Written Testimony of Greg Lambert
President of the American Association of Law Libraries
On Funding for the Government Publishing Office and Library of Congress
To the Senate Appropriations Subcommittee on the Legislative Branch
For the Record
April 27, 2018

Dear Chairman Daines, Ranking Member Murphy, and Members of the Subcommittee:

Thank you for the opportunity to submit written testimony in support of the Fiscal Year (FY) 2019 requests of the Government Publishing Office (GPO) and the Library of Congress.

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

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

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

Funding for the Government Publishing Office

GPO produces, authenticates, disseminates, and preserves government information in multiple formats from all three branches of government. These are complex and demanding responsibilities that are essential to the information lifecycle and promote
government transparency. We urge the Subcommittee to fully fund each account within GPO’s request.

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

GPO administers the FDLP by providing federal government information products in multiple formats to more than 1,100 participating libraries across the country, including 12 Federal Depository Libraries in Montana and 18 Federal Depository Libraries in Connecticut. These libraries are charged with ensuring no-fee access to government information to the American public.

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

On March 15, the bipartisan FDLP Modernization Act of 2018, H.R. 5305, was introduced in the House with the support of AALL, the American Library Association, and the Association of Research Libraries. The bill will update the FDLP for the digital age, strengthen the Superintendent of Documents’ responsibilities to authenticate and preserve government information, and improve oversight and increase transparency by adding reporting requirements. It will strengthen GPO’s administration of the program while ensuring continued participation by many types of libraries across the country. The bill was reported favorably by the Committee on House Administration on April 12, and we are hopeful the bill will soon pass the House and then be considered by the Senate.

In testimony before the House Committee on House Administration in July 2017, then-Director of GPO Davita Vance-Cooks suggested that Congress explore grant-making authority for GPO. Though grant-making authority was not included in H.R. 5305 as introduced, we believe it is worthy of further exploration. We recommend that the Subcommittee direct GPO to continue to study the creation of a grant-making program to support the services of Federal Depository Libraries in providing permanent public access to federal information. GPO should coordinate with the Institute of Museum and Library Services and consult with stakeholders about how such a program might be administered.
Finally, we are pleased with the work that GPO has done to make official, authentic information available through govinfo. Our members use govinfo every day to access and share trustworthy legal and government information.

**Funding for the Library of Congress**

As the largest library in the world, the Library of Congress provides leadership on many critical issues, including digitization and preservation, access to legal and scholarly information, and copyright. We are pleased that approved funding for FY 2018 will support technology modernization for the Library, the Copyright Office, and the CRS.

The Library’s FY 2019 request includes $1.8 million to strengthen the capacity of the Law Library of Congress. The Law Library is a world leader in providing access to reliable legal materials in print and electronic formats and it must have adequate funding to meet the needs of Congress, the Supreme Court and other court judges, attorneys, and the public. In addition, the Law Librarian must be able to function with some autonomy within the Library of Congress, as she is the leader of the de facto national law library.

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

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

**Conclusion**

AALL thanks the Subcommittee for the opportunity to provide written testimony in support of the FY 2019 requests of the Government Publishing Office and the Library of Congress. The work of GPO and the Library of Congress support law libraries, the
public, and our democracy. We urge you to approve as close to full funding as possible for these agencies.

If we can provide additional information or assistance, please contact AALL’s Director of Government Relations Emily Feltren at efeltren@aall.org or 312.205.8010.

Sincerely,

Greg Lambert
President