

Statement of Saul Schniderman
President
of the
Library of Congress Professional Guild
AFSCME 2910
Before the Committee on Appropriations
Subcommittee on Legislative Branch Appropriations
U.S. House of Representatives
May 11, 2011

Mr, Chairman, Mr. Ranking Member, and Members of the Subcommittee, thank you for providing us with this opportunity to testify and present you with our perspective on the Library of Congress' budget request for fiscal year 2012. Our union, the Library of Congress Professional Guild, AFSCME 2910, represents 1500 professional employees at the Library of Congress.

We share the concern expressed in the 112th Congress and the House Committee on Appropriations about the federal budget deficit and the need to address the economic ills of the nation. The downturn in business revenues, consequent high unemployment rates, and falling incomes highlight the need to marshal all the resources which will improve national levels of education, competitiveness and job growth in the United States.

At one time our economy relied upon rich natural resources and the production of commodities. But today a new economy is being created which demands higher levels of education and innovation. This new economy is more knowledge-based and our success may depend upon our ability to nurture this knowledge and to cultivate it. Advances in medicine, science, energy, literature and the arts, telecommunications and information technology depend upon the ability of our citizens to leverage the intellectual capital amassed in our society.

In many ways the Library of Congress has a pivotal role to play in this unfolding drama. In my testimony today I want to highlight two of the Library's programs which provide direct economic benefit to the nation: our **cataloging** operation which assists thousands of communities, schools, universities and various public and private institutions and the work of the **Copyright Office** which protects intellectual property and turns creativity into economic prosperity for our people.

Mr. Chairman, today America's libraries are straining against a "perfect storm" of growing demand for library services and dwindling budgetary resources to meet that demand as state and local governments deal with the realities of revenue shortfalls. More people than ever are seeking out library resources to find employment and business opportunities, and for continuing education, career development, and government services. The Library of Congress is filling the gap in local library services by providing a virtual library on the Internet with an emphasis on K-12 teaching materials, as well as digital reference services. We also create cataloging records which we share with the nation and the world.

The Library of Congress creates authoritative cataloging records for works in English and some 470 languages spoken throughout the world and then shares these records with local, regional, and academic libraries, realizing millions of dollars in budget savings. While it is difficult to offer a precise dollar figure, years ago (1995) one study estimated that savings to state and local governments and institutions to be in the range of 200 to 400 million dollars annually.¹ A recent study of the Library's cataloging operation noted that the cataloging records produced by the Library of Congress "represent the 'gold standard' of cataloging in the United States" enabling any library to use a copy as its own catalog record for the same item. The authors continue, "it is difficult to imagine the profession and the industry without them. They provide enormous value, to a degree that is difficult to calculate. . . . This is confirmed by the comments we've received from libraries, especially school libraries, who 'could not function' without LC records."²

Another cost-saving measure utilized by local libraries is the Cataloging In Publication (CIP) program which allows the Library, in cooperation with publishers, to catalog books before they are actually published. Publishers then include this cataloging information in the final published work where it can be put to immediate use by other libraries acquiring that publication.

The CIP program is one of the best values in government. In fiscal 2010, our CIP program cataloged about 56,000 titles in all subjects, submitted by more than 500 publishers throughout the United States. The catalog records for all titles in the CIP program include Dewey Decimal numbers, making them readily adaptable for use by America's public and school libraries in every congressional district. With a direct labor salary cost of less than \$45 to produce a CIP record at LC, each record can be used by any library, enabling libraries around the country to connect readers to new books they acquire at a cost of pennies per record.

The Dewey Decimal system is the most widely used library classification systems in the U.S. and the world and, although the Library of Congress does not use the Dewey Decimal system to organize its own collections, the Library assigns Dewey numbers to books published in the U.S. so that other libraries can use them in organizing their collections. In fiscal 2010, the Library provided Dewey Decimal numbers for almost 100,000 titles; more than any other library. The Library's Dewey program increased its efficiency in fiscal 2010 by using software developed in-house to assign Dewey numbers to works of literature in English, Spanish, and Portuguese.

The Library also uses its resources and expertise to assist research libraries in acquiring material in other countries. The Cooperative Acquisitions programs administered by the Library's six overseas offices in Cairo, Islamabad, Jakarta, Nairobi, New Delhi, and Rio de Janeiro acquire materials on a cost-recovery basis on behalf of other research libraries in the U.S. that do not have purchasing agents of their own in the Middle East or the subcontinent of Asia, in Africa and South America. In fiscal 2010, the overseas offices acquired about 400,000 items for other research libraries, saving them the costs of maintaining their own vendor agreements or sending their own staff to travel to purchase materials in the 75 countries covered by the LC overseas offices.

Also providing enormous value to the nation is the U.S. Copyright Office which serves the copyright industry by maintaining a public record system, by clarifying ownership of copyright, and by litigating disputes. A recent study of the copyright industries found that in 2007, the “core copyright industries” which produced or distributed copyrighted property employed nearly 5.6 million workers, and produced 889.1 billion in revenues, which was 6.44% of U.S. GDP.³

The United States is a major producer of books, movies, music, video games, computer programs, photographs and other creative works. In FY 2010 the Copyright Office registered over 600,000 claims. Yet, despite the high number of registrations and the huge size of the copyright industries, conflicts over rights, and assertions of infringement are relatively few. Members of the Subcommittee may be surprised to learn that in 2007, only 4,400 copyright cases were filed in U.S. federal courts, and of these, only 165 ended in a judicial opinion being reported in Commerce Clearing House’s Copyright Law Decisions.

The reason for this low rate of litigation is because the Copyright Office’s public record of copyright ownership establishes a stable foundation for the use of copyrighted material, and can often enable parties to quickly resolve problems when they arise. And when disputes do go to court, the records of the Copyright Office serve an important role in determining outcomes. By protecting intellectual property rights, America’s creativity becomes an economic engine which fuels the continual production of new works.

One important impediment to the growth of the U.S. economy is the piracy of copyrighted materials abroad. The Copyright Office - through its Associate Register for Policy and International Affairs - assists the U.S. Trade Representatives in addressing areas of the world with extensive piracy through government-to-government consultations. As better copyright systems are developed throughout the world, the copyright industries in the United States should experience greater job growth and prosperity. Since the United States is the world leader in producing copyrighted material, the Copyright Office and the Library of Congress will play a critical role in the nation’s economic recovery.

The FY 2012 budget request of the Copyright Office is \$56.440 million, and of this amount, approximately 34.7 million is secured through fees from recipients of services. The reason the full costs of the Copyright Office are not charged to fee payers is that some services of the Copyright Office are not related to the administration of copyright registrations. These would include requests by the Congress for testimony or studies relating to copyright, responding to FOIA requests, providing public information about copyright, assisting the U.S. Trade Representative and other federal agencies dealing with matters in litigation, and other various related activities. And of course, the Library’s general collection of books and journals is built upon mandatory deposits of copyrighted works which lowers the overall costs of acquisitions for Library Services. All of these activities are appropriately supported through a general appropriation.

Over the past four years the Copyright Office has made the tough transition from a paper-based

system to an electronic process for registering copyright claims. The Subcommittee has been unwavering in its support of the Copyright Office. Because of the extraordinary efforts and resiliency of its staff, the Copyright Office has now made it through the worst backlog in its history. As you deliberate on Dr. Billington's budget request, I hope you will recognize the role the Copyright Office plays in protecting intellectual property and turning America's creativity into economic prosperity.

We make the same request for all of the Library's services. It is often said that Congress' Library is one of the wonders of the world, reflecting the achievements of a dynamic, innovative, creative, and prosperous society. The Library is able to provide Congress with authoritative information because it draws from a universal collection of books, journals, maps, photographs, manuscripts, sound recordings, motion pictures, and increasingly, archived Web sites and open source Internet content. These resources are equally available to the American public when they walk through our doors or click open a Web portal to almost unlimited information and inspiration.

The unparalleled collections of the Library are matched by the knowledge, skills and ability of the staff. These include the subject and language experts who prepare the collections for research, the Law Library's legal specialists in foreign and comparative law, the creators of "talking books" for citizens who are blind or have low vision, conservators, or the information technology specialists who convert the Library's treasures for the world-wide web. All of the Library's human and material resources are interrelated and must be in place for the Library to achieve its mission to serve Congress and the American people.

We have a saying in the Guild: "The Library Works Because We Do." We need your continued support so that the dedicated and hard-working staff can continue to make the Library of Congress work for everyone.

###

1. Kantor, Paul. Savings to the nation resulting from the existence of LC cataloging records. A consulting report, Library of Congress, 1995. Author website: <http://www.paulbkantor.com>
2. Fischer, Ruth and Rick Lugg. Library of Congress Study of the North American MARC Records Marketplace, R2 Consulting LLC, October 2009. www.r2consulting.org
3. Siwek, Stephen. Copyright Industries in the U.S. Economy: the 2003-2007 Report, www.IIPA.com.