Testimony of the Library Copyright Alliance
Before the Subcommittee on the Legislative Branch
Committee on Appropriations
United States Senate

Fiscal Year 2018 Appropriation for the Library of Congress

May 12, 2017

The Library Copyright Alliance (“LCA”) consists of three major library associations: the American Library Association, Association of College and Research Libraries and Association of Research Libraries. Collectively, we represent over 100,000 libraries in the United States employing more than 350,000 librarians and other personnel. An estimated 200 million Americans use these libraries over two billion times each year.

The Library of Congress (“Library”) is one of the world’s leading research and cultural institutions. We appreciate the opportunity to provide these comments as the Subcommittee prepares to make fiscal year 2018 appropriations for it. We look forward to working with the Subcommittee and full Appropriations Committee throughout the appropriations process to ensure that the Library has the resources it needs both to remain preeminent and realize its enormous full potential under the new Librarian of Congress (“Librarian”), Dr. Carla Hayden.

We have three principal observations and requests:

1) It is imperative that Congress appropriate sufficient funding to allow the Library to continue to perform its broad and fundamental mission of preserving and providing the public with access to critical information resources. At her confirmation hearing last year before the Senate Rules Committee, the Librarian articulated a vision under which the Library’s “resources are readily available to more people online,” noting that “[t]his would provide all Americans with “a sense of ownership and pride in this national treasure.” She also spoke eloquently to the power of the Library’s deep and significant collections to shape educations, lives and the careers of millions of people.

Specifically, the Librarian described how—through the modern Library of Congress she hopes to helm—“a child on a reservation in New Mexico will have the same access as a high school student in St. Louis, Missouri.” She further envisioned that “a fifth grader in Bowling Green, Kentucky, would be able to view Abraham Lincoln’s papers from his home computer, and a shy tenth grader from Meridian, Mississippi, with dreams of performing, would be able to view the Library’s Leonard Bernstein collection.”

2) It is particularly important that the Library be fully enabled financially to truly modernize. The Librarian’s objective of “continuing movement to open the treasure chest

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1 The Library of Congress is a member of the Association of Research Libraries but it played no role in the preparation of this submission.
that is the Library of Congress” requires upgrading the Library’s information technology (IT) infrastructure, which in turn requires more funding. We are well aware of the IT management issues at the Library identified in the past by the Government Accountability Office, but the Librarian was overwhelmingly confirmed by the Senate expressly because (as Members observed) she has the IT management and broader library system modernization experience necessary to put the Library’s IT house in order. Indeed, she has already taken several important steps to achieve this result.

Further, and more specifically in this regard, the Librarian also testified regarding the importance of the Library balancing its various roles, including “ensur[ing] a fully functional Copyright Office that supports the community it serves.” The Copyright Office has had its own IT challenges, as well documented by the GAO and a recent report by the Library Inspector General. Addressing these challenges will require better IT management within both the Copyright Office and the Library. But achieving the IT objectives identified in the Copyright Office’s 2016–2020 strategic plan also requires additional funding.

We support that plan’s IT objectives, including creating a modern system for recording commercial and noncommercial copyright documents and making copyright records easily searchable and widely available to all who need them. In particular, we agree that:

- Registrations, licenses, and other copyright records should become more accessible and usable to the global public;
- The public should be able to view records that form the life-cycle of a copyright interest in a more cohesive and comprehensive fashion; and
- Pre-1978 copyright records should be available online.

We note that while there is disagreement among stakeholders concerning the location of the Copyright Office, there is unanimous support that modernization of the Copyright Office cannot and should not wait. Thus, it is prudent to focus resources on that area of strong consensus, while discussion regarding Copyright Office autonomy continues more broadly among all stakeholders.

3) Consistent with the goal of increasing public access to information, we strongly support expanded access to non-confidential Congressional Research Service (CRS) reports. These reports play an important role in the legislative process by providing lawmakers and staff with non-partisan analyses of the significant issues of public concern. Statute should ensure that members of the public also have access to this trove of information they paid to create.

Thank you for the opportunity to submit these request and observations. We hope that the Subcommittee and full Committee will consider our organizations as resources and deeply interested stakeholders in all of the matters addressed above as the appropriations process for FY 2018 evolves. We look forward to facilitating your work.
Please contact LCA’s counsel, Jonathan Band, jband@policybandwidth.com, with any questions you may have.