manager, reviewers and staff.

There is a formal structure in place to ensure that work is done properly and that proper review takes place. The company actually doing the work has its own reviewers, quality assurance specialists and project manager. Library managers review the work of all contractors.

The highest turnover rate is among those contractors whose tasks require the least amount of training, as one would expect. These technician staff average 6.2 months. The contractor is paid by the piece, not an hourly rate, so it is in its best interest to hire good people, spend minimal time training and minimal time correcting errors. Tenure of contractors doing more complex proofing work, requiring more expertise, averages 3.3 years. Several of the more highly trained and skilled contractors, including the Project Manager, have been with BIP from the outset of the contract, over 5 years, and in fact previously worked under contract with the Library on Integrated Library System-related projects.

5. *The Library has made improvements in protecting the collections through increased physical security. Dr. Billington closed the stacks to the public in 1992, the police conduct exit inspections, the Library has installed and monitor cameras throughout the buildings, and there are contract security guards to supplement the Library employees who monitor activity in the reading rooms. With this increased level of security, has the Library identified any statistics on the instances of attempted thefts or destruction to the collections that have been prevented as a result of the increased security compared to before the collections security plan was implemented?*

Answer:

The Library's Inspector General reports that there have been no measurable attempted thefts or incidents of malicious destruction in the past seven years. Before the Library implemented its collections security plan, some incidents of attempted theft and destruction were recorded.

The Library maintains a multifaceted, integrated program of controls to safeguard the collections which requires the continuous vigilance of Library staff. It includes an agency-wide security awareness campaign highlighting the key responsibility of staff in protecting the collections. Library collections security specialists also conduct regular visits to all divisions every two years to advise on ways to improve upon security controls.

6. *Please provide the Committee with the Library's annual travel expenditures (including transportation, lodging, parking, taxis, per diem, etc.) by budget object class, for fiscal years 2002 through 2007, broken out by fiscal year. In addition, please segment these annual expenditure totals into federally appropriated funds and funds provided from private sources, if applicable.*

Answer:

Library of Congress
2002-2007 Travel Expenditures (Object Class 21)
(in thousands of dollars)

Fiscal year	LC S&E	Copyright	CRS	Natnl Library Svcs– Blind	Total – appropriated	Private sources	Total travel
2002	$ 1,481	$ 150	$ 170	$ 193	$ 1,994	$ 378	$ 2,372
2003	1,312	162	194	219	1,887	416	2,303
2004	1,466	208	240	186	2,100	423	2,523
2005	1,683	155	234	202	2,274	570	2,844
2006	1,527	116	245	193	2,081	703	2,784
2007	1,326	225	275	206	2,032	484	2,516
TOTAL	$ 8,795	$ 1,016	$ 1,358	$ 1,199	$ 12,368	$ 2,974	$15,342

7. *Your testimony states "It is not cost-effective or necessary in a collection of 135 million items to account for every single item at every moment and stage of its 'life-cycle' within the Library." Could you explain your rationale regarding why you believe such an inventory is not necessary?*

Answer:

The Library maintains that it is neither practical nor cost-effective to inventory every piece in its collection. To our knowledge, there is no major library that has been able, nor thought it would be practical or wise, to undertake such a program on such a scale.

While the Library continues to discuss methods of securing and controlling its collections within reasonable limits, to even contemplate a full piece-by-piece inventory of its collections would be so time-consuming and costly as to question whether we would be able to do anything else.

One concrete example, the collections of the Manuscript Division, illustrates the challenge we would face. The Manuscript Division has approximately 58 million pieces. A piece-by-piece inventory would entail being able to somehow describe and enter into a database a detailed description of every one of these 58 million pieces. The description would have to be of sufficient detail to allow us to differentiate one letter of correspondence in an individual's papers from every other letter. We would have to somehow mark each of these

pieces with a unique identifier so that we can link it to an online description (something that would deface the manuscript). The labor in so doing would be incredibly high.

Of course, even if there were a way to accomplish this, which we believe there is not, the initial inventory is just the first step. In order to be able to track every piece every time it is served or moved would require updating the piece information for each piece in a container both when it is served and when it returns. In addition, to ensure that there has been no insider loss, each of the 58 million pieces would have to be sampled regularly to verify that it is still accounted for.

As suggested by Committee members, the Library is exploring, with several private sector companies, ways to use technology to keep track of large amounts of inventory.

8. What kind of "meaningful consultation" would ALA like to see established and what mechanism or type of meetings would you envision?

Answer:

The Library has long been engaged with ALA and other domestic and international professional groups in what can be accurately described as meaningful consultation. ALA specifically asks that we engage in broad and meaningful consultation prior to making significant changes to cataloging policy, which we have done most recently and prominently through our lengthy consultation on the future of bibliographic control, discussed under question 9.

While this consultation arose out of concerns expressed by some librarians speculating on possible ways the Library could make changes in the way we conduct cataloging, Library staff have long served on practically every ALA standing committee, section, and group. Library of Congress members not only make meaningful contributions to the groups' deliberations but also accept input that affects LC decisions and direction. The most recently established ALA group on which LC has a critical presence focuses on how the latest descriptive cataloging code – that will impact all libraries – will be implemented with the least amount of cost and disruption to the nation's libraries. The Library allocates a significant portion of its annual travel funds to support the attendance of our staff at ALA's two annual meetings. In addition, a number of our staff are sufficiently committed to professional support of ALA that they contribute their own time and funds to attend meetings, write articles, and make presentations. The Library's participation in these annual meetings is substantial, broad, and time-consuming.

On an ongoing basis, the various cataloging documentation that the Library issues through its Cataloging Policy & Support Office is issued in draft form for comment both from internal users and from external users. ALA constituents make up a large portion of these external users.

A recent survey of the Library's Cataloging in Publication (CIP) Program was done to elicit input that would allow LC to improve the operation of this national program that was set up to serve U.S. libraries. The survey was coordinated with the CIP Advisory Group–a group

established under the aegis of ALA and that meets at each of ALA's two annual meetings. The results of the survey were shared with the Advisory Group and the final recommendations for enhancements to the Program were set, based on the Group's concurrence and input.

9. *Have the two Working groups- one on Section 108 and other on the Future of Bibliographic Control- been effective?*

Answer:

A. Section 108 Study Group:

Yes, the work of the Section 108 Study Group has been very effective.

The group was established by the Library of Congress's Office of Strategic Initiatives in cooperation with the U.S. Copyright Office in order to examine the copyright exceptions for libraries and archives in light of digital technology. The group is an independent entity made up of 19 experts from all relevant areas – libraries, publishers, archives, movie studios, museums, photographers, etc. Members with very disparate backgrounds and interests were purposely selected so that the group would consider all sides of the issues and attempt to craft legislative solutions acceptable from multiple perspectives in this potentially contentious area of the law.

The Study Group met regularly for 2½ years. During this time it hosted three public roundtables and heard from a number of outside experts. The group discussed a wide variety of issues relating to how copyright affects library and archives practice, including a review of the current section 108 provisions, and it reached agreement on legislative solutions for many of them. For a number of other issues the group agreed that some legislative action is appropriate, but could not agree on specific recommendations; for still others it agreed that legislative action is not necessary.

The Study Group's Report, to be released in late December 2007/early January 2008, will describe the recommendations for legislation and other conclusions of the group. The Report will fully describe the issues, explain the rationale for its recommendations, and discuss its conclusions in those areas where it was not able to reach agreement or does not agree legislation is appropriate. By elucidating the various issues and positions likely to be raised in the legislative process, the Study Group's Report will provide the Copyright Office and Congress with a full understanding of the current section 108 policy environment. The work of the Section 108 Study Group will certainly help jumpstart the process for changes to the copyright law that will enable libraries and archives to take better advantage of digital technologies without unduly affecting the rights of creators, publishers, and other rights holders.

B. Working Group on the Future of Bibliographic Control:

The Working Group on the Future of Bibliographic Control has been a productive and effective group. The genesis for this productive collaboration dates back to the Library's Bicentennial celebration in 2000, when we convened an international symposium on the changing nature of cataloging and library patron needs and information sources. The Library of Congress, like libraries everywhere, needs continuously to examine ways we can, within inelastic resources, provide maximum added-value for researchers, students and the general public.

After considering the recommendations from the Bicentennial symposium, the Library commissioned Karen Calhoun, then assistant director of Cornell University Libraries, to produce a report on the impact of the Internet on traditional cataloging practices. Her controversial report was distributed widely in April 2006.

When the Library announced a decision to stop creating series authority records, some in the library community leveled criticism that this decision was unwise and not fully vetted among the nation's librarians. Because of this concern within the library community that the Library was considering major changes without sufficient consultation, the Associate Librarian for Library Services appointed the Working Group on the Future of Bibliographic Control, to involve all of the major library associations, representatives of the search engine companies, and some of the best thinkers in consideration of these issues. Seventeen individuals were appointed in the fall of 2006 to serve on the Working Group. The group held its first meeting at the Library of Congress on November 3-4, 2006, and determined that it would hold regional hearings and focus each of the three sessions on a different aspect of bibliographic control. The first regional meeting was held on the Google Campus in California and focused on users and uses of bibliographic records; the second meeting was held at the headquarters of the American Library Association in Chicago and explored the standards and systems needed for bibliographic control; and the third was held at the Library of Congress to consider economics and organizational issues associated with bibliographic control.

In each of these day-long hearings, the Working Group invited speakers to address specific topics for a portion of the meeting, but ample time was also devoted to open discussion, at which any individual wishing to comment had an opportunity to do so. The Library has hosted a Web site for the duration of this project. Anyone wishing to post a comment on the topic was able to do so easily. Two of the three regional meetings are available as archived Webcasts for those unable to attend in person. The presentations of the speakers have been made available on the Web site, as well.

The Working Group came to the Library on November 13, 2007, just before it released its penultimate draft of the report and made a presentation to the LC staff in the Coolidge Auditorium (with a capacity for 500 individuals). The presentation was also broadcast as a live Webcast and the archived version is available. On November 30, the Working Group submitted its draft report to the Library of Congress. It was posted on the Web site the same day, and there is an open period for public comment until December 15. The Working Group, after considering public comments, will present its final report by January 9, 2008.

In the draft report, there are 40 recommendations. Some of them can be implemented quickly; others would take considerable time. The Working Group went beyond a consideration of what the Library of Congress should do. Rather, it focused on the entire library community and discussed the responsibilities of the several stakeholders. Collaboration and community-wide planning are emphasized in many of the recommendations.

Working Group members were named by many different organizations, and when the group was first formed it was apparent that the members had wide-ranging and disparate views. As they decided upon the topics to be addressed and selected the speakers for their regional hearings, they made every effort to include all of those views in their proceedings. After a year of working together in person and on the Web, they went well beyond consensus and achieved unanimity.

The group's report will not only guide the Library of Congress in its bibliographic work over the next several years, it will also lay the groundwork for the entire library community as all libraries consider the role of cataloging in the age of search engines and heightened user expectations for easy retrieval of information.

10. How would you propose that LC ensure that there is sufficient cataloging expertise with the impending retirements and open positions?

Answer:

LC has been judicious in seeking adequate funding for cataloging and other positions as these are vacated by retirements and other reasons, particularly positions that meet the Library's specialized needs: those that require foreign languages, special subject expertise, or a combination of both. In addition, the Library has been intensively engaged in the past two years in planning for a major reorganization of its acquisitions and cataloging activities. This reorganization will restructure the workflows of these two activities to achieve efficiencies not possible with the current separate workflows that exist for each of the activities. The reorganization will combine tasks that are now performed in isolation by each set of staff into a single job. This will allow foreign language and subject expertise currently residing in either acquisitions or cataloging staff to be used for both activities. The reorganization will focus on having tasks performed by staff at levels commensurate with the skills required for the task. This will mean that technician level staff can assume tasks that have been combined with those of higher graded professional staff. This will aid the Library in succession planning.

In the long term, the mix of positions LC will request to be funded will have more lower-graded technicians and fewer higher-level positions. This transition, in order to fulfill its full potential, will take the Library two to five years to realize, but will position it well to address the changing needs of bibliographic control.

11. Could you please tell us more about the shared cataloguing projects?

Answer:

The hallmark of the Library's cataloging projects is the Program for Cooperative Cataloging. This program is an international consortium of libraries that create standard, authoritative cataloging that can be shared and used by all libraries in the U.S. and beyond. The Library serves as the secretariat and leader of this cooperative program that numbers over 500 institutions. Members include U.S. research libraries of all levels and sizes; public libraries; the other two U.S. national libraries–the National Library of Medicine and the National Agricultural Library; U.S. federal agencies–including the Smithsonian Institution and the Government Printing Office; and foreign libraries–including other non-U.S. national libraries. The Program enables the collaborative creation of cataloging data of all sorts–standard records for the authorized names of persons, corporate bodies, subject terms, and classification numbers, in addition to the catalog records that represent the books and serials that are most used by the Nation's libraries. The Program achieves through shared effort more than the Library could achieve on its own. In FY2007, the program created:

- 188,183 new standard records for names (LC created 98,717)
- 3,047 new standard records for subject terms (LC created 2,118)
- 2,214 new standard Library of Congress classification numbers (LC created 2,129)
- approximately 16,000 new standard bibliographic records for serials (LC created approximately 8,000)

In addition to the invaluable contributions that the Program makes to building a national file of cataloging data, it serves an equally valuable role in training catalogers from across the country to catalog to the nationally accepted standards collaboratively set by the Program participants.

Ancillary to the Program for Cooperative Cataloging is the Library's coordination of the cataloging of important national manuscript collections under the National Union Catalog of Manuscript Collections program. LC staff, through its cataloging and coordination, facilitate access to these primary resources–located in 28 states and the District of Columbia–that represent core aspects of American thought, creativity, and civic contributions.

12. How could there be more efficiencies in expanding cooperative cataloguing – especially for the public, school, and college libraries that you have indicated rely on so much on LC cataloguing?

Answer:

Some of the recommendations from the LC Working Group on the Future of Bibliographic Control will address this question (see the answer to question #9). Beyond those recommendations, the Program for Cooperative Cataloging is continually seeking ways to

grow the Program and its membership. It works to develop and get agreement on refining and simplifying the procedures and the standards that are used to produce cataloging data.

To encourage the participation of smaller libraries, such as public, school, and college libraries, the Program has established "funnel projects" where a number of smaller libraries can contribute their cataloging records through a single institution that is more seasoned and that has experience related to the particular group. Under these funnel arrangements, a library can contribute a few records annually, rather than having to meet the higher threshold that is normally expected from Program members. Currently, there are over 35 funnel projects across the nation.

A prime example in FY2007 of the Program's simplifying the complexity of cataloging standards is the standard record agreed to for the cataloging of serials and periodicals. With its adoption in June–after vetting within the larger cataloging community–the new record for cataloging serials proved to reduce the LC cataloging time for these items by 20 to 30 percent.

The Program has as part of its current five-year strategic plan to give focus on how it will expand the Program, with a special eye to using cataloging and other source data that is created by producers of the content, including publishers. Specifically, attention will be given to using the digital data that publishers create for a publication that relate to the author, publicity, and marketing descriptions.

The CHAIRMAN. My question is in your copyrights, you have to receive books; you receive two for each copyright. Do you keep all of those books? Do you have to keep all of those books? That has to overload your inventory. Is there any that you can just not necessarily keep?

Ms. MARCUM. We don't keep everything that comes through copyright. There are about 22,000 items a day that come through all of the processes, including copyright deposit. Of those 22,000, we keep 10,000, approximately, each day.

The CHAIRMAN. So you do cut them in half.

Ms. MARCUM. Yes.

The CHAIRMAN. I don't have any other questions.

Mr. Ehlers, do you have any questions you would like to ask?

Mr. EHLERS. Yes, I do. Thank you.

The first one, the original estimate for completing the baseline inventory was 8 years ago. And you are several years into the project, and, as the Inspector General will undoubtedly testify, the project is only 20 percent complete.

How much has been budgeted over the past 3 fiscal years to conduct the Baseline Inventory Program of the items in the Library's collections, and how does that compare with the overall budget of the Library during that same period?

Ms. MARCUM. Mr. Ehlers, I can answer the first part. I don't know how it compares with the overall budget of the Library.

Originally budgeted for this project was $1.1 million per year. With some of the difficulties we ran into in finding enough qualified contractors for doing the work, we have spent between $800,000 and $1 million each year for the last 3 years on the project.

Mr. EHLERS. Okay. So you have not expended quite all of it.

Ms. MARCUM. Not quite all of the money.

Mr. EHLERS. Has all the money been spent on conducting the baseline inventory, or has any of it been reallocated to other priorities?

Ms. MARCUM. No, it has not been reallocated. All has been spent on the Baseline Inventory Program. Some of that money was spent on what we call use-driven inventory. That is when materials were being moved from the Jefferson Building to Fort Meade, for example. Some of that money was used to inventory the materials that had to be moved to storage. But it has not been reallocated for any other purpose.

Mr. EHLERS. Now, it is my understanding that almost all of that inventory work has been conducted by contractors. And you referred to that a moment ago, too. What kind of training do these contractors receive? And what is the turnover rate? Once you have trained them, do they stick around, or has there been quick a turnover rate?

Ms. MARCUM. There has been some turnover.

Although, we have been very fortunate to work with a company called LSSI. It is a company in Maryland that specializes in library employees, so many of them do have library-related training. We conduct a further training program for them once they come to the Library to work with us. But most of them have a good background.

Some of them are hired for permanent jobs in the Library, as you might expect, if they are doing a good job. All of these contractors are managed by Library staff, and we have a series of staff rotating through the project so that we have catalogers working with the baseline inventory staff to resolve bibliographic problems as they arise.

Mr. EHLERS. And what about the turnover rate of the——

Ms. MARCUM. I don't know the exact turnover rate. I would be glad to supply that exact number for you.

Mr. EHLERS. Okay. Thank you.

One other question that has just been handed to me—let me just read it and see if I want to ask it.

The Library's mission is to make its resources available and useful to the Congress and the American people and to sustain and preserve a universal collection of knowledge and creativity for future generations. That is all preamble, but the real question is, how do you prioritize the resources at the Library to ensure you meet your mission?

And, of course, our concern is that you are behind in general on the inventory project to identify what you have and also to maintain it. How do you prioritize that? Do you need more money for that? If so, where can you get it besides from us?

And I just wonder what you have to say about that.

Ms. MARCUM. Well, it is an important priority, but, as you read in our mission statement, our work is to identify the materials that will be useful to the Congress and the American people and to make them accessible—to preserve them and make them accessible. So our first priority has to be acquiring the materials in the first place, because, without them, we cannot provide access. So the inventory control program is extremely important, but it has to be fit in with other priorities.

And perhaps it is because I am such a librarian at heart, but acquisitions have to come first. Nothing else happens without our acquiring material in the first place. But we try to balance all of these things, and security of the collections is a very big priority.

Mr. EHLERS. Okay. My time has expired, so I will let it rest there.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. Lungren, I know you asked a few questions, but you are back shortly. Anything else?

Mr. LUNGREN. I hope it has not been covered while I was gone, but we are in the midst of the merger of the two police departments. And one of the concerns I know raised at the first hearing we had on that is that those serving the Library of Congress now are trained in protection of the inventory. And there was some question about whether you would lose some of that when we have the new merger with the Capitol Police, whether they would be trained for it.

My question is this: To what extent, if any, is the problem—and I will call it a problem—of 10 percent unaccounted-for books part of a lack of a secure system utilizing your current police force for ensuring that books do not leave that are not properly checked out,

properly identified and so forth? Is there any way of gauging that, number one?

And number two, if there is, does that suggest increases in—or intensification of the training of that part of your staff? And if so, does that, in any way, impact the suggested merger of the two departments?

Mr. BILLINGTON. I think, if you would agree, that our chief operating officer ought to give you an update and response—Joanne Jenkins.

Ms. JENKINS. Thank you for asking the question.

We do not believe that the items are necessarily stolen. I think it is more a matter of being misplaced or put on the wrong shelf.

The training that the Capitol Police who are currently assigned to the Library—takes about a week for them to go through the training. We have a skilled Library of Congress Police who conduct that training. The officers who are there working with us now conduct that without any problems. So the transition plan is in place, so that once we merge, that the remaining officers who would be assigned to the Library would go through that process.

I think the Capitol Police's and our expectations are that most of the Library of Congress Police will be reassigned to the Library post, so that there wouldn't be any significant cost in that training.

Mr. LUNGREN. The other question I would have is this. You are a unique library, no doubt about it. You are the preeminent library, in my judgment. But is there any way that you can compare and contrast your inventory controls and the apparent unaccounted-for 10 percent with other libraries—I realize you are a unique library—but other libraries, in terms of their inventory controls?

Ms. MARCUM. We know of no other major research library that has tried to do this. There are college libraries and public libraries that will inventory their collections because they are small and they can do that pretty easily. Several college libraries close for the summer, and the staff will go through and inventory the collection each summer to make sure materials are still there.

We know of no very large, complicated library that has tried to do this. So we are unique in that way, too.

Mr. LUNGREN. Thank you.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Having no other questions, thank you for being here. Thanks for sharing information with us. Thank you.

We will now call the next panel up, please.

Good morning, and thank you for being here to testify.

We have former Representative Bill Orton, who represented Utah's 3rd District from 1991 to 1997. Representative Orton has served on numerous task forces for the American Bar Association's Standing Committee on the Law Library of Congress.

Tedson Meyers is the chairman of the American Bar Association's Standing Committee on the Law Library, as well as the chairman of the Arthur C. Clark Foundation. Mr. Meyers is a life fellow of the American Bar Foundation.

Ann Fessenden is president of the American Association of Law Libraries and is a law librarian for the 8th Federal Circuit Court, seated in St. Louis, Missouri.

Karl Schornagel has served as the Inspector General of the Library of Congress since 2001. Starting as a junior auditor with the Treasury Department, Mr. Schornagel has over 28 years of experience in evaluating Federal Government programs.

And James R. Rettig is president of the American Library Association and a university librarian at the University of Richmond.

Thank you, and welcome, all of you. And we look forward to your testimony.

And I would like to start with the Honorable Bill Orton first, and ask you to keep it to 5 minutes. And anything that you go over we will certainly take for the record. Thank you.

STATEMENTS OF HON. WILLIAM H. ORTON, A FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH; MS. ANN FESSENDEN, CIRCUIT LIBRARIAN, U.S. COURTS LIBRARY 8TH CIRCUIT, PRESIDENT, AMERICAN ASSOCIATION OF LAW LIBRARIES; MR. TEDSON MEYERS, ESQ., CHAIRMAN, STANDING COMMITTEE ON THE LAW LIBRARY OF CONGRESS, AMERICAN BAR ASSOCIATION; MR. JAMES R. RETTIG, PRESIDENT-ELECT, AMERICAN LIBRARY ASSOCIATION; HON. KARL W. SCHORNAGEL, INSPECTOR GENERAL, LIBRARY OF CONGRESS

STATEMENT OF WILLIAM ORTON

Mr. ORTON. Thank you, Mr. Chairman. I appreciate the invitation to testify before this important oversight hearing of the Library of Congress.

My testimony is based upon my personal experience, serving here in this body for three terms on the House Budget Committee and 11 years on the ABA Standing Committee for the Law Library of Congress. It is based upon my own observations and opinions. It may be consistent with, but not necessarily representative of, the policies or positions of the ABA and the AALL.

I would like to begin by sharing some history and personal perspective over the past decade, as the Library of Congress, and specifically the Law Library, have struggled during a period of shrinking budgets and increased demand for resources.

I preface it with my strong statement in support of Dr. Billington. He has served the Congress and the Nation in his capacity as Librarian. He has operated under impossible budget constraints. The Law Library has operated under even more unworkable budget constraints, as their collection consists of approximately 12 percent of the total volumes of the Library of Congress yet they receive annually just 2 to 3 percent of the total Library of Congress budget. In my opinion, it is unfair to criticize Dr. Billington or Dr. Medina and his staff when the Congress has failed to appropriate sufficient funds to perform the mission of the Library of Congress, let alone address crises when they arise.

Perhaps more than any other section of the Library of Congress, the Law Library must maintain currency, or it cannot be relied upon as an original source for legal research. Due to years of budget shortages, the Law Library fell behind in posting the updated pages and had a backlog of between a million and 2 million pages.

Our standing committee presented this issue to the appropriators in the House and Senate, who recognized this serious problem and appropriated a $2 million earmark to solve the problem. I am happy to report that, in recent meetings with the Law Library, they have indicated that they have resolved the issue and remain current in those legal services.

Yet the Law Library continues to experience numerous high-priority concerns. Within the Law Library resides a treasure trove of some of the rarest books in the entire Library collection. Yet, due to a lack of resources, the Law Library could not even hire a curator to pull those treasures out of the general collection and place them into a rare book collection, where they would be properly secured and maintained.

If a law library is to remain current in the law, it must acquire, catalog, classify and shelve materials within days or weeks at most. However, since the Law Library is reliant upon the Library of Congress for cataloging, the average time between acquisition and shelving of materials has been years and, most recently, 6 to 7 months, rather than days or weeks.

A related problem in is the rising cost of maintaining periodicals and journal subscriptions and the acquisition of new books and treatises. With the end of the Cold War, the fall of communism, changes in the Middle East, Asia and China, foreign laws have been changing at a rate never before experienced. The Law Library of Congress is recognized around the world as the repository of foreign and comparative law. Without resources to keep pace with these increased costs, the Law Library cannot continue to complete its mission.

In keeping with its mission, shortly after the collapse of the former Soviet Union, Dr. Medina had a vision that gave birth to the Global Legal Information Network, or GLIN, which provides Internet access to digitized statutes and legal information of foreign countries. While it remains reliant upon congressional appropriations in the current cycle, a foundation has been established that I hope will be capable of self-sustainment in the near future.

Books or other materials in the Library that cannot be located are useless. They must be properly classified within the collection for easy retrieval. Over 5 years ago, the Library of Congress completed what it calls the "K Classification" of foreign law. However, the Law Library still has almost 750,000 volumes awaiting reclassification. It is imperative that funding resources be available to the Law Library to complete this K Classification.

The Law Library has been under heavy budget constraints and has lost many FTEs. This reduction in staff, without firing employees, was accomplished by not replacing retiring employees. That has now placed the Law Library in a very precarious position. A very high percentage of subject and language specialists are near or beyond retirement age. These employees are highly skilled in unique areas of law and not easily replaced. It can take years to hire and train them. Without additional resources, the Library is facing a personnel crisis that could paralyze the mission and function of the Library.

So my recommendation for a solution is that I would urge the committee to look at what is working within the Library of Con-

gress system today. The CRS and the Copyright Office both have a separate line item in the legislative ops budget, yet they are both part of the Library of Congress system. So I would urge the oversight committee to consider recommending a line item budget for the Library of Congress, which would ensure that specific funding allocated to the Law Library is actually spent for the intended purpose.

It would also make the Library directly accountable to Congress for its operations and service. And I believe an added benefit to be achieved is it would allow opportunities for future partnerships with the bar and law libraries for private funding of new and expanded services of the Library.

This concludes my testimony. Again, I am grateful for the invitation to share my opinions and perspective. I would be happy, at the appropriate time, to answer any questions.

I would ask that my full statement be included in the record and have the opportunity to revise and extend my comments.

[The statement of Mr. Orton follows:]

Statement of

HON. WILLIAM H. ORTON

submitted to the

COMMITTEE ON HOUSE ADMINISTRATION
UNITED STATES HOUSE OF REPRESENTATIVES

on the subject of

THE LIBRARY OF CONGRESS:
CURRENT ISSUES WITH LIBRARY MANAGEMENT

October 24, 2007

Good Morning Mr. Chairman and Members of the Committee:

My name is Bill Orton, and I appear before you today as a former Member of the House and as an attorney who has served on the ABA Standing Committee on the Law Library of Congress since leaving the Congress in 1996. Thank you for your invitation to testify at this important oversight hearing on the Library of Congress. My testimony today is based upon my personal experience generated during 3 terms I served on the House Budget Committee and 11 years service on the ABA Standing Committee. It is based upon my own observation and opinion and may be consistent with, but not necessarily representative of, policies or positions of the ABA and the AALL.

I would like to begin by sharing with the committee some history and personal perspective over the past decade as the Library of Congress and Law Library specifically have struggled during a period of shrinking budgets and increased demand for resources. I preface my remarks with my strong statement of support and admiration for Dr. Billington and the service that he has provided to the congress and the nation in his capacity as Librarian of Congress. He has operated under impossible budget constraints which have become increasingly more unworkable as the years have passed. The Law Library has operated under even greater budget constraints as it consists of approximately 12% of the volumes of the total Library of Congress yet each year is allocated on average just 2% to 3% of the total Library of Congress budget.

Perhaps more than any other section of the Library of Congress, the Law Library must maintain currency in the cataloging of legal materials and the posting of daily and weekly updates to its loose-leaf services or it cannot be relied upon as an original source for legal research. Due to years of budget shortages, the Law Library fell behind in posting the updated pages until a few years ago. The Law Library had a backlog of between 1 million and 2 million pages. Our standing committee presented this issue to the House and Senate appropriators who recognized the seriousness of the problem and provided an additional $2 million earmark to hire staff sufficient to post the updates and bring the legal services up to date, a process which took almost two years to complete. I am happy to tell you that, in recent meetings with the Law Library staff, they have reported that the legal services remain current. However, the library continues to experience numerous high priority concerns.

Within the Law Library resides a treasure trove of some of the rarest books in the entire Library collection. However, due to lack of resources the Law Library could not hire a curator to even pull these treasures out of the general collection and place them into a "Rare Book Collection" where they could be properly secured and maintained.

If a law library is to remain current in the law, it must acquire, catalogue, classify and shelve new materials within days or weeks at the longest. However, since the Law Library is reliant upon the Library of Congress for cataloging and classification, the average time from acquisition to shelving of materials is years rather than days or weeks. A related problem is the rising cost of maintaining periodicals and journal subscriptions, and the acquisition of new books and treatises. With the end of the cold war, the fall of communism, the changes in the Middle East, Asia and China, foreign laws are changing at a rate never before experienced. The Law Library of Congress is recognized not only in our country, but around the world, as the repository of "Foreign and Comparative Law." Without the resources to keep pace with the increased cost for the acquisition and maintenance of these valuable legal materials, the Law Library cannot continue to complete its mission.

In keeping with its mission, shortly after the collapse of the former Soviet Union, Dr. Medina, the Law Librarian, had a vision that gave birth to the Global Legal Information Network (GLIN). For those on the Committee not familiar with GLIN, I urge you to ask your staff to contact the Law Library for a briefing. GLIN is unique and important because it provides Internet access to the digitized legal information of foreign countries. It began as a small project with congressional funding but is growing rapidly. While it remains reliant upon congressional appropriations in the current cycle, a foundation has been established that I hope will be capable of self sustainment in the future.

Books or other materials in a library that cannot be located are useless. They must be properly classified within the collection for easy retrieval. Over five years ago, the Library of Congress completed what it named the "K Classification Project" to reclassify "Foreign Law" material. However, the Law Library still has almost three quarters of a million volumes waiting to be reclassified into the K category. It is imperative that funding resources be made available for the Law Library to complete this K reclassification project.

The Law Library has been under heavy budget constraints for more than fifteen years and has lost many "FTEs". To accomplish these reductions in staff without firing employees they have used the common method of not replacing retiring employees. This practice has now placed the Law Library in a very precarious position. A very high percentage of subject and language specialists are near or beyond retirement age. These employees are highly skilled in unique areas of law and are not easily replaced. It can take years to hire and train a new staff specialist in a specific area of foreign law. Without additional resources to hire and train new staff, the library is facing a personnel crisis that could paralyze the mission and function of the Law Library.

Recommendation for a Solution: From my perspective, I urge the committee to look to what is working within the Library of Congress system today. Currently the Congressional Research Service has a separate line item in the Legislative Operations Budget. Similarly the Copyright Office also operates with its own line item budget, yet both the CRS and Copyright are part of the Library of Congress. I urge this Oversight Committee to consider a line item budget for the Law Library of Congress. This would ensure that specific funding allocated to the Law Library is spent for the intended purpose. It would also make the Law Library directly accountable to congress for its operations and service to the congress. And I believe that there is an added benefit to be achieved by a line item budget, one that opens opportunities for future partnerships with the bar and law libraries.

Mr. Chairman and Members of the Committee, this concludes my testimony. Again, I am grateful for the invitation to appear before you today to share my opinions and perspective. I would be happy at the appropriate time to answer any questions that you might have.

The CHAIRMAN. So ordered.

Ms. Ann Fessenden.

Ms. FESSENDEN. Good afternoon. I am Ann Fessenden, president of the American Association of Law Libraries, or AALL, and circuit librarian for the U.S. Court of Appeals for the 8th Circuit in St. Louis, Missouri.

Thank you, Mr. Chairman, for holding this important oversight hearing on the Library of Congress and for inviting me to appear today on behalf of AALL. I am pleased to be on the same panel as my distinguished colleagues from the American Bar Association.

Together, AALL and the ABA share the same vision and goals for a more robust, better-funded Law Library, one which will be able to meet the needs of anyone who seeks important legal information but cannot find it in their local law library or perhaps anywhere in the United States or even the world.

The Law Library is the only comprehensive legal and legislative research collection in the United States and, therefore, serves as our Nation's de facto national law library. The Law Library's mission is to provide timely access to its collection for Members of Congress and their staffs, for the Congressional Research Service, the Federal courts, the executive branch, the legal community and the members of the public.

AALL is very concerned that, historically, the Law Library's services, collections, facilities and digital projects have not been sustained with the funds or staffing that are necessary for it to fulfill its mission.

The Law Library's collection of more than 2.5 million volumes comprises the largest and most comprehensive collection of legal materials in the world. Its multilingual attorneys, researchers and reference librarians serve well over 100,000 users every year.

With an exceptionally skilled staff competent in most foreign languages as well as international law, the Law Library serves a rapidly increasing number of remote users from throughout the world, who access its unique digital collections through the Law Library's Web site. Law libraries across the country depend on these unique collections, both print and digital, on a daily basis.

My formal statement responds to several issues raised by your staff, but I would like to comment briefly on two of them.

First, the substantial price increases for legal serials. Specialized legal serials are extremely expensive, and their rising costs far exceed the rate of inflation. Law libraries throughout the country have had to postpone the purchase of new titles and, in many cases, even cancel titles. This is certainly true in my own library, and unfortunately it is true of the Law Library of Congress as well. The Law Library of Congress must have adequate resources to address the inflationary increase for law journal subscriptions and the purchase of new treatises so that it can build and maintain its unique collections for the benefit of users throughout the Nation and the world.

Second, the completion of the class K reclassification project. The K Classification is the system developed by the Library of Congress and followed by most law libraries throughout the country to categorize and organize legal research materials by subject. The Library of Congress completed the K Classification for legal materials

from all jurisdictions in 2002. Now the Law Library must be funded to reclassify 680,000 volumes into the K Classification scheme.

While this may seem, on the surface, to be an esoteric system, it is vital to making the rich collections of the Law Library available. Without reclassification, these important resources cannot be readily located within the Library's collection and, therefore, are not accessible to researchers and the public. It would be a sad irony if the creator of this almost universal system is unable to fully utilize the system for its own collections due to lack of funding.

My long statement stresses the significant financial challenges the Law Library has faced over the past decade. We do not believe the Law Library can fulfill its vital mission under the current funding arrangement. Therefore, we recommend that this committee explore the possibility of a statutory change that would give the Law Library of Congress a line item in the Federal budget. This would place the Law Library on the same level as the Congressional Research Service and the U.S. Copyright Office, both of which are also part of the Library of Congress. It would allow the law librarian of Congress to manage the Law Library's budget to decide how the annual appropriations are best spent and, very importantly, to be directly accountable to the Congress. We believe an additional benefit would be a higher level of visibility for the Law Library, including with Members of Congress and their staffs.

Law libraries of the United States and throughout the world look to the collections and services of the Law Library of Congress as a base of growing importance in completing their own missions. We hope that the committee will work closely with the House Appropriations Committee and others to investigate the steps needed to give the law librarian of Congress authority over the Law Library's annual budget.

Thank you very much, and I would be happy to answer any questions.

[The statement of Ms. Fessenden follows:]

Statement of Ann T. Fessenden
President of the American Association of Law Libraries and
Circuit Librarian, U.S. Court of Appeals for the 8th Circuit Library

On Behalf of the
American Association of Law Libraries

Before the Committee on House Administration
Oversight Hearing on The Library of Congress:
Current Issues in Library Management
October 24, 2007

Good morning. I am Ann T. Fessenden, President of the American Association of Law Libraries and Circuit Librarian at the U.S. Court of Appeals for the 8th Circuit Library in St. Louis, Missouri. The American Association of Law Libraries is a nonprofit educational organization with 5000 members nationwide who respond to the legal information needs of legislators, judges, and other public officials at all levels of government, corporations and small businesses, law professors and students, attorneys and members of the general public. Our members serve the information needs of the legal community and the public at more than 1900 academic, firm and state, court and county law libraries. AALL's mission is to promote and enhance the value of law libraries, to foster law librarianship and to provide leadership and advocacy in the field of legal information and information policy.

As Circuit Librarian at the 8th Circuit, I have been responsible for all aspects of the Circuit Library since 1984. My previous experience in law librarianship included two academic institutions, the University of Mississippi Law School Library and the University of Oklahoma Law School Library. I come to you today with first-hand experience in building and maintaining collections of legal information, both print and digital, and in ensuring access to them in order to meet the needs of the courts, the bar, legal researchers and the American public.

Thank you, Mr. Chairman, for holding this important oversight hearing on The Library of Congress and for inviting me to appear today on behalf of the American Association of Law Libraries (AALL). I am especially pleased to be on the same panel as my distinguished colleagues from the American Bar Association. We have worked closely for many years with the ABA Standing Committee on the Law Library of Congress. Together, AALL and the ABA share the same vision and goals for a more robust, better-funded Law Library that will be able to meet the needs of anyone who seeks important legal information that may not be available through their local law library or, indeed, anywhere else in the United States or the world.

AALL strongly supports the Law Library as it seeks to fulfill its mission of providing timely access to its collections to members of Congress and their staffs, the Congressional Research Service, the federal courts, the executive branch, the legal community and members of the public. The Law Library is the only comprehensive legal and legislative research collection in the United States and it serves as our Nation's de facto National Law Library. It must have adequate annual funding to develop and maintain its comprehensive and unique legal collections which include foreign and international materials essential to global commerce; to achieve timely cataloging and processing of all new materials; and to support the critical need to preserve its collection of over 65,000 rare and historic resources.

AALL is very concerned that, historically, the Law Library's services, collections, facilities and digital projects have not been sustained with adequate budgets or staffing that are necessary to fulfill its vital mission. I would like to cover three important issues today—first, I'll describe the unique and crucial role of the Law Library; second, I'll respond to specific issues related to the Law Library's collections and services which your Committee's staff has brought to our attention; and third, I'll offer a recommendation for a new funding authority that we believe will improve the fiscal situation at the Law Library.

The Unique and Crucial Role of the Law Library

The Law Library's collection of more than 2.5 million volumes comprises the largest and most comprehensive collection of legal materials in the world. Using this extensive collection of U.S. federal, state, international, foreign and comparative law derived from more than 200 jurisdictions, the Law Library's multilingual attorneys, researchers, and reference librarians serve well over 100,000 users each year. With an exceptionally skilled staff competent in most foreign languages as well as international law and the many legal systems of the world, the Law Library serves thousands of users each month, including a rapidly increasing number of remote users from throughout the world who access its unique digital collections through its web site.

AALL has long supported the many digital initiatives of the Law Library that make government information readily available free of charge to the public. Among the Law Library's important online databases are *A Century of Lawmaking for a New Nation 1774-1873* and the Global Legal Information Network (GLIN). *A Century of Lawmaking* brings together online the records and acts of Congress from the Continental Congress and Constitutional Convention through the 43rd Congress, including the first three volumes of the *Congressional Record*, 1873-75. GLIN is a unique public multinational legal database of current, official foreign laws, regulations and other legal resources important to our government and to the legal and business communities. GLIN members contribute the full-text of published documents to the database and its membership is growing. The Law Library deserves credit for its leadership in developing GLIN, expanding its membership and increasing its functionality in recent years.

A visit to the Law Library's web site (http://www.loc.gov/law/) leads users as well to timely collections of legal information that document key events, such as Supreme Court

nominations and the trial of Saddam Hussein. In addition, AALL commended the Law Library in May 2006 for publishing on its web site the monthly *Global Legal Monitor*, an English language electronic publication that monitors legal developments from around the world. This is a unique and heavily used publication that draws together information from GLIN, official national legal publications that are published in the vernacular and reliable press sources. Access to the GLIN collections and the *Global Legal Monitor* are important not just for international and comparative legal researchers but to the U.S. and foreign business communities which need access to the law for global commerce.

It is important to recognize that the Law Library is represented on the THOMAS Steering Committee and its staff contributes to the enhancements of each new release of this comprehensive online legislative system. In addition, Law Library staff members answer the majority of questions from users of THOMAS who need additional assistance.

AALL is also very supportive of the Law Library's efforts to work with Google to digitize the entire collection of congressional hearings and make them available to the public free of charge. As a result of the partnership with Google, three important collections of hearings that cover the U.S. Census, Freedom of Information/Privacy and Immigration are already available as a beta-test in PDF format on the Law Library's Web site. We applaud this effort to digitize all the hearings of the U.S. Congress and make them freely available through the Internet. These online hearings will become an important addition to both the THOMAS legislative system and to GLIN.

Law libraries all across the country and indeed, the world, depend upon these unique collections, both print and digital, on a daily basis. One of the heaviest users of the Law Library is the oldest, the Supreme Court of the United States. The Law Library is the first and primary source from which the Court borrows legal materials. The Law Library serves the Court and attorneys doing legal research with the Court by providing access to its complete and comprehensive print collection of legal resources, both domestic and foreign. The Reporter's Office at the Supreme Court must verify citations to legal materials and therefore must rely on the print version as the official resource. The Supreme Court also consults frequently with the American Law Division staff, as well as the foreign law experts, for expert advice when research is needed regarding the laws of other nations. The Law Library's resources are an invaluable source of support for the Court and, with a mere phone call or a few clicks of the mouse, it serves as a crucial extension to the Court's own collection.

With the development of e-government and the digitization of legal materials, it is important to remember that the court systems rely on the printed word to present the official record. That is why law libraries, especially the Law Library of Congress, must continue to provide access to print official resources.

Specific Issues Regarding the Law Library

I would like to comment now on several specific issues which the Committee's staff has brought to our attention regarding the Law Library, its collections and funding.

• First, the Law Library must have necessary funds to maintain its journal subscriptions and purchase new treatises.
Since the Law Library serves Congress, the legal community and the public with access to the Nation's most comprehensive legal collection, it must have adequate annual appropriations to purchase new journals and treatises.

All libraries face tighter and tighter budgets with limitations on how to best deploy scarce resources. The rising cost of journal subscriptions, particularly in the areas of law, medicine and science, continues to hamper the ability of all types of libraries to keep pace with acquiring needed resources. According to a 2001 report by the American Library Association, serial prices for legal materials, including law journals and treatises, rose by 75% from 1991 to 2000. In an effort to further document these increases, AALL commissioned a study on the pricing of legal serials that was published in 2004 by Dr. Mark J. McCabe, an economist at the Georgia Institute of Technology. McCabe found that because of these substantial price increases for legal serials, law libraries have had to postpone the purchase of new titles and, in many cases, even cancel titles. Specialized legal serials are expensive and their rising costs far exceed the rate of inflation. The Law Library must have adequate funds to address the inflationary increases for law journal subscriptions and the purchase of new treatises.

• Second, the Law Library must have necessary funds to complete the K reclassification project.
The Library of Congress is funded by the Congress to provide adequate access to its collections for its users and their constituents, and has set standards for cataloging practices and quality records that have been the benchmarks used by other libraries across the country. Libraries everywhere rely on the Library of Congress and its authority work, subject analysis, and careful application of cataloging rules for consistent access. Throughout its history, the Library of Congress has been on the vanguard in the creation and development of these nationally recognized standards and protocols.

We have observed that historically, there have been delays in getting the new acquisitions received by the Law Library cataloged by the Library of Congress in a timely manner. In addition, wwith the help of the AALL Advisory Committee on Library of Congress Foreign Law Classification, the Library of Congress finally completed the "K" classification for legal materials in 2002 after 50 years of development. The Law Library must now be funded to reclassify approximately 680,000 more volumes into the K classification structure. Without such reclassification, these important resources, many of which are foreign legal documents, cannot be located within the Library's collections and therefore are not accessible to researchers and the public.

• Third, the Law Library must have necessary funds to continue to microfilm the backlog of national official gazettes.
The Law Library's foreign and international collections must be comprehensive, complete and available to legal researchers and the public in a timely and permanent manner. We have learned from Committee staff that there is a significant backlog in microfilming the legal gazettes which the library collects in print. This is an important

project necessary for making accessible and preserving these important resources and should be a high funding priority. In the 21st Century global economy, it is in the economic interests of the U.S. government to provide access to the laws and regulations of other countries for the American business and legal communities. Microfilm, rather than microfiche, is the needed format to preserve these materials because foreign official gazettes are oversized and are not suitable for microfiche.

Recommendation for Improved Funding for the Law Library
As you have seen, the Law Library serves a unique and crucial national role. It also faces significant financial, technological and operational challenges to fulfill its mission. As our Nation's de facto national law library, it is committed to providing the broadest possible access and services to the legal community, both in the United States and abroad, and the American public. Unfortunately, we do not believe this vital mission can be achieved under the current funding arrangement.

We recommend that your Committee explore a statutory change that would give the Law Library a line item in the Federal budget. This would place the Law Library on the same level as the Congressional Research Service and the U.S. Copyright Office, both of which are part of the Library of Congress. This would allow the Law Librarian of Congress to control the Law Library's own budget, decide how the annual appropriations are best spent and, very importantly, be directly accountable to the Congress. We believe an additional benefit would be a higher level of visibility for the Law Library, including with members of Congress and their staff.

Conclusion
We have raised many important issues this morning about the needs of the Law Library and we deeply appreciate your interest in these complex matters. Among AALL's core values are the importance of the law librarian in a democratic society, the need for equitable and permanent access to legal information and the continuous improvement in the quality of justice. As an important means to achieving these goals, AALL is committed to working with your committee and the Congress to ensure that the Law Library is able to fulfill its mission in the 21st Century.

Law libraries here in the United States and, indeed, all over the world look to the collections and services of the Law Library of Congress as a base of growing importance in completing their own missions. The specialized resources, important services and digital projects of the Law Library must be funded adequately. The failure to resolve the mission critical funding issues we have raised will have unfortunate, if not dire, consequences for the future of this national treasure. We hope that this Committee will work closely with the House Appropriations Committee and others to investigate the necessary steps needed to give the Law Librarian of Congress the necessary authority over the Law Library's annual budget.

I respectfully ask that you please include this statement as part of today's hearing record and I will be more than happy to answer any questions you might have. Thank you.

The CHAIRMAN. Mr. Meyers, we have a vote but I would like to try to get your testimony, And then we will have to leave and we would come back and hear the other two witnesses and have some questions for you.

STATEMENT OF TEDSON MEYERS, ESQ.

Mr. MEYERS. Thank you, Mr. Chairman. You might get three. Thank you, Mr. Chairman, Mr. Ehlers, members of the committee. I appear on behalf of the American Bar Association at the request of its President, William Neukom.

Since 1932, the ABA has had a formal relationship with the Library of Congress and its Law Library through our Standing Committee on the Law Library of Congress, which I have chaired for the past 7 years. The testimony at today's hearing touches on some of the vital functions that the Law Library provides and indeed must provide in support of its mission.

Among them has been the launch of a digitized pool of statutes and other legal information from a growing number of contributing nations, embodied now in GLIN, the Global Legal Information Network. As such, the Law Library of Congress is now recognized in its 175th year as an anchor for the rule of law worldwide.

That it accomplishes so much it is really remarkable. With over $2.5 million volumes, it is the world's largest law library, comprising at least 12 percent of the entire collection held by the Library of Congress, yet less than 3 percent of the budget of the Library of Congress is allocated to the Law Library's work. There are significant consequences for that allocation of resources, and I believe you have heard some of them already.

One-third of the Law Library's volumes have remained uncataloged, accessible only to select Law Library staff. Save for special funds made available by the Congress a few years ago, the Law Library would still be without adequate resources fully to implement the model K classification system. The Law Librarian of Congress, Dr. Rubens Medina, often remarks: The law demands an unforgiving margin of currency. Yet there have been moments when qualified observers feared the Law Library of Congress was at risk of becoming a museum. Up until recently, arriving documents were made available to the public only after a year or more rather than the standard Law Library practice of no more than a week.

Other consequences, turnover in Law Library senior staff and their institutional knowledge has understandably led to a drop in efficiency as new staff is trained, and it has also impeded proper classification. Combined with the escalating cost of acquisition and preservation of new volumes and scholarly periodicals, it is apparent that portions of the Law Library's collections are slowly falling beyond its access or ability to protect it.

Administrative and financial practices within the Library of Congress contribute to the Law Library's plight. Resource priority and allocation remain in the hands of senior administrators of the Library of Congress. Catalog delay is a symptom of that process. Personnel are detailed to the Law Library at intervals and levels decided elsewhere. This is the case even under the inspiring leadership of Dr. James Billington, who understands fully the opportuni-

ties offered by digitized information and is a world leader in pressing for its implementation. Nevertheless, the Library of Congress administrators are mindful of their obligations to wide and varied sectors of the American public for whom availability of the latest in other pursuits other than law, whether intellectual or recreational, are of supreme importance.

Over the past 30 years, the ABA has on five occasions adopted formal resolutions intended to address these and related challenges. The first such resolution adopted by the ABA House of Delegates in 1979 countered an effort by the Library of Congress' then Director of Library Services to terminate the Law Library of Congress as its own department and make it a department under the Division of Library Services. The result of that effort was a letter from the Chair of the Oversight Committee, reminding that the status and location of the Law Library were matters for decision only by the United States Congress.

In the early 1990s, a similar resolution was sponsored by former Senator Charles Mathias, then Chair of our Standing Committee. It proposed transition of the Law Library into a National Law Library to serve the Nation in the manner and spirit of the highly regarded National Library of Medicine.

Those ABA positions have never been formally abandoned, but we are not advocating them at this time. Instead, as you heard before, we invite the committee to consider a solution urged by Senator Ted Stevens and others that the Congress create an independent line item for the Law Library of Congress in the Federal budget. That way Congress could ensure that the funding intended to target the chronic issues facing the Law Library could be used specifically for that purpose, promoting fiscal transparency and accountability to the Congress. Moreover, with clear understanding of the Federal contribution, others can be solicited as financial partners in the Law Library's work.

We are respectful of the Library of Congress' historic opposition to this line item position. We suggest, however, that an emerging national objective should now weigh on the matter. As American corporations have discovered, the Law Library of Congress has become the mother lode of reliable information on foreign and comparative law. It is precisely those fields to which a growing number of lawyers, government and private, are turning to support American enterprise abroad, as well as foreign investment here at home. New business establishments, labor laws, transportation rules, even the cultural status of the rule of law—these areas are uniquely within the knowledge of selected Law Library staff, the staff whose looming succession can best be implemented with assured budget sums at hand. A line item for the Law Library will achieve that goal.

You can also achieve stability for GLIN. An element of Dr. Billington's powerful initiatives for information's digital future, GLIN has been well understood by Members of Congress as a way to monitor government solutions in other lands. Targeted in recent years was GLIN's transition to a private foundation funded by its growing number of member nations. However, GLIN's accelerated growth has made that transition for the moment impractical. Therefore, contingent funding has been sought in order to safely

cross the bridge without losing momentum. A body of advisers is serving under Honorable William Sessions to assist the new Global Legal Information Network Foundation. Judge Sessions is in the hearing room today and I am honored to serve on his team.

We respectfully request that the ABA's full formal statement be made part of the hearing record. As noted, that statement constitutes the official view of the American Bar Association. I would ask, however, that unless confirmed as the position of the ABA, that you consider any of my responses to questions to go beyond that statement to be considered only my own views. Thank you.

The CHAIRMAN. Thank you. We now need to take about a half hour recess and we will come back and hear the other two witnesses and ask some questions. Thank you.

[Recess.]

The CHAIRMAN. Mr. Rettig, you are up.

STATEMENT OF JAMES R. RETTIG

Mr. RETTIG. Thank you, Chairman Brady. And on behalf of the over 66,000 members of the American Library Association, we thank the committee for scheduling this hearing and for this opportunity to testify.

This is an important time to review the ongoing initiatives at the Library. While its first function is to serve the Congress, it also serves as the de facto national library affecting libraries of all types across the country and around the world. The Library's tremendous collections, preservation projects, cataloging and bibliographic functions and its initiatives in moving library services into the digital world make it a world-class resource upon which all types of libraries rely in some fashion.

As the largest and oldest library association in the word, ALA appreciates the complexities faced by an institution with limited resources as it makes decisions about digitization of materials and how best to manage evolving technologies' potential for innovation.

In addition to cataloging and classification services that I will comment on today, ALA also recognizes the critical importance of other key Library of Congress functions, including the national library service for the blind and physically handicapped and the pending report from the Copyright Office's Working Group on Section 108.

All libraries face difficult decisions as they move ever deeper into the digital world. At the Library of Congress, these decisions have a special impact on all types of libraries and their users. More than ever, it is essential for the Library of Congress to work collaboratively with the library community. The Library's influence is especially critical in the cataloging and classification arena because for more than a century it has provided leadership in the development of international standards for bibliographic access to library materials. The Library of Congress cataloging records comprise the largest single body of bibliographic records shared by libraries across the Nation. These records provide the means by which every library, whether it is a public library, school library, corporate library or some other, these provide users with tools to find resources in those libraries' collections. The catalog in the Library of Congress that it makes available to the Nation's libraries is one of

its most important national functions. Congress funds the Library of Congress to perform these functions on behalf of the Nation's libraries and ALA support for this funding remains steadfast.

It is unfortunate that we cannot address the final report of the Working Group on the Future of Bibliographic Control. I understand that its report will go public next week. This working group is expected to present findings on how bibliographic control and other descriptive practices can support the ways Library materials are managed and used in an evolving information and technology environment.

Advances in search engine technology, the popularity of the Internet and the influx of electronic information resources have greatly changed the ways people seek information and the ways libraries do business. Inevitably on the Internet, with its huge and ever increasing amount of digital information, general search engines must be relied upon. In years to come, there may be far more sophisticated search engines, but we are certainly not there now.

Over-reliance on these relatively young digital tools coupled with cut backs in cataloging services compromises access to vast amounts of information that has traditionally been cataloged. Libraries as the consumers of the Library of Congress' cataloging products must rely on the traditional cataloging services in order to meet the needs of their users. These cataloging consumers, including four-year and community colleges, public and school libraries, as well as large research institutions, must utilize the Library of Congress' cataloging in order to serve their users. It would be too costly and inefficient for every library to duplicate this cataloging.

Hence, as the Library of Congress cuts its cataloging services, appearing to want to rely ever more on general search engines, these libraries and cataloging consumers cannot meet their users' needs. This disparity must be bridged by the continuation of cataloging services to meet the needs of the U.S. public. This is especially so when unilateral and sudden changes in cataloging practices initiated by the Library of Congress and others cut off access to bibliographic tools still needed by so many libraries.

ALA strongly recommends that the Library of Congress return to its former practice of broad and meaningful consultation prior to making significant changes to cataloging policy. We also ask that the Library of Congress factor the potential financial impact on all types of libraries and the impact on library users that such changes may cause.

ALA further recommends that there be a regular system of meetings of representatives of the Library of Congress, ALA and other bodies with relevant expertise and responsibilities, such as the Online Library Computer Center, the Association of Research Libraries, the National Library of Medicine, the National Agricultural Library and the Government Printing Office, to discuss future shared responsibilities and roles of these libraries in leadership and standards development for bibliographic control and intellectual access and in the creation and provision of quality bibliographic records.

ALA and others in the Library community stand ready to work with the Library of Congress and with the Committee on House Administration and others on these important efforts. We rec-

ommend that the committee continue its oversight by addressing the above issues and by ongoing monitoring of unilateral cataloging changes made by the Library of Congress.

Thank you for this opportunity to testify.

[The statement of Mr. Rettig follows:]

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Testimony for the Committee on House Administration

U.S. House of Representatives

October 24, 2007

James Rettig
University Librarian
Boatwright Memorial Library
University of Richmond, Virginia
President-Elect, American Library Association

STATEMENT

Chairman Brady, Congressman Ehlers, and Members of the Committee. On behalf of the over 66,000 members of the American Library Association (ALA), we commend the Committee on House Administration for scheduling its October 24, 2007, oversight hearing on the Library of Congress ("the Library").

Now is a critical time to review the ongoing technology, design, and preservation initiatives at the Library. While the Library's first function is to serve Congress, it also serves as a de-facto "national library," affecting libraries of all types across this country and around the world. The Library's tremendous collections, preservation projects, cataloging and bibliographic functions, and its initiatives in moving library services into the digital world make the Library a world-class resource upon which all types of libraries rely in some fashion.

As the largest and oldest library association in the world, ALA appreciates the complexities faced by any institution with limited resources as it makes decisions about digitization of materials and how best to manage evolving technologies' potential for innovation. As our nation's libraries, including the Library of Congress, seek to move ever deeper into the digital world they face many difficult decisions. At the Library, these decisions have a special impact on all types of libraries and library users. More than ever it is essential for the Library of Congress to work collaboratively with the library community.

I will address several key issues today. I will only highlight a few in this statement and ask that my written statement be part of the official record.

Working Group on the Future of Bibliographic Control

In the arena of cataloging and classification, the Library's influence is especially critical. For more than a century, the Library has provided leadership in the development of international standards of practice for bibliographic access to library materials. Library of

Congress cataloging records comprise the largest single body of bibliographic records shared by libraries across the nation. These records provide the means by which any library – whether it is a public library, school library, college or university library, museum library, corporate library, or any other library – is able to provide users with the means to find resources in its collections. The cataloging the Library performs and subsequently makes available to the nation's libraries is one of its most important national functions. The Library is funded by Congress to perform these functions on behalf of the nation's libraries, and ALA's steadfast support for this funding has been long-standing.

Advances in search engine technology, the popularity of the Internet, and the influx of electronic information resources have greatly changed the way citizens seek information. To address those changes, the Library appointed the Working Group on the Future of Bibliographic Control to examine the future of bibliographic functions in the 21st century. Building on the work and results of the Library's Bicentennial Conference on Bibliographic Control for the New Millennium (2000), the group is set to, among other things, present findings on how bibliographic control and other descriptive practices can effectively support how library materials are managed and used in an evolving information and technology environment.

It is unfortunate that this hearing is being held just a few days before the Working Group releases its report. We hope the Library understands the impact that its decisions have on other libraries. Library of Congress bibliographic records are accepted without editing by thousands of libraries of all types and sizes throughout the world to facilitate an individual's access to library resources. ALA strongly recommends that the Library of Congress return to its former practice of broad and meaningful consultation prior to making significant changes to cataloging policy.

Inevitably, on the Internet, with its huge and ever-increasing amount of digital information, general search engines must be relied upon. And, in years to come, there may be far more sophisticated search engines. But we are certainly not there now.

The consumers of the Library's cataloging products must continue to rely on the traditional cataloging services in order to meet the needs of their users. Cataloging "consumers" – such as four-year and community colleges, public and school libraries, and large research institutions as well – must utilize the Library's cataloging in order to serve their library users. It would be too costly and inefficient for these libraries to start their own cataloging. Hence, as the Library cuts its cataloging services, appearing to want to rely ever more on general search engines, these libraries and cataloging consumers cannot meet their users needs. This disparity must be bridged by the continuation of cataloging services to meet the needs of the U.S. public.

Further, unilateral and sudden changes to cataloging practice initiated by the Library of Congress and others severely and negatively affect citizens' ability to find answers in libraries and elsewhere.

The future of bibliographic control is unclear and the policy debate around these issues is complex. As libraries explore new approaches, they need to retain cataloging principles and practices that have demonstrated their value in making myriad information sources accessible to those who need them while utilizing the advantages of the new technologies and applications available.

In recent years, the Library of Congress has dramatically reduced the number of staff dedicated to creating cataloging and metadata information. This staffing reduction has come at a time when the need for high quality, consistent bibliographic information has never been higher. Fewer books are being cataloged, and fine digital resources being created by the Library, such as American Memory, are receiving inadequate or no cataloging or metadata. The effect of this reduction to the amount and quality of LC cataloging is that money spent on books is wasted, and digital resources are difficult or impossible to find.

The diminution of the quality and quantity of Library of Congress cataloging has had an enormous financial impact on the nation's libraries. Cataloging that the Library previously provided must now be performed by multiple libraries, often doing duplicative work, thereby wasting tax dollars. This has in turn had an enormous impact on the users of the nation's libraries – from the youngest child to the oldest man or woman, from the recreational reader to the most serious researcher – in terms of diminished ability to locate and use desired information.

National Library Service

ALA also has deep concerns, which I cannot emphasize enough, about the state and future of the Library's National Library Service for the Blind and Physically Handicapped (NLS), which is in the process of switching the talking books format and associated playback equipment from four-track cassette tapes to digital flash memory cartridges. NLS estimates the cost of transition is $76.4 million, over a four-year period ($19.1 million in each of the next four years).

In the House of Representatives, the Appropriations Committee's Legislative Branch Subcommittee recommended only $7.5 million for the upcoming fiscal year. The full Appropriations Committee met and amended the Subcommittee bill to give NLS $12.5 million of the $19.1 million. However, this money came out of the Government Printing Office's budget.

This is not sufficient funding for NLS to update the equipment and it jeopardizes library service to the more than 750,000 blind or physically handicapped people who rely on NLS for access to reading material, but also thousands more Americans – our military veterans who have returned from the wars in Iraq and Afghanistan with new access needs – who need and deserve fully funded NLS services.

Section 108

In 2004, the Copyright Office at the Library appointed the Section 108 Study Group to determine if changes to the copyright law are necessary to address the reproduction of

digital works. Section 108 allows qualified libraries and archives to make reproductions of protected works without prior authorization for purposes of replacement, preservation, and interlibrary loan, among other things.

ALA and other library associations have closely followed Section 108 Study Group activities, have responded to calls for written comments published in the *Federal Register* on February 15, 2006, and December 4, 2006, and have prepared testimony for the three public roundtables held thus far. Section 108 is critically important to libraries because of its link to several key library functions.

The mission of libraries is to preserve and provide access to information, regardless of format. Thus, there is a legitimate societal interest in assuring that these trusted cultural institutions continue to have the support of the law for undertaking best practices for the preservation of and access to copyrighted content, without regard to the format by which the content is distributed.

Our ability to accomplish this mission is greatly enhanced by the exceptions currently offered in Sections 107 and 108. ALA believes that the combination of Sections 107 and 108 provides libraries and archives with the ability to take full advantage of digital technologies in support of user services. However, we believe that, should the Library's Copyright Office decide to ask Congress for changes to 108, under certain circumstances, there could be opportunities to clarify the intent of selected provisions in Section 108.

Maintaining flexibility in the statute is important in order for libraries to achieve their mission, and, therefore, any proposed changes to Section 108 should not be tied to the use of restrictive conditions or technologies. Such proposals would undermine the needs of libraries and archives in the digital environment.

Should Congress choose to consider changes to Section 108, we believe that it will be critically important that Section 108 retain its current flexibility, which permits libraries and archives to effectively provide needed services to their users.

Conclusion

In conclusion, ALA has three requests:

1. **Improve Communications and Consultation**

ALA asks the Committee to require the Library of Congress to consult broadly and meaningfully with the library community, including organizations central to bibliographic control, regarding all future decisions to substantively modify the character and quantity of bibliographic records. We also ask that the Library factor the potential financial impact on all types of libraries and the impact on library users that such changes may cause.

2. **Collaborate with Other Stakeholders**

ALA believes it is imperative that there be a meetings of representatives of the Library of Congress, ALA, and other bodies with relevant expertise and responsibilities such as the Online Computer Library Center, the Association of Research Libraries, the National Library of Medicine, the National Agriculture Library, and the Government Printing Office, for the purpose of discussing the future shared responsibilities and roles of these bodies in leadership and standards development for bibliographic control and intellectual access, and in the creation and provision of quality bibliographic records.

3. **Promote Cooperative Cataloging**

We urge the Library's leadership to re-dedicate itself to cooperative cataloging programs and cooperative standards and training efforts, such as the Program for Cooperative Cataloging, through which both the Library of Congress and partner libraries can benefit from shared standards. All partners benefit from common standards and training; the

result being a more effective and efficient cataloging process when all partners are able to accept bibliographic data from trusted sources.

4. **Cataloging Staffing**

We urge the Library's leadership to develop and implement a succession plan for its cataloging staff to address the current critical staffing shortage in the conventional cataloging and digital metadata areas. This plan must also account for the tidal wave of retirements anticipated in the next few years, capitalizing on the staff's expertise to train the next generation of catalogers.

ALA and others in the library community stand ready to work with the Library and with the Committee on House Administration and others on this important effort. We recommend that the Committee continue its oversight by addressing the above issues and by ongoing monitoring of the cataloging shifts now being made at the Library.

The CHAIRMAN. Thank you. Mr. Schornagel.

STATEMENT OF THE HON. KARL W. SCHORNAGEL

Mr. SCHORNAGEL. I am pleased to be able to address with you today the issue of the controls the Library has placed over its collections. The Library estimates that it possesses over 135 million items, some dating back several centuries.

A cornerstone of the Library's stewardship of the nations knowledge is its collections security program. A series of thefts and mutilations of collection items in the 1990s caused the Library to rethink its posture on collection security and inventory controls, two items that are closely interrelated. Initially the Librarian closed the stacks both to the public and to most of the staff. Later the Library created and implemented a comprehensive collections security plan.

One of the key elements in collections security is maintaining an accurate and complete inventory of what is to be secured. Unfortunately, because of the age and vastness of the collections, no inventory exists. The Library recognized this problem and embarked on a multiyear effort to inventory its collections. The baseline inventory program, or BIP, this program began in fiscal year 2002.

It is important to recognize that unlike Wal-Mart, which was designed from the ground up with inventory control in mind, the Library was designed with access to the collections as its primary purpose. The systems that the Library had used since its inception are designed to create cataloging information, not inventory records. Most items that come into the Library are cataloged but not all are added to the collections. The Library used and continues to use a variety of manual and automated systems to keep track of those items which are actually added to its inventory, but no single integrated approach which would combine circulation information with bibliographic data existed. The Library adopted the integrated library system, ILS, as a solution to this problem.

In order to be useful, an automated system must be populated with valid data. The Library loaded all of its cataloging information into the ILS, thus building a database of everything the Library has cataloged. The next step in the process was the BIP. The Library's ongoing physical inventory of its collections will update the ILS, which will then maintain a permanent and dynamically updated record of each item in the collections. The BIP is therefore the cornerstone to this integrated approach. At the current time, the BIP has inventoried a portion, roughly 20 percent, of its target, which includes 17 million items from the general, law, and area studies collections. The Library's very special collections are inventoried to various degrees by other means.

Progress on the BIP has been slow; nevertheless, I do not believe that this has significantly impaired the Library's ability to secure its collections. I base my opinion on two sets of facts. First, my confidence in the Library's comprehensive collections security program, a program encompassing a series of policies, procedures, the Collections Security Oversight Committee, exit inspections, in addition to special security for special collections. Second, my office has conducted several reviews of the subject over the years. In our 2001 report on collection security, we found that the Library had taken

strong action to provide an effective internal control structure over safeguarding library materials. Further, we have performed many reviews designed to verify the existence and condition of certain collections beginning in 1999. The last one we did was in 2006. No significant issues have emerged as a result of those reviews. Therefore, on the whole, I believe that the current collection security controls are functioning effectively.

Finally, the Library is unique among institutions and is asserting in its financial statements that it does not have control over its collections. This is not currently a required assertion. Moreover, the Library's inability to completely and accurately account for its assets is not unique among institutions which have custody of heritage assets. At this time, we note that in 2006, the national archives and records administration had a material weakness in its collections security program. Additionally, the National Forest Service, which like the Library is the custodian of stewardship assets, only estimates its inventory.

None of this is intended to diminish the importance for the accounting of one's assets. However, I believe that a balance must be struck between the allocation of scarce resources and the need for inventory data. Clearly, control over the collections is one of the cornerstones of the Library's operations. At the current time, however, I believe the overall system of controls is adequately designed and generally functions as intended.

Thank you.

[The statement of Mr. Schornagel follows:]

Testimony of Karl W. Schornagel,
Inspector General, the Library of Congress
House Administration Committee
October 24, 2007

Chairman Brady, Mr. Ehlers, and members of the committee, I am pleased to be able to address with you today the issue of the controls the Library has placed over its collections. The Library estimates that it possesses over 135 million items, some dating back centuries, in numerous formats.

A cornerstone of the Library's stewardship of the nation's knowledge is its collections security program. A series of thefts and mutilations of collection items in the 1990s caused the Library to rethink its posture on collections security and inventory controls – two items that are closely inter-related. Initially, the Librarian closed the stacks, both to the public and to most staff. Later, the Library created and implemented a comprehensive collections security plan. The collections were classified into five major categories: Platinum, Gold, Silver, Bronze, and Copper, and specific levels of inventory control and security were applied to each. In the ensuing years, the Library further refined its procedures.

One of the key elements in collections security is maintaining an accurate and complete inventory of what is to be secured. Unfortunately, because of the age and vastness of the collections, no inventory exists. The Library recognized this problem and embarked on a multi-year, multi-pronged effort to inventory its collections, the largest of which was the Baseline Inventory Project (BIP). This project began in fiscal 2002 and has made progress, albeit slowly, toward inventorying the collections.

It is important to recognize that unlike Wal-Mart, which was designed from the ground up with inventory control in mind, the Library – as all libraries – was designed with access to the collections as its primary purpose. The systems that the Library had used since its inception are designed to create *cataloguing* – not *inventory* records. Most items that come into the Library are catalogued – but not all are added to the collections. The Library used – and continues to use – a variety of manual and automated systems to keep track of those items which are actually added to its inventory – but no single, integrated approach, which would combine circulation information with bibliographic data, existed. The Library adopted the Integrated Library System (ILS) as a solution to this problem.

In order to be useful, an automated system must be populated with valid data. The Library loaded all of its cataloguing information into the ILS, thus building a database of everything the Library has catalogued. The next step in this process was the BIP. The Library's ongoing physical inventory of its collections will update the ILS, which will then maintain a permanent and dynamically updated record of each item in the collections. The BIP is therefore the cornerstone to this integrated approach. By default, it will take time to inventory the collections and fully populate the ILS.

At the current time, the BIP has inventoried a portion – roughly 20% – of its target, which includes 17 million items in the general, law, and area studies collections. The Library's various special collections are inventoried to various degrees by other means.

Progress on the BIP has been slow. Nevertheless, I do not believe that this has significantly impaired the Library's ability to secure its collections. I base my opinion on two sets of facts. First, I have confidence in the Library's comprehensive collections security program – a program encompassing a series of policies, procedures, the Collections Security Oversight Committee, the exit inspections, in addition to special security for special collections, among other things. Second, my office has conducted several reviews of the subject over the years. In our 2001 report on collections security, we found that the Library had "taken strong action to provide an effective internal control structure over safeguarding library materials against unauthorized acquisition, use, or disposition." Further, we have performed many reviews designed to verify the existence and condition of certain collections, in January 1999, December 2000, October 2001, October 2004, and again in March 2006. No significant issues have emerged as a result of those reviews. Therefore, on the whole, I believe that the current collections security controls are functioning effectively.

Finally, the Library is unique among institutions in asserting in its financial statements that it does not have control over its collections. This is not currently a required assertion, although the pending Federal Accounting Standards Advisory Board's Statement of Federal Financial Accounting Standards 29 on Heritage Assets and Stewardship Land, which will be effective in fiscal year 2008, will require an auditable count of heritage assets and stewardship land, effectively requiring institutions to assert whether or not they have control over their assets. Moreover, the Library's inability to completely and accurately account for its assets is not unique among institutions which have custody of heritage assets. At this time, we note that the National Archives and Records Administration's FY 2006 Federal Managers' Financial Integrity Act report indicates that the agency has a material weakness in its collections security program. Additionally, the National Forest Service, which, like the Library, is a custodian of stewardship assets, only *estimates* its inventory. The Service states that it has not been able to complete an inventory due to budget priorities.

None of this is intended to diminish the importance of accounting for one's assets; however, I believe that a balance must be struck between the allocation of scarce resources and the need for inventory data. Clearly, control over the collections is one of the cornerstones of the Library's operations. At the current time, however, I believe the overall system of controls is adequately designed and generally functions as intended. I will continue to probe these control systems in the future.

The CHAIRMAN. Thank you. And thank all of you for your participation and your testimony.

Mr. Ehlers, any questions.

Mr. EHLERS. Thank you, Mr. Chairman. I apologize for the delay in getting back. Too many constituents with questions.

I was struck in listening to the testimony, particularly from the first three witnesses, all of you seem to have the same refrain, that the Law Library is one of the greatest in the world but it doesn't have enough money. And several of you also suggested that this could be settled by having a line item. In the older days, that may have been true. I am not sure a line item means as much as it used to. And it has also become harder and harder to get money in line items. So clearly there is—if you want to run properly for your purposes, it is clear that there is going to have to be more money.

Normally libraries never charge fees for the use of their services. That is a tradition of libraries. However, I would comment that the attorneys are—and the users of the Law Library are probably the only major group that actually use it as a resource to advance their income and their business. Would it be unreasonable to have some program that required reimbursement for use or that would at the very least solicit donations from the attorneys who make regular use of the Law Library, the Library of Congress as an additional way to acquire some funds for that?

Let me just go down the line. Mr. Orton, you have been in the congressional arena, although you left before the really tight money occurred. But you lived through enough years to know how difficult it is to get additional money out of the Congress.

Mr. ORTON. You are correct. A line item in and of itself doesn't solve any problems. All it does is identify specifically where resources are allocated and then that provides a mechanism for accountability, which I believe is an important component but it is not the solution. It will require Congress to step forward and adequately fund the mission. If Congress wants the Library to properly conduct its mission and wants it to solve the problems that have arisen, Congress is going to have to provide the resources necessary to pay for the solutions to those problems.

Now, if Congress is not willing to do that, then Congress needs to accept the results, which means the Library is—you can't merely cut out one or two functions of the Library. It is an integrated system. You can't cut out acquisitions. You can't cut out shelving. You can't simply cut out portions of the Library. It is a functioning library. If you want to turn it into a museum like the Smithsonian, you can do that but then you don't have a functioning Law Library.

So if Congress is not willing to step up, Congress is going to lose its Law Library. If they are not willing—and we have found in the Bar Association that Congress has been very slow to solve many of these problems and so we have been struggling with ways to try to come up with additional resources. We believe that there is a certain level of services that Congress should provide, a base level of services that the Library is currently providing, which it should continue to provide for the Congress, for the public. But we believe there are other expanded services, and we would be happy to provide you with a list of additional services that we believe are critical and necessary which the Law Library could provide and we be-

lieve that the bar and other libraries around the country would be willing to participate in funding.

But it is difficult, and we have been out and discussing this with members of the bar and saying would you be willing to fund these services. They have indicated yes, but there is a basic concern that if they start providing funding into the institution, there is a concern that money is fungible and as private money starts coming in in a period where Congress is tight with budget caps, does Congress then start reducing its money?

That is one of the reasons that it was suggested to us that a line item would be inappropriate insurance to the private funding mechanisms, that they know how much money is coming in from the government, they then would be—have a greater sense of assurance that money that they would be putting in to fund these additional services would actually go for the intended purpose.

I don't know that that is the only way to do it. I mean, we are struggling like you. We believe that funding should be coming in from private sources. We believe that it is there, it is available. We would like to work with the committee, with the Library to find the proper mechanisms so that private resources could be found to help the Library to get out of the problems it is in and to be able to provide these additional services we think are so critical.

Mr. EHLERS. Thank you for that answer. And just very quickly, Ms. Fessenden, do you agree with the thrust of the response?

Ms. FESSENDEN. Yes, I would agree that there is no guarantee that a line item is the solution to the problems. However, we are concerned that the very unique resources and the very unique role of the Law Library of Congress in the legal research and the legal community is recognized and that it has a stature such that it receives adequate resources to maintain those functions.

I also would just like to mention the Law Library community very much values the services of the Library of Congress in cataloging, and so forth, that Mr. Rettig talked about, and we think that is very important and value those services as well and would not want to have to replicate them in the Law Library.

Finally, regarding private funding, there may be instances when certain enhanced services would be appropriate for a fee for service type of approach. But in general, the American Association of Law Libraries feels it is very important that the services of our national institutions like the Law Library of Congress and access to legal information be available freely to the general public. And it isn't just attorneys that use the Law Library, pro se litigants may also be an important part of that. We certainly would not want anyone to not have access to legal materials that they need because of a fee for service situation.

Mr. EHLERS. Let me just respond to the line item issue. A good way to sell the line item would be to say that we will make this a matching fund, that the law community would provide a certain amount of money and the Congress would match it and they both would be placed in a line item. The Library is never going to have the money it needs. We wouldn't have this fuss about the inventory if we provided them an extra 20, $30 million a year. But there is always shortages for even the best things that we do in this Congress. And it is a situation you have to live with.

Mr. Meyers, did you want to add anything to this?

Mr. MEYERS. Yes, thank you, Mr. Ehlers. I agree completely with what you have heard so far. There is value in the line item in several other respects. One is the transparency of getting a clear picture of how resources are spent. There is one other element, however. Increasingly as we talk about the Law Library—and again this is one man's opinion. Speaking to it among lawyers, corporate law departments, law firms—maybe because law has become so important in our daily lives and in our business lives, there is a perception about the Law Library that even though it is the property of the American people, that house is our house and it is critical that we look after it. So opening up discussions toward a way that lawyers, law firms, law departments can contribute to the cost of special services is a dialogue that I think we are willing to undertake.

Mr. EHLERS. To use your language, if it is your house, then we would like to have some house payments, too. No subprime mortgages.

So thank you for your comments. I think there is some room to work here, but it could take a good deal of time to work it out. Thank you very much. And thank you, Mr. Chairman, for your indulgence in letting me roar on for so long. Thank you.

The CHAIRMAN. Thank you. I always appreciate being in a room where I understand some attorneys are going to contribute something, especially when it is their money. I thank all the witnesses, thank you for being here. Thank you for your participation and your testimony.

Mr. Ehlers, do you have anything else?

Mr. EHLERS. I think one other question has come up, but I think we can address it privately with Dr. Billington, which I will do by notes so that will be part of the record. And I do want to thank Mr. Schornagel for your work. We depend heavily on your work and we have been quoting you even as the Washington Post misquoted the second half. But we appreciate your good work and your guidance. Mr. Rettig, thank you for being here, too.

The CHAIRMAN. With the exception of one sidebar, this hearing is adjourned.

[Whereupon, at 1:40 p.m., the committee was adjourned.]

[The information follows:]

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

Congress of the United States
House of Representatives

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November 6, 2007

Karl Schornagel
Office of the Inspector General
The Library of Congress
101 Independence Avenue, S.E.
Washington, DC 20540-1000
Mail Slot 1060

Dear Inspector Schornagel,

Thank you for your testimony at the Committee on House Administration's Library of Congress oversight hearing on October 24th.

As we discussed at the hearing, some Members of the Committee have written questions that they would like answered for the record. They are attached to this letter. Please provide answers to the Committee on House Administration by November 16, 2007.

If you have any questions, please contact Khalil Abboud at (202) 225-3280.

Sincerely,

Robert A. Brady
Chairman

Library of Congress Inspector General, Karl Schornagel

1. Legislative language was included in the FY 2006 Legislative Branch Appropriations Act that gave your office greater autonomy from the Librarian to conduct audits and investigations. How has this impacted the operations of your office? How has this changed the nature of your relationship with the Librarian?

2. In the absence of a completed baseline inventory, the Congress is relying exclusively on the LOC's collections security system to ensure that all items in the LOC collection are in fact in the LOC collection. Are there any shortcomings in the LOC collections security system that you have identified? If so, what has been done to correct those deficiencies?

3. You cite in your testimony that the Baseline Inventory Project is only 20% complete. At the current funding and staffing levels when can the Committee expect the Library to complete the baseline inventory? In your opinion, has Library management dedicated an appropriate amount of resources to accomplish this task? What more can be done to complete this project sooner?

4. In both the IG's March 2002 *Collections Security* audit and in the IG's March 2007 *Survey of Collections Access, Loan, and Management Division Service* cites that one of the major deficiencies in the Library's inventory management is the continued use of paper call slips by users to request items in reading rooms. This process is not tracked within the Integrated Library System (ILS). Dr. Marcum testified at the hearing that the ILS will be completed within 18 months. What is the status of the Library integrating all of their databases into the ILS? What benchmarks will Library management need to meet to achieve this objective in the stated timeframe? What more can the Library do to fully integrate all of their collections into the ILS?

5. The Library of Congress has created a sliding scale to determine the relative value of items in the Library's collection. Does this system tend to cause the Library to pay more attention to those items in the platinum and gold standard while overlooking the less valuable items?

THE LIBRARY OF CONGRESS

WASHINGTON, D.C. 20540-1060

OFFICE OF THE
INSPECTOR GENERAL

December 18, 2007

Chairman Robert A. Brady
Committee on House Administration
1309 Longworth HOB
Washington. DC 20515

Dear Chairman Brady,

Thank you for the opportunity to expand further on my testimony before your committee on October 24, 2007. Enclosed please find answers for the record to the questions you posed by letter dated November 6, 2007. I apologize for the delay in responding, but due to mail handling issues on Capitol Hill, my office did not receive your request until December 7, 2007.

Regards,

Karl W. Schornagel
Inspector General

attachment

1. Legislative language was included in the FY 2006 Legislative Branch Appropriations Act that gave your office greater autonomy from the Librarian to conduct audits and investigations. How has this impacted the operations of your office?

The Office of the Inspector General (OIG) is now recognized as being independent. Before our office was statutorily established, the Librarian delegated substantial authority and autonomy to the office, but because the OIG was organizationally under the Office of the Librarian, the perception by some (as evidenced by complaints to the Congress, GAO, and the media) was that the OIG could not conduct independent reviews and could not be trusted to speak the truth. Independence promotes the perception of integrity and that has led to increased credibility. In fact, the OIG has been asked twice to testify before the Congress since the statutory authority was bestowed on this office. Also, the statutory requirement to make our Semiannual Reports to the Congress available to the public may improve accountability by broadening the audience for our reports.

Another significant impact is the rejoining of the criminal investigations function with this office. The investigations function had been organizationally separated from the OIG in the 1990s, prior to my appointment as Inspector General. The investigative function now has statutory authority to operate; in the past, the function operated only under Library regulations. Statutory authority increases the independence, trustworthiness, and credibility of the investigative function. This increases the likelihood that employees and the public will come to the OIG with concerns about Library activities. Statutory authority also includes the power to issue subpoenas, which this office has done several times to gather critical evidence. Finally, the addition of an independent counsel to the IG also contributes to the perception of independence and more effective law enforcement operations.

How has this changed the nature of your relationship with the Librarian?

Our relationship with the Librarian remains strong because he believes in the IG concept and wants the Library of Congress to be a well run agency that operates efficiently and effectively and complies with laws and regulations. Since the Library's new Chief Operating Officer (COO) was appointed, I meet with the Librarian more frequently and he and the COO are committed to resolving problems and deficiencies relating to the administration and operations of the Library.

2. Are there any shortcomings in the LOC collections security system that you have identified? If so, what has been done to correct those deficiencies?

We have not identified any glaring deficiencies. Our 2002 audit titled *Collection Security: Issues are Being Addressed but Effective Tracking and Restricting Access Remains a Challenge* (Audit Report No. 2001-PA-103) identified human mistakes and judgment errors were affecting the Library's collection security. The Library addressed our concerns with its spring 2007 awareness campaign, *"Safeguarding the Collections: We are the Key."* The campaign reminded staff of the privilege and responsibility they have for safeguarding the Library's collections and included a special presentation by Bonnie Magness-Gardiner, art theft program manager from the FBI. Moreover, the Library's Collection Security Oversight Committee is closely monitoring the effectiveness of existing controls.

Our FY 2008 Audit Plan assigns a high risk to collection security and we are aggressively monitoring this area with three planned reviews in FY 2008:

- to determine whether the Library has an adequate and effective physical security protection plan for its collections;
- to determine whether the Library has adequate and effective inventory and preservation controls for safeguarding the "Treasures;" and
- to evaluate existing internal controls for collections security in the Rare Books Reading Room, and to confirm the existence and examine the condition of sampled items to establish a baseline for future reviews.

3. When can the Committee expect the Library to complete the baseline inventory? Has Library management dedicated an appropriate amount of resources to accomplish this task? What more can be done to complete this project sooner?

The Associate Librarian for Library Services informs us that the Baseline Inventory Program (BIP) of the 17 million items in the general, Law Library, and Area Studies collections will be completed in a twenty year time frame at the current pace. The Library's goal is to inventory approximately 3,500 items daily. The inventory was originally estimated to take eight years. The Library has found, however, that the BIP is more labor-intensive and time consuming than originally thought. At inception, the BIP was estimated to take one minute per book. In reality, each book is taking approximately two and a half minutes; partly because the Library is adding shelflist data to each record, partly because of a greater incidence of errors in the legacy database, and partly because the Library has appropriately decided to inventory items as they are moved to Ft. Meade – a slightly slower approach – rather than taking a sequential inventory, which might be slightly faster.

Regarding Resources: The OIG has not measured the Library's commitment of resources to the BIP as compared to other programs, so we cannot opine on this question. Even if

the OIG performed a study of priorities at the Library, this question would be difficult to answer because the Library's mission and direction reside with the Librarian; choosing among the many valuable and meritorious Library programs would be practically impossible. The OIG would not be able to make value judgments concerning the relative merit of different programs at the Library. The Library had allocated considerably more resources in its original plan to complete the BIP; a portion of the savings from installing the ILS was intended to be reprogrammed into the BIP at inception, thus giving the BIP a "jump-start." The appropriations bill for that year, however, eliminated those resources and the Library therefore began the BIP at a resource deficit. This is a significant reason why the original eight-year timeframe has not been met.

Regarding Timelines: There are a number of steps that can be considered to accelerate the process. Of course, the most straightforward would be to increase the resources devoted to the program. Other initiatives that are currently under consideration are: reduce the amount of problem resolution (e.g., ignoring multiple title records); reduce use of shelflist cards (eliminating for many collections a three-way match - item, shelflist card, and online record); automate a portion of the inspection process; eliminate the creation of summary holding statements in favor of a read-only display to online holdings for users. All of these options, however, would somewhat reduce the accuracy – and therefore value – of the BIP. The Library is also investigating technological solutions that may assist with inventory control.

4. What is the status of the Library integrating all of their databases into the ILS? What benchmarks will Library management need to meet to achieve this objective in the stated timeframe? What more can the Library do to fully integrate all of their collections in the ILS?

Databases: The ILS database contains records for books and journals in the general collections, books and journals in the area studies collections, and a portion of electronic resources and special format collections, including audio visual, manuscripts, cartographic materials, music, and prints and photographs. As part of Library Services' strategic plan, a working group was charged with describing the status of bibliographic access to special collections, to inventory current Library initiatives in this area, and to propose methods of achieving bibliographic control of these collections. The group submitted a 300-page report in which each special format division was inventoried and overall recommendations were made. Library Services' directors are now reviewing the document and setting priorities for implementation.

The Library's goal is to incorporate all of the bibliographic records for special collections materials into the ILS, but the cost will be great. The special collections divisions have their own card catalogs, and information found on those cards must be converted to digital form to be included in the ILS.

There are a number of initiatives underway to bring more of the special collections into the ILS. The Music Division has a special project to convert its card catalogs to digital form. Fourteen separate databases for audio-visual materials have been moved to a single database, MAVIS, and all of the MAVIS records go into the ILS. This is possible because of the processing systems now online at the Packard Campus in Culpeper.

The Binding Office maintains a separate database for tracking the financial information related to paying invoices from the external binderies, but the tracking of the items going to and returning from the bindery is done in the ILS.

Special materials that are cataloged through the Bibliographic Access divisions go immediately into the ILS. These include books and journals for the general and area studies divisions, current receipts of audio-visual materials, and rare books. Materials that are not immediately input to the ILS include maps, prints and photographs, and manuscript materials.

Benchmarks: Due to limited resources and the large number of databases still outside the ILS, it is difficult to set specific dates and benchmarks for integrating the databases. As with its collections security program, the Library is taking a risk-based approach to determining which databases are integrated first, and which later. The paper call slip module, as indicated below, has received priority.

Paper Call Slips: One of the key remaining databases to be integrated into the ILS is the paper call slip. According to the Library, the Office of the Associate Librarian for Library Services is committed to making Automated Call Slip (ACS) available to patrons in the general and area studies reading rooms within 18 months. ACS is being developed under two projects, each broken into two phases: Reader Registration System Update (RRSU) and Call Slip System (CLS). RRSU Phase 1 is scheduled for completion by the end of March, 2008. CLS phase 1 is scheduled for completion by the end of January, 2008. Phase 2 of these two projects is aimed at building the systems to provide automated call slip functions to patrons. The key element in the time line for these projects is the development of requirements. The requirements analysis is scheduled for completion by March 1, 2008. Upon completion, this will be the basis for the project plan that will contain the milestones for making ACS available within 18 months. The OIG has not yet critically reviewed the Library's 18-month timeline.

5. Does the Library's sliding scale to determine the relative value of items in the Library's collections cause the Library to pay more attention to those items in the platinum and gold standard while overlooking less valuable items?

The Library is guided by a risk-based approach that enables safeguarding priceless treasures and rare items having prohibitively high replacement cost, high market value, and significant cultural or historical importance with stronger degrees of security controls to deter theft and mutilation. However, a host of physical and electronic security controls are also in place protecting the Library's lesser value collections including its non-rare book collections. It stands to reason that the items with greatest value would receive the highest level of security, while those with the lowest value would receive the lowest level.

The Library stores its 21 Top Treasures and 15 other Platinum Level items in a cold storage vault with 24-hour police surveillance. These items must have police escort if moved and would be carried immediately off site in an emergency. Increased collection security for Gold Level collection items includes: storing in vaults or cages within the custodial division; limiting access to a very few staff; restricting patron use to a surrogate copy, in most cases; and cataloging at the item level. This extra security would be prohibitively expensive for all of the estimated 135 million collection items.

For the less valuable items, the Library strives to provide cost effective storage and security by restricting access to the stacks, installing cameras to scan the decks, and adding security tags in some of the books (but not all). As stated above, vigilant staff at all levels remain a key component of the Library's collections security program.
We do not believe that a risk-management system which takes into account item value would result in "overlooking" less valuable items; it would simply result in an allocation of security resources commensurate with the item's value. The Library should not allocate the same resources for securing a 35 cent daily newspaper, for example, as for the Waldsemuller map.

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