

LEGISLATIVE BRANCH APPROPRIATIONS FOR FISCAL YEAR 2010

THURSDAY, JUNE 4, 2009

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 2:34 p.m., in room SD-138, Dirksen Senate Office Building, Hon. Ben Nelson (chairman) presiding.
Present: Senators Nelson, Pryor, and Murkowski.

LIBRARY OF CONGRESS

STATEMENT OF HON. JAMES H. BILLINGTON, LIBRARIAN OF CONGRESS

ACCOMPANIED BY:

JO ANN JENKINS, CHIEF OPERATING OFFICER

DR. DEANNA MARCUM, ASSOCIATE LIBRARIAN FOR LIBRARY SERVICES

KURT CYLKE, DIRECTOR, NATIONAL LIBRARY SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED

OPENING STATEMENT OF SENATOR BEN NELSON

Senator NELSON. Good afternoon, everybody, and welcome. We meet this afternoon for our fourth and final legislative branch budget hearing for fiscal year 2010. Today, we will hear from the Library of Congress and the Open World Leadership Center.

It is my pleasure to welcome my ranking member—my recovering ranking member here—and good friend, Senator Murkowski. It has been a real pleasure working with her throughout this process this year, as well as with the other members of the subcommittee, Senator Pryor and Senator Tester. And we hope that perhaps they will be able to join us today as well.

And I want to welcome our witnesses today—Dr. James Billington, the Librarian of Congress, and Ambassador John O’Keefe, Executive Director of the Open World Leadership Center. It is good to have both of you gentlemen here this afternoon, and we are looking forward to hearing from you.

We would hope that perhaps you would keep your opening statements as brief as possible, perhaps around 5 minutes, and submit the rest of your testimony for the record.

One thing that we have established at our first three hearings, and I hope it bears repeating, is that we are not eager to increase the overall legislative branch budget this year. And so, we are look-

ing for your guidance in helping us to address your agency's needs in fiscal year 2010, but this is not the year for the "nice to haves."

Senator Murkowski and I look forward to working with you in this regard, and we have been working with the other members of the legislative branch in that regard as well.

First of all, Dr. Billington, I want to welcome you and your Chief Operating Officer, Jo Ann Jenkins. It is an honor to have you here today. On behalf of the subcommittee, I want to wish you heartfelt congratulations on your 80th birthday.

And thank you for your service as Librarian of Congress for these last 22 years, very important years in the development not only of the Library for Members of Congress, but for your efforts to reach out to world leaders and to bring them into the kind of librarian finesse that you have been able to continue to provide for all of us, and we appreciate that.

I know personally, having been with you in Moscow and your close association with Mr. Putin and Mrs. Putin, and what you have been able to do to help them with their library efforts is commendable and makes us all very, very proud. Your service in this capacity is both highly commendable and greatly appreciated, and we can't express enough our appreciation for those efforts.

The Library's fiscal year 2010 request totals \$658 million, an increase of \$51 million, or 8.5 percent over fiscal year 2009. And I note that a large portion of your increase, about \$20 million, has to do with upgrades to the Library's information technology systems. I look forward to hearing from you and discussing this with you just a little later on.

I also want to welcome Ambassador O'Keefe of the Open World Leadership Center. Your budget total is \$14.456 million, an increase of \$556,000, or 4 percent above the current year.

I want you to know that I strongly support the work of Open World. We are very proud of what you are doing in reaching out and bringing others into the kind of relationship with our country that we all want and we know that the others respect and want to continue.

Your leadership in that area, your role has been tremendous. We are both proud and very supportive of your efforts, and we want those efforts to be able to continue. And we want to work with you in order to make sure that that, in fact, does happen.

And now I would like to turn it over to my friend and ranking member, Senator Murkowski, for her opening remarks.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

I appreciate how this series of hearings has gone. This is our fourth and our last, as you have noted. But as a new member to the Appropriations Committee and certainly a new member here with this Legislative Branch Subcommittee, there has been a great deal of focus and attention to the real workings of what goes on within the legislative branch, and I appreciate that.

Sometimes this is one of those appropriations subcommittees where things just kind of move forward on status quo, and I think the level of inquiry that we have had in subcommittee with your

leadership, it has been appreciated on all ends. And I just wanted to make that comment.

I want to welcome the witnesses before us today. I had an opportunity to do a little sit-down with Dr. Billington and Ambassador O'Keefe. I appreciate that a great deal.

Ms. Jenkins, it is a pleasure to welcome you back, and I know you have got a full team behind you as well. We certainly welcome you to the subcommittee.

There is also an Alaskan today that I want to acknowledge. The Library brings to Washington every year a teacher to work with its Educational Outreach Division. And for the 2008–2009 school year, the Library selected David Miller, who is the library media specialist from Ketchikan High School.

I didn't go to Ketchikan High. I was born there. My parents both went there. So it is nice to have a hometown person associated with our Library. He has worked on several different projects, including an online professional development project, facilitating educator workshops, and developing teacher materials for the Library's Learning Page, which is great.

The Library has had some important events in the last year, including the opening of its new visitor's experience in the Jefferson Building, the launching of the World Digital Library in Paris with partners from 21 countries, and the first full year of operating the state-of-the-art National Audio-Visual Conservation Center in Culpeper, Virginia.

And Dr. Billington, Senator Nelson mentioned your work with Russia, and we know your involvement, very instrumental involvement with the opening of the Yeltsin Presidential Library in St. Petersburg, Russia. These are truly important accomplishments.

Mr. Chairman, you have noted that for fiscal year 2010, the Library of Congress is requesting a budget of \$699 million, offset by collections of \$41 million, and this is primarily from copyright fees, which is an increase of 8 percent over fiscal year 2009.

There are some large new initiatives included in the budget, such as multiyear information technology enhancements, which total about \$15 million annually. This is an area that hasn't received budgetary increases in some time. So I look forward to hearing why an increase of this magnitude is justified, how it ties to an agency-wide digital strategy.

As far as the Open World program, Mr. Chairman, you have clearly noted your support for that program. They are suggesting an increase by 4 percent. I will ask in my questions to you, Ambassador O'Keefe, how and why a foreign exchange program belongs in the legislative branch bill.

I am not questioning whether or not it should continue, but whether this is the right spot for it. I think you have probably had that question before. So I will look forward to your response with that.

With that, Mr. Chairman, I am anxious to hear the comments from those who are here today to present.

Senator NELSON. Well, at the risk of further embarrassing Dr. Billington, I certainly would like to say, Dr. Billington, that so many of us consider you a national treasure in your role in the Library and what you have done to reach out to others in the world.

And certainly, Ambassador O’Keefe, you embody the same spirit. So, with that, Dr. Billington, we would love to receive your testimony.

SUMMARY STATEMENT OF JAMES H. BILLINGTON

Dr. BILLINGTON. Thank you, Mr. Chairman and Senator Murkowski, members of the subcommittee.

It is really an honor to be here to represent the Library of Congress fiscal 2010 budget request.

The Library has been honored to bring our outstanding recent exhibit, Mr. Chairman, commemorating the 200th anniversary of Abraham Lincoln’s birth to Omaha as its last stop. Actually, it began in Omaha because Union Pacific funded it and made it possible. So it is only fitting that it had its last stop in that city.

Senator Murkowski, we really appreciated your staff touring the exhibit with Library curators while it was still in the Jefferson Building, and we look forward to your coming to the Library this summer to look at our holdings on Alaska.

It happens that right now a member of our staff, in addition to Mr. Miller, who is with us this year with our Teaching with Primary Sources Program that the Congress has supported so well, is running a teacher training workshop in Anchorage, and she just reported to us that every school district in the State is represented, except for Juneau, where the schools are still in session.

So, anyhow, we look forward to working with you both and with all the members of this subcommittee, and we appreciate your cordial words.

In fiscal 2010, we are requesting a net increase of 8.1 percent, of which 4.6 percent represents funding for mandatory pay and price level increases; 0.4 percent is to sustain continuing projects, and the remaining 3.1 percent—the only major increase this year—is to support a critical investment in updating and enhancing the Library’s technical infrastructure.

TECHNOLOGY INFRASTRUCTURE REQUIREMENT

We are, in effect, superimposing a digital world on top of the traditional print world, moving from traditional business systems of personnel, finance, cataloguing, and management of information systems, to taking in and managing the very fast-changing digital formats that include eJournals, eBooks, digital TV, Web sites, digital images, digital audio and visual, and so forth.

Each of our major program areas, the Congressional Research Service, Library Services, the Law Library, the Office of Strategic Initiatives, and the Copyright Office, must now deal with all aspects of digital works—acquiring them, preserving them, and providing access to them.

Over the past 15 years, we have built separate systems, successfully meeting individual program needs as they have been identified to deliver the new services that Congress and the American people have asked of us. Some of these systems are new, like the Copyright Office’s online registration system. Others rely on what has now become very dated technology.

The Library has not sought any increase in base funding for the technological infrastructure for all of this for a decade. We now

have a pressing need to modernize this infrastructure so that we support our diverse and vastly increased digital activity more efficiently. We must do so with more unified Library-wide systems that can be adjusted and scaled up economically to sustain services and meet new user demands as the technology changes.

SUPPORT FOR DIGITAL TRANSFORMATION

We are now providing far more services and with 1,000 fewer full-time equivalents (FTEs) than we had in 1992, when we had barely begun the Library's digital transformation. Our entire technology request builds upon successful services that we have built incrementally, and unique experiences and feedback that we have gained through a variety of these initiatives.

We are now poised to develop core infrastructure that can be used by all parts of the Library. We recently launched with UNESCO our World Digital Library, which has received extraordinary international acclaim with something online from all 192 members of UNESCO. It attracted 20 million page views in its first 4 days and is proving to be an effective catalyst for building the new technological platform with reusable, scalable, and multimedia components.

FORT MEADE

In conclusion, let me just highlight our Fort Meade request. Having the space to store so much of America's creativity and the world's knowledge in environmentally controlled facilities is critical to sustaining the historic mission of the Library. Publication continues to grow worldwide; has increased by approximately 40 percent since 2000, even as online digital information is expanding. The Fort Meade program has achieved 100 percent retrievability, and is essential for preserving and making accessible our uniquely comprehensive collections for Congress.

Amazon has recently stated that no meaningful solutions for effective long-term collection management can be implemented until more space is created, after inspecting the collections in a recent pro bono visit to the Library. The Library is a unique treasure trove of information, knowledge, and creativity, much of which is not available anywhere else.

PREPARED STATEMENTS

Today, when technology is transforming the way we deliver our services to Congress and the Nation, the Library is renewing and expanding its role in our knowledge-based democracy. We look forward to working with this subcommittee to craft a budget for fiscal 2010, and we thank you and the Congress as a whole for continuing to be the greatest patron of a library in the history of the world.

Thank you, Mr. Chairman.

Senator NELSON. Thank you, Dr. Billington.

[The statements follow:]

PREPARED STATEMENT OF JAMES H. BILLINGTON

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee, I am pleased to present the Library of Congress fiscal 2010 budget request.

Mr. Chairman, I am deeply grateful to you and the subcommittee for your full support of our fiscal 2009 request. It has heartened and strengthened us at what we know is a time of extraordinary fiscal pressures on the Federal Government. In such a time, I feel a special obligation to stress the importance of what the Library of Congress is doing for America's future.

The Congress of the United States has been, quite simply, the greatest patron of a library in the history of the world. Its creation, the Library of Congress, is the largest and most diverse collection in human history of the world's knowledge in all languages and of the intellectual and artistic creativity of the American people in all its major recorded formats.

The Library's historic mission has been to serve the Congress and the American people by acquiring, preserving and making accessible its unique material and human resources. Its major challenge—and opportunity—in recent years has been to sustain and extend that mission amidst one of the greatest revolutions in history in how knowledge is generated and communicated.

Our task has been, in effect, to superimpose new digital processes and services onto those of traditional artifactual library processes—while preserving and exemplifying the human values of the older book culture that helped create the free, open and knowledge-based democracy that we serve. In the course of meeting this challenge, we have undertaken a far greater range and volume of innovative processes and services than ever before with one thousand less FTEs than in our peak pre-digital year of 1992.

Congressional vision and support has made it possible to continue to add important new acquisitions and to sustain unique preservation activities. Thanks to the Congress' building a direct passageway from the Capitol Visitor Center into the Thomas Jefferson Building, we have greatly increased numbers of visitors to see an entire new series of interactive exhibits culminating in the centerpiece of the Lincoln bicentennial that displays for the first time in 50 years the key original documents of Lincoln's presidency in his own hand. We were glad to welcome the creation of a Library of Congress Caucus in the course of 2008. And we are pleased to note the steady increase of the use of the Members Room and other Library facilities now that the tunnel directly connects the Library to the Capitol Visitor Center and to the Capitol itself.

Thanks to Congressional support and the unprecedented generosity of David Packard and the Packard Humanities Institute, the magnificent new Packard Campus for Audio Visual Conservation in Culpeper, Virginia is now up and running under its outstanding new director, Patrick Loughney. The Packard Campus is, in essence, a high-capacity digital preservation facility for our massive and largely perishable audio and film collections. We are now able to save many collections that would otherwise have deteriorated and been lost forever.

We are now in the process of hiring 39 new staff, and the Packard Campus is well-launched. The film preservation lab is operational and digital preservation of sound recordings, television, and radio broadcasts preservation work has started.

I am pleased to report that our National Library Service for the Blind and Physically Handicapped is on schedule with the Digital Talking Book program. We have received the first 5,000 machines and are sending them to eight regional libraries for user testing. We will also send the first book cartridges to these regional libraries next week.

On April 21, 2009, the Library, in cooperation with UNESCO, launched our new World Digital Library. Within hours of going online, this multilingual and multi-medial site had attracted 600,000 visits and more than 7 million page views. Our National Digital Library/American Memory site also began with a relatively small number of high quality, one-of-a-kind cultural treasures but has now steadily grown to more than 15 million online primary source files with educational enhancements.

FISCAL 2010 BUDGET REQUEST

We are requesting a total fiscal 2010 budget of \$699.4 million, representing a \$52.6 million or 8.1 percent increase over fiscal 2009 funding levels. The majority of this increase represents funding for mandatory pay and price level increases totaling \$29.8 million or 4.6 percent. Funding adjustments to support ongoing projects, totaling \$16.6 million, and non-recurring funding for projects that are ending (–\$13.7 million), represent a total of \$2.9 million or 0.4 percent. The remaining 3.1 percent or \$20 million represents the focus of our fiscal 2010 budget request, seeking support for investment in the Library's technical infrastructure.

MODERNIZING THE AGING TECHNOLOGY INFRASTRUCTURE—\$20 MILLION

Infrastructure—\$15.4 million

The mandatory pay and price level increases are critical for keeping the Library whole, but our highest programmatic funding priority in fiscal 2010 is an increase in base funding to update and enhance the Library's technology infrastructure, upon which the progress of all service units of the Library depends. The Library requests \$15.4 million to modernize our technology. This investment will fund: core technology, content management, and content delivery—three areas that are inextricably linked. We need an updated technology infrastructure before we can construct a foundation for bringing digital content into the Library, managing it so that it can be used by the Congress and the American people, and preserving it for future generations.

Up until now, the Library has benefited from a centralized catalog of print holdings, but the digital projects have been designed and maintained separately. This is entirely understandable in a time of experimentation and transition, but at this stage of our digital maturation, we are now poised to develop core infrastructure that is used by all parts of the Library, and to implement flexible, scalable systems that meet the broad needs of the institution. The launch of the World Digital Library has proven to be a useful catalyst for the development of a new technology platform with reusable and scalable components. This modern form of technical infrastructure will allow us to streamline and make more efficient our workflows and processes throughout the Library.

The 21st century Library is increasingly multi-medial. Our budget request will allow the Library to build sustainable systems to manage digital content of many varieties: video, audio, text, and images. Such technical systems will allow us to manage all of these formats in more cost-efficient, integrated ways. The funding we are requesting will also allow us to make these multi-media materials available to the Congress and other users in the ways they now expect: fast, convenient, and easy-to-use.

Legislative Information System—\$1.6 million

One of the Library's key means of providing information to the Congress is through the Legislative Information System (LIS), which was first made available in the 105th Congress. This system provides Members and their staff with online access to the most current and comprehensive legislative information. The LIS has been developed under the direction of the House Committee on House Administration and the Senate Committee on Rules and Administration. It has been a collaborative project of several legislative branch offices and agencies. CRS has responsibility for overall coordination of the retrieval system. The Library is responsible for its technical development and operation.

We are requesting a one-time investment of \$1.6 million to update the current LIS so that it can meet growing demands. The new concept of operations will be based on a thorough assessment of the current system and develop an architecture that provides enhancements for users to better perform discovery, navigation, and retrieval across the entire spectrum of legislative content. The new system will take a modular approach to functions such as search and storage, so that they can be independently improved in the future. The Library will reconfigure LIS in consultation with House, Senate, Government Printing Office and CRS data providers.

Targeted User Interactivity—\$3 million

Finally, we request an investment of \$3 million to support the broad expansion of public access to the Library's collections and services on-site and online through the testing, evaluation, and adoption of emerging new technologies for the K-12 and teacher communities. Successful implementation of the Library of Congress Experience in the Thomas Jefferson Building has dramatically increased public awareness and unleashed the educational potential of the Library and its collections through the creative application of new interactive programs. Visitorship is up nearly 30 percent since its initial launch in April of 2008.

IMPROVING ACCESS, CAPABILITIES, AND SERVICES

Over the past 6 months, the Congressional Research Service has shown its exceptional capacity to serve the Congress under extraordinary and time-sensitive conditions. It provided comprehensive analysis and legislative support during the financial crisis, the auto industry crisis, the fiscal 2009 appropriations bill and the fiscal 2010 budget resolution. It produced more than 100 reports for the American Recovery and Reinvestment Act of 2009 alone. This year it has identified more than 170

active issues for which it will support Congress in every step of the legislative process.

We ask for \$1.8 million to enhance access to Congressional Research Service (CRS) expertise by modernizing the technical environment that supports it. These systems govern how CRS manages and supports its research operations, personnel systems, and the systems used to run, maintain, and update the CRS web site for Congress. An additional \$500,000 is requested to purchase network storage and switch hardware to improve the IT and emergency backup capability of CRS.

The renewed LIS will also benefit the public THOMAS system. To continue to meet the public's need for legislative information, we request \$138,000 to hire a web site manager who will develop a user interface and an improved navigation system for THOMAS users. The THOMAS site has seen a steady increase of inquiries from your constituents, and it is important that we make this web site more user friendly.

We request a one-time \$1.1 million increase in offsetting collections authority for the Copyright Licensing Division so that we can secure consulting services to help us convert from a manual to an electronic filing process. Electronic filing is needed to maintain reasonable operating costs in future years and to minimize increases that would be unacceptable to the Congress, copyright owners, and cable system operators.

The Library is requesting \$2.7 million to expand the availability and usefulness of legal materials collected and stored in the Global Legal Information Network (GLIN), a database of more than 160,000 laws and related legal materials from 51 jurisdictions in Africa, Asia, Europe, and the Americas. In fiscal 2005, the Law Library launched a major upgrade of the GLIN system that vastly improved functionality and usability, including providing access in 13 different languages. GLIN has since attracted a global audience that has increased tenfold, exceeding its performance target by 800 percent. As the system has improved, new jurisdictions have become members, the size of the database has increased, and the level of use continues to expand. This funding is specifically requested over a 5-year period, to upgrade and refresh the hardware and software to sustain GLIN operations as the program continues to expand in content, usage, and membership. This funding will also further the Law Library's mission to support the foreign law research needs of the Congress, promote the rule of law between and among nations, and support the legal information needs of emerging democracies. The Law Library has created a private GLIN Foundation and will work to attract private financing over the long term. This request will cover the hosting and maintenance of GLIN to ensure the continuity of operations as new members join.

REENGINEERING WORK PROCESSES IN LIBRARY SERVICES

The Library staff increasingly relies on more current technologies to perform the new tasks that are required of them. We are assessing all of the workflows and processes to make the most effective use of present and emerging technologies. For Library Services (LS), where our core library functions are carried out, we are requesting \$1 million in contractual support for a 3-year project to document and evaluate operational procedures and information technologies (IT) currently used in the 52 divisions of LS. We anticipate many opportunities to consolidate technology services within LS to create a more robust and integrated architecture and workflows. We will determine which data systems and services should be provided within LS and which should be provided centrally by the Library's Information Technology Services (ITS).

MANAGING AND SECURING COLLECTIONS

We request \$1 million to continue the inventory management program that was initiated in fiscal 2002 as a cornerstone of the Library's Strategic Collections Security Plan, when Congress directed the Library to conduct an item-level inventory of its general collections. We have made reasonably good progress with that inventory; however, when we began moving general collections to Fort Meade, we quickly recognized that our most important inventory goal had to be the effective retrieval of materials moved there. Happily, we have achieved a 100 percent success rate in retrieving requested items from that location. Now, as we return to the original objective of conducting an item-level inventory of our general collections, we are working with the commercial sector to explore new technology options for this process. Some of these practices are already in place at Fort Meade. The scope of this effort is unprecedented. We are grateful for Congressional attention and support for this large and complex endeavor.

To ensure that the Library's heritage assets are preserved for use by current and future generations, we are asking for \$3.6 million in start up and new operational costs for Fort Meade Storage Modules 3 and 4, which will house our special collections. This kind of housing for the Library's special collections is crucial to the Library's long-term strategy to provide for their security and preservation, as well as to provide sound space management and inventory management. This relocation will dramatically increase the life expectancy of these vulnerable collections.

The operation of Modules 3 and 4 will be more intensive and expensive than the implementation of Modules 1 and 2, involving the expense of new hardware and software, collections protection and preservation, moving, on-site support staff, and facility management, largely because we are moving special format materials to Modules 3 and 4, while Modules 1 and 2 house general collections. This year the Library is absorbing some costs associated with the opening of Modules 3 and 4. Base funding is needed in fiscal 2010 for start-up and operational costs that will allow the Library to meet requirements in the areas of security, preservation, space management, and inventory management. With your support, we also will be able to conduct construction planning for Module 5 and prepare facility designs for Modules 6 and 7. The Architect of the Capitol has included \$16 million in fiscal 2010 request for construction of Storage Module 5, which will help alleviate overcrowding on Capitol Hill and address serious concerns about safety, retrieval, and preservation.

The construction of storage modules at Fort Meade has been one of the more significant preservation advances for the Library in decades. In short, this program has ensured that the Library of Congress remains the mint record of America's creativity by allowing continued acquisition of America's creative output and providing optimal storage conditions for our existing works.

ADDITIONAL REQUIREMENTS

We are also asking for \$238,000 for collections security on Capitol Hill, for extended reading room security guard services. Other requested funding includes \$2 million for the final increment of mandated funding for Capital Security Cost Sharing, \$2 million for modernized, environmentally friendly custodial services, \$300,000 for facility design services for more complex renovations, and \$334,000 for escape hoods for the visiting public.

CONCLUSION

Mr. Chairman, I recognize that difficult choices are necessary in this economic climate. The Library has already recognized the need to sustain our core functions with level or reduced resources. We believe that the key to continued success is to make more effective use of technology. The \$52.6 million we are requesting is an investment to ensure that the Library stays current with the new technology in today's Internet-based world while we continue to maintain traditional services. With your support, the Library will continue to perform its historic mission to make its resources available and useful to the Congress and the American people and to sustain and preserve the world's most extensive collection of knowledge and creativity for future generations. I believe that, with the careful investments I have outlined, the Library will continue, renew, and expand its role in our knowledge-based democracy—today and in the days to come. Thank you.

PREPARED STATEMENT OF DANIEL P. MULHOLLAN, DIRECTOR, CONGRESSIONAL RESEARCH SERVICE

Mr. Chairman, Senator Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the fiscal year 2010 budget request for the Congressional Research Service (CRS). I would also like to highlight some of the actions and new initiatives undertaken recently that we consider essential elements in fulfilling the mission that Congress established for this agency. But before I discuss our request for next year, I would like to spend a few minutes on the importance of the mission of CRS and to relate that mission to the current challenges facing the Congress.

You, as Members of Congress, are required to resolve issues that are growing more complex and technical and that are becoming increasingly interrelated in both expected and unforeseen ways. This complexity necessitates increased reliance on technical competence, which in turn demands predictability and coherence in issue areas from disciplines that traditionally have been more reliant on projections and probability. But whether determining the impact of changes in financial market reg-

ulations, ascertaining a method for equitable State allocations for Federal Medicaid payments, or examining a proposal to balance interests in a contentious region of the world, the well-being of millions of Americans is at stake if data and analysis do not accurately predict actual outcomes.

The elected representatives of the people are able to rely on the expertise of CRS to assess options and anticipate consequences as they undertake critical deliberations. Our work must be authoritative, objective and confidential, and we must offer just what our charter statute instructs us to do, namely, to anticipate the consequences of alternative proposals and in doing so, foresee unintended consequences.

Anticipating the consequences of proposals is becoming ever more difficult. The increased complexity of the problems facing Congress is obvious. Just look at the array of financial instruments that Members must understand and grasp with sufficient confidence to create a regulatory regime that maximizes the benefits of innovation and market competition while curtailing fraud and abuse. Members must rely on specialists in the financial markets, just as they must rely on foreign relations specialists with regional expertise to recognize the political and cultural forces at work in the world today, and health finance experts and health care specialists to understand the factors contributing to growing health care costs.

Congress's reliance on the expertise of others presents a potential risk to representative democracy. Citizens elect Members of the House and Senate to represent their interests and the interests of the Nation as a whole. In effect, your constituents ask you to make decisions on the merits of one form of weaponry over another; on the fairest and most economically sound way to allocate broadband width; on the balance of economic, human rights, labor and environmental interests in a bilateral trade agreement; and on the best investment in alternative energy technologies. No matter how brilliant and wide-ranging the experience of each Member of Congress, he or she must perforce rely on the expertise of others on a whole range of issues to ascertain the best policy course given his or her values and priorities.

Democratic theorists have raised the specter of the polity being run by technocrats and elite bureaucracies that supplant the people's voice and choice in determining the best course in an increasingly complex world. I would submit that an important protection against that vision is the expertise resident within CRS. The Congress has placed a significant investment in the competency and integrity of CRS staff. Members of Congress have all sorts of experts approaching them daily, and they have, of course, hired personal and committee staff with selected expertise or experience. Nonetheless, Members know and rely on Service expertise, not only to assess independently the outside expert opinions advocated before them, but also to complement their own experience and knowledge, and that of their staff, to ensure that the judgments they make are as well informed as possible.

When Members turn to CRS, they can be assured that analysis they receive is authoritative, objective, and confidential. We do not advocate. We make methodologies and sources clear, and we hold legislative needs paramount, including the role of each individual Member in the deliberative processes of the Congress. The Congress's continued investment in CRS is tacit recognition of the need for expertise skilled in multiple disciplines in order that they understand the interactions and consequences of complex issues. The Congress also recognizes its need to have access to expertise that is solely devoted to creating sound underpinnings to inform judgments within the legislative branch.

FISCAL YEAR 2010 BUDGET REQUEST

The CRS budget request for fiscal year 2010 is \$115,136,000, with almost 90 percent devoted to pay and benefits for our staff. Significant cost-cutting measures were required in the last fiscal year because the enacted budget was over \$6 million less than requested. This necessitated a reduction in our workforce from the previous FTE level of 705 to the current level of 675. This is the lowest staff level in three decades, and CRS will continue to operate with a reduced level of internal support staff and services to sustain our analytic capacity. The lower budget also required reductions in the access to research materials and in the investment in information technology. The current budget constrains funding to support basic operational needs. Therefore it is necessary to request additional funding for enhanced means of accessing CRS analysis and information.

The budget request for fiscal year 2010 includes the mandatory pay increases (\$5.2 million) and price-level increases due to inflation (\$.3 million) that will maintain the existing level of service. It also requests two program increases totaling \$2.3 million that will enhance the analysis available to Congress and the capabilities of the supporting information technology. Included in the \$2.3 million request is \$1.8 million for a modernization effort to achieve three objectives: (1) improve the

quality and usability of the CRS website; (2) reconstruct and standardize Service-wide systems and information resources to form an integrated, interrelated, and interoperable research environment; and (3) revise the way CRS procures, stores, updates, retrieves, and shares the large, multiple, and complex data sets and information systems used in the creation of its analysis. The remaining \$500,000 will support three other objectives: (1) provide real-time computer network fault tolerance, data redundancy, and automated fail-over capability in the event the computer network in the James Madison Building is inoperative; (2) increase network speeds to the Alternative Computer Facility and improve performance of critical applications and file transfers, which will reduce the time required to save files and run applications; and (3) increase computer storage capacity to help meet the growing demand to store CRS work products and research information, encompassing the full range of multimedia formats such as video, audio, and podcasts.

ALIGNMENT WITH THE CONGRESS

CRS takes full advantage of its close relationship with the Congress to align its work with evolving congressional needs across the full spectrum of policy concerns that are on the legislative agenda, or are likely to arise.

CRS works in a consultative relationship with Congress so that specific congressional needs are recognized as they relate to evolving circumstances, including changes in world events, advances in government operations, and developments in legislative processes. Members and committees of Congress and their staffs maintain continuing, on-demand access to CRS experts through phone calls, e-mails, personal briefings, confidential CRS memoranda, and by consulting actively maintained CRS research products on our website.

Based on its daily work with the Congress, CRS identifies and analyzes the policy areas in which Congress is actively engaged or is very likely to become engaged. CRS typically identifies between 150 and 175 such issue areas. CRS ensures that it has identified all major issues that might receive legislative attention through discussions with leadership on both sides of the aisle in both chambers. CRS support for these policy areas entails formation of teams of experts who develop common understandings of major policy questions and concerns to ensure that our service for the Congress is fully informed by the most appropriate CRS expertise across disciplines and subject areas. The CRS website provides ready access to key research products and services in each of these policy areas.

SUPPORT FOR THE CONGRESS

Over the past year, the Congress has consistently turned to CRS when in need of expert, objective assistance as it has addressed extraordinarily challenging and enduring problems.

The financial and economic crisis that still dominates domestic and global settings has been the focus of intensive, continuing CRS support for Congress. In this area, congressional concerns that have driven the work of CRS experts include: limiting damage from the disorder in housing markets; restoring functionality to mortgage markets and credit markets generally; ensuring viability of financial institutions and their return to standard business operations; assessing impacts on other credit-sensitive sectors such as autos, home furnishings, and the pursuit of higher education; recognizing structural shifts in the economy accelerated by the downturn; as well as assisting victims of the recession, and mitigating the downturn through oversight and regulatory provisions that will limit the recurrence of destabilizing financial excesses. CRS economists, legislative attorneys, and specialists in American national government, among others, have analyzed a range of proposals from the previous and current administrations, examined actions in other countries, and assisted in assessing evolving economic developments and in identifying and evaluating legislative options. Questions CRS has addressed relate to concerns such as feasibility, effectiveness, constitutionality, unintended consequences, separation of powers, and federalism issues—all in a context of largely unprecedented circumstances.

Other major policy areas facing Congress have also commanded multi-disciplinary support from CRS experts, often on a confidential basis, and with the need for objectivity and independence from executive branch and outside interests. Notable examples of continuing, expert support relate to congressional efforts to ensure appropriate and effective U.S. engagement in Iraq, Afghanistan, Iran, and the broader Middle East; provide for emergency responses to Midwest flooding and Gulf-coast and Mid-Atlantic hurricanes and mitigate needs for future disaster responses; meet energy needs of the Nation with due consideration for both environmental imperatives and ongoing functions of the economy; improve the safety of food, drugs, and

other products for American consumers; and limit undue influence of special interests in making and executing policy.

MANAGEMENT INITIATIVES

The past year saw several successful initiatives aimed at making CRS a more efficient and effective organization and enhancing its value to the Congress.

Section Research Managers

During the past year, CRS revamped its first-line management structure, hiring section research managers and integrating them into the management of the organization. They are working to ensure that the Service stays aligned to the legislative challenges facing the Congress through collaboration, multi-disciplinary research and analysis, and by fostering an energetic work environment. They have already succeeded in breaking down barriers that had at times impeded our ability to collaborate and effectively marshal our expertise. Their new thinking on ways to address issues on the legislative agenda and convey CRS's expertise to the Congress brings both immediate and long-term benefits. This corps of section research managers will also serve as a resource for management succession in CRS.

Professional Development Enhancement

CRS developed enhanced performance standards for each position in the Service, as well as performance plans and individual development plans. This large undertaking involved a Service-wide coordinated effort and is part of a commitment to developing a continuous learning culture and to engage fully every individual in his or her own professional development. At the end of 2008, 76 percent of the staff had created and received supervisor approval of their individual development plans for the year.

Authoring and Publishing Reports

CRS has implemented a new process for production and formatting of CRS research products, streamlining preparation, display, and maintenance of these products. CRS undertook this complex effort to create research products for the Congress that more efficiently support PDF and HTML distribution through the CRS website, standardize the presentation format using a uniform and consistent new product design, and facilitate more sophisticated use of graphics.

Tracking Inquiries from Congress

CRS is in the final stages of configuring a new system to track and manage congressional requests from entry to completion. This entails customizing an off-the-shelf customer relations management tool. This system, known as Mercury, will replace the outdated Inquiry Status and Information System (ISIS) and includes additional features to increase responsiveness to congressional needs; support research management; foster collaboration among researchers; and identify Service-wide activity by issue area.

Redesign of the CRS Website

CRS has developed a multiyear, phased plan to make CRS.gov more user-friendly and ensure that Congress has ready access to the full breadth and depth of our analytical and other services. Many congressional and CRS staff provided their views on the strengths and weaknesses of the current site and ideas for enhancements. These views helped to shape our final design. The initial effort this year will begin to provide better organization of material and a more intuitive navigation of the website.

CONCLUSION

In making our fiscal year 2010 budget request of \$115,136,000, we are mindful of the formidable challenge you face in weighing budget requests in this period of difficult economic conditions. My managers and I have and will continue to examine every activity and program for efficiencies and eliminate costs where the return on investment is in question. This budget request will provide the resources needed for the talented and dedicated staff of CRS to continue to build on the unique tradition of providing comprehensive, non-partisan, confidential, authoritative, and objective analysis to the Congress. We are proud of our role, and we thank you for your support.

PREPARED STATEMENT OF MARYBETH PETERS, REGISTER OF COPYRIGHTS, COPYRIGHT
OFFICE

Mr. Chairman, Ms. Murkowski, and other Members of the Subcommittee: Thank you for the opportunity to present the Copyright Office's fiscal 2010 budget request. Today I would like speak with you about some of the work and challenges the Copyright Office faced in fiscal 2008. In addition, I would like to talk about the Office's Historic Records Project that was funded as part of the fiscal 2009 Budget and our request for additional offsetting authority to complete our Licensing Reengineering effort, which is part of the Copyright Office's portion of the Library's fiscal 2010 budget request.

HIGHLIGHTS OF COPYRIGHT OFFICE WORK

Policy and Legal Activities

On June 30, 2008, the Office presented its Report to Congress on the statutory licenses (Sections 111, 119, and 122 of the Copyright Act) that allow cable operators and satellite carriers to retransmit programming carried on over-the-broadcast television signals. The Report, which Congress requested as part of the Satellite Home Viewer Extension and Reauthorization Act of 2004, analyzed the differences in the terms and conditions of these statutory licenses and considered their continued necessity in light of changes in the marketplace over the last 30 years. The Report has served as the starting point for continuing discussions on legislation to extend the Section 119 statutory license, which is set to expire on December 31, 2009, unless reauthorized by Congress. The Office is working with Senate Judiciary staff and stakeholders on proposed amendments to these licenses.

The Office has worked closely with the Senate Judiciary Committee on other pressing copyright matters. One significant issue has been orphan works, i.e., the situation where a potential user cannot identify or locate the owner of copyrighted works (including literary works, photographs, motion pictures, sound recordings and other creative works). In April 2008, the Senate introduced the Shawn Bentley Orphan Works Act of 2008 (S. 2913) was introduced in the Senate, passed by unanimous consent on September 26, 2008. Due to several unresolved issues in the House, the Office expects to assist the House Judiciary staff on this subject in 2009.

The Office has also worked with Judiciary Committee staff to develop legislation relating to the public performance right for sound recordings in Section 106 of the Copyright Act. The Performance Rights Act (S. 379), introduced in the 111th Congress, would amend the copyright law to expand the public performance right of sound recording copyright owners to include analog audio transmissions. This change would, for the first time, require over-the-air radio stations to make royalty payments to record companies and recording artists.

Another issue that the Office will address in 2009 concerns the copyright treatment of pre-1972 sound recordings. The issue is complicated because these works were not eligible for Federal copyright protection before February 15, 1972; rather, they were governed by State law which, in many cases, is not well-defined. Pursuant to the Omnibus Appropriations Act of 2009, the Office has been directed by Congress to conduct a study on the desirability of, and means for, bringing sound recordings fixed before February 15, 1972, under Federal jurisdiction. The Office's report is due in March 2011.

In 2008, the Copyright Office assisted Federal Government agencies with a number of multilateral, regional and bilateral negotiations and served on many U.S. delegations. Notable among these were meetings of the World Intellectual Property Organization's (WIPO's) General Assemblies and its Standing Committee on Copyright and Related Rights, negotiations regarding a proposed Anti-Counterfeiting Trade Agreement, and negotiations and meetings relating to intellectual property provisions of existing and proposed Free Trade Agreements. The Office also was a key advisor to the United States Trade Representative in a successful World Trade Organization (WTO) dispute settlement proceeding against China relating to intellectual property protection and enforcement in China. The Office expects to continue to play a leading role in the United States delegations to WIPO and in other multilateral and bilateral meetings and to advise other Federal agencies on international and domestic copyright law and policy matters.

Last year, the Office assisted the Justice Department in a number of important court cases, including some involving constitutional challenges to various provisions of the Copyright Act.

In addition to the Office's work on legal and policy issues, fiscal 2008 was an exciting and challenging year for Copyright Office operations.

Reengineering Program

At the end of fiscal 2007, the Copyright Office implemented its reengineering project: redesigned processes, initiation of hands-on training in new operations for the entire staff, established new organizations, launched a new integrated IT system to process registrations, and renovated facilities. In addition, on July 1, 2008, the online registration system Copyright Office (eCO) was released to the public through the Copyright Office website.

The May 19, 2009 Washington Post article containing substantial errors, did highlight the paper application registration backlog issue we are facing. The article did not choose to discuss our continuing efforts to improve operations through staff retraining and realignment, technology system enhancements and reallocation of tasks.

In February 2009 we completed the retraining for all Copyright Registration Specialists, and when compared to May 2008, their productivity per specialist has doubled. In April 2009, we completed the hiring of our first class of new Registration Specialists in over 2 years. The new Specialists are in training and are already productive. Looking ahead we will maintain a continuous improvement initiative focused on identifying and implementing workflow and IT system improvements.

Organization

At the beginning of fiscal 2008, all staff had been reassigned or selected for new positions. Honoring the Register's commitment to ensure all Copyright staff had positions after reengineering, the Office continued its major program to retrain former examiners and catalogers to work in a combined position, Copyright Registration Specialist. The registration specialists use eCO and the redesigned registration process to: examine claims including any related correspondence, complete a registration record, and in many cases, make selections for the Library's collections. Training was conducted in house by Senior Registration Specialists. To date all Registration Specialists with us in August 2007 have received at least 1 full year of appropriate training and a full year of related experience in eCO. Training began in fiscal 2007, extended through 2008, and concluded in February 2009. Targeted training to meet individual employee needs is still provided. As more Registration Specialists completed training and achieved independence, the senior Registration Specialists who served as trainers were able to return to full time registration duties.

During the initial implementation of reengineering, Copyright Office management announced a 1-year suspension of performance requirements, permitting staff sufficient time to gain the requisite training, familiarity, and experience with the new processes and IT system. In August, 2008, Office management and AFSCME Local 2910 (the Guild) representing the affected employees signed an agreement regarding implementation and impact of the new performance requirements. As agreed, written performance requirements for individual employees went into effect October 1, 2008. Phased in following a 90-day grace period after each registration specialist reached his/her 1-year anniversary working in the new system, the performance requirements included a productivity rate of 2.5 claims opened per hour and qualitative benchmarks.

With the implementation of new performance requirements, productivity rose in the second quarter of fiscal 2009. For Registration Specialists who are still within the 90-day grace period before the performance requirements take effect, the overall group average is 2.6 per hour. For Registration Specialists who have completed training and for whom the performance requirement is in force, the overall group average is approximately 3.0 per hour. This is double our hourly productivity from where we were in May 2008.

Processes

Through its continuous improvement initiative, the Office further refined the re-engineered processes by examining workflows and support systems. On occasion, we adjusted and improved work processes or systems to enhance efficiencies. Throughout the year, we identified issues, developed alternative processes, and tested and implemented the best options. For example, realizing that missing or incorrect fees were slowing workflow in the Registration division, we shifted the fee resolution process to RAC, a much earlier step in the workflow. This improved the registration process time and resulted in a better balance of the staff's workload.

We also examined how to improve eCO's responsiveness. By analyzing how eCO processed data, we were able to implement basic system redesigns, reducing user wait times.

Information Technology

The electronic Copyright Office system has two components: eCO Service, which supports online registration (e-Service) and enables processing of both electronic and hardcopy claim submissions; and eCO Search, which permits searching of more than 20 million registration records dating to 1978.

The Office applies the continuous improvement concept to the ongoing refinement of eCO. Earlier this year the Copyright Technology Office restructured the Copyright Office's systems internal oversight board. The new board is comprised of Office processing divisions' supervisors and staff. The board is responsible for reviewing, evaluating, prioritizing and recommending proposed eCO system improvements. The board gives the employees directly involved with eCO a voice to suggest system improvements to enhance operations. To date, the Office has implemented a large number of incremental enhancements to improve system performance and functionality. As we continue to move into 2009, we expect the process will continue to be effective.

In fiscal 2008, the Office initiated an eCO system Performance Improvement Project (eCO PIP) designed to optimize eCO performance and to develop short-and long-term recommendations for additional system improvements. Following the first round of optimization efforts, system performance improved by 50 percent.

Electronic Submissions.—On July 1, 2008 the Office opened to the public eCO e-Service for basic claims, enabling users to submit via the Internet, copyright applications and certain classes of copyright deposits. Prior to July 2008, e-Service was opened under a limited-access beta test. During the last quarter of fiscal 2008, the Office created 46,118 e-Service user accounts and processed 59,850 e-Service claims. Approximately 43,000 users charged copyright application fees to credit cards or bank accounts and the rest charged fees to existing deposit accounts. Users submitted approximately 35,000 electronic deposit copies; the remaining claims were submitted with hard copy deposits sent in by regular mail. By the end of fiscal 2008, approximately 72,500 individuals and organizations were registered e-Service users. Electronic claims through e-Service now account for well over 50 percent of weekly copyright applications received.

Form CO with 2-D Barcode.—On July 1, 2008, the Office released the new Form CO that incorporates two dimensional (2-D) barcode technology. The first Form CO submissions were received and processed in September. The forms, which are completed online, are intended for applicants who prefer not to transact business over the Internet. When printed out, each form has scannable 2-D barcodes which encode all the data entered in the form. When the Office scans the 2-D barcodes, all fields of the eCO record are populated automatically without the need for manual data entry.

Registration of Copyright Claims, Recordation of Documents, and Deposit of Copies of Copyrighted Works

During fiscal 2008, the Copyright Office received 561,428 copyright claims covering more than 1 million works. Of the claims received, 232,907 were registered and 526,508 copies of registered and unregistered works valued at \$24 million were transferred to the Library of Congress for its collections and exchange programs. The Office recorded 11,341 documents which included more than 330,000 titles of works.

There were 231,000 claims in process in eCO 1 year ago; today there are approximately 500,000. The number of copyright claims received in fiscal 2008 is comparable to previous years, but the Office registered fewer than half the number of claims compared to previous years and transferred fewer than half the typical annual number of deposit copies to the Library. These reductions are reflective of the significant challenges the Office faced in the wake of reengineering implementation. There were a number of contributing factors.

- As mentioned earlier, Registration Specialists required extensive training in new processes and the use of eCO. This training impacted productivity in multiple ways: first senior registration specialist needed to learn the system then the senior specialists needed to train junior staff. In effect, the first few months of fiscal 2008, production was significantly limited.

- The Office implemented eCO in August 2007, with electronic claims processing officially opening almost a year later. Processing paper claims electronically proved to be more difficult than originally anticipated, with Optical Character Recognition (OCR) technology being less successful than expected. The paper claims became labor intensive requiring manual data entry into the eCO system before the claim could be examined. Combined with staff retraining, slow processing of paper claims was a contributing factor to the build-up of claims on

hand in fiscal 2008. Public acceptance of e-Service filing, 2-D barcode technology and a fully-trained staff have helped us overcome these issues.

- Some large submitters have been slow to adopt electronic filing; however, there is a strong indication that in the very near future more will move to e-Service.
- As with any large-scale IT implementation, eCO underwent adjustments for usability, efficiency, and stability. The Office has largely resolved the issues.
- Although the Office lost registration specialists through normal attrition, to focus training efforts on existing staff, management made the decision to hold new hiring until 2009. While the decision was necessary, it led to a temporary staffing shortage, adversely affecting production. As April 2009, all Registration Specialists positions are filled.

The Office has taken a number of steps to improve processing time and reduce the number of claims on hand. Subsequently, the production trends are very positive in a number of areas.

- Large bottlenecks of unprocessed works received in the mail have been reduced, by more than 65 percent.
- Paper applications awaiting data entry into eCO have been reduced by more than 85 percent: from a high of 34,000 to under 5,000.
- Unprocessed check batches were reduced from a 6-week lag to real-time processing.
- During fiscal 2008, we closed approximately 40 percent of submitted claims. To date through fiscal 2009, we are at 60 percent closed claims.
- As mentioned earlier, training has concluded for all Registration Specialists who were on board as of August 2007. As a result, registration specialist productivity increased across the board to double that of 1 year ago.
- As more Registration Specialists become fully independent, the number of staff requiring quality assurance reviews of their work declines, allowing Senior Registration Specialists, currently responsible for quality assurance reviews, to focus more time on processing claims.
- The Office recently appointed two new registration specialists in the Visual Arts and Recordation Division and seven new registration specialists in the Performing Arts Division. On April 27, eight new registration specialists started in the Literary Division. These actions address the short staffing situation that contributed to low production and growth in the volume of claims in process.
- The eCO e-Service online registration system was released to the public on July 1, 2008. By the end of fiscal 2008, e-filings reached almost 50 percent of all claims entered. The percentage for fiscal 2009 thus far has been 53 percent. As the volume of e-Service claims increases the volume of paper claims decreases, which has a favorable effect on productivity.
- Registration Specialists have been freed from activities that detracted from reducing the number of claims in process:
 - The Office established a quality assurance program targeting data entry errors during the process of manually keying data from scanned paper applications into electronic records. This action reduced the time spent by Registration Specialists correcting data entry errors.
 - The Office began identifying and routing claims with fee problems to the Accounts Section earlier in the production process. This action dramatically reduced the volume of correspondence that Registration Specialists were required to generate in response to short fees and other fee-related problems.

The volume of paper claims on hand will continue to affect processing times until actions already taken or planned by the Office—eliminating the short staffing in the Registration Divisions, achieving a fully trained staff, implementing strategies to attract more filers to eCO, and upgrading to the newest version of the software application that powers eCO—have taken full effect.

Thus far in fiscal 2009 the Office is experiencing a downturn in the number of claims received, which we believe is related to the current economic environment. At this time, projections indicate a possible fiscal 2009 decline in copyright claims of somewhat over 5 percent compared with fiscal 2008. The Office is taking a cautious approach to managing the fiscal 2009 budget to ensure that we remain within the forecasted revenue base.

Copyright Records Digitization Project

In July 2008, the Copyright Office initiated a study to determine how to approach the digitization of its 70 million pre-1978 copyright records, many of which are sole copy records. The Office is now ready to move beyond the initial planning stages of the project. The objectives of the project are to:

- Provide online access to records of copyright ownership for the years from 1923 to 1977 inclusive.

- Provide online indexes as a finding aid to these records.
- Create preservation copies of the paper records of copyright ownership dating back to 1870.
- Move from microfilm to online digital records.

Earlier this year the Office issued a Request for Information (RFI) targeting vendors with expertise in records digitization. The Office received and reviewed 21 responses to the RFI. In fiscal 2009, we intend to initiate a pilot test of several options for digitization across a representative sample of the copyright record types and formats. Based on the pilot test, we will determine the best alternative and begin full production digitization in fiscal 2010. The project's duration may extend over several years as necessary based on funding availability. However, the plan also calls for flexibility allowing us to seek out partnering opportunities that may both reduce the digitization cost and shorten the project's duration.

Licensing Reengineering

In fiscal 2009, the Licensing Division resumed its reengineering efforts, reviewing its current administrative practices and underlying technology, performing a needs analysis for future operations, and beginning to design its re-engineered systems. The goals of this reengineering effort are to decrease statement of account processing times by 30 percent or more and to improve public access to Office records. The estimated \$1.1 million cost of re-engineering will be assessed against royalty funds as soon as the Office is granted the authority to do so. Fiscal 2010 will be challenging for the Licensing Division. The IT system design and implementation must go forward even as changes to the copyright law, particularly §111 and 119, are being considered. Licensing Division staff may also be forced to work through statements of account using the old processing system as the new system is piloted.

Conclusion

Mr. Chairman, I ask you to support the fiscal 2010 budget request including the request for additional offsetting authority to complete the Licensing Reengineering efforts. Fiscal 2008 was a transitional year for the Office; we are hopeful that the measures we implement in fiscal 2009 will help us to overcome many of the re-engineering challenges.

I also want to thank the Congress for its past support of the Copyright Office re-engineering efforts and our budget requests.

Senator NELSON. Ambassador O'Keefe.

STATEMENT OF AMBASSADOR JOHN O'KEEFE, EXECUTIVE DIRECTOR, OPEN WORLD LEADERSHIP CENTER

Ambassador O'KEEFE. Thank you, sir.

Mr. Chairman, Ranking Member Murkowski, thank you for the opportunity to testify on the Open World Leadership Center's fiscal year 2010 budget.

As the Center's Open World program matures, we see its growing significance for both the American communities and organizations that make it successful and for the participating young leaders from countries of strategic interest to the United States.

With me today is our chairman, Dr. Billington, who, 10 years ago, proposed what Under Secretary of State for Political Affairs William Burns has said is the most effective exchange program of the many he was involved with. In 1999, with strong bipartisan support from Congress, Dr. Billington, Russian academician Dmitry Likhachev, and then-Ambassador to Russia James Collins brought forward a leadership exchange program that has benefited both the United States and new countries born from the breakup of the Soviet Union.

Thanks to Open World, there are scores of Russian nonproliferation experts who now know their American counterparts and have a greater sense of joint purpose. There are anti-human trafficking advocates and officials in Ukraine who have a better understanding of how to track down perpetrators of this crime and assist their vic-

tims. And there are mayors and city councilors in Moldova and Azerbaijan who are making local governments more open and responsive to ordinary citizens.

In reviewing this legislative branch agency's effectiveness over the years and our successful expansion beyond our original focus country of Russia to Ukraine, Moldova, the Caucasus, and central Asia, I must give credit to our dedicated staff, the partner host organizations, and volunteer experts and home hosts across the United States. I am honored to serve a program with such broad support in U.S. communities and in countries where we operate.

BROAD DISTRIBUTION OF HOSTING IN U.S.A.

In 2008, we have sent delegates to 355 communities in 44 States. Seven hundred fifty American families home hosted these first-time visitors to the United States. We will attain that same broad geographic distribution in our hosting program this year.

My main disappointment lies in not accommodating all those in the United States who wish to be part of Open World. We have more than twice the number of organizations that want to engage with us than we have participant slots available.

Our request this year reflects the revised strategic goals approved by our board recently. The original plan called for a 20 percent expansion between fiscal years 2007 and 2011.

Even with economies of scale, gifts, and our cost reductions, such a goal would require a substantial budget increase, which the board believed was not feasible at this time. Therefore, our request of \$14.456 million is a modest 4 percent increase. This amount will support expansion to Armenia in 2010, as well as other programs.

We have been good stewards of the funds you have given us. Our overhead is 7.1 percent, and for 3 consecutive years, we have received clean audits. This year, the auditor had no comments, no findings, and no discussion points, which is amazing, for those of you who are familiar with audits.

PREPARED STATEMENT

Open World's board and its hosting partners throughout the United States have created a powerful tool for Congress and our Nation to forge human links to the vast and strategically important heartland of Eurasia. I seek your support to continue our efforts in the next fiscal year.

Thank you for your attention.

Senator NELSON. Thank you very much.

[The statement follows:]

PREPARED STATEMENT OF JOHN O'KEEFE

Mr. Chairman, Ranking Member Murkowski, Senator Pryor, and Senator Tester, I appreciate the opportunity to present testimony on the Open World Leadership Center's budget request for fiscal year 2010. The Open World Leadership Center, of which I am the Executive Director, conducts one of the largest U.S. exchange programs for Eurasia, through which some 6,100 volunteer American families in all 50 States have hosted thousands of emerging leaders from former Soviet countries. All of us at Open World are very grateful for Congress's continued support and for Congressional participation in the Program and on our governing board. We look forward to working with you on the future of Open World.

Last year, American volunteers in 44 States and 202 Congressional Districts home hosted Open World participants, contributing a large portion of the approxi-

mately \$1.8 million given to the Program in the form of cost shares—an amount equal to 20 percent of the Center's fiscal year 2008 appropriation. Even though Open World is an international exchange program, more than 75 percent of Open World's fiscal year 2008 appropriated funds were expended on U.S. goods and services through contracts and grants.

More than 14,000 emerging leaders from Russia, Ukraine, Azerbaijan, Georgia, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Lithuania, and Uzbekistan have participated in Open World. Significantly, more than 48 million Muslims reside in countries where Open World is active, and these countries have approximately 2,000 miles of shared borders with Iran and Afghanistan.

In fiscal year 2008, Open World had a 35 percent reduction in appropriated funds, which would have translated into an estimated 37 percent reduction in grants to U.S. organizations. However, through cost shares, staff cuts, contract terminations, an interagency transfer, and withdrawals from Open World trust fund reserves, the Center was able to maintain the quality of the Program and the number of participants at levels consistent with prior-year averages.

The Center's budget request of \$14.456 million for fiscal year 2010 is a modest 4 percent increase over the fiscal year 2009 level of \$13.9 million, even though the cost of the logistical services contract will rise 6 percent. We will close this gap and maintain a participant hosting level of 1,400 through additional cost shares, with a portion coming from our partners abroad. We estimate that, as occurred with our fiscal year 2008 appropriation, more than 75 percent of the appropriated funds will be spent on U.S. goods and services, including \$4.16 million in direct grants to American host organizations. The funds will allow thousands of Americans throughout the United States and their counterparts abroad to generate hundreds of new projects and partnerships and other concrete results.

OPEN WORLD COST-SHARE EFFORTS

The Center actively seeks a wide range of partners to diversify funding and strengthen the Open World Program. In 2008, the Center received interagency funding and direct contributions totaling over \$900,000. Cost shares, mainly from American grantees and hosts, added an estimated \$1.8 million. We received pledges of \$950,000 as gifts (for a 3-year period) directed to programs not supported by appropriated funds. These pledges include a \$500,000 commitment (to be spent over 3 years) for our alumni program from Open World Trustee George Argyros, and \$450,000 (to be spent over 3 years to host health and education leaders from the Republic of Buryatia) from Senator Vitaliy Malkin of the Russian Parliament. To date, we have received \$482,000 of the \$950,000 pledged.

An interagency transfer of \$530,000 from the National Endowment for the Arts (NEA) to support all the hosting costs of the Russian Cultural Leaders Program represented a 6 percent increase over NEA transfers in previous years.

In 2007, the Center initiated a cost-share reporting requirement for all grantees in an effort to track the generous in-kind support that they and local hosts provide to the Open World Program. The Program received an estimated \$1.75 million in donated goods and services from hosts and grantees in 2007—equal to 13 percent of the Center's fiscal year 2007 appropriation. We expect to see a higher share for 2008 when the cumulative figures become available later this spring.

The Open World alumni program is paid for exclusively with nonappropriated funds. Open World has actively sought in-kind opportunities and cost shares in this area as well.

Numerous U.S. judges and legal professionals involved with Open World exchanges make independently financed reciprocal trips to meet with program alumni. In 2008, 61 American jurists involved with Open World's rule of law program made such reciprocal working visits to Open World program countries. Reciprocal visits with alumni help fulfill Open World's mission of strengthening peer-to-peer ties and partnerships.

OPEN WORLD AND CONGRESS

As a U.S. Legislative Branch entity, the Open World Leadership Center seeks to link Congress's foreign policy interests with citizen diplomacy. The Program proactively involves Members of Congress in its programming and strives to make this programming responsive to Congressional priorities. In 2008, nearly one out of four (353) Open World participants met with Members of Congress and Congressional staff, either in Washington, D.C., or in the Members' constituencies.

A majority of the trustees on the Center's governing board are current or former Members of Congress. The Center also regularly consults with the House Democracy Assistance Commission (HDAC), the Commission on Security and Cooperation in

Europe, the Congressional Georgia Caucus, the Congressional Ukrainian Caucus, other Congressional entities, and individual Members with specific interests in Open World countries or thematic areas. Moreover, in 2008, for the first time, the Center partnered with HDAC to provide Open World programming to three Ukrainian and six Georgian parliamentary staffers. The Center hopes to build on this partnership and to continue its success in the coming years.

MEASURES OF SUCCESS

The Open World Leadership Center tracks the results of the Open World Program using eight categories, or “bins,” such as partnerships with Americans, alumni projects inspired by the Open World experience, and benefits to Americans. Since launching a results database in August 2007, Open World has identified more than 2,000 results (see attached Results Chart). Some representative results are:

- A Russian alumna was one of seven recipients of the Secretary of State’s 2009 International Women of Courage Awards. Accompanied by First Lady Michelle Obama, Secretary Clinton praised the alumna for her “stalwart leadership in seeking justice for the families of bereaved [military] service members.”
- Ukrainian alumna Anzhela Lytvenenko and her organization Successful Woman won a \$15,000 Democracy Grant for a project to improve government/NGO cooperation on human-trafficking prevention in Ukraine’s Kherson Region.
- An Azerbaijani alumnus designed a brochure for recruiting citizen election monitors based on a form for enlisting campaign volunteers that he obtained from Representative John Sarbanes (MD) during an April 2008 Open World visit to the Baltimore area.
- Open World host and Atlanta-Tbilisi (Georgia) Sister City Committee Chairman John Hall partnered with alumni in Tbilisi to organize an economic summit in Atlanta in December 2008.

OPEN WORLD 2010 PLANS AND 2009 ACTIVITIES

In 2010, Open World will carry out the goals of the recently revised Strategic Plan (2007–2011) as approved by the Board of Trustees, focusing on quality control of nominations and U.S. programs. We plan to expand to at least one additional country (Armenia), and we will continue our effort to diversify our funding. We will add more delegates from Central Asia and the Caucasus while proportionally reducing the number of Russian delegates.

We will host additional members of the national legislatures of Open World countries located in Central Asia and the Caucasus, based on reports of the effectiveness of Open World parliamentary hosting received from the U.S. Embassies. The Center will also continue the rule of law programs for participating countries where we are finding substantial cooperation and movement toward an independent judiciary. We will foster sister states/sister cities programs in many locations in the United States, and broaden efforts in the cultural field, where, through our Russian Cultural Leaders Program, we have, for example, benefited museums in the Midwest thanks to our partnerships with the Likhachev Foundation and the American-Russian Cultural Cooperation Foundation.

In cooperation with the Department of State, we plan to intensify our work with women leaders. With funding in 2010 at the requested level, Open World will continue to share America’s democratic processes and institutions, send about 1,400 participants to homes throughout the United States, and spread a wealth of American experiences to borders beyond our own.

For 2009, Open World continues to host in thematic areas that advance U.S. national interests, generate concrete results, and support U.S. organizations and communities engaged in these thematic areas. This programming emphasizes and builds on Open World’s incremental successes in the fields of governance (emphasizing the legislative branch’s role in helping to bring about good governance and affecting public policy), the rule of law, human-trafficking prevention and prosecution, environmental issues, and ecotourism. This year Open World will also increase its non-Russian programming to approximately 45 percent of its total programming (up from 36 percent in 2008 and 23 percent in 2007).

Demonstrating Open World’s commitment to supporting existing partnerships and initiatives, an estimated 70 Open World hosting programs (31 percent of all 2009 programming) will be conducted by Americans with established partnerships in Open World countries. For example:

- Freedom House, a nonprofit, nonpartisan organization that serves as a voice for democracy and freedom, will host accountable governance delegates from Kharkiv, Ukraine, in their U.S. sister city of Cincinnati.

- Building on a 15-year-old relationship between Maryland and Russia's Leningrad Region, the Office of the Secretary of State of Maryland will host an accountable governance delegation from the Leningrad/St. Petersburg area in 2009.
 - In the area of human trafficking, one of Open World's veteran grantees, the Terrorism, Transnational Crime and Corruption Center, will be hosting some of their Russian partners and colleagues on a program focused on combating child exploitation and trafficking.
- Turning to post-visit initiatives for alumni, the Center plans, using private funds, to host two results-oriented 1- or 2-day thematic workshops in Russia, one of which will highlight Open World's nonproliferation program. Another 23 or so half-day events will be held in Russia and other Open World countries on topics proposed by alumni.

OPEN WORLD AND SHARED FUNDING

In response to the language of the Omnibus Appropriations Act, 2009 (Public Law 111-8), Chairman Billington and I have met twice with senior officials of the Department of State and with officials from the Administrative Office of the U.S. Courts to discuss shared funding. The Center has also discussed cost-share arrangements with the Russian Supreme Commercial Court. The Court has tentatively agreed to share the cost of bringing Russian commercial court judges to the United States on Open World for hosting by American judges. We remain committed to working with the Subcommittee and our Board of Trustees to pursue any alternative sources of funding, and we will report back on our findings by no later than May 30, 2009.

FISCAL YEAR 2010 BUDGET REQUEST

The Center's budget request of \$14.456 million for fiscal year 2010 is a 4 percent increase over the fiscal year 2009 request of \$13.9 million. Funding at this level will enable the Center to continue its proven mission of hosting young political, civic, and cultural leaders from Russia; maintain its important program for Ukraine; and continue smaller but growing programs in the Caucasus and Central Asia. The Board of Trustees believes that maintaining a robust grassroots-based Open World presence in Russia is necessary and important for future U.S.-Russia relations, but programs in expansion countries continue to account for a larger percentage of hosting than in the past.

The budget request maintains hosting and other programmatic activities at a level of approximately 1,400 total participants, which remains far below the limit of 3,000 set in the Center's authorizing legislation. Actual allocations of participant slots to individual countries will be based on Board of Trustees recommendations and consultations with the Subcommittee and U.S. Embassies. The requested funding support is also needed for higher salary costs in fiscal year 2010, as well as for increased logistical costs due to higher airfares and less favorable exchange rates.

Major categories of requested funding are:

- Personnel Compensation and Benefits and other operating expenses (\$1.43 million)
- Contracts (\$8.86 million—awarded to U.S.-based entities)
- Grants (\$4.16 million—awarded to U.S. host organizations)

The Center also requests Subcommittee approval of an amendment to its statute. This proposed amendment will enable the Center to improve the Open World Program's administration and to build upon its successful civic and cultural exchange programs by encouraging interaction with and among program alumni, and by extending the cultural program to new countries if approved by the Board.

CONCLUSION

State Department Under Secretary for Political Affairs William Burns said that Open World is the most effective exchange program of the many he was involved with while serving as ambassador to Russia and, earlier, as assistant secretary in the Bureau of Near Eastern Affairs. While Open World's results are often measured in quantitative terms, the Program has a profound impact that is captured in anecdotes and qualitative feedback from participants. The editor of a major Russian regional newspaper told his readers in a post-visit article that, after his Open World program in New Hampshire, he saw no basis for any future U.S.-Russia conflict (Volna, January 29, 2008). An alumna who sits on a Russian regional supreme court wrote an e-mail to Open World organizers stating: "I can say unequivocally that the [Open World] visit not only changed my view of the Russian Federation's judicial system, but also brought about an overall change in my worldview as a whole."

Funding the 2010 Open World Program at the requested level will allow Americans in hundreds of Congressional Districts throughout the United States to engage up-and-coming Eurasian political and civic leaders—such as parliamentarians, environmentalists, and anti-human trafficking activists—in projects and ongoing partnerships. Americans will, once again, open their doors and give generously to help sustain this successful Congressional program that focuses on a region of renewed interest to U.S. foreign policy.

The fiscal year 2010 budget request will enable the Open World Leadership Center to continue making major contributions to an understanding of democracy, civil society, and free enterprise in countries of vital importance to the Congress and the Nation. The Subcommittee's interest and support have been essential ingredients in Open World's success.

OPEN WORLD PROPOSED AMENDMENTS FOR FISCAL YEAR 2010 BUDGET REQUEST

SEC. _____. OPEN WORLD LEADERSHIP CENTER UPDATE.

(a) SHORT TITLE.—This section may be cited as the “Open World Leadership Center Update Act of 2009”.

(b) “ACT” DEFINED.—In this section, the “Act” means section 313 of the Legislative Branch Appropriations Act, 2001 (Pub. L. 106–554 1(a)(2) [H.R. 5657], 2 U.S.C. 1151) as amended by the Legislative Branch Appropriations Act, 2003 (Pub. L. 108–7, div. H, title I, § 1401(a)), the Legislative Branch Appropriations Act, 2005 (Pub. L. 108–447, div. G, title I, § 1501) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Tsunami Relief, 2005 (Pub. L. 109–13, div. A, title III, § 3402(b)).

(c) BOARD MEMBERSHIP.—The Act is amended in subsection (a)—

(1) in paragraph (2)(A) by striking “members” and inserting “Members of the House of Representatives”; and

(2) in paragraph (2)(B) by striking “members” and inserting “Senators”.

(d) EXTENSION OF THE CULTURAL PROGRAM TO ELIGIBLE FOREIGN STATES, AND ALUMNI PROGRAM.—The Act is amended in subsection (b) in paragraph (1)—

(1) by striking “cultural leaders of Russia” and inserting “cultural leaders of eligible foreign states”; and

(2) by adding the following sentence at the end: “The Center may also engage with program alumni in educational and professional development activities in eligible foreign states.”

(e) GRANT PROGRAM.—The Act is amended in subsection (b) in paragraph (2)—

(1) by inserting “and in eligible foreign states” after “United States”; and

(2) by adding the following new sentence at the end: “The Center may also award grants to program alumni in eligible foreign states to carry out activities directly related to their experience during their Open World visits to the United States.”

(f) USE OF FUNDS.—The Act is amended in subsection (b) in paragraph (3)(C)—

(1) by striking “Grant funds” and inserting “Funds”;

(2) by striking “and” at the end of item (ii);

(3) by adding a new item (iii): “the costs of program activities conducted with program alumni in eligible foreign states; and”; and

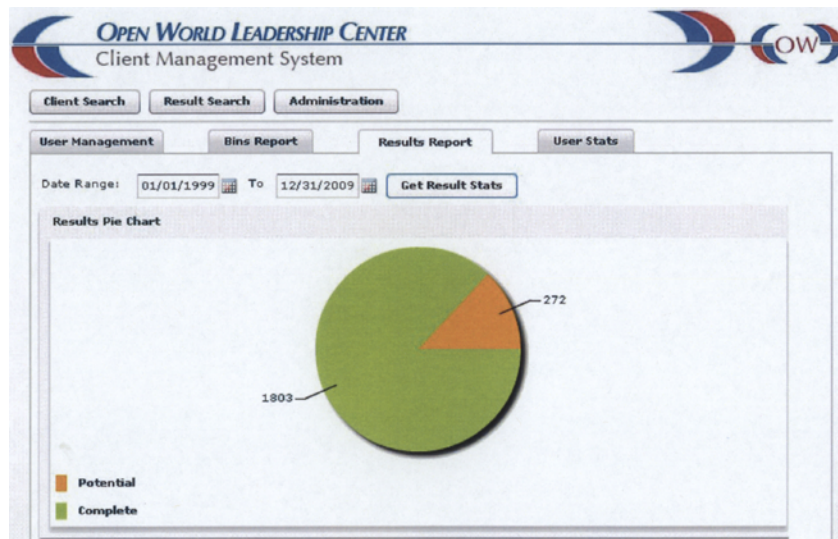
(4) by renumbering item (iii) to “(iv)”.

(g) EXECUTIVE DIRECTOR.—The Act is amended in subsection (d) in the first sentence by striking “The Board shall appoint” and inserting “On behalf of the Board, the Librarian of Congress shall appoint”.

(h) REEMPLOYMENT OF ANNUITANTS.—The Act is amended in subsection (e) by adding the following new paragraph (3)—

“(3) Notwithstanding the provisions of section 4064 of title 22, United States Code, at the direction of the Board and consistent with the authority provided to legislative branch officials under sections 8344 and 8468 of title 5, United States Code, the Librarian may grant waivers of annuity restrictions upon reemployment of annuitants in Center positions.”

(i) EFFECTIVE DATE.—The amendment made by this section shall be effective on the date of enactment of this Act and shall remain in effect for fiscal year 2010 and fiscal years thereafter.



COPYRIGHT BACKLOG

Senator NELSON. Dr. Billington, regarding copyright, I understand that after a fairly significant investment of taxpayer dollars, the new \$52 million electronic copyright registration system is experiencing some challenges and that there is a significant backlog in requests for copyrights. In fact, according to a May 19 Washington Post article, since implementing the new system, the time to process a copyright has tripled, growing from 6 to 18 months with further delays expected.

First of all, do we know what our current backlog is and what we might be doing and what we can do to overcome this situation?

Dr. BILLINGTON. Well, Mr. Chairman, we realize that there is an ignorant truth regarding this issue. We are, of course, in the process of transforming from a paper-based system to an electronic system. And already 53 percent of the claims come in the electronic mode. We expect that to increase by about 80 percent by fiscal 2011, so the time required to complete a copyright claim will diminish.

We have thoroughly briefed the subcommittee staff on the extensive program that the Register has developed to deal with the 8-month delay in the paper claims. Part of the problem is the time required to track new registration specialists. They have now accelerated that. They have taken other steps to improve operations, including key entry quality assurance.

In the last 4 months they have hired 17 new people. In the last 2 years they retrained the entire staff. But it isn't simply a simple matter of retraining. It is a matter of retraining both on a new system and new processes. That has been completed. Seventeen new registration specialists are already processing registrations. We expect some improvement.

Perhaps the Register—if you want more detail, we could give it to you now, or we could provide you with detailed account from the Register herself, Marybeth Peters, who is I believe—

Ms. PETERS. Right here.

Dr. BILLINGTON. Yes. Would you like more detail on this? We are certainly conscious of it, and it is a serious problem. The total reengineering of the copyright processes was accomplished on time and was as we had scheduled it. But as with other reengineering projects of massive scope, it comes with challenges.

We could provide you a detailed plan how we are doing with this and the progress that has been made for the record, if that would—

Senator NELSON. That would be helpful. And as part of that for the record, if you would help us understand how you might keep from incurring additional costs in smoothing the process to get on track?

Dr. BILLINGTON. All right. Do you want to hear that now, or should we provide that for the record?

Senator NELSON. Oh, no. For the record.

Dr. BILLINGTON. Yes, sir. We would be glad to.

Senator NELSON. Thank you.

[The information follows:]

The total cost of the Copyright Office's business process reengineering project was approximately \$48.8 million, of which \$15.5 million was spent on the development of a new electronic Copyright Office registration system, or eCO. As of June 14, 2009, the number of claims in various stages of processing in eCO (including an estimated count of the most recently received unopened/unprocessed mail receipts) was 535,288. The accumulation of such a large number of claims in process is a result of relatively low production following reengineering implementation. Low production was caused by there being insufficient staffing in the key areas of registration, information technology, and in-processing; a massive training effort involving the majority of staff necessitated by the substantially new positions that were created as part of the reengineering effort and implementation of the new IT system; and processing bottlenecks caused by new operations needing further refinement.

In response to these issues, the Office has taken the following actions:

- From late 2008 through the end of April 2009, the Office hired a total of 17 new Registration Specialists (a nearly 20 percent increase in the number of Registration Specialists on staff), and the new hires are already reviewing claims as part of an accelerated training program. In addition, the Copyright Technology Office is preparing to fill several new positions, to bring in the expertise needed for its expanded role in the Office's processing operations; and the Receipt, Analysis and Control Division is also preparing to hire additional staff in the In-Processing Section.
- In accordance with an agreement negotiated with AFSCME Local 2910, the union representing employees in professional job series, all registration employees were given 1 year of training and an additional 90 days to reach written performance requirements. As of February 2009, all employees completed a minimum of 1 year of hands-on training working in the reengineered processing environment, and the additional 90 day period pushed the effective date of the performance requirements into May 2009. In cases where employees are still operating below the minimum performance level, additional training continues.
- Through a continuous improvement program, the Office has initiated workflow adjustments to achieve more efficient processing. For instance, a change to the dispatch procedures whereby the time-consuming task of wand-ing deposit copies to portable receptacles was dropped, resulting in a significant increase in the volume of copyright deposits dispatched each week and freeing Registration Specialists to spend more time registering claims.
- Incremental enhancements to the IT system, based on feedback from internal and external users, have also improved productivity in the registration area and provided for a better eCO experience for remitters. Examples of enhancements to the IT system include developing better sorting and searching capability in the Registration Specialist's active cases queue so that staff can better organize and monitor pending cases; and extending the maximum time available for uploading electronic files from 30 to 60 minutes for a single session, which provides remitters greater capability to submit large digital files.

TECHNOLOGY INFRASTRUCTURE UPGRADES

Senator NELSON. In your opening statement, you mentioned your fiscal year 2010 request includes approximately a total of \$20 million for technology infrastructure upgrades for the Library, and a \$20 million increase is very difficult to accomplish in the current fiscal environment. So my question is could this project be funded incrementally over the next, say, 3 to 4 years to flatten down the cost expense of any particular 1 year so as not to bust the budget, if you will?

Dr. BILLINGTON. Well, I think probably some adjustment could be made there, but this is not just a one-time investment.

Senator NELSON. No, no. I know that.

Dr. BILLINGTON. I think in terms of stretching it out a little bit, sure, we would be happy to discuss that with you. By taking an incremental approach, we have been able to learn from our experience. We haven't invested in the technology infrastructure for 10 years now, but at this point, we have really a lot of deferred maintenance, a lot of catch-up to do with the systems.

THE CHALLENGE OF RISING EXPECTATIONS

We are somewhat the victims of our own success, having put 15.3 million items—primary documents of American history—online, mostly with private money that we were able to raise for that purpose. We now find that with the World Digital Library there are enormous expectations, and the educational impact and usage also are multiplying. The number of States that are setting up programs through the Library for training teachers and the educational use of the Internet is increasing.

So the burden is very, very heavy, and we really have, I think, enhanced our programs with the addition of the new electronic offerings. By the way, 10 days ago I was in Russia. The new library system that they have opened in St. Petersburg, which has considerable promise, has borrowed many of the electronic features that we now offer, even working with the same American contractors that we have used.

This system will greatly increase the demands made by Americans all over the country to use Library of Congress content for educational purposes. We have to address our search and discovery capabilities, which were established a long time ago but need to be updated.

Anyhow, we could certainly discuss this matter with your staff and with you.

Ms. JENKINS. I was just going to say that same thing.

Dr. BILLINGTON. Does anybody want to add to that? I think the point is to have an integrated information architecture that can be upgraded, can be developed to accommodate the unpredictable new demands that will be made.

Incidentally, in addition to this, there is a request for GLIN funding, for the Global Library Information Network, whose usage has increased 400 percent just this last year. There are also requests for the legislative information system, involving all of the legislative branch agencies for which we have special responsibility, as well as to enhance the Congressional Research Service (CRS) capacity.

So this is a Library-wide business, and it is a question of establishing a platform for the whole thing now that we have pretty much a full picture of what we are going to do. We see the demand for it. But we would be happy to work with you to try to stretch this out a little bit. I do want to caution that it can't be stretched out too much because we have already stretched programs out for 10 years.

We financed a lot of this because we were saving money by downgrading our mainframe legacy system, and we diverted funds that might have been used for that as we went along. But that really wasn't adequate, and we now think we have done a definitive analysis of needs. And we will follow through in various organizational ways to make sure that this does deliver an integrated system, which will make it possible for us to upgrade with efficiency. There is another approach that many Government agencies and others use, and that is to come up with an ideal system that addresses specific requirements.

But when you have an ideal system, things keep changing. We are now trying to fix it so that we are on a solid basis for future growth and won't have to keep coming back periodically for anything quite as dramatic as this.

Senator NELSON. We appreciate that, and we will be happy to work with you, see what we can do over a rational, reasonable, appropriate period of time.

Thank you very much.

Dr. BILLINGTON. Thank you.

OVERSEAS FIELD OFFICES

Senator NELSON. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Dr. Billington, let me ask you about the overseas field offices. I understand that there are six different field offices located in our U.S. Embassies in Jakarta, Rio de Janeiro, Cairo, New Delhi, Nairobi, and Islamabad. And it is my understanding that they were originally established to acquire materials in parts of the world that lacked a mature and reliable book trade.

The annual cost of operating these field offices is about \$15 million, and I know that there have been questions directed to you as to whether there may be more cost-effective ways of acquiring the publications that the Library gets through these field offices. I understand that there is a study under way that GAO had recommended to look specifically at this.

Can you give me an update as to where that study is and to what extent the study is looking at other means that we might be able to acquire this type of information short of funding additional field offices?

Dr. BILLINGTON. Well, the study that I think you are referring to was begun in January of this year. The Associate Librarian for Library Services, Dr. Marcum—Dr. Deanna Marcum, who controls the 52 different units within Library Services, a very broad span of responsibilities, she formed a small working group to analyze this whole problem of the overseas offices. It is not really a problem. I think it is more an opportunity.

The working group was charged with addressing whether they were acquiring and processing materials that are otherwise unobtainable. Are they being collected? Is what we are collecting the most desirable? Are the overseas operations conducted in a cost-effective manner? And the current operations, are they sustainable over the long and short run?

BREADTH OF INTERNATIONAL COLLECTIONS

The working group will address this in a final report to be delivered to GAO on July 22. In fiscal 2008, our overseas offices acquired almost 300,000 items for the Library's collection. This compares to 443,000 items acquired for the Library's collection from other foreign sources.

SUBSTANTIAL ADDITIONS TO FOREIGN COLLECTIONS

So it is roughly two-thirds of what we have acquired in the continuing quest dating back to Jefferson's Library, which had books in 16 languages and set the precedent for the universality of these collections. Items from the overseas offices are well more than one-half of what we collect from other foreign sources, a total of about 750,000 items from foreign sources acquired for the Library's collections overall.

Now the differential between what the Library of Congress has and what any other institution has is going to increase because in the other major research libraries around America, there has been a sharp reduction in foreign acquisitions because of the economic

crisis and endowments and so forth. And it has always been very large.

If you look where the overseas offices are, they happen to be almost uniformly in places where the book trade is not developed. So you don't really have alternative modes of gathering things, for instance, in Islamabad, Pakistan; New Delhi, India; Jakarta, Indonesia; Cairo in Egypt; and Nairobi in Kenya; and then Rio de Janeiro.

It really is a unique source of published material that you won't get anywhere else. No book dealer would have discovered the mimeographed copy in an obscure Afghan town of the autobiography of Osama bin Laden. Nobody even knew that such a thing existed. It was a mimeographed form from the early 1990s, from a very obscure village in Afghanistan.

So these offices have many native employees who fan out and have regular sweeps through precise areas of the world that are of particular concern to us. And so, I think it is a unique resource.

OVERSEAS OFFICE SUBSCRIBERS

Seventy-five other research libraries across America, in 32 States, participate in the program. Anybody who wants to collect foreign language materials from those parts of the world will depend on this source. So it not only benefits the Library of Congress, it benefits other institutions across the country.

We will give you the full report, though, in answer to your question, on July 22.

Senator MURKOWSKI. Do you get any contribution from any other countries? You just noted how everyone else benefits. Is anybody else a participant financially?

Dr. BILLINGTON. There are, I think, some Canadian libraries who are subscribers. Maybe Dr. Marcum would like to fill in a few details on that?

Dr. MARCUM. Oh, I will just speak loud enough for you to hear. There are 75 libraries in 32 States that are participating. These are mostly United States research libraries, but also there are other national libraries that participate. The British library, for example, is one of the participants.

They cover the cost of the materials, and they pay an overhead fee as well that helps us—

Senator MURKOWSKI. The amount that is in this year's budget request is \$15 million. What would you anticipate you get from the other participating countries? And I won't hold you to a figure, of course, just off the top.

Dr. MARCUM. Roughly, they cover the costs of the materials, plus about 10 percent overhead.

Senator MURKOWSKI. So what would you anticipate that to be?

Dr. MARCUM. I could get that and get back to you.

Senator MURKOWSKI. If you could, I would appreciate that.

Thank you.

Thank you, Mr. Chairman.

[The information follows:]

Fiscal 2008 receipts from the sale of collection materials by the overseas offices were \$3.346 million. Fiscal 2009 receipts are projected to be \$3.019 million.

Dr. BILLINGTON. It is an interesting phenomenon that the amount of published material continues to grow. You read things in the popular press about how digitization is going to replace published material and particularly ephemera, things like this essentially mimeographed book by Osama bin Laden. Forms of communication like this, which you would never get from an organized book dealer, but which represent the opinions of smaller groups, groups that may become of great importance.

It was very important that we had collected audiotapes on the Left Bank in Paris because that was the only record we had when the radical Islamist revolution occurred in Iran, and the speeches by the new regime that was coming in, they were first rehearsed there. But more and more, there are more participants, and we are getting access to them and having fruitful conversations as everyone wants to join this World Digital Library and demonstrate the cultural treasures of their own countries around the world.

So the international collection, I think, of the Library of Congress is very unique. It helps everybody else in the country, encourages them, and gives them a reasonable alternative. But we will give a full report to the Government Accountability Office (GAO) on July 22. And any specific questions, further questions Dr. Marcum will be happy to answer for the record on this. As you can see, I am rather positive about these offices overseas. I have visited quite a number of them, and they have very good relations.

CAPITAL SECURITY COST SHARING

One of the reasons that they are costing more is because we have to pay—the State Department now levies a rather substantial charge that is unfortunate, but perhaps necessary, and that is for running them because they have run historically through the Embassies, and they are now charging a substantial fee, which they didn't a few years ago.

Senator NELSON. Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

FORT MEADE MODULES 3 AND 4

I want to thank the panel for being here, and it is good to see everybody again.

I would like to start, if I may, with a storage issue, and that is you requested \$3.5 million to implement Fort Meade Modules 3 and 4. And as I understand it, the budget also requests \$16 million in funding to begin construction of Module 5.

Tell us, if you can, about this idea of storage when, again, the popular perception is that things are going digital, and we are investing more and more to store physical books at the same time you are asking for money to do more digital. Tell us how that works.

RETRIEVAL, PRESERVATION, AND COLLECTION SECURITY

Dr. BILLINGTON. Well, it isn't solely storage. It is a question of efficient retrieval. It is a question of preservation. It is a question of security.

The two modules that we have fully operational at Fort Meade attained 100 percent retrievability, which is absolutely amazing. So that you can work in the 21 reading rooms we have here on Capitol Hill, you can get in a short space of time, with 100 percent certainty, delivery from these very scientific kinds of semi-automated storage modules—and they are controlled for preservation of these materials.

Most people don't realize that books produced since 1850 in the United States and in most of the world are perishable. Everything on which knowledge and creativity is recorded is degrading, and the Library of Congress has a unique responsibility to preserve a lot of this material.

Now we had Amazon in for a pro bono inspection not long ago to see if there are any alternatives to storage because they have a huge storage and inventory management program, and they said there is no alternative but additional space. You cannot simply put books on the floor. There is no way of retrieving them, and a new plan is being developed.

Modules 3 and 4 will be up and running by July. So there is a request for making them operational. Once we get the building built, it is essential that we move the collections there, and make these modules fully operational. We are 8 years behind on this project, but Modules 1 and 2, which are fully functional, have been extraordinarily successful. To get 100 percent retrieval in any huge library system is amazing.

We get 2, 2.5 million new physical objects and I don't know how many terabytes of digital material every year to add to the inventory. And you have to store this, but you have to be able to preserve it, and you have to do this in environmentally safe and defensible facilities. I have said at times that you have to have Fort Knox to pay for it. But this is Fort Meade.

Now as audio-visual materials have been taken care of with the support of the Congress at our new facility in Culpeper, that whole facility was created by the Packard Humanities Institute at a cost of at least \$150 million, more likely at full valuation close to a \$200 million donation. So the big capital expense was made by them in partnership with the Congress.

SPECIAL COLLECTION STORAGE REQUIREMENTS

Implementing Modules 3 and 4 is particularly tricky because these are for special collections, not just for books that can be nicely stacked and easily, almost robotically, retrieved in a large facility. These are, for example, maps, many of which require special cases. But this should be the final rounding out of facilities for preserving the special collections, which in the Library include unique and enormous manuscripts, and many kinds of nonprint things. They are all unique formats, but have to be stored properly—so that is rather expensive.

FORT MEADE MODULE 5

Module 5 is in the Architect of the Capitol's budget, of course. But we strongly support that investment. To preserve a comprehensive collection of the world's knowledge is a very expensive and complex undertaking.

We have a network. It is not just the overseas offices that purchase things. It is also exchanges. We exchange Government publications of the United States for important materials. We have exchanges with hundreds, even thousands of institutions internationally.

Senator PRYOR. Dr. Billington, let me interrupt there and just ask one quick follow-up, and then I have another question.

Dr. BILLINGTON. Yes.

STORAGE CAPACITY AT FORT MEADE

Senator PRYOR. And the quick follow-up is how long before you are at capacity with units 4 and 5? How long into the future is that going to carry us?

Dr. BILLINGTON. Well, and I asked—

Senator PRYOR. I am sorry. I said 4 and 5. I mean 3 and 4.

Dr. MARCUM. Modules 3 and 4 will be for special collections materials. These are the maps, the photographs, the manuscripts, rare books, and so on. Those modules will be filled as quickly as we can move materials into them because we are already well beyond capacity here on Capitol Hill. So every square foot is accounted for already in those two modules.

Module 1 is completely filled. Module 2 will be filled with books from the general collections in the next few months.

Senator PRYOR. So it will be at capacity in the next few months?

Dr. MARCUM. Yes, Modules 1 and 2. So it is very important that we have Module 5 to proceed with the books from the general collections. We have books stacked up on the floors. There is no more expansion space here on Capitol Hill.

Senator PRYOR. So if you get I think you said 2, 2.5 million books a year, how long will it take you to fill Module 5?

Dr. MARCUM. It will take—we take in about 1,200 items a day into our collections. That includes both books and special collections. So we could fill modules fairly quickly. It would probably take a couple of years to move things from the collections to modules.

Senator PRYOR. I guess part of what I am asking is does that mean in 2 years you will come back and say we need a new Module 6? Is that—

Dr. MARCUM. We already have a plan for 13 modules over a long period of time. But it is important, I think, for us to say, too, that global book publishing is increasing quite a lot every year. Even though digital is a very important part of our world, book publishing continues to increase. And we are collecting internationally. We have a lot of materials—

LAW LIBRARY, GLIN

Senator PRYOR. And the last question I had—and I am sorry, Mr. Chairman—I did have this one question about the Law Library. There is a budget of \$19.9 million, which is a \$4 million increase. Some of this is for the Global Legal Information Network. And as I understand it, there is also some interest in the private sector to help pay for some of this, but there may be some legal barriers. Could you tell us about that?

Dr. BILLINGTON. Well, we hope very much that that will develop. We have been working with committees of the American Bar Association and others to discuss this. The Law Library has had a dramatic increase in the use of its global information network.

For instance, the President is just today or just yesterday in Saudi Arabia. The only online resource for information about the laws of Saudi Arabia is in the Global Legal Information Network, that now has 36 member nations. It covers the laws of 51 jurisdictions worldwide. We have to sustain the underlying GLIN technology.

There are other challenges. You have to move, change the classification of a large amount of legal material to make it more easily accessible. We are working on that.

And we are in the process of hiring a new law librarian. We have excellent interim leadership with Ms. Scheeder. Is she there? Oh, right. And she may want to add something to this from the Law Library.

Senator PRYOR. Well, just——

Dr. BILLINGTON. But there are no legal barriers. There have never been legal barriers to receiving funds from private users of the Law Library. We are working closely with the House Administration Committee to add additional gift language to encourage this, and we are also working with some committees, particularly of the American Bar Association, to see if they have often expressed desire to beef up various things in the Law Library, if they might contribute something.

I think there is no question that the world's best collection of international law contributes a great deal to the private practice of law, as well as to the Congress and the judiciary and to the executive branch of our own Government. So we are working as aggressively as we can on that. I can't report sensational results. But we hope this will be a part of what happens in the next year or two.

Senator PRYOR. Thank you.

Thank you, Mr. Chairman.

Senator NELSON. Thank you, Senator Pryor.

DIGITAL TALKING BOOK PROGRAM

I have something that might be a little bit different for you to talk about. Can you tell us a little bit about the digital talking book project? I can get you away from talking about numbers and percentages and things like that. It might be something you might be anxious to tell us about.

Dr. BILLINGTON. Well, I think that the digital talking book program is making pretty good progress. We have already, I think, received the first 5,000 machines, and we are going to get a lot of feedback on their use. But we are proceeding according to schedule.

It is a very important program. As you know, blind people read a lot more than sighted people, and this is a service that is very central to the long-term mission. And I think it is proceeding well. Maybe Dr. Marcum would want to add a word or two about it, but I think it seems to be going well.

We are moving from a traditional analog universe to a digital universe, but it seems to be going well within the multiyear development program. This is another example of how we are moving

into the digital universe for one of our most important constituencies.

And of course, this is administered through local libraries everywhere. So it is not something that is dispensed here in Washington. It is a really unique national service.

Dr. MARCUM. I think that is the story. Everything is on schedule. The players are being produced and the books are being produced, and it is exactly as we had planned it.

Senator NELSON. Can you give us some idea of the scale or the size of the project? Is this like everything else that you do there? I am sure it is big. The question is how big?

Dr. BILLINGTON. Well, do you want to—

Dr. MARCUM. Kurt Cylke is here. We are going to have Kurt Cylke answer.

Senator NELSON. We have an awful lot of help going on here. That is okay.

Mr. CYLKE. This project is a \$100 million project approximately. There are 800,000 blind and visually handicapped people that are using the program now. Dr. Billington and Dr. Marcum are correct. We shipped the first 5,000 machines out to nine individual libraries and designed a final test to make sure that the machines were working well.

We gave permission to begin production, mass production, to the Shinano/Plextor Company in Japan. Production started on Monday of this week. They will be producing 23,000 machines a month for the first 3 months, 20,000 machines a month after that, and the initial run-up will begin the first week of August.

Senator NELSON. Thank you.

I don't want to leave Ambassador O'Keefe out here now.

Ambassador O'KEEFE. Thank you, sir.

Senator NELSON. I was interested—after you visited my home State and Lincoln in the State of Nebraska with the Open World delegates, apparently they were inspired to start up a program back in their own countries like the 4-H program that we enjoy in America. And yesterday, I must have had my picture taken with 100 or more 4-H-ers from Nebraska.

So I am proud of that program, and it is not limited to our State, but maybe you can explain a little bit how you bring delegates to the various locations in our country and where they come from and how this works?

NOMINATION OF PARTICIPANTS AND PROGRAM PROCESSES

Ambassador O'KEEFE. Yes, sir. Thank you for that question.

We work very closely with host organizations and the hosts themselves. We often follow the enthusiasm. The thing that I am most surprised about—as I mentioned, we went to 44 States in fiscal year 2008—is how broad this enthusiasm is.

In the nomination process, we draw from several sources. We draw from the host countries organizations from the U.S. Embassies and some of the host country institutions: For example, councils of judges. But a substantial number of delegates, over one-third, come from organizations in the States and cities in the United States themselves.

The particular group that came to Lincoln was actually nominated in Russia. And what we look for is shared interests. The individual who came to Lincoln was at a university, and very interested in organizing young people. And not only did he get the 4-H idea, but he also noticed the ramps for people with physical handicaps during his trip to the United States, which were not at his university. On his return, he installed a similar ramp. This is a small thing. But little by little, if you are bringing more than 14,000, it has a cumulative effect.

What we tell our delegates and what I told 50 Russians who came here this morning was that their journey begins when they get back home. What we want to see and what we hope they do is form partnerships. This is what often happens. The person who visited Lincoln could implement the concept of a 4-H-type club because he has people back in the United States with whom he can discuss ideas.

Senator NELSON. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ambassador, I would like to go back to the issue that I raised in my opening remarks, and that is why a foreign exchange program belongs in the legislative branch bill. I understand that our House counterparts have been encouraging you to seek either some or all funding from the State Department and that there has apparently been some kind of a report underway.

Can you give me just an update on what is going on with that report, what you are finding? And just kind of help me understand how you ended up in this particular part of the legislative branch budget.

OPEN WORLD'S PLACEMENT AND ROLE IN LEGISLATIVE BRANCH

Ambassador O'KEEFE. Senator, thank you.

I will just start with saying when I was first approached about becoming Executive Director of Open World, I had the same question you did. Why is this in the legislative branch? And I think, like many converts, I became very enthusiastic.

The board of trustees submitted a report last year around this time addressing that particular question. I don't want to take up too much time, but, in essence, what the board found was that by not being any part of an administration policy, Open World is uniquely placed to operate in all of these countries where relations may go up and down, but we, as part of the legislative branch, are not constrained.

And we also find that by being associated with the legislative branch, we can draw a much broader range of individuals who might not otherwise want to go on an executive branch program.

I think the second thing is that we—as Senator Nelson alluded to, are driven by constituent interests. And so what we try to do is link to people in your States and determine what they are interested in, then find counterparts so we can create these partnerships.

For example, in Alaska, Carolyn Jones, who is in Rotary in Alaska, was our person of the year last year because of her extensive work in working with people from Russia coming to Alaska, espe-

cially for those in the Dal'nii Vostok, in the regions that are on the Pacific Rim as is Alaska.

The report which we submitted on May 30 asked us to determine the feasibility of funding from the State Department and from the judiciary. Dr. Billington and I went to the State Department as soon as we saw the portion of the appropriation for 2009 and discussed possibilities with Under Secretary Burns.

FUNDING OPTIONS AND ALTERNATIVE SOURCES OF FUNDING

I had several follow-up meetings and presented a proposal. The proposal was for 50 percent funding from the State Department foreign operations appropriation. I have to be very honest, and I was honest in the report. The feasibility of the State Department funding for fiscal year 2010 is unlikely. It is not completely out of the question, but unlikely.

One of the things that I sought also from the State Department and something which is in process, which might help, is that the Georgia supplemental is moving forward right now. It is \$240 million in the House, \$200 million in the Senate, I believe. Twenty million dollars of that is designated for democracy programs. We could fit in there.

And should we have our Georgia program funded from that, that would be able to reduce our budget by a like amount for this year. And that decision comes, I presume, in a month or so.

Just so I am clear, we are constantly looking for cost shares. We receive \$1.5 million in in-kind contributions, and we received another, let us see, \$330,000 in gifts, and a \$530,000 grant from the NEA, appropriated money given to us to run a cultural program. We do seek these other sources.

In addition to those sources, as part of the May 30 report, I said that we would submit an action plan on our fundraising external to the appropriation process—in other words, foundations and other donors.

Senator MURKOWSKI. What might you anticipate in, say, 2009 and 2010 then?

Ambassador O'KEEFE. I am no expert in this field, which in a way makes the process a little longer. But in talking to the individuals and then starting to put this together, what we would expect is that whatever we get in 2010, when I come here next spring or next June, those funds would be backed out of our 2011 appropriation.

We have requested \$1.3 million from the United States-Russia Foundation. I don't know whether we will get that. I think we may get a portion of it. Should they provide some funding, we will reduce our fiscal year 2011 request.

We will be approaching other foundations. We have a member of our board, former Representative Bud Cramer from Alabama, who has agreed to walk through the door with us. But what he said was before we do anything, whoever we are asking has to be warmed up. He said very warm. We are doing our due diligence because we only have one chance, and we have to do it right when approaching these foundations, especially at a time when their endowments have dropped 30 to 50 percent. It appears that, in general, they are only funding their ongoing commitments, not new ones.

Senator MURKOWSKI. Yes, it is a tough landscape out there. I think we all appreciate that. But I think we also recognize that if you want to do any further expansion that the key is going to be in these partnerships and in these cost-sharing efforts that it sounds like you are pursuing very aggressively already.

Ambassador O'KEEFE. Yes, ma'am. And I will keep you and the chairman informed of the progress. And as I say, I understand that this kind of activity is a long process.

Dr. Billington, of course, is a master at it. So I am trying to learn at his knee.

Senator MURKOWSKI. Thank you, Mr. Chairman.

CHAIRMAN BILLINGTON ON OUTLOOK FOR OPEN WORLD

Dr. BILLINGTON. No one is a master of the financial problems that we are in, but I was going to say I might just add, on behalf of the board, that there is, I think, a feeling that there has been a certain hesitancy of the business community to themselves invest very heavily. But there have been some pioneers and that is including some from Nebraska who have been very imaginative and consistent on this.

And I think the opinion generally is that there is a reasonably good chance that with new presidents in both countries—and I mean, I had a conversation with the president of Russia on this, and he didn't make any promises. But he expressed great appreciation for this program, and it seems to me that just 10 days ago there have been indications that they are thinking about and, at one point, planning to do a parallel program to bring Americans over.

Whether that will materialize or not is not clear. But I certainly think that there is a good chance that more people will be thinking of this as a possible area in which they should become re-interested. So I think this year is rather crucial if we can continue to validate the program.

I think another point about being in the legislative branch is that if you are dealing with countries that are struggling one way or another with the rule of law, which is the main big program in this Open World program, and are legitimizing the importance, independent importance of legislatures and judiciaries, that having something directly approved by the legislative branch of Government is itself something that helps make a kind of statement.

People, I think, understand also the fact that this is not just Russia. We actually—the board increased, at the Congress' recommendation, the allocation to Georgia when they were in some difficulty. And I think, for instance, if it were possible to include part of the Georgia program in this special supplemental, that money would be—that would lower the amount that we would need for this program since the board has voted to double the amount in Georgia to sort of help them out at the same time that we are continuing with the Russian program.

So I think this is kind of a crucial year to try to sustain the program. And I think it is beginning to register seriously that this has been a direct program of the American people and, in fact, through their elected representatives, many of whom have involved them-

selves one way or another, have been hospitable to and received these delegations when they come through.

OPEN WORLD ALUMNI—TRANSFORMING EXPERIENCE

I have been in Russia to speak at the dedication of this new library system. And it is amazing. I met a great many alumni of the program. They have all been very much impressed. But at the same time, they have all gone back, all 13,000 Russians that have come have gone back. That has never before happened. These are average age 38, one-half of them women. That has never before happened in Russian history.

And this is a transformative thing, and you have 10 percent of the duma, 15 percent of the Supreme Court are alumni of this program. You have a really transformative initiative within the legislative branch, and that, in itself, is something that people comment on.

And that it is a statement of fact that the knowledge-based democracy, if you want to have an accountable, participatory government, they have to have access to knowledge. And so, you have permitted us and sustained us in this digital age to establish a kind of facilitative leadership role without being a dominant overbearing force, and I think this kind of program is separate now from the Library. It is only accidentally linked with me.

But it was conceived and signed in the legislative branch of Government, and it has been sustained. I think it has now registered even at the highest levels in Russia that this is something rather remarkable that the Congress has done. And so, just a thought.

Ambassador O'KEEFE. Madam Senator, if I could just add two quotes, which I think exemplify what we do?

This is from the chairman of the Atlanta-Tbilisi Sister City Committee. And he says, "Through my involvement in the Open World program, I have come to see that in these tough economic times, we must make special effort to nurture personal ties. Personal ties with foreign emerging leaders also strengthen business ties, and business ties strengthen democracies. Open World makes our country and countries like Georgia stronger in many ways. I am grateful to Congress and Open World for fostering such relationships."

And the co-chairman of the Helsinki Commission from the House side noted that Open World has been both "important for and responsive to Congress." We have other quotes, but I just wanted to give you a flavor for what we do for the Congress.

Senator NELSON. Well, I want to thank both of you, and Ms. Jenkins as well and Dr. Marcum for your contributions, and for others who suggested things from back in the audience as well.

It has been very helpful for us to understand the budgetary requests and to understand the programs that you are engaged in, that you are expanding. We appreciate the enlightenment, and we look forward to continuing to work with you. And we want to thank you very much.

ADDITIONAL COMMITTEE QUESTIONS

And I want to thank my colleague and ranking member, Senator Murkowski. We found that we are both very fiscally responsible and at the same time want to make sure that we do the appro-

prate work in recognizing the needs, but also the limitations that we have. So thank you so very much.

[The following questions were not asked at the hearing, but were submitted to the Library for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. Last year, GAO recommended that the Library develop a digital strategy. Does the Library have a digital strategy that GAO has concurred in? In developing the strategy, how did the Library assess the needs of its stakeholders for the different types of digital content planned? How does the digital strategy support the \$15 million investment LOC proposes for fiscal year 2010 and future years?

Answer. The Executive Committee of the Library prepared one digital strategy for the Library, taking into consideration the guidance GAO had given us. Each of the Service Unit heads is responsible for bringing the needs of their stakeholders to bear in developing the digital strategic plan. The \$15 million budget request for 2010 is to support this digital strategic plan and is outlined in the last chapter of the plan.

Question. Library Services is proposing \$1 million to undertake a study of the current use of technology as a first step to developing an enterprise architecture. Yet LOC requests a base increase of \$15 million for the Office of Strategic Initiatives to redesign and reconfigure the Library's online delivery infrastructure, among other things. How will the Library Services study will be used and why should the Library proceed with information technology infrastructure investments before the study is completed?

Answer. Library Services is a large and diverse operation with unique requirements. As such, a thorough understanding of the workflow and current use of technology is a part of developing the future IT environment for LS and LC. Documenting the current LS environment feeds into the documentation of future requirements for new software and hardware solutions. This is a typical step in the systems life cycle development methodology.

The requirements gathering work has already started with the initial ten divisions that are currently under review. The \$1 million would allow us to complete this stage for the remaining Library Services' Divisions and to start the next phase in the areas that pertain to LS and its Divisions. This work will create the integrated administrative and operational workflow and the standardization of our databases that is unique to LS.

A common architecture is needed for the institution. We do not recommend stopping the work on IT infrastructure improvements while waiting for the completed requirements document. In this way the underlying architecture can be in place and will allow faster progress once the SU requirements are documented. During the ITS refreshment, the ITS staff will be meeting with the Service Units about their plans thereby guaranteeing institutional continuity and integration.

Question. How will the Library use technology improvements to achieve greater efficiencies and potentially less need for physical storage?

Answer. The Library is collecting and creating an increasing amount of digital content, and at some point we fully expect the majority of materials will come to us in electronic forms. The reality currently is that the production of physical materials has not slowed; it has continued to increase. Moreover, there is very little overlap between the physical and the digital. It is not a matter of selecting one over the other. The Library, with funding from the Alfred P. Sloan Foundation, has established a book digitization center, which can create digital copies of physical books at the rate of 1,000 volumes per week. Once digitized, the physical objects are sent to Fort Meade for long term preservation, thus freeing up some space in the stacks. The reality, though, is that the Library receives 1,000 new volumes per day, so digitizing 1,000 older materials each week will not keep pace with the demand. The Library has a unique responsibility as the national library to collect materials in the formats in which they are produced, and we cannot continue to do so without sufficient storage for both physical and digital materials.

Question. What skills are needed to accept, manage, and make available an increasing volume of digital content? Has the Library undertaken workforce planning that would address the changing skill sets needed?

Answer. The Library identified an initial set of basic digital proficiencies that are needed for librarians and curatorial staff across the agency. These include navigating the online public access catalog (OPAC) and staff subscription databases, adapting to the changing role of libraries and librarians, and understanding the increased role of digital resources in the Library. Further, basic digital proficiencies

for subject specialist positions were identified and include advanced web searching, working within the various modules of the Integrated Library System (Voyager), understanding emerging licensing issues, and metadata. In addition, the Library's Federal Library Information Center, in consultation with other federal libraries, library associations, and the Office of Personnel Management, developed the "Federal Librarian Competencies." These competencies define the knowledge, skills, and abilities needed in areas such as data preservation and long term access, data authenticity and authorship, and intellectual property. As the Library hires new staff, it reviews existing position descriptions and determines the knowledge, skills and abilities needed for these jobs through a structured job analysis process. Digital competencies and other needed skills are analyzed and reflected in each vacancy posted and drive the selection process. Also, Library Services is developing a "Knowledge Navigators" plan to train staff to work in the 21st century library using their expertise, skills, and talents in a digital environment.

Question. LOC has requested \$7 million to continue the Teaching with Primary Sources program. Can this program be used to improve distance learning opportunities for educators in rural areas?

Answer. The Library has requested no additional funding for the Teaching with Primary Sources (TPS) program in 2010. The Library is launching an online database, TPS Direct, on June 30, 2009. TPS Direct will offer any educator, at any time, the ability to customize professional development activities from the TPS program for use at the school, district or state level for delivery in a face-to-face, online or blended format.

Distance learning outreach is already taking place in Alaska through a TPS Regional Grant. Following the TPS workshops that were held in Anchorage the week of June 1, a series of webinars and asynchronous discussion forums will be led by Elizabeth James, Assistant Professor of History, University of Alaska Anchorage professor, and Peggy O'Neill-Jones, who manages TPS regional activity in the Western part of the United States.

Question. CRS is requesting \$1.8 million for "enhanced access to CRS expertise" in fiscal year 2010. Please prioritize the elements within the \$1.8 million request and the amount of funding that will allow a staged implementation of CRS's enhanced access.

Answer. The \$1.8 million in fiscal 2010 would accomplish the following elements:

- \$0.9 million to design a framework for CRS information systems and data sets that can provide an integrated, interrelated, and interoperable research environment;
 - \$0.6 million to procure the software needed to implement the new framework; and
 - \$0.3 million to customize the software and begin implementation of the plan.
- If the software procurement and implementation was delayed 1 year:
- \$0.9 million would be required in fiscal 2010.
 - The cost in fiscal 2011 would increase from \$1.3 million to \$1.8 million
 - \$0.6 million added for cost of software.
 - \$0.1 million in software maintenance costs avoided.
 - The cost in fiscal 2012 would increase from \$1.0 million to \$1.3 million to complete the initial deployment actions.
 - The cost of continued services, maintenance, and enhancements would be \$1.0 million in fiscal 2013 and beyond.

Question. Please describe the process you use to ensure the quality of your work products, and specifically the process you use to validate the factual accuracy of the information in your reports.

Answer. CRS makes every effort to ensure that its work meets several critical quality criteria: it must be accurate and clearly articulated; authoritative; objective, non-advocative, non-partisan, and without political bias; and must be in conformance with Service standards and client expectations of confidentiality. At the same time, CRS responses to congressional needs must be timely. Requests are often accompanied by tight deadlines that must be met if the information provided is to be of value to the client.

For product quality assurance CRS relies first and foremost on the professional competence of its analysts and researchers. CRS experts form the "first line of defense" against error, but are then backed up by a multi-level review process that is designed to ensure product quality and adherence to CRS standards and policies. This multi-level review starts with scrutiny by Section Research Managers who oversee the work of sections of approximately a dozen analysts assigned by subject matter expertise. Following that review, a research division review (by one of five research divisions) is conducted that "clears" the document to be sent to the Office of Review, overseen by an associate director, for final clearance and delivery to the

client. This final review stage addresses primarily matters of policy (focusing on objectivity and balance) but is also a “fail safe” for matters of accuracy, clarity, and authoritativeness. Throughout the process, starting with the author and through the Office of Review examination, emphasis is also placed on peer review and inter-divisional review. Given the multi-faceted and inter-disciplinary nature of CRS work, every effort is made to bring all relevant CRS expertise to bear on the issues addressed. This is in keeping with CRS collaborative research methodologies that start with the author, and is critical to the production of appropriately integrated and comprehensive products for the Congress.

As you know, the high volume of congressional demands places significant pressure on CRS analysts and information specialists. While we believe that the process outlined above minimizes the risk of mistakes, the challenge of avoiding human error is ever-present. When we learn of any errors it is Service policy to respond immediately to any concerns and to take swift action to make any appropriate corrections.

CONCLUSION OF HEARINGS

Senator NELSON. The hearing is recessed.

[Whereupon, at 3:42 p.m., Thursday, June 4, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]