

**ANNUAL OVERSIGHT OF THE  
LIBRARY OF CONGRESS**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON RULES AND  
ADMINISTRATION**  
**UNITED STATES SENATE**  
**ONE HUNDRED SIXTEENTH CONGRESS**  
FIRST SESSION

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MARCH 6, 2019  
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COMMITTEE ON RULES AND ADMINISTRATION

FIRST SESSION

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## ANNUAL OVERSIGHT OF THE LIBRARY OF CONGRESS

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WEDNESDAY, MARCH 6, 2019

UNITED STATES SENATE,  
COMMITTEE ON RULES AND ADMINISTRATION,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:30 a.m., in Room SR-301, Russell Senate Office Building, Hon. Roy Blunt, Chairman of the committee, presiding.

**Present:** Senators Blunt, Alexander, Klobuchar, Udall, and Cortez Masto.

### **OPENING STATEMENT OF HONORABLE ROY BLUNT, CHAIRMAN, A U.S. SENATOR FROM THE STATE OF MISSOURI**

Chairman BLUNT. The Committee on Rules and Administration will come to order. Good morning. Glad my colleagues, some whom will be going in and out, are here to join me and we welcome our witness Dr. Carla Hayden, the Librarian of Congress. My notebook, Dr. Hayden, says the annual oversight of the Library of Congress, so this is an indication we are off to a good start here of us finding opportunities to be more partners in what you are doing and hopefully advocates of what you are doing, and on occasion, maybe even advisors as to what you should be doing. But we are glad you are here.

Dr. Hayden is the 14th Librarian of Congress, but only the third person actually to hold that job who was a librarian by profession. I was fortunate enough to get to know Dr. Hayden during her confirmation process in 2016. I certainly appreciated then and have not been surprised by the energy and enthusiasm she brings to the Library. The Library of Congress is our Government's oldest cultural institution. It was created in 1800 by the same act of Congress that moved the Capital from Philadelphia to Washington, DC.

The Library was established to preserve our shared history, promote and protect scholarship and creativity, and to become a world-class repository of a vast collection of works. I think the Library has succeeded in that mission. I believe the Library continues to fulfill all these goals. When Dr. Hayden was confirmed, I said the next Librarian of Congress will lead an organization that has significant physical and technological limitations and is struggling to adapt to the 21st century. Due to a historic shortage of storage space, the Library has millions of items stored improperly and at risk of degradation.

In addition, recent information technology management challenges have raised questions about the Library's ability to serve future generations as more and more collections need to be digitally collected, preserved, and made available to the public. I look forward to learning more about what you are doing to meet those goals and your other ideas for the Library, Dr. Hayden. Before we come to you, I would like to recognize Senator Klobuchar, who is struggling with a cold today, but she joins me in being interested in what you are doing and has an opening statement.

**OPENING STATEMENT OF HONORABLE AMY KLOBUCHAR, A  
UNITED STATES SENATOR FROM THE STATE OF MINNESOTA**

Senator KLOBUCHAR. Okay. Well, thank you so much, Chairman. Thank you, Doctor Hayden for your great work.

I think I mentioned this before, but it was my childhood dream to be a librarian. I even had a recipe box of Dewey Decimal System cards of every book I read, but somehow my career took a different turn. I want to thank you for your work. I love libraries. I think they are more important than ever to our civic infrastructure when you look at the access to the web and the ability for people to go and get information that would not otherwise be able to afford it. If we did not have libraries, they would be even further back.

Your library holds 170 million items, do you know where they all are? Has the world's largest collections of legal materials, films, and sound recordings. Last year, nearly two million people visited and there were 114 million recorded visits to the Library's website, which is an interesting ratio there and it shows how the websites are just even more important. You became the Librarian two years ago. The initiatives that you have established and the reforms you have implemented speak to your vision of a library that is inclusive and accessible to everyone. In recent years, strategic planning and performance management has been among the top challenges that the Library faces. You and I have talked about the need for increased transparency and access. I am glad to see you have placed a deliberate emphasis on that.

This new strategic plan guides the Library in further expanding its reach and deepening its impacts. Investments in the Library's information technology infrastructure, computing facilities, and technology programs are essential. I look forward to hearing about that. One thing I wanted to mention was the U.S. Copyright Office modernization. As you know, your Library is home to the U.S. Copyright Office, critical to our economy. Last year copyright industries contributed more than \$1 trillion to our economy. If you are an inventor, author, scientist, musician, filmmaker, or any one of the millions of Americans who create original work, the Copyright Office is your place.

Since you became Librarian, you have been working with the Acting Register of Copyright, Karyn Temple, to make progress on the long overdue modernization. You know, and it is our belief that there has been years back a lot of neglect, and we understand that meeting the IT needs will not happen overnight. It is going to take a continued commitment from us here in Congress and from you and Ms. Temple.

We thank you and look forward to working with you on that. The last thing I want to mention is the National Library Services, NLS, ensuring that those who cannot read printed pages have access to modern braille devices. There have been some significant delays associated with the manufacturing of these devices, but I was happy to learn that the NLS has advanced the pilot program and purchased 1,000 of the devices.

I look forward to hearing about that. Thank you.

Chairman BLUNT. Thank you, Senator Klobuchar. Dr. Hayden. If you would like to make whatever opening comments you want to make, and we are glad you are here.

**OPENING STATEMENT OF DR. CARLA HAYDEN, LIBRARIAN OF CONGRESS, THE LIBRARY OF CONGRESS**

Dr. HAYDEN. Thank you, Mr. Chairman, and Ranking Member Klobuchar, and Senator Alexander, thank you for this opportunity to represent the Library of Congress and its services and its dedicated staff, and I would just like to start by recognizing members of the Library's management team who are with me today. Mr. Mark Sweeney, who is the Principal Deputy Librarian; Bernard Barton, Chief Information Officer; Karen Keninger, Director of the National Library for the Blind and Physically Handicapped; Mary Klutts, our Chief Financial Officer; Mary Mazanec, Director of CRS; Joe Puccio, Acting Associate Librarian for Library Services; Jane Sanchez, Law Librarian of Congress and Acting Deputy Librarian for Library Collections and Services; and Karyn Temple, Acting Register of Copyright.

This is an exciting time for the Library, as we are moving forward with significant ways to increase user access. Last October, we did unveil a new strategic plan, enhancing and enriching the library experience, and it will guide our activities through the fiscal year 2023. The plan is committed to being more user center and digitally enabled, and presents four basic goals, to expand access, to enhance services, to optimize resources, and very importantly, to measure our impact. Since my confirmation, my goal has been to expand users' access to the Library both onsite and online. When it comes to the onsite efforts, my top priority has been to enhance the visitor experience. In early 2018, I presented to Congress an opportunity to enhance the visitor experience in that flagship Thomas Jefferson Building to create a new and engaging youth center, to improve our exhibit infrastructure for a treasures gallery, and to provide more collection-based civics and history education to our visitors, who are of course your constituents.

Today I am delighted to present and provide you with a first look-in of the plan, and it is seen on the easels around the room. We will also have, in addition to the youth center, treasures gallery, a welcoming orientation space where visitors will learn more about the work of their agency, see Thomas Jefferson's Library, and look up through an oculus to view the sites of the magnificent main reading room. I want to express my appreciation that Congress has committed to a public-private partnership to provide \$60 million for the project, \$40 million in appropriated funds to be matched by \$20 million in private funds raised by the Library. With those, two million annual visitors to that building. Many of

them are school children, and we want them to be inspired by the Library and its vast collections, to know more about the history of our country, the origins of the Library, which is also part of Congress's story. This project will showcase the unparalleled Library collections, and I look forward to working with Congress in the days ahead, because the Library's collection is its core and our library services professionals take great pride in addressing preservation and storage needs.

In fiscal year 2018, the Library reduced the special collections processing arrearage by 2.5 million items, and we are increasing the efficiency of our current storage spaces by installing movable or compact shelving and obtaining new leased or permanent collection space, including new modules at Fort Meade, Maryland. We are also continuing to modernize our information technology operations by centralizing IT services and establishing best practices in IT investment and planning. Importantly in our approach to IT modernization, there is one thing that underlies all activities, three aspects, stabilizing our core systems, optimizing our hosting environments, and modernizing to provide scalable, flexible technology to all Library units, including the Law Library, the Copyright Office, and CRS. For instance, the Law Library is embracing digitization, the Copyright Office is working in close collaboration with the Library's chief information officer on a 5-year plan to modernize registration and recordation, and CRS, who last year provided service to 100 percent of member offices in standing committees, is modernizing its service.

To meet the needs of 21st century Americans who are blind, visually impaired, or print disabled, NLS is driving to offer accessible text in modern digital format. In closing, the Library has made significant progress in many areas important for our users, and we are excited about the work to be done. I look forward to answering your questions and giving you more information.

[The prepared statement of Dr. Hayden was submitted for the record.]

Chairman BLUNT. Thank you, Dr. Hayden. I think we will start with Senator Klobuchar.

Senator KLOBUCHAR. Thank you very much, Mr. Chairman. Thank you for that great report. I mentioned the National Library Service plan to convert braille and talking books to modern digital format. I met with the Minnesota Federation of the Blind about this and the NLS work on a pilot program. Can you give us an update about what is going on with that?

Dr. HAYDEN. I mentioned in my opening statement that we are putting great emphasis on making sure the NLS services are able to be more robust in the digital age. There have been pilot programs. There is a two phase pilot program. Phase one was completed with the Perkins School for the Blind in July of this past year, and we gathered important information about how we will be able to make that transition. There is a request for proposal that is now being put out, and that we have another network testing to start. I am very pleased today and I mentioned that Ms. Keninger is here, and I think it might be helpful for her to provide even more insight into the program.

Senator KLOBUCHAR. Okay.



Dr. HAYDEN. If you would not mind.

Senator KLOBUCHAR. No. That is fine.

Dr. HAYDEN. She is right here. This is exciting because we are able to look at what is the next generation of service. You can understand in the digital age being able to have the services being offered in the most modern types of formats, including e-readers, will be very helpful.

Senator KLOBUCHAR. Yes. Okay. Ms. Keninger.

Ms. KENINGER. Thank you, Dr. Hayden. Thank you very much and thank you Senator Klobuchar for asking the question and for following this so closely over the last couple of years.

We, as Dr. Hayden mentioned, conducted a pilot project with Perkins School in 2017 and 2018, and the goal of that project was to test the acceptance of our readers of a limited functionality braille device. We ended up with 73 participants, and the overwhelming response to the device and to the concept of reading digital braille was that they were very, very excited about having this become a permanent part of the NLS program, and they talked about many of the advantages that they found in it. One person talked very much about having the ability to simply put her book reader in her purse and carry it with her wherever she wanted instead of having to deal with the bulk of braille and all of that. That continued through last summer, and then was concluded.

In the meantime, NLS has been working to contract for enough readers to be able to have a pilot that would test the implementation throughout the NLS network. As you are aware, we have some 100 libraries, and about 23 or 24 of those libraries are braille lending libraries, and we want to make sure that in implementing this new piece of equipment into the program is going to be successful. We concluded a contract for devices in September of last year. There was a protest and there were some other issues, some anomalies, I will say, with the contract and we decided to terminate for convenience and to rebid the contract. That process is going on right now, and we will have a—I think we will have a contract in place by March 25th.

At that point, we will need to spend time on development and non-recurring engineering costs and processes. We expect to have the first deliveries of the actual units in approximately 9 to 12 months after the contract is met.

Senator KLOBUCHAR. Okay, very good.

Ms. KENINGER. It is going to take some time to actually get things in place.

Senator KLOBUCHAR. Alright. Thank you so much. I just have one last question, and we are looking forward to that contract getting done. With all the cyber security, Dr. Hayden, going on, with all the threats that we have seen on companies as big as Sony and others, do you believe the modernization plan at the Library, and within the Copyright Office particularly given that people are submitting plans and various secretive material for their own work, do you think that we're up for these threats?

Dr. HAYDEN. Being able to deliver services and all types of—all of our interactions, NLS, Copyright, CRS, all of them, security is of paramount importance. The Library has been involved with the legislative branch's cyber security grouping and has instituted a

number of security measures. Some were outlined in the GAO report, and we have implemented not only just closed those recommendations but implemented them and have moved to have a more secure infrastructure to monitor what is happening in all of our operations.

I just also wanted to add with NLS and what Ms. Keninger mentioned, that during the same time, we have had a public awareness campaign about NLS services. Actual things on the radio and on television encouraging more people to use NLS services. We have seen an increase in interest and people registering, and we know that actually being able to deliver digitally will be a great asset because more people are now becoming aware of NLS services. You might have seen some of the commercials.

Senator KLOBUCHAR. Okay. Thank you.

Chairman BLUNT. Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman.

Dr. Hayden, welcome. It is good to see you. Thank you for the terrific events that you have for Members of Congress with prominent writers of American History. Thank you for the cultural diversity you have shown by hiring the exhibit director from the Country Music Hall of Fame to help you with your new presentation. I would think that is a smart thing to do, and I appreciated your efforts to expand the Alex Haley collection. Maybe I will have more time to talk with you about that in a minute.

But I want to talk with you for a moment about the Music Modernization Act. There are very few pieces of legislation in the United States Senate that get 82 co-sponsors, but it did. It was a complicated bill and it has broad support. The goal was to make it possible, among other things, for songwriters in this internet age to be paid for their work and to be paid a fair market value. A part of that—some of the implementation for that, is under your supervision. What can you tell me about your timeline for the implementation of the Music Modernization Act?

Dr. HAYDEN. Thank you for that because the office, the Copyright Office is committed to an open and transparent designation process. The Acting Register, Karyn Temple, will recommend entities to be designated by July 8, 2019. The office opened and issued a notice of inquiry regarding the designation of mechanical licensing collective and a digital licensing coordinator. In looking at what will happen with the Music Modernization Act, there have been big changes to the law, and the office is continually updating its website to inform the public of the changes and to issue notice of the implementation dates.

Senator ALEXANDER. Good. Thank you. Now, let me ask you a more specific question. Sort of the genius of the Act, if I may say it that way because it brought together the streaming companies, and the music publishers, and songwriters, was this new entity that will have the job of issuing a blanket license for a song, and they go find the songwriter and make sure the songwriter gets paid. Streaming companies like it because that means they do not have to look around for some songwriter or the songwriter's descendant and then get sued if they do not find that person. The songwriters like it because the entity's job is to find the songwriter and pay the songwriter.

The language of the law talked about the entity having strong support from songwriters and music publishers, endorsed by and enjoy substantial support from musical work copyright owners, etc. Then the Copyright Office interpreted this to mean that relevant support should come from the party's relevant ownership interest in the copyright to musical work.

In contrast to the parties who do not possess any ownership interest in the musical work, but rather the ability to administer the work. In your opinion, what kind of support from songwriters and publishers should this entity have? I am not asking you to pick what the entity should be at this point, but how are you going to assess whether the entity that is chosen has the appropriate amount of support from songwriters and publishers?

Dr. HAYDEN. Senator, in my role as librarian, I am definitely responsible for making sure that the office carries out its responsibilities efficiently and effectively, and in terms of giving advice or making policy recommendations, I rely on the Register of Copyright. If you would like some more detail about the specifics of the operation of an—

Senator ALEXANDER. Well, really, I just wonder what she meant? How she understands the idea of “support by songwriters and music publishers” as you select this entity?

Dr. HAYDEN. Now, Ms. Temple is here, and if you would like her to address it now or record—

Senator ALEXANDER. It is up to the Chairman.

Chairman BLUNT. That would be absolutely fine.

Dr. HAYDEN. Ms. Temple, could you come up? I just want to take this opportunity to commend her for her management of the Copyright Office in an acting capacity. She has worked closely with the chief information officer on the copyright modernization. She has worked closely with me to make sure that we are having the best copyright process, and during this time. If Ms. Temple could come up, it would be very helpful.

Senator ALEXANDER. I think it would be a good time to pursue this topic so that would be fine. Ms. Temple, if you would come up.

Dr. HAYDEN. Once again, being in an acting position is not always easy, and she has done a commendable job.

Ms. TEMPLE. Hello. Thank you very much. I appreciate the opportunity to speak today. As you know, we did issue a notice with the Federal Register on the designation of the MLC, the Music Licensing Collective. One of the questions that we did ask the parties who are going to be submitting to be designated as the MLC, is to demonstrate to us how they do have the support of the songwriting community so we will take that information in once they do provide it to us to assess and ensure that they do meet the statutory requirements and terms of having that support of the songwriting community.

Senator ALEXANDER. Good. I have heard no complaints. I just want to underscore the importance of that because the entity—the idea was to have an entity that knew what it was doing, because it had the support of people whom it was serving. So as long as you understand the importance of that to those who passed the law, I think that is really Mr. Chairman all I wanted to emphasize.

Ms. TEMPLE. I would just add that you know, we do really understand the importance. We are committed to a transparent and open process in terms of the designation once we receive the comments from the various parties that might be interested in being designated. That information will be available through the Federal Register so everyone will be able to see those comments and will be able to assess on their own what we will be assessing in terms of making that designation as well.

Senator ALEXANDER. Mr. Chairman, in conclusion the importance of this was over the last few years, what has happened is now probably 60 percent of the revenues in the music business are now from online sales. The mechanism for finding the songwriters and paying them a fair market value was about as old as a player piano. This was a very complex and important law and it is one I would like to keep my eye on. I appreciate the effort that you and Dr. Hayden are making to give it your full attention. Thank you, Mr. Chairman for the extra time.

Chairman BLUNT. Thank you, Senator Alexander. Before we go to Senator Udall, while you are at table, do you want to make a little further report on what you have done over your time as acting director and your sense of what we can do to do a better job protecting intellectual property? I would be interested and appreciate Dr. Hayden's comment about the difficulty of being in that acting situation.

You know, we had thought at one time there was a potential for even more independence in the direction and the choice, but certainly all reports have been that Dr. Hayden's choice was a really good one. But I would be pleased if you just take a couple of minutes to talk about how you see this role developing over the next few years and what you have done in the time you have been acting director to prepare the Copyright Office for that.

Ms. TEMPLE. Thank you. I appreciate the question. It is indeed sometimes difficult to serve in an acting role, but I appreciate the help and support of both the internal Library staff as well as the external stakeholders and communities that we serve. You know we have been focusing on really trying to move the office forward. We do a lot of discussion about modernization of the office. One of the things that we make clear is that in the view of the office, modernization is not just IT, it includes modernization overall.

You know I have been very, very pleased at how active the office has been not only on focusing on IT modernization but ensuring that our regulatory practices are also up to date. Over the course of the last 2 years, we have issued a number of rulemakings to enhance our registration practices, to update them and ensure that they are actually going to meet the needs of our copyright communities. We have also focused on just general operations, ensuring that our recordation and our registration system are operating efficiently.

We are very, very pleased by the resources we have actually received over the last few years in terms of being able to hire additional staff. We have actually hired nearly 62 staff members to work in our registration program over the last 5 years, and we have actually been able to see a very significant improvement in

both the number of workable claims that we have on hand addressing our backlog, as well as our processing times.

So, in terms of moving the office forward, I think that we would continue that, focusing both on IT modernization, but also focusing on modernizing the office as a whole in terms of its practices and its processes as well.

Chairman BLUNT. Great. Thank you. Senator Udall.

Senator UDALL. Thank very much, Mr. Chairman, and I really appreciate you holding this hearing. I want to thank Dr. Hayden for coming and testifying today.

I think oversight of the Library of Congress has an important congressional responsibility, and I enjoyed listening to your priorities Dr. Hayden in your opening statement. I will focus some of my questions on the Copyright Office modernization and then on some Native American initiatives that I know that we have been working on together. Over the last couple of years, I know the Library has made progress in improving the Library's infrastructure, investment, and operations, and importantly has made progress toward improving IT operations in both modernization and efficiency.

I was excited to see a digital strategy listed as a priority in the Library Strategic Plan. I hope we can continue to see more progress as the months go on. How the Library and the Copyright Office handle tribal issues is also of utmost importance to me. Dr. Hayden, I hope we can work together on significant issues like tribal engagement on the Music Modernization Act as well as the Library's language resources for tribes. I was happy to see a digital strategy as part of your strategic plan. The By The People Project is of particular interest to me. Can you update the committee on the progress of the project?

Dr. HAYDEN. Yes and thank you very much because the Library of Congress as you know has had a long tradition of stewardship of Native American resources and materials, and with the digitization project, one that we are very proud to advance as the Ancestral Voices Project, digitizing stories and recorded songs from indigenous communities that have never been heard before, and also making sure that as we have special initiatives, and we have several to engage with the indigenous peoples, that we respect their cultural heritage. That is an important aspect.

The By The People Project is very exciting. It was launched on the anniversary of the Gettysburg Address and one of the first—it is a cloud sourcing transcribing project where we are inviting the American public, including young people, to help us transcribe letters to Lincoln and bring them to life is one of the projects. That was—since we launched that we had 28,000 letters to Lincoln that had not been really seen or heard in years. 20,000 have been in 3 months, have been transcribed. A little problem with cursive writing in young people—

[Laughter.]

Dr. HAYDEN. But that project is showing us that we can put other collections up like Branch Rickey, the baseball scout, his scouting reports are being put up, and also the papers of Rosa Parks. That project really has been getting a lot of national attention. I am proud to say that the current issue of American libraries cover story is on the Library, it says Elsie's New Digital Direction,

and there is recognition about the digital strategy and how we are opening up our resources, digital resources. Very exciting to be part of that.

Senator UDALL. Thank you. We are excited about all of those initiatives. Dr. Hayden I know there is a desire by the copyright community to have a more streamlined copyright process. Could you explain how the copyright community will be benefited by your digital initiative?

Dr. HAYDEN. Ms. Temple mentioned modernizing is part of the main focus and it does involve making sure that we have the most effective information technology aspects to help with issues like recordation, which is right now a paper-based system. Making that available online and streamlining that similar to what people are used to in other aspects of their lives, car titles, they are used to tax registration, all types of things that we want to make sure that the copyright process is using the most effective and modern technology. That has been a major course. The Copyright Office has established a Copyright Modernization Office within its unit, and it is working very hard to make sure that information technology—the next generation registration system as well as recordation will happen within the next few years.

Senator UDALL. Dr. Hayden, the Library of Congress will play a role in the implementation of the Music Modernization Act?

Dr. HAYDEN. Yes.

Senator UDALL. Earlier this week High Country News published an article about how the actual impact tribes and then the pre-1970, 1972 recordings of cultural ceremonies held by museums and universities. As vice chairman of the Senate Indian Affairs Committee, I am aware that cultural knowledge, who can access it, and when it can be accessed are important considerations for tribes. I understand the Library has hosted at least one consultation with tribal leaders on this issue so far, but I want to make sure that feedback from Indian country is being heard on this issue. What is the Library's plan to make sure that tribes are engaged with the Copyright Office as implementation of the Music Modernization Act? What feedback have you heard from the tribes so far?

Dr. HAYDEN. The Library is working in collaboration with other institutions the Smithsonian's Administration for Native Americans and other Federal agencies to make sure that we are using all of the available outreach techniques. I mentioned making sure that we are also respecting the cultural heritage as we participate in this area. We are working with, for instance, the Veterans History Project of the Library to collaborate with the National Museum of the American Indian to reach out to veterans in that community as well. There are a number of efforts to make sure that we are being respectful but also using technology and getting the word out.

Senator UDALL. Thank you so much. Chairman Blunt, thank you very much for your courtesy to let me go a little bit longer. There are so many important things that she is doing at the Library of Congress. I think I could be here all day, but I really appreciate that.

Chairman BLUNT. Well, we are not going to be here all day, but there would be time if you could stay—

Senator UDALL. I will submit my questions for the record. Okay. Thank you.

Chairman BLUNT. That would be great. There will be a chance for that and there will be a chance for a second round of questions if we—in all likelihood. Dr. Hayden, on the visitor experience, I think you made a proposal last year to the Appropriations Committee for the first \$20 million and I think the Appropriations Committee gave you the first \$10 million, \$2 million of which you could use for planning and then the other \$8 million would be available once there was an approved plan.

I am looking forward to coming down later when we are done with the hearing to see the sketching of what you are thinking about doing. Would you talk a little more about the outside support for that and how you are doing as you move toward a plan would then be approved, what do you expect to ask for in this year's Appropriations bill? Actually, I would be interested in a little more thought about your concept of how people come into the Library and what they will see when they come in, where that will happen. We are all relatively familiar with the Library, but it would be great for us to begin to envision the Library you would like to have greater access to.

Dr. HAYDEN. Well, I have to start by thanking Congress for approving this opportunity to have a public-private partnership to enhance that flagship Thomas Jefferson building, the first Federal building and the first library building 1897.

In this year's budget, there is a request for \$10 million to continue with the master plan that includes three basic things, a treasures gallery that will allow people to, for the first time, see all of the collections and their many formats, and also, they will be able to have a new experience being oriented to the Library, coming in into the Thomas Jefferson building from the Visitor Center. Of that two million, approximately a million visitors that come into that building, 60 percent come through that tunnel. We will have a streamline entryway and people will go into one orientation center that will include the Thomas Jefferson Library. There are 6,000 volumes, the foundation of the Library. Then they will look up into the main reading room that has been called the circle of knowledge from the foundation right there on the ground floor.

After that, people will be able to and 20 percent of the people who enter the building on sight are under the age of 18. As a former children's librarian, I am very excited about the fact that we would be able to have a youth center to engage and inspire young people. To have them make their own history and interact with our collections. It is a very hands-on, interactive learning labs as well. Those elements as you will see around the room will give people a sense of what the Library of Congress can offer, and also what can happen when they return to their homes throughout the country. They will know about the Veterans History Project. They will know about NLS. They will know that they can download photographs from our website. They will be very familiar with the services, and so it is an exciting time and we really appreciate Congress's support.

Part of the master plan that will be available on approval, we hope, in June will be the resource plan for the fundraising aspect.

We right now in terms of the \$20 million that is being committed to be raised through private sources, we have verbal commitments for about \$11 million already and so on the execution of the approval of the master plan, a resource plan will go into effect, and we are working on that now with outside consultants on development and fundraising. It is a wonderful opportunity. People have already in terms of Trip Advisor and these different sites that talk about the sites in Washington DC, the Library of Congress, that building is mentioned as one of the most beautiful, but we want to make it one of the most inspiring buildings as well.

Chairman BLUNT. Your vision, your plan would be that all of these things would have to happen at the same time? Can they be separated in terms of phase one and phase two?

Dr. HAYDEN. The funding stream would allow for the first two aspects to be put into implementation. The Treasures Gallery as well as the youth center would be the first two aspects, and then the orientation experience and the access to the main reading room would follow.

Chairman BLUNT. In the Treasures Gallery, do you expect to try to create a sense there of what you have in your vast collection and have that—

Dr. HAYDEN. Yes. That is the challenge. Senator Alexander mentioned our new Exhibit Director Mr. David Mandel, who has been in charge of the envisioning of this. We will be able to have a rotating aspect to the Treasures Gallery. There will be some items, the Gutenberg Bible, some things that will be there at all times, however, we will build it so that we can rotate some of the treasures because there are so many. The Library of Congress has the world's largest collection of Bibles, the world's largest collection of baseball cards, photographs, film, sound recordings, all of these maps, so there will be different sections in the Treasures Gallery and in the visual representation you see that we have made them transparent so that you could look into a volume, and you will be able to get a sense of it. Each time you return, let's say you return every spring, you would see something different. We want to give people a sense of just how vast, 171 million items, so we can keep going for a little while.

Chairman BLUNT. Exactly. Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you. Thank you, Chairman Blunt. Welcome. Thank you for being here. On that same vein, I know fiscal year 2019 Congress appropriated funding for the congressional research service to add additional staffing. I think 20 new FTEs if I am not mistaken. Can you talk a little bit about how this new staff will be able to support congressional offices, and whether you believe that increases in funding is enough to meet the demands of the CRS?

Dr. HAYDEN. We have been very pleased to receive funding for staff members who can help with high demand areas. The first allotment for staffing was to have almost a field team of different junior level staff members. This current appropriation has allowed us to give more depth to certain areas, health, energy, things like that. We have already seen a real impact in terms of our responsiveness. We also are looking at modernization with our IT systems and CRS, congress.gov and how we can make sure that we have



the technical support for CRS. We call CRS our special forces and of course that is our first mission with the Library of Congress. Making sure that we maintain a certain level of expertise and depth 24/7. Whenever Congress is in session, CRS is available. Those staff members have been critical to filling in for retirements and also for supplementing for upcoming issues that Congress might be considering.

Senator CORTEZ MASTO. If I remember the last hearing, is there—do you have concerns with a number of staffers aging out that are leaving and so you are filling positions, is that right?

Dr. HAYDEN. Right. Also, we are making sure that there is a training that is going on that we are pairing more senior staff members and analysts with less senior analysts. We are really making sure that CRS maintains a certain level of expertise. That is very important that we—

Senator CORTEZ MASTO. Yes, I agree. Thank you. Thank you for that and let me just followup, I knew, or I know that Congress used to have an office of, if I remember correctly, technology assessment years ago and it provided Members of Congress with independent expertise on emerging technology and it helped to inform our policies. The program ended in 1995 and I am curious, do you have any recommendations for Congress on how to ensure we can work with you to ensure we are getting the independent analysis that we need to oversee and regulate emerging technologies? For instance, several of the committees I am on and a lot of my legislation focuses on smart communities, privacy data, the use of this new technology, what it means for security and utilization in the future. I do not know if you think that there is a role somewhere where Congress can play in helping as we develop the policy in that independent, kind of technical area.

Dr. HAYDEN. One of the specialties of CRS in the way that they look at forecasting what might be a policy issue or an area that they need to either supplement the staff expertise that they have or do additional research is to be able to say, this is an area that Congress is interested in, and so that is where they have that flexibility of being able to make sure that they have analyst or they have access to the information if it is presented to CRS.

Senator CORTEZ MASTO. What I am hearing is that the individual staffers that you bring onboard may have an understanding or background in there, or know where to find it to provide policy expertise in this emerging area, emerging technology?

Dr. HAYDEN. Yes. That is the key to having the ability to hire different staff members. In CRS, they have a policy grouping, so you might have, and this is one of my favorites, you might have a librarian embedded in the energy grouping. You have a Ph.D. in energy policy, and you have different people with different backgrounds as part of CRS too. When they see, and that is part of what they do, is to keep their—really, they are on the pulse of Congress and issues, and also, they ask Congress and staffers what issues do you foresee or things that you think that we need to look into.

Senator CORTEZ MASTO. Thank you, and I know my time is up. Let me just say this. The short time that I have been here, 2 years, the staff that I have interacted with at the Library of Congress is

tremendous, and even on the research side as well. I have been over there asking specific areas to help with research and they were spot-on. Thank you very much. I appreciate all the good work that the staff does as well.

Dr. HAYDEN. They are original search engines. They are dedicated to Congress. You have your own search engine.

Senator CORTEZ MASTO. Thank you.

Chairman BLUNT. Thank you, Senator. Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman. Dr. Hayden, I want to talk with you for a minute about Alex Haley. I thank you for arranging for me to come over and see the new collection last year that you acquired of some of his things, and I have a suggestion for you about Alex Haley. Sometimes we forget the importance of what he did. He wrote two best-selling books of the African American experience, "The Autobiography of Malcolm X" and his book "Roots". There is some academic disdain for "Roots", and I have always thought it was because number one, the disdainers did not write the book themselves. They were jealous.

Second, they said that some of the facts that he had were not exactly right, but you know "In Cold Blood" would not be a good book if that were true. They are tremendously important books about the African-American experience in America, and he did a lot of his research at the Library of Congress. I was wondering two things. One, have you been able to do anything about the collection that you have got? I know you have lots of collections and you are itemizing things and getting them in order. That is one. My suggestion is, why not think about with your expert new exhibit person, an exhibit about how Alex Haley used the Library of Congress to write "Roots".

The commissioner of the National Football League told me one time that the 10 best watched football—that the 10 best watch television programs in history were nine Super Bowls and the "Roots" series in the 1970's. I think it would be interesting for people to see how he went to Africa and got the story from a griot that took him back to his seventh generation ancestor and how he went to the Library of Congress and found the name and the date of the slave ship that actually brought that ancestor to Annapolis. How in a speech in Iowa at a college, he met the seventh generation descendant of the person who bought his seventh generation descendant, on a farm at an auction in Virginia.

I think all that would be fascinating to the American people just as the "Roots" series was, and I think it would help people understand how the Library of Congress can be so useful to people who are trying to tell the story of our country. One, what about his collection, how is that coming? Two, what about the idea of an exhibit that says here is how Library of Congress helped Alex Haley tell the story of "Roots"?

Dr. HAYDEN. Sir, you have definitely previewed a part of what we want to emphasize in either the orientation experience, or the Treasures Gallery. How many notable films, books, have started in research at the Library of Congress. We want to emphasize the fact that Alex Haley did research. Also have quotes about what it felt like to be in that reading room. David McCullough, Doris Kearns Goodwin, we want to have almost a roll call of recognizable names

that people can really, “wow”, they did their research at the Library of Congress and then encourages them to do their own.

That collection is one of the collections that is being prioritized with the very generous staffing that we received last year to take care of the arrearage that I mentioned earlier. That is one of the collections that is in the processing line because we know there is quite a bit of public interest. We also want to emphasize with young people in the youth center that they can do history research and become history detectives. Those types of aspects about what can the Library of Congress do for you are what we are going to emphasize with the new visitor experience.

Senator ALEXANDER. Thank you very much. I remember he was telling me the excitement he had when he actually was able to find either the actual bill of lading or the newspaper report of the ship *Ligonier* when it landed in Annapolis carrying his seventh generation ancestor Kunta Kinte. Now that could have been at the National Archives, but I am almost certain it was at the Library of Congress. To go over those things, that years of research and genealogy and the artifacts that are there. I think that would be an interesting story. Thank you very much.

Dr. HAYDEN. It would stimulate people too. To think, wow, what can I find, who are my ancestors. Genealogies is a big part of our collections. We want people when they come into the Library to think about what they might be interested in and see right there, using technology, what the Library has about their state.

Senator ALEXANDER. Well, that is true. My time is up, but maybe the most important effect of the “Roots” series in the 1970’s was it filled up libraries all over America. People began to go to libraries to find out about their own roots.

Chairman BLUNT. Thank you, Senator. Just to ask a couple of questions and there will be more questions for the record. The Library has requested amendment to expand the American Folklife Center’s Board from 7 to 9, and the two specific additions would be the Secretary of Veterans Affairs and the Director of The Institute of Museum and Library Services, would you speak to that for just a moment?

Dr. HAYDEN. I mentioned also Veterans Services in our history project and our emphasis on making sure that we connect with veterans in as many ways as possible. To add to the American Folklife Center’s Board, the Secretary of Veterans Affairs would signal that importance in our oral history projects and just making sure that that is front and center. Also, to look at a closer connection with the Institute of Museum and Library Services, the grant-making agency that connects to public libraries, school libraries, and college libraries for innovative projects. Having representatives from those two entities would strengthen the Folklife Board, but also deepen the relationship with those two entities.

Chairman BLUNT. We will talk about that and see if we can get that legislation moving in the direction you would like for it to. In March 2015, this is one of the things I referred to the day that we confirmed you as the director, the technological challenges, the management challenges. The GAO had the included 31 specific recommendations to the Library to strengthen the management of its

IT system. Do you have any update on that, how you are doing approaching those 31 specific recommendations?

Dr. HAYDEN. Mr. Barton is here, as I mentioned, our chief information officer, and all those 31 recommendations, as of today, the Library has closed and implemented 27. We also have made great strides with the non-public recommendations. Most of those have to do with security, and we have been at the forefront in the legislative branch with working on the security recommendations. The GAO report provided a road map for us with IT improvements and so the centralization of our IT efforts, the fiscal oversight of IT investments, has been a major part of it as well. The 27 out of the 31 and the remaining are at GAO waiting to be reviewed. All 31 have been addressed. We are very pleased.

Chairman BLUNT. We will get that on the record of the hearing. What has happened, the 27 in place, the 4 you now have over at GAO. The silos issue, we were hoping that you also would eliminate the inability for everybody to get to all the information they needed to get to.

Dr. HAYDEN. The security aspect was very important. We had 20 units that had security authorizing staff members. We have consolidated that to one professional security officer who is reviewing all the security requirements and needs of the Library, and that has made quite a bit of difference. We have started things like multi-factor authentication even with our staff members.

Chairman BLUNT. Well, and I think, you know, it was anticipated there would be some significant cost benefit analysis and we will ask about that as well. I have a handful of things here we will get to, library and E-rates, and Universal Service Fund, things like that we might have to have you back quicker than—

Dr. HAYDEN. Well that would require a semiannual report would be good.

Chairman BLUNT. I think very few people volunteer to show up more often, particularly here at first. We are glad that you are here, Dr. Hayden. Thanks for coming. Thanks for bringing your team today. I am also going to be asking back to Director Keninger's comments about how long you think it will—and how you will continue to make available more traditional technology that many of the people you serve will want to have.

But I do think cost-effective, access effective, time effective, the digital transfer, as other things have been replaced over the years by what people have gotten used to now, I think they are going to get used to this so pretty quickly. I think there is some significant cost savings there for the Library and for the taxpayers that support it. The record will be open for 1 week from today. We ask you to respond quickly when we get those questions to you.

[The information referred to was submitted for the record.]

Chairman BLUNT. The committee is adjourned.

[Whereupon, at 11:33 a.m., the hearing was adjourned.]

## **APPENDIX MATERIAL SUBMITTED**

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**Statement of Carla Hayden  
The Librarian of Congress**

**Before the  
Committee on Rules and Administration  
United States Senate**

**“Annual Oversight of the Library of Congress”**

**March 6, 2019**

Mr. Chairman, Ranking Member Klobuchar, and Members of the Committee:

Thank you for this opportunity to appear before you today representing the Library, its programs, and its dedicated staff of professionals. The Library of Congress is the nation’s oldest federal cultural institution and a pre-eminent repository of knowledge. As the main research arm of the U.S. Congress, we provide authoritative, non-partisan information to Members and staff in support of their legislative work. We supply reference services to the U.S. Courts, other government agencies, and libraries throughout the country, as well as offer scholars, researchers and content creators access to a reservoir of materials to inspire their ideas. The Library is the home of the U.S. Copyright Office, the Congressional Research Service (CRS), the Law Library of Congress, and the National Library Service for the Blind and Physically Handicapped (NLS). It represents, as a whole and within its esteemed parts, the documented history and culture of our nation.

Each day, we serve our users through our many programs, concerts, lectures, exhibitions and online resources. Today, the Library holds nearly 170 million items in all formats and languages and has the world’s largest collections of legal materials, films, and sound recordings. Last year, the Library welcomed nearly 1.9 million on-site visitors and recorded 114 million visits to the Library’s web properties. CRS provided custom services to 100 percent of Senate and House member offices and standing committees. More than 450,000 claims were registered by the U.S. Copyright Office. Over 20.9 million copies of braille and recorded books and magazines were circulated to more than 470,000 blind and physically handicapped accounts, and the Library responded to over 1 million reference requests from the Congress, the public, and other federal agencies. The Library’s web sites, including [loc.gov](http://loc.gov), [congress.gov](http://congress.gov), [copyright.gov](http://copyright.gov), and the CRS site, among others, received nearly 503.1 million page views.

The past year has been an exciting one for the Library of Congress. We have moved forward in significant ways to increase user access to our materials. More than 7 million new items were made available online, among them the papers of Benjamin Franklin and Presidents Theodore Roosevelt and Woodrow Wilson. Our Geography and Map division created the Story Maps web application, which tells incredible stories about Library collections items using narrative multimedia and interactive maps.

We created a Digital Strategy Office within the Office of the Chief Information Officer (OCIO) to partner with Library units on creating innovative digital projects to engage the general public. This new office has already launched a successful crowdsourcing project, “By the People,” which allows public contributions to and interactions with the digital collections while at the same time helping the Library to make its data more discoverable. CRS launched a new website,

crsreports.congress.gov, to provide the public with access to non-confidential research products produced for the Congress. The Law Library launched a multi-year, collaborative project to archive and enlarge the number of publicly-available global legal research reports. And congress.gov launched the first version of a new congressional committee schedule, designed to allow the public to quickly see which meetings and hearings the House and Senate committees have scheduled for the week.

Onsite, we are making our spaces work better for visitors with simple improvements like providing reader registration at a more convenient location, and also bringing to reality a more significant vision for a revitalized Jefferson Building experience centered on using the collections to engage users. A new, state-of-the-art case was installed to conserve and display the treasured Gutenberg Bible, the first book printed in the West with moveable metal type. In the last year, we have installed 13 short-term “agile displays” on featured collection items, such as those commemorating the bicentennial of Frederick Douglass’ birth and connecting Alexander Hamilton’s personal papers with lyrics from the Broadway musical.

Just this fiscal year, the Library Events Office produced 130 programs and events, including concerts, films, lectures, ceremonial dinners, meetings and more. Through the creation of two new centers—the Center for Learning, Literacy and Engagement and the Center for Exhibits and Interpretation—we are making a concerted effort to make the stories we tell through our collections more cohesive across online offerings, learning programs, and events and exhibits. Together, these centers will activate and animate the collections, enhancing access both physically and digitally.

All this results from and ties into a more than 18-month initiative to reform strategic planning at the Library of Congress. Last October, we officially unveiled a new Strategic Plan, “Enriching the Library Experience,” which will guide the agency’s activities through fiscal year 2023. Individual Library units are currently working to finalize unit-specific Directional Plans, which will align their activities to the agency Strategic Plan and provide the basis for revised annual performance goals. The Strategic Plan commits to a user-centered and digitally-enabled direction forward for the Library, presenting four goals to steer agency activities: expand access; enhance services; optimize resources, and measure impact. These four goals establish a roadmap for fulfilling our mission to engage, inspire, and inform our users.

### **Enhancing the Visitor Experience**

Since my confirmation, my goal as Librarian has been to expand users’ access to the Library both onsite and online. When it comes to our onsite efforts, my top priority is to help visitors become lifelong users. In early 2018, I presented to Congress an opportunity to enhance the visitor experience of the Thomas Jefferson Building. With an offer from the Library of Congress Madison Council Chairman to lead fundraising for this initiative, we could create a new Youth Center to promote creativity and innovation and grow the next generation of researchers; improve exhibit infrastructure for a Treasures Gallery to highlight the best of our collections; and provide more civics and history education programming to your constituents and others who visit the Thomas Jefferson Building.

I appreciate that Congress committed to a public-private partnership to provide \$60M for this project—\$40M in appropriated funds to be matched by \$20M in private funds raised by the Library.

To date, the Library has received \$11M in verbal commitments and is working with a contractor to develop a capital campaign to raise the rest. Congress approved \$10M in FY2018, \$2M of which was to be used immediately to contract with a professional firm to create a Master Plan from the concepts shared with Congress.

Today, I am delighted to provide you with a first "look in" at the Plan which confirms we can broadly accomplish within the \$60M what we envisioned during our concept phase last year. We can revitalize exhibit spaces, create an activities area for youth, have a welcoming orientation space where constituents and visitors will see Jefferson's Library as the foundation of the Library, and look up through an oculus to the magnificent Main Reading Room.

The Ground Floor / Carriage Level will be the main street level access point for visitors so we can change the traffic flow for better entry and egress. The primary visitor exit will now be off the First Floor / Great Hall Level. ADA ingress and egress will continue to be on the Ground Floor / Carriage Level. Capitol Hill Police and Library Security were consulted on this possible change and affirmed that this is a viable option. Through our work with the Architect of the Capitol (AOC), there is already a planned third elevator for additional visitors. Entry on this level would take stress off the more fragile building spaces.

We appreciate that from the inception of the project, both the AOC and U.S. Capitol Police have provided advice, feedback, and recommendations as we contemplated options with our professional firm Pure+Applied.

The majority of changes entail movement and deconstruction of 25-year-old exhibit cases and related materials and installation of new secure, state-of-the-art, preservation standard glass and steel exhibit cases. We have confirmed that building modifications for the oculus, which would provide an inspiring view of the Main Reading Room with its arched stained glass windows, domed ornamental ceiling, balustrade of galleries above the alcoves and some of the major figures who contributed to civilization, is light construction. Limited access to the Main Reading Room would be through the vestibule on the First Floor.

As this is your Library, we want your constituents and visitors to have a better experience. With so many visiting school groups, we want them to leave more knowledgeable about the history of our country, have a better understanding of democracy in action, appreciate what it means to be a good citizen, and know the origins of the Library which is also Congress' story. We also want visitors to leave motivated to learn more about our country and its cultural heritage. I look forward to continuing to keep you informed about our progress on this project to showcase the unparalleled nature of the Library's collection.

#### **Library Collections Stewardship and Preservation**

The Library's collection is its core. Library Services professionals take great pride in stewarding the national collection, attentively addressing its preservation and storage needs. Conservators, scientists, and technical staff collaborate to ensure that our standards of practice are research based, regularly evaluated, and suitable for the Library's diverse and growing variety of collections.



In FY 2018, the Preservation Directorate took 10 million preservation actions to keep the Library's high-value, high-use, and at-risk items user accessible. The Library reduced the special collections processing arrearage by 2.5 million items, and with funding supplied this fiscal year, we will continue to reduce the backlog. Over the past several years, our holdings integrity program has reduced the number of books stored on the floor of the Jefferson and Adams buildings stacks by approximately 50 percent. We continue to make efforts to reevaluate selection and retention criteria, increase the efficiency of current storage spaces by installing movable or compact shelving, and obtain new leased or permanent collections storage.

The Library works closely with the AOC to achieve preservation storage standards with sustainable operations and maintenance costs. This includes optimizing storage capacity by transferring items from temporary storage space at the Landover Center Annex to environmentally-optimized storage at Fort Meade. Fort Meade Module 5 opened in October 2017 and is on track to be occupied this fiscal year. Funding was received in FY2018 to construct Module 6, which is on schedule to open in FY2021. Design work for Fort Meade Module 7 has been completed, and we are utilizing interim leased storage at the Cabin Branch, Maryland facility to relieve pressure on Capitol Hill storage, as well as to provide a staging space that allows us to fill new Fort Meade modules more rapidly and efficiently.

#### **Modernizing Enterprise Information Technology**

Being a good steward of the collection requires the agency to be a good steward of its technology as well. The Library continues to build on the work done in recent years to modernize its information technology operations. We are grateful for the significant congressional support received in the last three fiscal cycles to transform Library IT. Our Chief Information Officer (CIO) and a Deputy CIO are leading successful efforts to centralize IT services and establish best practices in IT investment and planning. I am pleased to report that we have been working very closely with the Government Accountability Office (GAO) to address recommendations from its 2015 report on the agency's information technology. We have closed and implemented 27 of the 31 public recommendations and have submitted initial evidence to close the remaining 4. We expect to fully address all of the recommendations by the end of this fiscal year.

Cybersecurity has been an ongoing focus over the last two years as we have been able to close three major IT security recommendations made by GAO. OCIO has implemented multi-factor authentication for all employees. The agency now has a centralized, unified organization of information system security officers, who continuously monitor IT systems for emerging threats. In addition, the Library regularly participates in the Legislative Branch Cyber Security Working Group, enabling the inter-agency exchange of expertise and coordination in response to security threats.

Importantly, the agency has developed a defining approach to IT modernization—stabilization, optimization, modernization—that underlies all activities. Stabilization involves shoring up core IT systems by updating legacy hardware and infrastructure, improving maintenance procedures, and doing some reengineering where needed. We are optimizing our hosting environments by transitioning to a new, Tier III-level data center, reducing the risk of service interruptions. The initial data center build-out was completed in FY2018, and we are now migrating applications to the new facility. The Library has also established cloud hosting environments that will provide a more robust, scalable, and flexible foundation for our technology services and business applications, such as those within the Copyright Office and CRS. While much work remains ahead of us, I am encouraged by the

progress made thus far on IT modernization. With the support of Congress, our ultimate goal is to modernize IT capabilities to support more user-friendly customer experiences across the agency.

#### **Modernizing Copyright Office Technology**

Modernizing the Copyright Office's IT systems is a top priority. The Copyright Office, in close collaboration with the Library OCIO, released a Modified Provisional IT Modernization plan in 2017. The plan establishes an overall IT modernization strategy for improving user services and systems and led to the creation of the Copyright Modernization Office (CMO) in early 2018. CMO serves as a crucial liaison in the Copyright Office's partnership with OCIO. As modernization goes forward, CMO will help set the agenda on transforming Copyright Office business systems to be more agile and user-centered.

The Copyright Office and OCIO have engaged in an extensive collaboration to develop an Enterprise Copyright System that will integrate data across the Office's core services for registration, recordation, and statutory licensing. System development for the project began in FY2018 and is expected to continue five years through FY2023. The Office is taking steps to make recordation and registration more efficient. A pilot for a fully-electronic replacement of the Office's paper-based document recordation system is in the works for FY2020, as well as a next-generation online registration application system slated for completion in FY2023. The Office is also working to reduce the registration application processing time by adding more staff to examine copyright registrations. Thanks to Congress funding 62 new FTE since FY2015, staff numbers have returned to near pre-sequestration levels.

#### **Supporting CRS and Law Library Resources**

CRS provides Congress with timely, objective, nonpartisan and confidential research and analysis to support its legislative functions. Last Congress, CRS responded to more than 62,000 congressional requests, and the Service bolstered its research and analytical capacity in areas of heavy congressional demand, such as healthcare, education, military, and defense.

Congressional support in FY2019 has resulted in improved staffing levels, which in turn allows CRS to more readily serve Congress' need for research on current and emerging issues. New hire onboarding is in process, with 20 new FTE to be hired by the end of the fiscal year.

Like other parts of the Library, CRS is enhancing its services and optimizing resources through a modernization project. It has executed preliminary steps in a five-year plan to modernize its IT system for responding to Congress. The Integrated Research and Information System (IRIS) will become more flexible in how it helps CRS employees perform information research, content creation, policy and data analysis, and congressional product delivery.

CRS is also making its knowledge accessible for your constituents, as Congress recently passed a law to bring CRS reports to the public. Twenty-two hundred non-confidential congressional reports are currently available online. The site received 20,000 page views in its first 24 hours.

In its daily work, Congress also relies on experts in the Law Library, requesting more than 330 inquiry responses in FY2018. Drawing on its unparalleled collection of domestic and international legal material, the Law Library of Congress provides Congress with timely, comprehensive research on questions concerning international and U.S. law. In addition to Congress, it prepares research and reference reports for executive and judicial branch agencies, the U.S. bar, and members of the public. Its service to the public is robust, answering more than 18,000 inquiries in person in its reading room, by phone, or electronically.

Recognizing that Congress and the American people are increasingly using electronic resources, the Law Library is embracing digitization. It has recently made past years of the official U.S. Statutes at Large fully accessible and is creating a pilot program to digitize 1,000 volumes of congressional material contained in the U.S. Serial Set. With the support of Congress in FY2019, the Library looks forward to further digitizing historical U.S. and foreign law materials from its collection.

#### **A 21st Century National Library Service for the Blind and Physically Handicapped (NLS)**

To meet the needs of 21st Century Americans who are blind, visually impaired or print disabled, NLS is implementing a complex and challenging plan to convert braille and talking books to modern digital formats and to take advantage of new technologies, such as voice recognition and artificial intelligence, to provide more books to more eligible patrons at a lower overall cost.

To accomplish this transformation to a fully-digital service, NLS has developed a multi-year plan to add braille eReaders to the NLS equipment program; to develop, test, and implement the next generation talking book system based on connected digital devices with modern voice controls; and to deliver an expanded collection of digital braille and talking books via the Internet directly to patrons' devices.

The Library is asking Congress for a change to NLS authority to conform to the Marrakesh Treaty Implementation Act, which was signed into law in October 2018. The Library expects that this, coupled with easing the Library's patron eligibility regulations, will expand the NLS user base over a period of 5 to 7 years. NLS seeks to grow from approximately 500,000 to 1,000,000 patrons and increase its number of titles available to patrons from approximately 3,200 to 9,550 annually, across multiple content formats.

#### **Optimizing the Financial Services Directorate**

The Library received its 22nd clean (unmodified) audit opinion for FY2017. Our goal is to maintain an unmodified opinion. To identify and resolve issues before they become audit findings, we are requesting resources and staffing capacity for the Financial Services Directorate in our FY2020 budget.

The Library's financial reporting services have grown and are used by our shared services partners the Congressional Budget Office, Medicare Payment Advisory Commission, and Open World Leadership Center. The Financial Services Directorate also provides accounting and audit support for four legislative branch agencies and two committees. However, the number and significance of

audit issues have increased due to the loss of experienced staff, changing skill sets, and the need to modernize processes, internal controls, systems, and reporting tools.

We need to make better use of financial data to support business decision-making, meet Treasury mandates, and ensure regulatory compliance. We also need to rebuild the data warehouse so that we can move it to the cloud, along with the Legislative Branch Financial Management System, to meet data-driven, real-time reporting needs.

Without optimized staffing and oversight, the Financial Services Directorate will forego opportunities to strengthen monitoring of risks, internal controls, and compliance and to increase the integrity of financial reporting and sound financial management.

**Conclusion**

In closing, the Library has made significant progress in many areas important to our users and we are excited about the work that remains to be done. We have a well-designed roadmap in place to enable the Library to be truly user-centered and more digitally enabled for Congress, in-person visitors and researchers, stakeholders, and your constituents visiting our websites at home. We are stabilizing, optimizing, and modernizing our information technology to support a more agile technology landscape that can adapt to each business unit's needs, and we are remaining intently focused on the collections and services that define the agency.

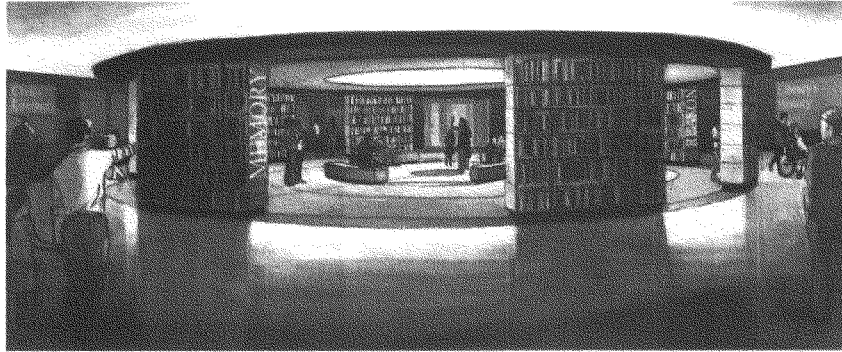
I thank you again for your continued interest and support for the Library of Congress, and for inviting me to update the Committee on these topics.

## Orientation Experience (carriage level / ground floor)

- Feature the collection Congress acquired from Jefferson in 1814

*"Jefferson wanted his books to be in a big circle, and he was supposed to sit in the center of it with his big desk and his Lazy Susan for books."*

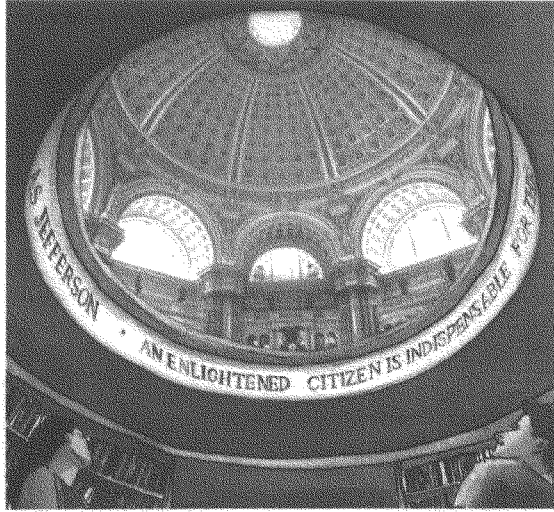
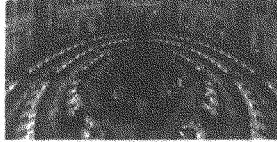
Mark Dimunicon, Chief of the Rare Book and Special Collections Division



Proposed, pre-decisional rendering

## Orientation Oculus

- Offers visitors remarkable views up into the Main Reading Room of the Library
- Visually connects the Orientation Experience to the Main Reading Room
- Recessed in the floor of the Main Reading Room
- Research activity above is undisturbed
- Piques interest to continue visitor experience



Proposed, pre-decisional rendering

## The Youth Center: Civic and Cultural Literacy and Engagement

- A world-class center that sparks curiosity, ignites minds, and inspires civic engagement.
- An evolving learning lab enabling young people to engage with and use library collections in new and meaningful ways.
- A place for young people to imagine and write the next chapter of our nation's history.
- A place to introduce new users to the wonders of the Library.
- An opportunity to explore the collection digitally.



Proposed, pre-decisional rendering

## Treasures Gallery

- Providing greater access to the country's cultural heritage through the Library's collection
- Providing an opportunity to explore the collection digitally
- Featuring long-term but rotating display of collection highlights



Proposed, pre-decisional rendering



Senate Committee on Rules and Administration  
Annual Oversight of the Library of Congress  
March 6, 2019  
Questions for the Record  
**Dr. Carla Hayden**

Chairman Roy Blunt

1. **FY2019 – 2023 Strategic Plan - I understand that when you assumed the position of Librarian of Congress, you embraced a renewed focus on comprehensive strategic planning for the Library. The FY2019 – 2023 Strategic Plan, *Enriching the Library Experience*, is focused on the Library’s users. Please tell the Committee about the process that the Library undertook to develop this strategic plan and how that process differed from previous years.**

**ANSWER:**

The Office of the Librarian was very intentional in our approach to developing the Agency’s FY2019 – 2023 Strategic Plan: *Enriching the Library Experience*. A top priority was that this plan be developed in a truly participative way and, as a result, be relevant to and resonate with all parts of the Library of Congress.

In the spring of 2017, we embarked on an envisioning effort to set the foundation for the strategic planning work. Early activities tapped over 100 staff and our Federal Research Division, to research, consider, and report on trends and topics important to the Library’s future. Working from this insight, a group of over 40 leaders from across the Library collaborated to set a shared direction forward, described as *User Centered, Data Driven, and Digitally Enabled*. The envisioning work also identified the need for shared language for how we articulate the role of the Library of Congress, and for defining our core users: *Congress*, first and foremost; *Creators; Learners; and Connectors*.

Early in 2018, we began development of the Strategic Plan, continuing to follow a highly participative approach. For example:

- We engaged over 500 staff and Library managers here on Capitol Hill and at our Culpeper campus in planning forums, meetings, and working groups.
- We continued to work with the cross-Agency leadership group to review progress, provide input, and give feedback on plan content as it evolved.
- We shared progress and engaged with our congressional oversight committees throughout the process culminating in the presentation of a draft plan in July, before submission of the final plan in September.

In addition to a participative approach, the planning process was constructed with the aim of creating a strategic plan that would transcend organizational boundaries and unify our discrete Service Units. The result was a refined Mission Statement, a new Vision statement, and a set of four strategic goals – Expand Access, Enhance Services, Optimize Resources, and Measure Impact – that genuinely apply to all Service Units within the Library.

A final difference of note with this planning process: for the first time all service units across the Agency developed their own five-year directional plan, establishing goals and priorities to align with the Library’s Strategic Plan. This allows the Library to track and report on progress to our established strategic goals over the life of the strategic plan.

**Have each of the service units within the Library coalesced around this plan?**

**ANSWER:**

Even before the launch of the Library’s Strategic Plan in October, Service Units were moving forward with their own planning activities, working to set goals and consider approaches to become more user centered, digitally enabled, and data driven. The resulting Directional Plans articulate each unit’s mission-unique goals and priority work over the next five years in line with the framework of the Agency’s Strategic Plan.

These plans reflect the culture of each unit, and serve to provide staff with a clear direction forward, and the means to link their work to the Agency’s strategic priorities. In addition, the Directional Plans provide Library leadership the opportunity to consider a collective, enterprise perspective in considering priorities and investments based on achieving strategic goals.

Building on this work, the United States Copyright Office has developed **Copyright: The Engine of Free Expression**, which continues the practice of providing a strategic plan for Copyright's external users and stakeholders. This plan makes clear the Office's alignment to the Library's Strategic Plan, and how it will contribute to the agency's four shared goals of Expanding Access, Enhancing Services, Optimizing Resources, and Measuring Impact.

**Why was the focus on the Library's users so important for this strategic plan?**

**ANSWER:**

The Library of Congress has an incredible, user-oriented mission: *to engage, inspire, and inform Congress and the American people with a universal and enduring source of knowledge and creativity.*

Our expert staff is unmatched in its ability to provide authoritative and nonpartisan research, guidance, analysis, and information in service to Congress, creators, researchers, and many other types of users. As with other agencies, however, we must take action to better understand and respond to the ever-evolving expectations and needs of our users, enriching their experience with the Library be it through expert CRS counsel, Copyright registration processes, reading devices for our NLS patrons, or library or law library reference services.

In addition, given the extraordinary resources offered by the Library, we know that there is much more we can do to be of service and value to many more Americans. We recognize our profound duty to more actively engage learners of all ages with the Library's unique and trusted resources and services.

**Would you please speak to the four goals the Library has identified to achieve the objectives of this plan – expanding access, enhancing services, optimizing resources, and measuring impact – and what has been done to date to accomplish these goals?**

**ANSWER:**

The four goals of the Strategic Plan – expanding access, enhancing services, optimizing resources, and measuring impact -- were developed expressly to transcend organizational boundaries and unify our discrete Service Units.

Though the plan was not launched until October 2018, its goals influenced the construct of Service Units' FY2019 goals. Thus, six months into the plan, we are tracking progress to the four strategic goals across the Library.

**Goal #1: Expand Access.** Initiatives to *Expand Access* include launching crowd.loc.gov, which allows members of the public to make the Library's collections more discoverable online; putting into production the Virtual Card Catalog (VCC) providing free online access to the millions of Copyright catalog cards that previously could only be accessed in person at the Library; beginning a series of year-long pilot projects to determine how technology can enable the modernization of NLS' talking book services; progressing on the new Visitor Experience Master Plan to enhance access to collections and services and improve our response to the needs of contemporary audiences; developing two major 2019 exhibitions (on Women's Suffrage and Rosa Parks) that will reach more people through in-person and virtual offerings; continued planning for USCO's information technology to support its public online catalog of records of copyright ownership with a new, state-of-the-art platform that will feature intelligent search capability and bulk access to the Office's records; digitizing the U.S. Serial Set within the Law Library to liberate tangible and for-pay subscription titles; expanding access to special collections by reducing arrearage, and, as always, continuing to expand our collections across all formats and perform millions of reformatting, treatment, rehousing, or binding actions to ensue accessibility to those items.

**Goal #2: Enhance Services.** With the aim of enhancing services, the Library is focused on assessing customer satisfaction of CRS and Law Library products and research services provided to Congress and Federal agencies, moving forward with specific activities targeted to improve awareness of those services such as the development and execution of a CRS-wide outreach plan and the establishment of outreach performance baselines; commissioning a market research study to better understand our audiences to inform future programmatic planning; developing a prototyping studio in the Jefferson Building that will be used to experiment with different models for engagement with the Library's collections and services; developing a first generation system for the online filing, examination, and recording of copyright-related documents to allow filers, for the first time, to submit documents and associated fees online; adding new partnerships to increase the

diversity and enhance the quality of Library internship programs; and in partnership with the House and Senate, developing a comprehensive calendar of congressional committee events on [Congress.gov](http://Congress.gov), increasing the discoverability of information on the site, and assuring data integrity, particularly regarding the transition from [LIS.gov](http://LIS.gov) to [Congress.gov](http://Congress.gov).

**Goal #3: Optimize Resources.** In support of the first two strategic goals, the Library is expanding efforts across the agency to support innovation and the modernization of our systems and services. This work also requires examination and the opportunity to improve workflows, as well as organizational structures, assessment of skills, and advancement of staff development opportunities. Examples of this work include: the pilot now underway to develop an automated integrated content management system (CMS) to streamline content creation, content delivery and publishing, archiving, and retrieval of Law Library research reports and to inform the development of a Library-wide CMS solution; and the Copyright Office's business process reengineering (BPR) and organizational analysis and redesign efforts that will refine internal processes and workflows to take maximum advantage of the increased automation that IT modernization will provide, and then optimize organizational structures, and align personnel resources to the emerging needs that result from modernization. Additionally, our two new Centers are working together to coordinate and have thematic consistency in public-facing events, programs, and messages; our newly created Library Collections and Service Group (LCSG) is consolidating communications functions; OCIO is building upon the conceptual foundation of the newly adopted Technology Business Management framework (TBM) to show different aspects of how IT funds are used to support management decisions in order to optimize scarce resources; and CRS continues to make progress in modernizing mission-specific information systems, as well as designing and implementing a knowledge management program.

**Goal #4: Measure Impact.** Service units within the Library have recently completed development of their five-year Directional Plans, to include setting impact- and outcome-oriented measures for their priorities, which will dramatically improve the Library's ability to measure and communicate impact. While many of the plans' identified measures require start-up work to set baselines, units are moving forward in several areas, including: the Law Library's new effort to evaluate data collection and track functions recorded in an internal management information system (MIS) to help develop an IT modernization strategy that addresses how data should be collected and used to inform program impact, results, and improvements; the Centers' work to develop and test survey instruments to measure visitor experiences at the Library; the Copyright Office's work to design metrics directly tied to the impacts described in its strategic plan; the John W. Kluge Center for Scholars' implementation of a new data collection initiative to collect feedback from attendees at all public events; Library Services' work to conduct surveys of internal and external users of key programs; and the establishment of a quality and performance management directorate within OCIO, dedicated to tracking performance associated with IT services and mitigating disruptions or improving services based on measurable data.

**How is the Library functioning differently today because of this strategic plan?**

**ANSWER:**

The Library's new Strategic Plan is providing the basis for prioritization and decision making. New approaches, frameworks, programs, and investment decisions are discussed specifically with respect to alignment with and contribution to the plan's four strategic goals.

The plan's focus on measuring impact has led to dramatic changes in the types of measures that units are setting and considering in order to measure the impact of their work. This has accelerated progress in improving our performance management framework by shifting from output-based measures to outcome-based measures.

**How do you envision the Library's functioning will change over the course of the five years of this strategic plan?**

**ANSWER:**

Most significantly, building experience in planning activities, and executing initiatives to align to the strategic plan's shared goals will allow the Library to approach more of its work from a collective perspective.

Additionally, we will embark on work with a clear understanding of what we hope to accomplish with the work, and have the ability to measure progress to those objectives, to ensure we are achieving the desired return on our investments. Additionally, throughout the agency, staff will

develop a clear understanding of how their work connects to the Library's highest strategic goals as it executes its mission.

2. **The Visitors Experience Master Plan - The Visitors Experience is a tremendous vision to repurpose some of the spaces within the Library's Thomas Jefferson Building in order to make it more user friendly, easier to navigate, and increase the opportunities for visitors to see some of the vast treasures and collections the Library holds. There are several different phases of potential renovation and multiple options within each phase.**

**Are the phases and options interdependent, or do they each stand on their own?**

**ANSWER:**

The different areas (the Orientation, Treasures, and Youth Centers) are conceived of as interdependent and complementary to address a wide variety of challenges identified by the Master Plan team during the research phase of the Master Plan process. However, in terms of design, development, and implementation, it is feasible to execute the experiences independently or in phases. How the Experiences should be prioritized is subject to the following factors and considerations: 1) funding, 2) impact, 3) timeline, and 4) location.

**1. Funding:** The Design Phase for all three experiences could be undertaken concurrently given the \$8 million the Library would have in hand upon approval of the Master Plan. Doing so would ensure maximum dialogue about and between the 3 experiences. The Master Plan Team is awaiting cost estimation numbers to understand how the development and implementation of the experiences could potentially be scheduled.

**2. Impact:** The Orientation Experience will offer the most obvious improvement to the visitor experience as visitors will immediately encounter and readily understand the Library's history and mission. Visitors will have an experience—the Oculus and Library's history—unlike any other, thus making the visit quite meaningful and the memory an indelible one.

**3. Timeline:** Of the three experiences, the Treasures gallery would be the most straightforward to undertake, and thus, likely the one implemented most quickly.

**4. Location:** The Treasures gallery would also likely be the most straightforward to undertake since the programming of space in its proposed location would not be significantly impacted, i.e., one long-term exhibit would be replaced with another long term exhibit. The Treasures Gallery would be in a space that is currently used for exhibitions on the 2<sup>nd</sup> floor of the Thomas Jefferson building, which would not require much preparation other than de-installing an existing exhibit and installing a new exhibit.

**Could Congress elect to move forward with some, but not all of the options?**

**ANSWER:**

The experiences/areas (the Orientation, Treasures, and Youth Centers) are, in large part, independent from each other. Conceptually and functionally, however, because they address different challenges and solutions, each supports and promotes the effectiveness of the other. Thus, as design solutions, there is interdependence between the three. For example, consideration is given to connectivity and visitor flow into, around, and between the Orientation Experience spaces and the Youth Center spaces. If only select experiences are pursued, it would be wise to revisit how those operate in isolation.

**One of the options would remove the historic desk and spiral staircase underneath the desk in the center of the Reading Room in order to create an Orientation Oculus. This Orientation Oculus would allow visitors on the lower level to look up into the Reading Room for a visual connection to the Reading Room that would not disturb ongoing research activity there. What value does the Orientation Oculus add to the plan and how much of the total cost of the plan is attributed to this feature?**

**ANSWER:**

In the Oculus, the Master Plan team has found a solution that celebrates the significance of the Main Reading Room, respects the needs of researchers, and establishes a powerful connection between the visitor and the Library.

The Oculus is at the heart of an interconnected, three-part Orientation Experience. The original Thomas Jefferson Library/Collection, the Library's Story, and the Oculus are complementary spatial components that elucidate the integral aspects of the Library. The Oculus provides an inspirational view of the Main Reading Room dome. At the center of that view is Edwin Blashfield's mural depicting the figure of Human Understanding lifting the veil of ignorance away from her eyes.

Encircling the Oculus is the Thomas Jefferson Collection—the intellectual foundations of the Library. The surrounding walls displaying the Library's story frame both the Oculus and Jefferson Collection. This experience displays the Library's history and how it serves Congress and the American people. In addition, visitors learn about the Library's divisions, research services, collections, and current exhibitions and programming as well as the many ongoing opportunities for research, learning, and engagement both onsite and online.

Taken as a whole the Orientation Experience will answer the most oft-asked question, "Where are the books?" and provide visitors with a newfound understanding that the Library is an unparalleled resource that welcomes and embraces visitors as users.

The center desk of the Main Reading Room will remain as a historically-appropriate façade separating researchers in the reading room from the visitors viewing the room from the Orientation Center below.

The Master Plan team is awaiting figures from the cost estimator to determine the percentage of costs devoted to the Oculus experience.

**Does the current total project estimate of \$60 million include the cost of ongoing storage needs created by displacing the historic structure proposed to be removed from the Reading Room? If not, do you have an estimated cost for those storage needs?**

**ANSWER:**

Yes, the ongoing storage costs for any historic fabric (i.e.: stairs, desk, stone floor) are accounted for in the cost estimation. The team is also considering displaying one or more historic pieces for educational or learning purposes.

**The renderings of the Youth Center and new exhibits are more "commercial" in appearance than the grand architecture of the Thomas Jefferson Building. Is there concern about adding modern elements to this historic structure?**

**ANSWER:**

The Master Plan is high-level and focuses primarily on conceptual, experiential, and functional recommendations for the Visitor Experience. It is the understanding of the Master Plan team that specific design solutions for the experiences will be addressed in future design phases and contracts. That said, the Master Plan team recommends that the solutions be in keeping with the historic character of the Thomas Jefferson Building. With regard to the Youth Center, for example, preliminary discussions have proposed including historic library furniture, equipment, operations, and processes as part of a hands-on activity "timeline" to demonstrate how Library activities, such as research and conservation, have evolved up to the present day.

**Will there be an attempt to blend the new with the old, as was done in the Capitol Visitor Center?**

**ANSWER:**

As mentioned above, the Master Plan is high-level and focuses primarily on conceptual, experiential, and functional recommendations for the Visitor Experience. It is the understanding of the Master Plan team that specific design solutions for the experiences will be addressed in future design phases and contracts. That said, the Master Plan team believes the spirit of the new should be in deference to the old – the historic character and singularity of the Thomas Jefferson Building.

3. Information Technology Modernization - In March 2015, GAO issued a report regarding the Library's Information Technology Management Weaknesses, which included 31 specific recommendations to the Library to strengthen the management of its IT systems. I understand the Library has been working diligently to address GAO's recommendations, beginning with hiring Mr. Bud Barton in September 2015 as the Chief Information Officer.

How many of GAO's recommendations has the Library addressed to date?

ANSWER:

With their 2015 review of the Library, GAO made 31 public IT recommendations, of which 27 have been closed and fully implemented. We have submitted initial evidence for the remaining 4, and continue to work closely with GAO to close those out as well.

The GAO made another 74 nonpublic recommendations. To date, the Library has closed and fully implemented 70 of those recommendations, with initial evidence submitted on the remaining four.

Does the Library have all of the resources necessary to address the remaining recommendations from GAO?

ANSWER:

Yes. The Library has submitted initial evidence for the remaining 8 recommendations – 4 public and 4 nonpublic – to GAO and is working closely with them to ensure that all recommendations are fully met. We expect to have all recommendations (public and nonpublic) implemented by the end of fiscal 2019.

Has the Library's current IT strategy successfully broken down some of the silos that had developed among the different service units in the Library?

ANSWER:

Yes. All Library technology activities are now centrally coordinated under the CIO. While processes are still maturing, that realignment has helped provided Library leadership with a holistic view of IT needs and better insight into IT projects. We have also refreshed the Library's IT Governance structure to ensure that IT operations and planning are aligned to meet the mission and goals established in the LC Strategic Plan, Digital Strategy, and service unit Directional Plans.

One significant area of concern GAO identified was the existence of duplicative or overlapping activities and IT investments across the different service units. Has the Library been able to identify and assess the costs and benefits of consolidating duplicative or overlapping IT investments?

ANSWER:

Over the last few years, the Library has made great progress consolidating IT activities and decreasing duplicative and overlapping IT services. GAO agreed, and in October 2018, confirmed that their recommendation was closed, as implemented.

In general, the Library has taken a number of steps to address the issues. With IT centralization, responsibility and oversight of all IT specialists and operations across the Library was shifted to the CIO. With centralized governance and project management, there is now better transparency into IT projects and the ability to ensure that efforts are aligned and coordinated. Where possible, the Library has begun to leverage standardized tools and platforms, instead of wasting resources supporting a wide range of technologies to do similar jobs. Better transparency into IT investments has allowed the consolidation of IT contracts, saving time and money. For example, 25 Oracle support contracts have been merged into one, reducing the cost for the Library by more than \$1.8 million dollars a year.

The Library is continuing to find efficiencies and will be adjusting operations further as opportunities arise. For example, the Library currently maintains three separate IT related service desk contracts – one each for the general Library, CRS, and the U.S. Copyright Office. As those contracts end, the Library will be merging those services into one joint contract.

4. **American Folklife Center - The Library has requested an amendment to expand the American Folklife Center's Board from seven ex officio members to nine ex officio members, so as to include the Secretary of Veterans Affairs and the Director of the Institute of Museum and Library Services. Why does the Library want to expand the Board to include these two agency heads?**

**ANSWER:**

The American Folklife Center (AFC) seeks language to expand the AFC Board. This amendment will formally recognize the importance of two federal agencies – Veterans Affairs (VA) and Institute of Museum and Library Services (IMLS) -- to the ongoing work and mission of the AFC and the Veterans History Project (VHP), a sub-unit of AFC. The amendment furthers the Library's new strategic plan to expand access and to optimize resources by increasing opportunities to establish "connector" constituencies and using available federal networks to expand and strengthen the Library's reach.

Congress has expanded the AFC Board since its establishment in 1976 (Pub. L. 94-201, 89 Stat. 1129, (Jan. 2, 1976)). In 1998, Congress added Librarian appointments and increased the ex officio appointments to more accurately reflect the relationships and organizational landscape of relevant institutional partners at the time. Pub. L. 105-275, Stat. 2457 (Oct. 21, 1998). The current proposal continues in that vein. The VHP did not exist at the time of the 1998 amendments; therefore, the amendment recognizes additional changes to organizational structure and partners and encourages more effective coordination of mutually beneficial and complementary programs and services.

For example, VHP currently works with the VA's Voluntary Service offices to support individual VA Medical Centers' efforts to participate in VHP. Additionally, the VA's Memorial Affairs grant program provides funding for groups to research the history of deceased veterans (see link: <https://news.ucr.edu/articles/2019/03/19/veterans-historyproject-receives-va-funding-through-2020>) and is an ideal potential collaboration. With formalized and consistent contact, VHP and the VA could more effectively plan and coordinate such services and activities, providing professional services and technical assistance to improve programs and optimize resources for veterans nationwide.

IMLS is a significant supporter of museums and libraries, many of which represent important AFC/VHP constituencies and collection priority areas, but our communication and collaboration is intermittent. IMLS sponsors many programs for tribal colleges, libraries and museums (as does the National Endowment for the Humanities and the National Endowment for the Arts) and AFC, VHP and the Smithsonian all have significant program and service offerings regarding collection expertise, oral history training and endangered language preservation. With consistent contact, AFC and VHP could more effectively coordinate services with IMLS and other relevant agencies to expand access and optimize resources for underserved constituencies.

Formal and consistent inclusion of the VA and IMLS as part of the AFC Board confers parity of recognition commensurate with other federal agencies (e.g., Smithsonian, NEH and NEA) whose leaders currently serve on the Board. The VA is a significant partner for VHP and IMLS is a major federal funder of digital preservation policy and initiatives that support and affect AFC and VHP collection donors. Although AFC already cooperates with both the VA and IMLS, automatic appointment to the Board will encourage these agencies to have a greater investment as stakeholders in the mission of AFC and VHP. It provides a platform for more formalized and strategic partnership.

5. **National Library Service for the Blind and Print Disabled Update - I appreciate the significant time spent and thorough research conducted by the National Library Service for the Blind and Print Disabled (NLS) regarding ways in which to expand the patron base for this very valuable program. It certainly makes sense to move in the direction of wireless digital delivery to smart devices, such as speakers, tablets, and smart phones.**

**Will NLS continue to distribute materials through the traditional methods of cartridges through the mail and digital downloads, even after incorporating the new wireless digital delivery?**

**ANSWER:**

Yes. NLS will continue to distribute materials through the now-traditional method of providing digital talking book (DTB) devices through the mail service, even after incorporating the new wireless digital delivery system. As both NLS' digital capabilities as well as patrons' use of their own smart devices increase exponentially in years to come, it is anticipated that fewer patrons will

utilize the traditional digital-talking-book methodology, lowering both NLS' costs and need to keep a high inventory of DTB machines as well as the expenditures of the U.S. Postal Service's Free Matter for the Blind Program.

**Will the wireless digital delivery to smart devices rely on the patrons themselves having smart devices on which to use the digital material, or will NLS be supplying smart devices to its patrons?**

**ANSWER:**

The wireless digital delivery to smart devices will definitely rely, in part, on patrons themselves having smart devices on which to access the digital material. This will provide a seamless use of NLS services as patrons with such technology are similarly already experiencing. In addition, NLS will also be working to create a new DTB player, or new smart device comprising both a digital talking book function as well as smart device features, that can be sent to patrons requesting one. In whatever form this device takes, the digital component and features will only be offering and utilizing wireless services strictly from NLS' services in order to properly and accurately measure and quantify the amount of data and storage needed from digital providers.

**In order to offset the costs associated with providing reading materials to patrons of the National Library Service (NLS) program through a wireless digital delivery system to smart devices, the Library is proposing an amendment that would make the NLS program eligible for the same universal service "e-rate" program that is currently available to schools and local libraries. What are the estimated costs associated with expanding this universal service program?**

**ANSWER:**

NLS' "Strategic Roadmap" Report completed in April 2018 estimated the cost to be between \$13-46 million. Strictly looking at data usage costs utilizing NLS' 2018 user statistics, the estimated cost was approximately \$33 million (\$10/mo. x 12 mo. x 272,841 individuals using DTB technology = \$32.74 million).

However, these figures need to be contextually qualified in two very important ways. First, the E-Rate Program for Schools and Libraries provides a significant discount to its patrons. Assuming the same for NLS patrons dramatically lessens the estimated cost.

In addition, it is important to remember the financial context of the E-Rate Program. For FY2018, the funding cap for E-Rate was \$4.06 billion. For FY2019, the funding cap has been raised to \$4.15 billion. This is a net increase of \$89.36 million. The estimated demand for FY2018 is \$2.715 billion. In addition, there is also an unused funds allotment of \$1.2 billion from the previous year. Thus, \$33 million represents a mere 0.81% of the annual cap for FY2018, 2.4% of the "leftover" (funding cap – estimated demand) for FY2018, 1.29% of the total "leftover" ((funding cap – estimated demand) + unused funds allotment) in FY2018, and 0.79% of the annual cap for FY2019.

Finally, NLS is currently working to ascertain as much additional data as possible regarding its patrons' use of digital services. NLS has two separate but complementary consultant based studies underway to measure how many of its patrons use digital devices, how much data those patrons and devices use, and how much that data costs. NLS will complete these studies this calendar year and incorporate those findings into its E-Rate analysis.

**What, if any, feedback has NLS received from telecommunications carriers about potentially expanding this program, for which the telecommunications carriers provide funding?**

**ANSWER:**

The Library first wanted to provide its congressional oversight committees the opportunity to comment on this proposal before engaging external industry stakeholders. Once feedback is received from the congressional oversight committees, the Library will begin consulting with stakeholders to the Universal Service Fund E-Rate Program, including the telecommunications carriers, the Federal Communications Commission, the Universal Service Administrative Company, and the Wireline Competition Bureau.



6. Uniform Pay Scale for Career Senior Executive Positions - If the proposed legislative changes for creating a uniform pay scale for career senior service positions at the Library are approved, specifically for the Deputy Librarian of Congress, the Director of the Congressional Research Service, the Register of Copyrights, the Director of the American Folklife Center, and the Deputy Director of the Congressional Research Service, how will these changes impact the salaries budget at the Library?

Have sufficient resources been requested by the Library for FY2020, in anticipation of the potential adoption of these proposed changes?

ANSWER:

If approved by Congress, the Library's proposal to create a uniform pay scale for senior service positions is not expected to have a significant impact on the agency's salary budget. We expect additional salary costs to be very limited and anticipate there will be sufficient resources to pay for this proposal within the funds requested in the FY2020 budget.

7. Representation and Reception Funds - I understand that the Office of the Librarian has previously used the Library's gift funds for representation and reception expenses when welcoming visitors and delegations to the Library. This year, the Library is requesting authority and additional funding for an official representation and reception expense account for the Librarian.

On average, how much has the Office of the Librarian typically expended each fiscal year in welcoming visitors to the Library?

ANSWER:

Based on the last three years, the average annual Representation and Reception funding obligated by the Office of the Librarian was approximately \$21,200 on events that involved Librarian representation activities. Currently these events are paid for by nonappropriated gifts and trust funds.

8. Copyright Royalty Judges - I understand that since 2004, there has been a significant increase in volume and complexity of the rate and distribution proceedings handled by the Copyright Royalty Judges (CRJ). Since the statute establishing the CRJ program capped the number of support staff at three, it has become increasingly difficult for the CRJ program to manage its workload. As such, the Library is requesting a legislative language change to the statute that would delete the cap on support staff, allowing the Library to hire the three additional staff the Chief CRJ has identified as being necessary to fulfill the duties of the program.

Does the Library's FY2020 budget request take into account the salaries funding necessary to pay the additional staff necessary for the CRJ program, if this legislative language request is approved?

ANSWER:

The Library estimates an annual salary cost of approximately \$350,000 - \$400,000 to support this proposal for three additional full time equivalents (FTE) in the CRJ program. The Library's current FY2020 budget submission does not request the necessary funding to support this proposal. As such, the Library will need to submit a request in FY2021 to fund these positions or work with appropriators to include funding for them in the FY2020 appropriations bill.

9. Copyright Office Funding Flexibility - The Copyright Office is seeking funding flexibility that would allow the Office to continue to operate during a lapse in appropriations, otherwise known as a government shutdown, by continuing to operate using its fee balances. Since the fees collected by the Copyright Office by statute remain available until expended, and other government agencies with such a fee structure already have the authority to operate using fee balances during a lapse in appropriations, this seems like a reasonable request.

**Has the Library been able to quantify the negative impacts to the public and the economy during government shutdowns that have impacted the Library over the last 25 years?**

**ANSWER:**

We have not quantified specific individual negative impacts to the public and to the economy resulting from a shutdown of the Copyright Office due to the lapse in appropriations; however, it is unquestionable that customers seeking to protect their intellectual property rights through registration or other Office services could face significant issues as a result of the loss of access to Copyright Office services and delays. The Copyright Office has worked to provide relief wherever possible.

First, the Copyright Office has established contingency plans in the event of a lapse of appropriations or other shutdown of services. The Copyright Office and the Office of the Chief Information Officer (OCIO) have agreed to make the public facing registration system (eCo) available for copyright applicants to submit their claims for registration during a lapse in appropriations (although administrative backend functions, systems, and staff would not be available to process those submissions, and OCIO itself would have only a limited staff to address technical issues). Submitted applications would remain in queue in the eCo system until processed once normal operations are resumed.

Second, the Register has promulgated regulations that address the effect of any disruption or suspension of any Copyright Office electronic system on the Office's receipt of applications, fees, deposits, or other materials, assigning a constructive date of receipt for materials received electronically during any shutdown. This regulatory amendment built upon existing regulations implementing section 709 of Title 18, which pertains to a general disruption of postal or other services. *See* 37 C.F.R. 201.8.

Ultimately, a change in legislative language will be required to enable the Copyright Office to continue to operate during a government shutdown. Under 17 U.S.C. 708(d)(1), copyright fees remain available until expended; however, those fees are unavailable for expenditure absent an appropriation. To address the impact of government shutdowns on the public and the economy, the Copyright Office has proposed a legislative language change to allow for use of its fee receipts up to the expenditure level authorized in the prior year's appropriations act. Although the provision would allow operations to continue only to the extent the Copyright Office has sufficient fees available to fund those operations, the provision would enhance the Office's ability to maintain customer service and safeguard copyright owners' rights through continual registration of protected works, processing of royalty payments, and ongoing access to copyright records and resources.

Senator Amy Klobuchar

1. Marrakech Treaty - One bipartisan achievement from last year was the passage of the implementing legislation for the Marrakech Treaty. This treaty complements the work already underway at NLS to expand the base of patrons it serves. Combined, these efforts could double the number of patrons served by NLS in less than 10 years.

How is the Library preparing for this potentially large infusion of NLS users?

**ANSWER:**

The Library and NLS are taking a number of important steps to prepare for this potentially large infusion of NLS users. First, NLS is actively working to be prepared for the May 8<sup>th</sup> launch date for full Marrakesh Treaty compliance by the United States.

The Marrakesh Treaty Implementation Act was passed and signed into law last year thereby updating the Chafee Amendment to conform it to the Treaty. Nevertheless, as the United States' national congressionally-mandated service to blind and visually impaired Americans, NLS' underlying statute needs to be updated as well in order to allow NLS to meet the Marrakesh standard of international exchange. This opportunity will also allow NLS to incorporate Marrakesh definitional terminology to its statute and update its name with a more modern and accurate service title. This legislative proposal is currently before the Library's oversight committees, and the Library and NLS look forward to continuing to work with Congress to pass this important legislation.

In addition to this legislative proposal, NLS is also working internally, with its network libraries, and with its international partners, to anticipate and be prepared for the implementation and future necessary collaboration to make the Marrakesh Treaty a success. These discussions are continuous and ongoing as NLS deliberates and plans for the increased international exchanges and increased exposure to and demand for NLS services and inventory.

Secondly, NLS continues to implement and plan its future-state modernization. This has been and will continue to be a multi-year effort. Building from a 2015 GAO Study, a 2018 internal consultant-based study, congressional interest, and the continued developments of modern technology, NLS has devised a multi-year modernization effort to transition from a talking book-based program delivered via the U.S. Postal Service to a primarily digitally-based future state based in the cloud.

This modernization has several components. It involves integrating Braille eReaders (refreshable Braille displays) into NLS' menu of services. It involves modernization of its Braille and Audio Reading Download (BARD) so that it is no longer constrained by its dated infrastructure and technical deficiencies. This is central to NLS being able to serve its expanded patron base as BARD is increasingly the way in which users access NLS' inventory. Finally, it involves measuring and understanding the digital and data needs of NLS users and providing a means to deliver that digital data to NLS users on a cost-efficient basis. NLS is doing this by conducting multiple separate consultant-based studies this calendar year to measure the digital needs and costs of NLS patrons. It also involves NLS asking to be incorporated into the E-Rate Program for Schools and Libraries given the mission Congress established in 1931 when it created NLS is identical to the one Congress created in 1934 when it created the Federal Communications Commission and in 1996 when it created the E-Rate Program, namely, to provide knowledge and information to those Americans least able to access them.

Thus, as NLS finalizes its Braille eReader technology, updates its statute, begins international exchanges, modernizes BARD, strives to integrate into E-Rate, and develops the next generation digital talking book, it will stand ready and equipped, and excited, to meet this increased infusion of NLS users.

2. Strategic Plans - Over the years, the Library has not been effective in its strategic planning. Among Dr. Hayden's first initiatives as Librarian was directing the Office of Strategic Planning and Performance Management to develop a Library-wide strategic plan which would be supported by aligned service unit plans. The Library's Inspector General (IG) has also identified a number of suggestions that would further strengthen the Library's strategic planning and performance management.

**How have has the Library worked to incorporate the recommendations of the Library's IG into the new strategic plan?**

**ANSWER:**

The Inspector General's guidance was put forward in its July 2018 report *Continued, Persistent Focus Needed to Strengthen the Library's Strategic Planning and Performance Management*.

We were pleased that the IG acknowledged the significant progress that the Library has made in our approach to planning and performance management, and in finding that we are on the right path forward with our approach to building to a mature, data-driven and impactful planning and performance management system.

The new Strategic Plan aligns with the IG's guidance on the need to improve the Library's focus on its users, as evident with the articulated User-Centered direction forward, and strategic goals of *Expanding Access*, to make our unique collections, experts, and services available when, where, and how users need them; and *Enhancing Services*, creating valuable experiences for every user to foster lifelong connections to the Library. The strategic goal to *Measure Impact* - using data to measure our impact on the world around us and share a powerful story - also reflects the IG's guidance to develop data collection and assessment capabilities.

Of note, the Strategic Plan is our foundation for an overall planning and performance management framework. With the launch of the accompanying Service Unit Directional Plans, we are in line with guidance on ensuring planning identifies the priorities and initiatives that will drive to achieving our strategic goals. In addition, the Directional Plans are a critical aspect of working to develop a planning and performance culture within the Library.

We agree with the IG that it will take years along a carefully planned trajectory to build a mature framework, and the Strategic Plan represents a critical milestone in that trajectory.

**Can you provide a progress update for the creation of service unit plans?**

**ANSWER:**

I am pleased to report that Service Unit plans, as well as plans for our new Centers, are now approved and guiding the work across the agency.

These internal management plans capture immediate and longer-term priorities in service to the both Library's Strategic Plan and each unit's unique mission. Directional Plans are defined to be living documents, with the expectation that timeframes and priorities will shift over the five year horizon. Regardless, these plans provide important insight into the priority work and desired impact of each Service Unit, while allowing Library leadership to consider opportunities to be more collaborative in future endeavors, with the objective of providing greater value to our many users.

3. **Youth Center - Dr. Hayden's has stated that one of her top goals as Librarian is to expand users' access to the Library both onsite and online. As part of this effort, Congress has committed to providing \$40 million in appropriated funds to be matched by \$20 million in private funds raised by the Library. Dr. Hayden's testimony notes that the Library has received verbal commitments totaling \$11 million.**

**Can you provide an update on the Library's work with a capital campaign contractor and whether you anticipate encountering any issues raising the entirety of the private funds?**

**ANSWER:**

The Library of Congress has engaged the firm of Marts&Lundy to prepare a fundraising plan for the proposed Visitor Experience Master Plan. Marts&Lundy has begun their initial work of developing a case statement and conducting a feasibility study. In their early meetings with the Library's Development Office, Marts&Lundy has indicated that they anticipate that the Library will be able to secure the additional private funds needed to match the commitment made by Congress.

4. **Storage - In the IG's semiannual report to Congress, storage is listed among the Library's top management challenges. The Library receives some 15,000 items each day and adds approximately 12,000 items daily to the collections. In other words, the Library is acquiring materials faster than they can be processed, made accessible, and stored.**

**What challenges does the Library face when it comes to ensuring that the rate of acquisitions is consistent with its existing ability to catalog and store items?**

**ANSWER:**

The daily averages show the total number of items received through several different acquisition methods and the total number of those items that are eventually added to the collections. The 3,000 items difference is comprised of materials that are never added to the collections. A substantial percentage of received items arrive unsolicited by the Library, primarily as copyright registration deposits and as gifts. Staff apply the Library's collecting policies to these incoming materials and are determining that 3,000 items each working day are not in scope for the Library's collections. So, they are not added to the collections. Instead, many such items are then made available for the Library's Duplicate Materials Exchange Program and the Surplus Books Program.

The Library regularly evaluates selection and retention criteria, focusing on user needs and staying aware of Library processing and storage resources. Decisions of what to collect and the level of intensity are guided by the Library's more than 70 Collections Policy Statements and Supplementary Guidelines documents (available at <http://www.loc.gov/acq/devpol/cpsstate.html>). Despite the universal breadth of our collections, the Library collects selectively based on these policies.

As researchers, staff, and the materials themselves are challenged when collection items are uncatalogued or inappropriately stored, the Library is focused on reducing the number of items in those states. The Library does not have an cataloging arrearage of book material, though a level of work on hand is maintained to ensure complete and efficient employment of our highly trained cataloging staff while moving items through processing in a defined period of time. The Library's physical storage facilities are overcrowded but currently sufficient to receive its collections. While it lacks preservation quality storage space to best house its growing collections for the long term (due to a decade-long gap in the construction of Fort Meade Modules), recently constructed Module 5 and under-construction Module 6 have and will closely the storage gap considerably.

Reduced staff levels, limited-time market availability of large, valuable, and sought-after collections, and fulfillment of donor agreements can have a direct effect on the growth of the special collection arrearage. Funding received in FY 19 for a Focused Special Formats Collections Arrearage Reduction New and Expanded Program Request (NEPR) provides significant new staff and contract support to reduce the current 27.3 million item arrearage by about 750,000 items per year. In their practices and mitigation plans, divisions have paid attention to both increasing their processing rates and being increasing selective about the number and portions of collections brought into the Library.

Regarding the special collections arrearage – priority for processing is based on an evaluation of the collection's anticipated use, value, and processing cost. We are aware of high-priority subject areas based upon regular consultations with the Congressional Research Service and monitoring of trends in researchers' use of the Library's collections and services. Through these efforts, the Library continues to place highest priority on processing and making accessible those collection materials of most immediate interest to Members of Congress and our general researchers. Mitigation plans by written and implemented divisions offer additional ideas to make special collections acquisition and processing more targeted and efficient.

**Are there programmatic changes that are being considered to ensure that all collections purchased by the Library are properly and timely cataloged and safely stored or exhibited? If so, please describe those changes.**

**ANSWER:**

Regarding the special collections arrearage, priority for processing is based on an evaluation of the collection's anticipated use, value, and processing cost. We are aware of high-priority subject areas based upon regular consultations with the Congressional Research Service and monitoring of trends in researchers' use of the Library's collections and services. Through these efforts, the Library continues to place highest priority on processing and making accessible those collection materials of most immediate interest to Members of Congress and our general researchers. Mitigation plans by written and implemented divisions offer additional ideas to make special collections acquisition and processing more targeted and efficient.

5. **Financial Management – Financial managed has now been listed as a top management challenge for the Library. In the IG’s semiannual report to Congress, he states that the Library must take “...immediate action to make improvements in order to maintain a [clean] financial statement audit opinion.” And that “...further deterioration of the Library’s financial reporting internal controls will increase the possibility for a material misstatement of the Library’s financial statements and may jeopardize its twenty-two year history of [clean] audit opinions.” The report notes the retirement of experienced staff from the Office of Chief Financial Officer as a contributing factor to the Library’s deteriorating ability to process, record, and manage its reporting of financial data.**

**Are there corrective actions that the Library is taking to resolve the financial data issue? If so, please describe what those actions entail.**

**ANSWER:**

Corrective action plans have been prepared, and it is an ongoing effort to address the audit findings. As our financial reporting services have grown and are used across several Legislative Branch agencies, it is imperative that we address these findings as quickly as possible to keep our unmodified (clean) audit opinion. We have collaborated with other service units to identify and implement solutions, developed standard operating procedures that cross service units, developed new reports, increased oversight of financial data and modified integrations. Continued work needs to be done in addressing these issues, and the Financial Services Directorate (FSD), formerly named the Office of the Chief Financial Officer, is proactively strengthening internal controls to mitigate audit issues in the future.

FSD has formulated plans and taken action to modernize and optimize operational efficiencies by:

- Strengthening the FSD staff capacity to reconstitute corporate knowledge and experience that has been lost to retirement and attrition.
- Develop a robust data analytics capability and transition the work skills from transactional to analytical where appropriate.
- Optimize and update the FSD’s vital policies, procedures, and business processes.
- Optimize and upgrade Library financial systems and tools to allow for real-time reporting.
- Strengthen risk management, internal controls, and compliance in order to provide guidance, oversight and service to the Library service units and other Legislative Branch Cross Servicing Agencies.

In addition, FSD has:

- Hired with existing resources several new staff members to replace retirees with focused plans in the short to intermediate future to hire additional staff to fill gaps in skillsets and allow staff the bandwidth to backup key processes.
- Collaborated with the Human Resources Directorate on a staff competency assessment survey to identify gaps in skillsets;
- Developed plans and with some early implementation to modernize, interface and consolidate financial systems.
- Implemented an automated travel management system, which streamlines the travel authorization, vouchering and payment process.
- Begun to evaluate data warehouse technologies and business intelligence reporting systems to upgrade or replace the current shared reporting system.
- Contracted to provide assessments of the reports used and mapping to external reports.
- Interfaced the financial system to several Treasury systems to increase the efficiency and accuracy of the data, which begins to operationalize the goal of becoming less transactional based and more analytic.
- Completed several studies on financial management processes to assess and obtain recommendations for improvements but more studies and resources are required and are waiting for funding.

- Scheduled a business process-reengineering project, beginning in FY2019, that includes standardizing processes and documentation across Legislative Branch Cross Servicing Agencies. The funding for this project recurs through 2023. Acquisition, vendor, and purchase card processes will be reviewed in fiscal 2020 for standardization across the agencies served.
- Submitted a high-priority fiscal 2020 budget request to further the modernization and optimization plans mentioned above, including 10 FTE to enable the reconstitution of workforce skills and experience, increased funds for training, funds to optimize reporting tool performance and modernize business processes and funds to perform required studies for abstract financial operational challenges.

**Are there “knowledge management” programs being considered to ensure the successful continuity of programs and operations after the departure of key staff?**

FSD is engaging in knowledge management in several ways. This includes collaborating with OCIO to identify technology that would facilitate a collaborative workflow system that can be used across the Library service units, as well as with our cross servicing agencies; identifying opportunities to train and cross train staff; and identifying policies and procedures that require updating.

6. **U.S. Copyright Office - Dr. Hayden, the Library of Congress and the U.S. Copyright Office have been working with publishers of daily newspapers from all across the country on solutions to the problems created by the phasing out of microfilm. Over the years, both sides have worked in good faith to find solutions to these problems, but I am increasingly concerned about the potential impact on library patrons as time passes without fixes to these issues.**

**The Copyright Office issued a rule in early-2018 regarding the group registration of newspapers, allowing news publishers to submit their registration deposits electronically. Although the final rule was developed in consultation with the newspapers, the final rule did not allow news publishers to submit these deposit copies via an FTP upload option. Without implementation of an automated batch submission method, it will be all the more difficult to achieve the efficiencies and benefits originally identified with electronic submission of registration deposits. Will the Copyright Office resolve this issue during the modernization effort so that the full benefits of group registration may be achieved, and what timeline can we expect for full resolution of this matter?**

**Publishers are also appreciative of the Library’s work to develop a template “special relief agreement” to address their concerns regarding mandatory deposit requirements. I understand drafts of the agreement have been discussed, but I think it would be in the best interests of the Library, Copyright Office and the newspaper publishers to finalize the agreement as quickly as possible. What are the remaining barriers to completing this special relief solution?**

**ANSWER:**

The question above references a collaborative undertaking between the Library and the News Media Alliance (NMA) to explore technical aspects associated with allowing newspapers to submit digital files of their newspapers, or “ePrints,” to the Library as part of group registration. At the time of the pilot, copyright regulations obligated newspaper publishers to submit microfilm to satisfy the existing group registration of newspaper deposit requirements. The pilot was limited in scope in that it deliberately excluded regulatory changes from consideration and only investigated the feasibility and desirability of certain technical characteristics associated with digital deposits. The pilot made several recommendations regarding technical files specifications, which helped inform specifications prescribed in the Copyright’s final rule and a circular on Group Registration of Newspaper ePrints. The pilot did not result in a recommendation regarding the method of file transfer.

Since March 2018, newspaper ePrints have been accepted for copyright group registration through the existing Copyright online registration system. Under the current registration system, ePrints or bundles of ePrints must be uploaded as stand-alone files. The SFTP transfer process used during the technical assessment pilot is incompatible with the Copyright Office’s existing process due to the technical limitations of the current system (eCO).

While a new modernized system is being developed, the current eCO system is not being modified further to focus USCO's limited resources on the planning and development of the modernized Enterprise Copyright System (ECS). As the Office begins the process of modernizing the Registration system and the ECS as a whole, it will assess issues related to the upload of electronic deposits, including limitations on newspaper batch submission capabilities to address the concerns raised by newspaper publishers.

The Library and the Copyright Office appreciate the ongoing support of the News Media Alliance (NMA) and the publishers as the finishing touches are made to the template special relief agreement for mandatory deposit. At the same time, the Library is readying the technical infrastructure for an influx of electronic deposits. In the coming weeks, the Library and Copyright are interested in testing the mandatory deposit technical infrastructure with a small number of publishers prior to launch.