

Statement of David S. Mao
Law Librarian of Congress
before the
Subcommittee on Oversight, Committee on House Administration
“Library of Congress: Ensuring Continuity and Efficiency During Leadership Transitions”
U.S. House of Representatives
April 18, 2012

Mr. Chairman, Ranking Member Lofgren, and members of the Subcommittee:

Thank you for this opportunity to speak about leadership transition in the Law Library of Congress. I was greatly honored when Dr. Billington appointed me as the Law Librarian of Congress. Although in the position only since January, I am nearing seven years of service at the Library of Congress and have seen a reenergized and revitalized Law Library emerge under the dedicated direction of my predecessor, Roberta I. Shaffer. I have assumed the leadership of a service unit with unique collections and expertise that not only plays a vital role in supporting the work of Congress but also advances the knowledge of laws and legal information worldwide.

Overview

The highest priority of the Law Library is to provide the Congress with timely, authoritative, and confidential foreign legal analysis and information. The Law Library also serves the executive branch agencies, courts, practicing bar, state and local governments, American businesses, scholars, and others with legal research and reference services related to United States federal, state, and local law, and the laws of the world’s jurisdictions. Over the years, the Law Library has amassed the world’s largest collection of authoritative legal sources, including more than 2.78 million volumes and 2.5 million microform and digital items.

The staff expertise and collections of the Law Library of Congress are unique. Legal specialists with both U.S. and foreign law degrees and practice experience provide expert legal analysis, research, testimony, and reference services and are able to incorporate knowledge of the legal systems, vernacular language, and sociocultural context of their assigned countries and regions of the world. The Law Library holds certain one-of-a-kind materials; no other institution has such a vast aggregation of legal materials for comprehensive legal analysis.

The Law Library acquires, maintains, organizes, preserves, and provides access to a comprehensive legal collection in both analog and digital formats, building collections of necessary research materials that are not available through copyright deposit, exchange, or federal or state transfer. The collections support the legal research that the Law Library and the Congressional Research Service provide to the Congress and that the Law Library provides to the Supreme Court, executive branch agencies, and the nation.

The Law Library also is responsible for the content and future development of THOMAS, the database that makes legislative information freely available to the American public. In addition, the Law Library provides electronic legal information products such as the Century of Lawmaking for a New Nation, which provides access to historic legislative documents; legal

research and collection guides that focus on legal research techniques, events, and issues; and a forum for the exchange of legal sources online through which foreign legislatures, international entities, and multinational organizations contribute laws, regulations, and related legal materials that are accessible through the Internet.

Ensuring accuracy, authenticity, authoritativeness, and comprehensiveness of legal documents is a challenge that the Law Library manages on a daily basis, to enable the highest quality of objective research for the Congress and to maintain legal collections from countries and regions of strategic importance to the Congress.

Recent Highlights

Foreign law specialists and analysts provided members of Congress with foreign and comparative law reports related to a range of current U.S. legislative issues including banking, citizenship, cybersecurity, government procurement, immigration, marriage, mining, nuclear power, taxation, and terrorism. In 2011, the Law Library staff prepared 373 legal research reports, special studies, and memoranda in response to congressional inquiries.

The Law Library served 4,019 congressional users and 39,675 other patrons in its reading room, by phone, or electronically last year. Public Services staff answered a total of 3,591 inquiries through Ask A Librarian, the Library's virtual reference service.

The Law Library expanded its use of social networking to further highlight the services, products, and collections of the Law Library, and to inform users about improvements to THOMAS. The number of Twitter followers increased to over 23,000, a second Twitter account focused on THOMAS has over 10,000 followers, and the Law Library's Facebook readership increased to over 7,700 friends. The Law Library continued to offer RSS feeds and email alerts to notify subscribers about the availability of selected resources. The Law Library's blog, *In Custodia Legis*, had 15,000 email subscribers in its first year.

The *Global Legal Monitor*, a continually updated online publication covering legal news and developments worldwide, now reaches an e-mail readership of 16,097 while THOMAS received 10.3 million visits for the year. In addition, the Law Library implemented numerous improvements to THOMAS, making it significantly easier to find and access legislative information.

Current Priorities

During this fiscal year, the Law Library is working with other organizations within the Library to design a next-generation legislative information system that will include a new technology platform to support enhanced searches of content currently in the THOMAS system. Additionally, the Law Library is collaborating with other parts of the Library and external entities regarding the digitization of historical legislative documents that will eventually be added to the next-generation THOMAS database. It also is continuing to pursue efforts to complete the classification of 800,000 volumes to the Library-mandated Class K standard, albeit at a reduced pace.

The Law Library of Congress Reading Room and legal reference staff, located on the second floor of the James Madison Building, serve the Congress whenever it is in session. The space was configured in 1980 and is now not an optimal space for providing high-quality service to the Congress and to researchers from the legal research community. To address this issue, the Reading Room is currently undergoing a renovation that will include technologies so that clients may better access Library virtual collections and utilize improved study space to access physical collections that are not available online. Space will be allocated for training conducted by Law Library staff on THOMAS as well as topical seminars for the Congress. Foreign legal specialists from the Law Library will also use the Reading Room to brief Members and staff on a wide range of foreign legal issues. Designs are in the process of being finalized and requests for bids will be issued in the next fiscal year.

The Law Library established a reading room management training program in May 2011 to offer legal and legislative research subject matter experts an opportunity to learn about the full spectrum of management theories and techniques and to apply them during an on-the-job management rotation within the Law Library. By developing and enhancing their management skills, the Fellows are also prepared to assume leadership positions within the Law Library of Congress. Selected through a competitive process, each Fellow serves a six-month rotation as the Reading Room manager to gain on-the-job experience. To date, one Fellow has completed a rotation and a second is in place.

Later this year, the Law Library will launch LAW.gov and begin by incorporating content from the Law Library's Guide to Law Online. The Law Library also is pursuing a long-term strategic plan and business plan for multijurisdictional legal information aligned with Library of Congress-wide digital initiatives, affording the Congress and other constituents the benefits of more timely, targeted, and complete legal knowledge.

Priorities Going Forward

In fiscal 2013, the Law Library will continue to classify the 800,000 volumes to Class K to the extent the budget will allow, with the goal of remaining on schedule to classify the entire Law collection by country, subject, and form of material by fiscal 2020. Until classification is complete, legal material is less secure and will not be fully accessible to scholars, practitioners, and the general public. If funding permits, the Law Library will work to reduce a backlog of more than 1.5 million pages of official gazettes (the primary law sources published by governments throughout the world containing legislative, executive and often judicial acts) received on fragile newsprint requiring preservation microfilming to avoid further deterioration and loss.

Working within the broader Library of Congress Web enhancement process, the Law Library will begin to establish LAW.gov as the vehicle for providing access to digital legal information. Through the Library's Web governance protocol, the Law Library will continue to explore implementing state-of-the-industry technologies to provide unparalleled access to Law Library and relevant Library of Congress collections. As technology evolves, concerned and curious citizens will be able use the LAW.gov portal to search for Library and other global legal

resources simultaneously. To promote best practices, the Law Library will assume a leadership role in developing metadata and preservation standards for legal information. These efforts support priorities reflected in the Library of Congress Strategic Plan: Fiscal Years 2011–2016.

Working closely with other Library service units, the Law Library has begun to coordinate training that the Library provides to the Congress and will continue to work toward a Library-wide effort to provide access to training for Members and staff.

Fiscal Constraints and Challenges

The loss of key staff members via the VSIP/VERA Program created gaps in core competencies and deficiencies in mission-critical expertise. The budget reductions hamper creation of a workforce with the skills necessary to implement the envisioned future mission of the Law Library of Congress. The inability to fill critical Law Library positions results in senior-level directors performing technical duties, such as legal research and reference services.

Since the Law Library has limited staff to maintain the law collection, it relies exclusively on contractors to perform this operation. Budget reductions—combined with annually increasing bids for contractual services—result in solicitations with decreased labor hours, which lead to lower collections maintenance activity levels, including a reduced ability to retrieve and shelve law material in a timely manner, and completing the “K” classification of legal material.

Budget reductions constrain our ability to preserve a backlog of official gazettes, as most nations’ laws, regulations and treaties are published exclusively in newspaper form. The deterioration of this material over time leads to the destruction of irreplaceable legal material, as newsprint is not a preservation medium.

The Law Library lacks storage space for its vast collections. This lack of space significantly impedes the Law Library’s ability to maintain a comprehensive and current legal collection. If legal materials and legal gazettes from nations around the world are not acquired and put in a stable environment, these critical legal resources will quickly disintegrate and be lost forever. To address this issue, in its fiscal 2013 request, the Architect of the Capitol has included partial funding for the Modular 5 storage facility at the Library’s storage complex located at the 100-acre campus at Fort Meade, Maryland.

The Law Library is currently able to house less than 50% of its rare items in storage conditions that meet Library of Congress security requirements. Over 50% of the Law Library’s pre-1801 material is currently housed in the Madison Building sub-basement stacks. The Law Library does not control access to these collections, as the Architect of the Capitol requires constant access to not only the stacks but also its offices, which adjoin the stacks. In addition, repeated water leaks in this area have increased the potential for damage to these precious collections. To provide proper security as well as environmental controls for this material, a new vault for Law Library rare materials must be constructed in the Madison Building. The Architect of the Capitol has requested funding for this effort in its fiscal 2013 budget request.

Conclusion

Mr. Chairman and members of the subcommittee, I thank you again for the opportunity to testify today. Despite the challenges that it faces, the Law Library will continue to provide the Congress with accurate, authoritative, and timely foreign legal analysis, and will continue to acquire, preserve, and make accessible world-class legal collections that meet the ever-changing research needs of Congress. In a budget-constrained environment, the Law Library will leverage all Library of Congress resources and collaborate both internally and externally to ensure that it maintains the highest quality staff, and delivers products and services efficiently and in a cost-effective manner. The Law Library of Congress is committed to maintaining its unique role as a leader for the world's legal and information communities.