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Testimony of Greg Lambert
President of the American Association of Law Libraries
On Funding for the Government Publishing Office and Library of Congress
Before the House Appropriations Subcommittee on Legislative Branch
Public Witness Hearing
April 17, 2018

Thank you for the opportunity to testify in support of Legislative Branch Appropriations for Fiscal Year (FY) 2019. My testimony today focuses on the necessity of adequate funding for the Government Publishing Office (GPO) and the Library of Congress.

The American Association of Law Libraries (AALL) is the only national association dedicated to the legal information profession and its professionals. Founded in 1906 on the belief that people—lawyers, judges, students, and the public—need timely access to relevant legal information to make sound legal arguments and wise legal decisions, its nearly 4,500 members are problem solvers of the highest order. AALL fosters the profession by offering its members knowledge, leadership, and community that make the whole legal system stronger.

Equitable and permanent public access to government and legal information is one of AALL's policy priorities. We are grateful to the Subcommittee, and in particular the leadership of Chairman Yoder and Ranking Member Ryan, for ensuring through language in the FY 2018 omnibus appropriations act (Public Law No: 115-141) that non-confidential Congressional Research Service (CRS) reports will soon be available online to the public through a website maintained by the Library of Congress.

GPO and the Library of Congress have vital missions and critical responsibilities in providing access to and preserving unique materials. Both agencies have made great strides in recent years to contain costs and do more with less. We ask the Subcommittee to provide adequate funding to these agencies so that they may continue to meet their responsibilities to Congress and the public by investing in programs and technologies that increase permanent public access to information.

Funding for the Government Publishing Office

GPO produces, authenticates, disseminates, and preserves government information in multiple formats from all three branches of government. These are complex and demanding responsibilities that are essential to the information lifecycle and promote



government transparency. We urge the Subcommittee to fully fund each account within GPO's request.

Particularly important to AALL is funding for the Public Information Programs account, which supports the Federal Depository Library Program (FDLP). We urge the Subcommittee to approve the requested \$32 million. Under current funding, this appropriation has declined by nearly 30 percent since FY 2010. The requested funding level will allow GPO to increase the number of full-time equivalents (FTEs) by eleven to provide additional support for locating and processing federal information for inclusion in the FDLP and the Cataloging and Indexing Program.

GPO administers the FDLP by providing federal government information products in multiple formats to more than 1,100 participating libraries across the country. These libraries are charged with ensuring no-fee access to government information to the American public, including to the residents of your districts.

Approximately 200 law libraries participate in the FDLP, including academic, state, court, county, and government law libraries. Law libraries rely on GPO for distribution of specific tangible materials, especially core legal titles in print, as well as access to official, authentic material online through GPO's govinfo.

On March 15, the bipartisan FDLP Modernization Act of 2018, H.R. 5305, was introduced in the House with the support of AALL, the American Library Association, and the Association of Research Libraries. The bill will update the FDLP for the digital age, strengthen the Superintendent of Documents' responsibilities to authenticate and preserve government information, and improve oversight and increase transparency by adding reporting requirements. It will strengthen GPO's administration of the program while ensuring continued participation by many types of libraries across the country.

In testimony before the Committee on House Administration in July 2017, then-Director of GPO Davita Vance-Cooks suggested that Congress explore grant-making authority for GPO. Though grant-making authority was not included in H.R. 5305 as introduced, we believe it is worthy of further exploration. We recommend that the Subcommittee direct GPO to continue to study the creation of a grant-making program to support the services of Federal Depository Libraries in providing permanent public access to federal information. GPO should coordinate with the Institute of Museum and Library Services and consult with stakeholders about how such a program might be administered.

Finally, we are pleased with the work that GPO has done to make official, authentic information available through govinfo. Our members use govinfo every day to access and share trustworthy legal and government information.



Funding for the Library of Congress

As the largest library in the world, the Library of Congress provides leadership on many critical issues, including digitization and preservation, access to legal and scholarly information, and copyright. AALL thanks the Subcommittee for supporting a \$38 million increase for the Library of Congress for FY 2018. We are pleased this funding will support technology modernization for the Library, the Copyright Office, and the Congressional Research Service. We also thank the Subcommittee for its past support for new shelving for the Law Library, which will improve access to the law collection and protect staff safety.

The Library's FY 2019 request includes \$1.8 million to strengthen the capacity of the Law Library of Congress. The Law Library is a world leader in providing access to reliable legal materials in print and electronic formats and it must have adequate funding to meet the needs of Congress, the Supreme Court and other court judges, attorneys, and the public.

It is critical that the Law Library be adequately staffed with experts who have the appropriate foreign legal and language knowledge to answer complex legal questions and to meet increasing demand for foreign language and foreign law initiatives, including the maintenance and preservation of materials. The Law Library has lost legal specialists in recent years through attrition and retirement. We urge the Subcommittee to support the Library's request for an additional seven FTEs.

We strongly support the Law Library's digitization strategy, which will provide access to public domain U.S. legal and legislative materials and unique foreign law materials not subject to copyright restrictions and not otherwise available free of charge. By digitizing the *U.S. Serial Set* and the *Supreme Court Records and Briefs*, the Law Library will provide comprehensive, ready access to a treasure trove of documents that are currently available only in print, through commercial publishers, or in bits and pieces online (for example, through the Library of Congress American Memory Project, which provides non-searchable access to selected 19th century and early 20th century documents and reports from the *U.S. Serial Set*.) We support the Law Library's request for three FTEs to support its digitization strategy.

Other Funding Requests

Now that access to CRS reports is law, we ask the Subcommittee to consider other priorities that would enable legislative branch agencies to provide greater access to government information. One way to do this is by ensuring access to reports that are mandated by Congress but not publicly available in any systematic, comprehensive way.



The Access to Congressionally Mandated Reports Act, or ACMRA (H.R. 4631) would direct GPO to maintain a central repository for agency reports submitted to Congress. While these reports are sometimes available online, they are often difficult to locate, or require a costly Freedom of Information Act (FOIA) request. ACMRA requires that any agency report that must be submitted to Congress and is releasable under FOIA will be published on a central website managed by GPO. A list of all reports due to Congress will also be available to facilitate accountability. Reports will be downloadable in bulk and submitted wherever possible in open data formats, which will allow the public and others to make full use of the information they contain.

We also urge the Subcommittee to formally establish the Congressional Bulk Data Task Force on a permanent basis. The Task Force has been successful in bringing various players within government together to improve access to legislative information and modernize legislative data.

Conclusion

Thank you for the opportunity to testify before the Subcommittee on the FY 2019 requests of the Government Publishing Office and the Library of Congress. The work of GPO and the Library of Congress support law libraries, the public, and our democracy. We urge you to approve as close to full funding as possible for these agencies.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Lambert", written over a horizontal line.

Greg Lambert
President