



# NCLIS

United States National Commission on Libraries and Information Science

## Fiscal Year 2003 Appropriations Hearing

Before the

Subcommittee on Labor, Health and Human Services and Education

Committee on Appropriations

United States House of Representatives

February 28, 2002

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The Appropriations Justification for the National Commission on Libraries and Information Science is available at <http://www.nclis.gov/news/FY2003AppropriationsJustification.pdf>.



## **Oral Testimony of NCLIS Chairperson Martha B. Gould**

Good morning, Mr. Chairman. I am Martha Gould, chairperson of the National Commission on Libraries and Information Science. I am grateful to you for this opportunity to discuss the budget needs of the Commission. I am accompanied this morning by Jack Hightower and Bob Willard. Dr. Joan Challinor, Vice Chair of the Commission, is also attending this hearing.

I have submitted a statement with two attachments and I ask that that material—along with our Appropriation Justification—be made a part of the record. Rather than reading from that statement, I would simply like to share a few thoughts.

I once was told that at least \$14 billion is spent on the Nation's libraries. Put another way, for less than \$50 per person, or for the price of two hardbound books a year, we Americans have a nationwide knowledge resource of inestimable value.

When Congress created our Commission in 1970, it authorized \$750,000 a year, about 3.4 million in today's dollars. We are seeking for FY 2003, \$2.8 million, which, on a per person basis, is less than a penny a year.

In our submitted testimony, we described recent Commission activities. I won't attempt to detail or even list these programs here. Instead, let me pick just one and use it as an example of how the Commission works. Let's talk about school libraries.

A former U.S. Commissioner of Education, Harold Howe, said, "What a school thinks about its library is a measure of what it thinks about education." This message is one I don't have to explain to the chairman. As father of a school librarian, you will not be surprised that recent research has concluded that the caliber of a school's library is among the most significant indicators of academic success for its students.

The Commission held hearings on school libraries last spring in Ohio, and heard both success stories and tales of trouble. We recognized the need for some immediate action in this area and enthusiastically supported the school library provisions in the No Child Left Behind Act.

I applaud this committee for rapidly providing FY 2002 funds for that new program.

More needs to be understood about school libraries, including evaluation of the new school library program. At our hearing, witnesses noted significant deficiencies in the collection and publishing of statistics about school libraries. The most recent published data covers 1993-94; the data for 1999 is collected but not yet published. Working with the National Center for Education Statistics, the Commission has greatly improved overall library statistics, but more needs to be done in the area of school libraries. We are committed to seeing this improvement achieved.

Before closing, I want to share with the subcommittee how mystified I remain about the proposal to eliminate the Commission. With due respect, the stated rationale in the *FY 2003 Budget*, is totally without substance.

First, the *Budget* recognizes our reports on a “wide variety of information issues...” but it claims they have “failed to have a significant impact on public policy.” The contrary is true: laws, regulations, and programs dealing with government information, paperwork reduction, copyright, federal assistance to libraries, and access by individuals with disabilities have benefited from our work.

Second, the *Budget* suggests something is amiss by the fact that we don’t operate programs and that we incur costs only for salary, travel and other expenses. However, we were *designed* by Congress to be an advisory and planning agency, *not* an operating agency. Our function and expenditures are exactly in line with the responsibilities assigned to us by law.

Finally, the *Budget* suggests that other agencies can “take on the responsibilities of NCLIS that continue to be necessary.” The *Budget* fails to identify these agencies, provides no recommended changes in the law to bring about this reassignment, and neglects to provide any funding to perform the continuing functions.

It is this last point—that other agencies can do the Commission’s work—that is most troubling. OMB fails to understand what is unique about the Commission and, in fact, what Congress *intended* to be unique: that is, our independence—our ability to propose policy approaches unencumbered by any extra baggage. Perhaps it is this independence that OMB opposes.

However, Congress made it undeniably clear that *independence* was a characteristic, perhaps the *key* characteristic, of the agency it established. Patsy Mink of Hawaii, one of the original sponsors of the legislation to create the Commission said on the floor of the House three decades ago, “[W]e have deliberately avoided making the Commission part of any existing agency of government having functions in the library field. As a completely independent entity, it will be able to make recommendations free of undue pressure from any source.”

I know the President of the United States is clearly committed to improving education and literacy; he calls reading the “new civil right.” I also know that for the first time in our history, there is a librarian—indeed, a school librarian—as First Lady of this Nation. I along with my fellow Commissioners want very much to work with the President and the First Lady to achieve his educational goals.

It is my hope that Congress will fully fund the National Commission and thereby demonstrate that it still values the independence and the ongoing role assigned to us by the 91<sup>st</sup> Congress. It is my equally strong hope that the Administration, recognizing Congress’ commitment, will quickly move to make new appointments to the Commission.

The challenges of the Information Age are not yet resolved and the people of this Nation deserve nothing less than the full attention and cooperation of the President and the Congress—with the help of the National Commission—to meet these challenges.

I'd now like Commissioner Hightower to share his thoughts with you.



## Oral Testimony of NCLIS Commissioner Jack E. Hightower

Mr. Chairman, when I was in Washington last fall, I saw you briefly just outside the Member's Dining Room, and I told you then how important I believed the work of the Library Commission is. I remind you because the date we talked was September 10<sup>th</sup>.

What a difference a day makes.

The next morning I was in the Commission office downtown, when we began to hear the terrifying news coming from New York. A few minutes later the horror of the day became quite personal when I heard about the plane hitting the Pentagon. My daughter Ann Thornburg, who used to work for the Congress in the Office of the Doorkeeper, was one of the thousands of employees working at the Pentagon that day. I hasten to report that she was okay and left the Pentagon safely. But for a couple of hours, there was no word from her. You can only begin to imagine how worried and uncertain I was.

The need for information immediately following a disaster is overwhelming. It may be as focused as my need to know how my daughter was. Most of the time, however, it is for routine information about activities that are no longer routine. Is the Metro running? What roads are closed? Will my bank be open tomorrow?

Immediately following the Pentagon crash, the Arlington County Public Library turned its full attention to helping people get the information they needed. Libraries in New York City took similar steps.

These activities prompted us on the Commission to develop a program to help libraries effectively perform this communication function when called upon. More importantly, we felt it vital to let emergency planners know about and take into consideration this valuable capability of libraries. We have prepared a briefing that we hope to show to policymakers throughout the country emphasizing this point. We also hope to work closely with libraries to help them improve their own disaster preparedness and especially make sure they safeguard any unique collections they may hold.

This effort is just the latest of a number of worthwhile programs the Commission has been involved with during the two and a half years I've been a Commissioner. We've reported on them in our submitted testimony.

I want to thank the subcommittee for taking the time to hear about the needs of our "microscopic agency." I have lost track of how many appropriations hearings I've attended, but this is the first time I've spoken on this side of the dais. I know, firsthand, the difficulty you face in determining how much of the limited budget dollars you can allow each agency to spend. I want to assure you of my strong belief that approving the full budget request of the National Commission on Libraries and Information Science will be money well spent on behalf of the citizens of this Nation.



**Written Testimony of NCLIS Chairperson Martha B. Gould**

**UNITED STATES NATIONAL COMMISSION  
ON LIBRARIES AND INFORMATION SCIENCE**

**Fiscal Year 2003 Budget Request**

Witnesses appearing before the

Subcommittee on Labor, Health and Human Services and Education  
Committee on Appropriations  
United States House of Representatives

**Martha B. Gould**  
Chairperson  
National Commission on Libraries and Information Science

Accompanied by

Jack E. Hightower, Member  
Robert S. Willard, Executive Director

February 28, 2002



Good Morning, Chairman Regula and members of the subcommittee. I am Martha Gould, and until my retirement in 1995, I was the Director of the Washoe County Public Library in Reno, Nevada. I am accompanied by Jack Hightower of Texas and Bob Willard of Maryland. Jack is a Member of the National Commission on Libraries and Information Science and a former Member of Congress. Bob is a former Commissioner and now Executive Director of the Commission.

President Clinton appointed me to the Commission in 1994 and reappointed me in 1998. Shortly after joining the Commission, I was designated Vice Chair and I worked closely with our Chairperson, the late Jeanne Hurley Simon. Shortly after Jeanne died in February 2000, I was named by President Clinton to chair this Commission.

I am both honored and humbled by this assignment. I take great pride in the accomplishments of our small agency. I can also tell you there isn't a day that I don't miss Jeanne and her energy and enthusiasm. She was uncompromising in her commitment to the people who use libraries throughout America. It is these people whose interests the Commission was established to advance.

Jeanne testified before Congress on behalf of the Commission many times. Her last appearance was before this subcommittee in March 1999. We remember that event vividly because right after Jeanne listed the many activities of the Commission, then-Chairman John Porter used the word "amazing" to describe the breadth of activities we undertook at our minimal funding level.

Mr. Porter's assessment was certainly in marked contrast to the characterization of the Commission that appears in the Administration's FY 2003 Budget sent to Congress early this month. This Office of Management and Budget (OMB) document claims that NCLIS "activities have failed to demonstrate that their results justify their costs," and it implies that the Commission is "duplicative or ineffective." While it acknowledges that NCLIS reports have addressed "a wide variety of information issues," it nonetheless claims these reports "have failed to have a significant impact on public policy."

Accordingly, I welcome the opportunity to appear before you to offer a different perspective. Of all the agencies under the jurisdiction of this subcommittee, NCLIS is, I would guess, the very smallest. So I am especially grateful that you would invite us to testify on our future.

It is my intention that our testimony today will put to rest for many years to come the issue raised by OMB, i.e., should there be an independent National Commission on Libraries and Information Science or should it disappear and have other agencies "take on the responsibilities of NCLIS that continue to be necessary," as OMB advocates. (I hasten to add that if such reassignment should take place, the agency or agencies accepting these responsibilities would need to be funded accordingly, a fact conveniently neglected in OMB's claim that eliminating NCLIS will save taxpayer's money. Similarly neglected was any recommended legislative action to reassign functions that the Congress has, by statute, assigned specifically to NCLIS.)

In my testimony, I will address four questions. 1) What has NCLIS accomplished? 2) Why should NCLIS continue? 3) Why should NCLIS be funded at the requested level? 4) What changes should be made to improve the operations of NCLIS?

### **What has NCLIS accomplished?**

I should begin by reminding the Subcommittee of how the Commission was created and what it was assigned to do. I realize that this subcommittee is much more concerned with what the Commission proposes to do in the future, but I believe there is something to be learned by briefly reviewing the past.

First, let me describe the Commission. It is a permanent and independent federal agency established by law to represent the library and information needs of the public and to provide advice to the President, to Congress and to others, both public and private. It is comprised of the Librarian of Congress, the Director of the Institute of Museum and Library Services, and 14 members, appointed by the President with the advice and consent of the Senate. The appointed members serve 5-year terms and generally three terms expire each year. The appointed members are intermittent federal employees, paid only for days they work. The Commission meets approximately quarterly. There is a small (7 FTE) permanent staff in Washington.

It was in the House of Representatives, on the very first day of the 91<sup>st</sup> Congress (January 3, 1969), that William Steiger (R-WI) introduced legislation to establish a National Commission on Libraries and Information Science. He was reacting to the recommendation of a temporary blue ribbon panel, the National Advisory Commission on Libraries, created by President Lyndon Johnson. He made it clear that the new Commission his legislation would create would be a *planning agency*, and not an agency that would “control or direct the activities of State and local libraries.” He provided the earliest indication of what NCLIS could accomplish:

In order for all our people to benefit from the information in our libraries, there must be some evaluation of the needs of users, the effectiveness of present-day libraries in meeting those needs, and the impact of Federal legislation on library development. Once the strengths and weaknesses are identified in the areas of resources, manpower, program development, interlibrary cooperation, and so on, recommendations can be made regarding ways to correct the deficiencies. To this end, the Commission would be able to recommend legislation to the proper authorities concerning new legislation.

In short order, a number of similar bills were introduced with broad bipartisan support in both the House and the Senate. Senator Jacob Javits (R-NY) urged his colleagues to support the legislation, “which is a milestone in the field of library and information science and which will affect every citizen of the United States.” Senator Walter Mondale (D-MN) asserted, “it is immediately evident that the basic objective of the Commission—

its overall reason for being—is ultimately to help every man, woman, and child to achieve his full potential by helping the Nation’s libraries to provide the necessary informational, cultural, and recreational resources.”

When the legislation was considered on the floor of the House of Representatives, it was managed by John Brademas (D-IN). His remarks on the floor capture the vision of the Commission’s role, a vision that is just as pertinent today as it was when these words were spoken in 1970:

The Commission, Mr. Speaker, will not be an operating agency. It will have no control over any Federal library or information science programs, nor will it in the slightest degree seek to bring the network of State, local, school, university, and special libraries and information science operations into any sort of single framework. Its role will be advisory.

However, we can expect, from the advice the Commission develops, from the research it conducts, from the insights it can bring to bear, to emerge with a better system of library services and a more effective and economical use of information resources in the United States....

When the Commission is appointed and after it has begun to bring together the results of the research which it conducts or encourages other agencies and non-governmental entities to conduct, it can make its recommendations to Congress and to the President.

Then, armed with a thoughtful and well-grounded view of the overall needs of the Nation and of all the technological possibilities, Congress will be better equipped to make whatever changes need to be made in the legislation on which present Federal library activities and library support programs are based.

The establishment now of the National Commission may very well, Mr. Speaker, save us many, many times its small cost....

It is actually quite amazing that, in days before 500-channel digital television, personal computers, or the World Wide Web, far-sighted Members of Congress saw the importance of library and information services in everything the government did and established the Commission. The Commission became a permanent and inexpensive means of bringing together thoughtful people from throughout the country and from various professions to help the President and Congress understand the implications of the emerging Information Age. It was an investment that has well paid off.

The annual reports of this agency over its three-decade lifetime, take up almost a foot of shelf space. I do not intend to reprise that full history, but as a matter of record, I am submitting an updated version of an appendix from our FY 2002 Budget Justification that briefly recapped thirty years of Commission service.

Our activities are very much “in the moment.” They reflect, appropriately, contemporary issues affecting the users of libraries and information services. When Congress was updating the Copyright Act in the mid-seventies, the Commission played a key role concerned with photocopying in libraries. As Internet became available for public libraries, NCLIS measured its penetration and provided cost models for library managers to use in planning Internet installations. As concern mounted about young people’s access in libraries to inappropriate material on the Internet, the Commission developed helpful policy guidance to be adopted at the local level.

In the immediate past the Commission has focused its attention and energy in the following policy areas:

- **Library Statistics.** Long the crown jewel of NCLIS activity, our efforts in this area are exactly what Congress had in mind in creating the Commission. While other agencies play a key operational role in collecting statistics about the Nation’s libraries (notably, the Department of Education’s National Center for Education Statistics and the Department of Commerce’s Census Bureau), it is NCLIS that plays the central coordinating function. We convene committees and run training workshops for individuals in all the States who collect local information. This activity is funded partially from our direct appropriation and partially from funds transferred to us under a Memorandum of Understanding from the Department of Education.
- **Government Information.** For three decades, the Commission has addressed the importance of information created by the government and recognized that such information is a national resource to be developed and preserved in the public interest.

Most recently, the Commission addressed a very pragmatic issue: the Commerce Department in the previous Administration proposed to do away with one of its component parts, the National Technical Information Service (NTIS). This small agency performs a critical function in terms of collecting, cataloging and permanently safeguarding scientific and technical information paid for by the federal government. The Commission examined this proposal and advocated that NTIS continue its necessary work. NTIS still exists today.

The Commission noted, however, that NTIS was part of a much bigger information-handling infrastructure within the federal government and its ultimate future could only be determined as part of a broader assessment of public information dissemination within the federal government. Senators John McCain (R-AZ) and Joseph Lieberman (D-CT) as leaders of the Commerce, Science, and Transportation Committee and Governmental Affairs Committee asked NCLIS to perform this assessment. We did so, and just over a year ago in January 2001, we submitted the results of our study.

Nearly 250 pages in length, and containing 36 specific recommendations, this report, *A Comprehensive Assessment of Public Information Dissemination*, provided a framework for moving into the 21<sup>st</sup> century in a way that provides effective and efficient production of government information and assures the citizens permanent public access to this information. The full report or its executive summary was provided to the President and every Senator and Representative. Senator Lieberman wrote, "The report was extremely thorough and contained far-reaching legislative and regulatory proposals." Regretfully, the terrorist attacks on September 11 changed priorities so that no action has been taken thus far on the NCLIS proposals. Yet, when Congress returns its attention to government information issues, the NCLIS report will be of inestimable value.

- **School Libraries.** Recent statistical studies in a number of different states have demonstrated a close correlation between student accomplishment and school libraries. Students who have access to a library in their school that contains a well-stocked up-to-date collection and that is staffed by a professional librarian score higher than those without such resources.

Nonetheless, local authorities are adopting policies that reduce the library resources available to students. The Commission held a hearing on this topic last year in Cincinnati and heard witnesses from all over the Nation. The hearing record will be published shortly, but the Commission relied on what it learned immediately and urged passage of the library resources amendment that ultimately was included in the No Child Left Behind Act that President Bush recently signed into law.

I should also note my gratitude and that of the Commission to this subcommittee for including funds for school libraries under this new authority in the FY 2002 appropriation. We are hopeful that after you have had an opportunity to review the record of the NCLIS hearing on school libraries, you will see the need to increase significantly funds for school libraries.

- **Disabilities.** Our enabling statute calls for us to examine the library and informational needs of special populations, and in 1999, we decided to examine the issue of library and information services for individuals with disabilities. The availability of new information technologies, it turns out, bring both benefits and burdens to individuals with disabilities. For example, a blind person may appreciate the ability of computers to read aloud text that is stored on that computer or retrieved from the Internet. On the other hand, that individual will be greatly disadvantaged when interacting with information that is graphics-based.

The Commission held a hearing at Gallaudet University; it was the last NCLIS event chaired by Jeanne Simon. The hearing record was recently published. It was the hope of the Commission to follow up this effort with a broad-based research program that would assess what libraries are doing in this area and develop policies and procedures that libraries could adopt to improve their performance.

Unfortunately, with the budget reduction this year, we have to postpone this activity for the time being.

- **Information Literacy.** The concept of information literacy, that is, the ability to recognize when information is needed and to locate, evaluate, and use effectively that information, is a topic that has long concerned the Commission (it is claimed that the first use of the term was in a paper submitted to NCLIS in the early seventies). It is a concept to which librarians in the world of education—both school libraries (K-12) and academic libraries (post secondary)—pay special attention.

Recently we have teamed up with the National Forum on Information Literacy and UNESCO to prepare to put on a global conference on information literacy in 2003. This conference would focus on the role of information literacy in economic development and could develop policy recommendations to be considered at the United Nations World Summit on the Information Society, scheduled for December 2003 in Geneva. Our effort has been enthusiastically encouraged by the U.S. State Department. We are currently seeking private sector funding to allow us to take the next step in preparation for this conference.

- **Sister Libraries.** As Representative Brademas noted, NCLIS is not an “operating agency.” But in the past few years, as part of the government-wide observation of the beginning of a new millennium and in partnership with Sister Cities International, we ran a program whereby libraries in America established bilateral relations with library around the world. The focus of this relationship was on children; the children in one library would prepare materials, such as photographs, stories, booklists, etc. to share with children in their sister institution. About 250 such partnerships were created.

It is our intention to withdraw from running this program, but to see that it is able to continue under other auspices. We have met with representatives of the UNESCO Network of Associated Libraries (UNAL) and are negotiating the possible transfer of this program to that organization. Located there, many more libraries in many more countries could participate, and understanding among nations could materially improve. Before we completely end our involvement in this program, we intend to complete an assessment. We want to know what worked well and what didn't so that we can turn this information over to whatever successor organization continues the program.

### **Why should NCLIS continue?**

A review of the legislative history of the enactment of Public Law 91-345, which established the National Commission on Libraries and Information Science on July 20, 1970, shows the great expectations Members of Congress held with regard to the contributions NCLIS could make. Congress recognized the expanding role of information in everything that government sought to accomplish and the need for a governmental

body to “conduct studies, surveys, and analyses” regarding library and information services.

Many Members of Congress spoke in favor of the legislation. Patsy Mink (D-HI), a co-sponsor of the original bill in the 91<sup>st</sup> Congress and also a member of today’s 107<sup>th</sup> Congress, summed up the legislation. She acknowledged that, “There are many government efforts already underway in this [library and information science] field,” and she noted that, “it was felt advisable that these [efforts] be given advice and direction by a permanent long-range planning agency.” She noted that only a third of the proposed membership of the Commission would be professional librarians, and that the remainder would represent “the informed thinking of those who use libraries....” She rightly characterized the role of the Commission as that of speaking *for* the public and not *to* the public. She concluded, “The envisioned cost of this legislation is quite modest in view of the potential benefits, and I strongly urge its adoption.”

If there were a need for the Commission in 1970, the need for it is even greater in 2002. In commenting on the current Administration’s proposal last year to eliminate the Commission, the Senate Appropriations Committee, in report language, characterized today as “a time when information science and management continue to spur the economic growth of the Nation.” The Committee wanted “the Commission to continue to play its important role in the library and information science field.”

Our recent activities, discussed earlier, include a number of efforts where the work is not yet complete. For example, as Congress moves forward in its work to apply the benefits of information technology to the workings of government, as embraced in the term “E-government,” it must pay attention to the information that supports or is created by electronic transactions between the citizen and government. The Commission’s groundbreaking work in its *Comprehensive Assessment of Public Information Dissemination* will prove useful to legislators, and we would plan to work with them to shape further information components of E-government legislation.

We also would wish to move further on our efforts regarding library services for individuals with disabilities. We have a research plan ready to be implemented as soon as funding would become available.

Our efforts to understand the problems and opportunities of school libraries merit continued attention. As the school library provision of the new education bill becomes funded, NCLIS would want to observe the effectiveness of the federal investment.

One new project for the Commission that merits continuation is our response to the tragedies of September 11<sup>th</sup>. There are a number of components to this project. We believe that libraries must devote additional attention to the preservation of unique holdings in their collection that could be lost as a result of a natural or man-made disaster. In addition to their own internal interests, however, libraries of all types can play a critical role in conveying information to the public in the aftermath of a disaster. Libraries are, after all, very familiar with the function of providing information to the

public; they are, indeed, a source of trusted information. NCLIS has prepared a briefing that describes how libraries can meet this public communication need during times of crisis. Absolutely essential to success in this endeavor is informing emergency agencies of the libraries' capabilities and ensuring that libraries participate in emergency planning. NCLIS can play a crucial coordinating role in this effort.

Besides individual projects, however, there is one additional, overarching factor that Congress should consider when evaluating whether or not NCLIS should continue. We reluctantly admit that many of the activities we have been managing *could* be handled by other agencies. But the one indispensable element we bring to our activities is one that Congress worked very hard to insure, that is, our independence.

Again, it is the words of Mrs. Mink that can provide guidance. On the floor of the House she said, "It is worth noting that we have deliberately avoided making the Commission part of any existing agency of government having functions in the library field. As a completely independent entity, it will be able to make recommendations free of undue pressure from any source."

We included a brief discussion of the legislative underpinnings of our independent status with our FY 2002 budget justification. I have included it with this testimony and ask that it be made a part of the record.

### **Why should NCLIS be funded at the requested level?**

Our Appropriations Justification submitted to the Congress requests \$2.831 million. This amount is appreciably greater than either the \$1.5 million provided in FY 2001 or the \$1 million in the current fiscal year. There was some initial disagreement within the membership of the Commission concerning whether we should pursue such an increase in light of the Administration Budget's proposal to eliminate us. We were even told by a Congressional staff member that our requested increase was not a credible response.

Yet I believe it is exactly the right course of action to pursue. After discussion at a public meeting of the Commission in Cincinnati last year, the members of the Commission voted unanimously to continue to request the increased amount. It may be argued that the requested amount is, after taking into account the effects of inflation, still less than the amount Congress originally authorized for NCLIS (\$750,000 in 1970 dollars would exceed \$3 million in 2002). That, however, is less important than the fact that the requested dollars are needed to accomplish worthwhile activities that the Commission is uniquely positioned to do.

Put most succinctly, the Commission should be funded at the requested level so that we can do the job that the Congress, by legislative mandate, directed us to do. Over the past year, the Commission has realized a diminution in its ability to accomplish all it set out to do. Dealing with the Administration proposal in last year's budget that would have eliminated NCLIS required a certain amount of energy that should have been devoted to the ongoing work of the Commission. The reduction of the budget from its FY 2001 level

of \$1.5 million to its current \$1 million caused even more severe reduction of such activities. Earlier, I reported on our intended contributions in the area of E-government legislation; at our current funding level, we do not have the resources to provide substantive assistance. I discussed our research initiative concerning library and information services for individuals with disabilities; we had to put that plan on the shelf because of inadequate funding. The next step in our planning activities for the international information literacy conference had to be postponed because we had neither the resources within our budget to support it nor the capability to reach out effectively to other potential supporters.

Of equal importance are the notable activities we could and should be undertaking as a part of our legislative mandate. Two of these topics we have addressed in prior years' budget requests and they are intellectual property protection and telecommunications. It is difficult to imagine how an agency assigned to advance the library and information needs of the American citizens could do so without addressing these two complex issue areas, but we have steadfastly held that we would not involve ourselves in either area unless we could do so in a credible manner. Both copyright and telecommunications call for individuals with specialized training and experience. We do not have such resources at the Commission now, but we should.

We also need to be able to move quickly to respond to unanticipated issues. An example earlier described is the Commission's response to the events of September 11<sup>th</sup>. Relying principally on efforts of Commissioners and some minimal outside consulting support, NCLIS has prepared an audio-visual briefing designed to encourage the integration of libraries into the public information mission immediately following a disaster. We examined what libraries did in New York City and Arlington, Virginia following the attacks on the World Trade Center and the Pentagon. We recommended a series of actions that would involve librarians with the emergency preparedness agencies in their areas.

To be truly effective, this presentation should be modified for various constituencies. It should be made available to librarians of all types, as well as to governors, county executives and mayors throughout the nation. Ancillary printed material should be designed and produced. We are struggling to accomplish as much of this as we can under our current year's reduced budget, but we would be much more effective if we were funded at levels closer to our requested amounts.

### **What changes should be made to improve the operations of NCLIS?**

Before concluding, I would like to discuss very briefly some technical amendments to the NCLIS statute that would insure the Congressional intention regarding the permanent and independent role of the National Commission on Libraries and Information Science. These changes should appropriately originate with our authorizing committees and we have had some discussion already and will be pursuing the matter further. However, I felt it in order to bring these matters to the attention of this subcommittee also.

It has been enervating to both the members and staff of the Commission to respond to Administration proposals to eliminate NCLIS. When President Bush signed the FY 2002 Appropriation, I indicated that it was quite appropriate for any public agency's continued existence to be examined. NCLIS welcomes periodical review of its activities and recognizes that if it is no longer performs the mission assigned to it by law, it should be eliminated. However, I questioned the use of the appropriations process as the means to accomplish this review. Congress passed a statute creating the Commission and assigning it responsibilities to serve both the executive and legislative branches. Congress should change this statute if it wants to eliminate or redefine the Commission's role.

We would propose that in the future the Commission submit its budget request to OMB in the normal course of events and that the amounts be forwarded to Congress without revision. The budget of at least one other commission, the International Trade Commission, is handled this way. The process seems especially appropriate for an independent entity that is designed to serve both Congress and the President.

The Commission also needs to be assured of continued activity even during times when the White House is slow to appoint new members. Currently, while the Administration has a proposal in front of Congress to eliminate the Commission, the Office of Presidential Personnel has been disinclined to process any appointments to the Commission (despite, I should note, a good number of talented individuals who have made known to me their interest in serving on the Commission.)

Under our current statute, the terms of Commissioners expire on a date certain. A 1991 amendment to the law allowed such terms to continue an extra year if the President had not appointed a replacement, but at the end of the year, the term ends. Because there have been no appointments in the current Administration and because the last Administration was slow to make appointments in the final year, there are now eight vacancies on the Commission.

We would ask that our statute be amended to continue the terms of Commissioners until the President has appointed a replacement. This approach is consistent with provisions in other statutes dealing with boards and commissions in the federal government. We would also ask that the definition of a quorum that is in our statute be clarified so that a quorum is a majority of the commissioners in office. We currently operate under a legal opinion from the Department of Justice that defines a quorum as a majority of the number of authorized Commissioners, whether or not every position is filled.

Finally, we seek slight modification of the provision in our statute that authorizes our gift fund. Specifically, we want to clarify our ability to seek contributions and to invest them in the name of the United States. We also want it clear that we can accept services as well as property. These provisions are consistent with other federal statutes and are specifically modeled on the law relating to the Institute of Museum and Library Services.

## **Conclusion**

Again, let me express my gratitude to you for this opportunity to appear before you to make the case for the continuation and expansion of the activities of the National Commission on Libraries and Information Science.

We are a microscopic agency dealing with some of the major issues of our times. The term “Information Age” may be a cliché, but it is a cliché only because of its inherent truth. Information—its creation, storage, use, and long term preservation—is the lifeblood of our economy. Libraries and other information centers play a vital role in meeting the public’s need for information, and NCLIS continues to play a vital role in assuring the development and recommendation of appropriate public policy to meet these needs.

The federal government will spend over \$2 trillion in FY 2003. We would like to spend \$3 million. I believe it is a small but worthwhile investment in the future of our Nation.



## Attachment 1

Testimony of Martha B. Gould  
February 28, 2002

### THIRTY YEARS OF SERVICE

The National Commission on Libraries and Information Science is a unique institution, established by Congress in 1970 to serve as an independent voice articulating the needs of the people for library and information services. While some other governments have created organizations to administer library programs and policy, nowhere else in the world is there an organization like NCLIS.

NCLIS has always been challenged by its very broad mandate and its very limited resources. The Commission has never had more than 11 staff members and only in FY 2000 and FY 2001 has the Commission's appropriation exceeded \$1 million. The challenge has been and continues to be to make a difference for users and potential users of libraries and information services with the modest resources that are available.

*A far-seeing Congress established NCLIS in anticipation of the critical role library and information services would play in the life of the country.* President Lyndon Johnson appointed a number of distinguished individuals to a temporary National Advisory Commission on Libraries in 1966. This group commissioned studies and held hearings throughout the country. In 1968, its comprehensive report expressed the overall importance of libraries and a number of actions the federal government should take with regard to libraries. First among its recommendations was the call for a permanent National Commission on Libraries and Information Science.

On the first day of the 91<sup>st</sup> Congress, legislation was introduced to establish such a commission and additional bills were introduced in the weeks that followed. It is still a matter of some admiration that Congress had the foresight to recognize the need for legislation with such a strategic view of the value of information. At that time, the image of computers was that of room-sized machines; the popular view of the future of computing was reflected in the movie *2001*. Few people were talking about inexpensive, ubiquitous availability of desktop computing. The concept of the Internet, if it existed at all, was incubated in the minds of a few prescient academics, and the technological tools of widespread copying—photocopying, video recording, and digital duplication—were in their infancy.

Nonetheless, Congress passed the legislation creating the National Commission on Libraries and Information Science (P.L 91-345) with the following Congressional statement of policy:

The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate

with State and local governments and public and private agencies in assuring optimum provision of such services.

The Congress established the Commission as an independent agency within the executive branch and gave it the primary responsibility to develop or recommend plans for, and to advise appropriate governments and agencies on, that Congressional policy. The Commission was comprised of fifteen Presidential appointees, including the Librarian of Congress, who would meet periodically; a strong, permanent staff would carry forth the work of the Commission on a day-to-day basis.

On the floor of the House of Representatives, Representative John Brademas of Indiana, principal sponsor of the legislation and floor manager for the bill, made very clear his sense of the value of the Commission. He acknowledged the “small cost,” but he anticipated savings “many, many times” greater as the advice of the Commission was factored into other federal legislation dealing with libraries. He also predicted that the Commission’s work would be “of inestimable worth to the magnificent system” of libraries at all levels—local, state and national—and of all types.

**Support for the establishment of the Commission was overwhelming.** The Senate bill passed unanimously; the House bill passed by a roll call vote of 261-11; and the conference report was accepted by unanimous consent in both houses. Two future Presidents then serving in the House, Gerald Ford and George Bush, voted for the legislation. When the bill reached the desk of President Richard Nixon, despite his stated concern about creating any new agencies, he signed the bill with a strong statement of support:

Libraries and information centers are among our most precious national resources. Americans from all walks of life look to these institution when they wish to expand their knowledge and wisdom beyond their own life experiences....

As a nation, we ask much of libraries and of information centers. To help them come closer to the goal of making knowledge available in a timely way to all who seek it, the Federal government has established various libraries and information centers and has developed programs to assist them in serving their clientele.

The National Commission, created by the bill before me, will be asked to provide an overview of our needs in this area and to advise on what steps we can take to ensure that we are meeting them...

I look forward to the contributions of the National Commission on Libraries and Information Science. That body is to seek the improvement of America’s knowledge of knowledge, its libraries and information centers. This task is a crucial one, for the continuing health and enrichment of our Nation. With this knowledge, I have signed S. 1519.

Within a year of signing the bill, President Nixon had nominated and, with Senate approval, appointed a distinguished group of academics, technologists and library professionals to begin the wide-ranging work of the Commission. These part-time members met in twelve daylong sessions during the first year. Over the next four years, the Commission was instrumental in implementing an impressive number of research studies and hearings in working toward the objective of developing a national plan. This plan, *Toward a National Program for Library and Information Services: Goals for Action*, was published in 1975.

Throughout the past three decades, the Commission's activities have been many and varied, but can be broadly aggregated into the following categories:

- Federal Information Policy
- National Information Policy
- International Information Policy
- Library Statistics
- Services for Special Populations

The following sections highlight the activities that were undertaken by the Commission to meet directions given to it by Congress when NCLIS was established.

### **Highlights of NCLIS Federal Information Activities**

Throughout its history, NCLIS has paid special attention to the issue of public access to government information. These activities are encapsulated by the Principles of Public Information, which the Commission adopted in 1990, that state, in part, “public information is information owned by the people, held in trust by their government, and should be available to the people except where restricted by law.”

Through the years, NCLIS has participated in the development or review of various proposals to revise Title 44 of the U.S. Code, particularly as it relates to the Federal Depository Library Program, federal publishing, and federal information resources management. Most recently, the Commission published its own *Comprehensive Assessment of Public Information Dissemination*, responding to requests from Senators John McCain and Joseph Lieberman. The Commission recommended, among other things, that the United States Government formally recognize and affirm the concept that public information is a strategic national resource, and that broad, explicit public information dissemination authority be included in the missions of all agencies and organizations, regardless of the branch of government.

In 1982 the Commission published the results of its Task Force on Public Sector/Private Sector Task Force, *Public Sector/Private Sector Interaction in Providing Information Services*. The report was revised and republished in 2000 as part of the *Comprehensive Assessment of Public Information Dissemination*. In 1999 the Commission concluded a multi-year study, funded by the Government Printing Office and conducted by Westat, Inc., to assess electronic medium and format standards for the creation and dissemination of government information and published the report *Assessment of Electronic Government Information Products*.

In 1989 the Commission held a hearing on the Office of Technology Assessment report, *Informing the Nation: Federal Information Dissemination in an Electronic Age*, and the Office of Management and Budget's proposed revisions to OMB Circular A-130 on managing federal information resources.

NCLIS has advised the Department of Commerce on archiving data from satellites and on its 1999 proposal to close the National Technical Information Service (NTIS). NCLIS has also advised the Office of Personnel Management (OPM) on standards for Federal librarians, and the Office of Management and Budget (OMB) on contracting out Federal library services. NCLIS served on the Library of Congress Network Advisory Committee (NAC) and has examined the role of the Library of Congress in the national network. The NCLIS Executive Director is a permanent member of the Federal Library and Information Center Committee (FLICC) and the NCLIS Deputy Director is currently a member of the FLICC Executive Board.

### **Highlights of NCLIS National Information Activities**

As would be expected given its mission, national information activities have dominated the Commission's activities. Primary among these was its service as the lead agency for two White House Conferences on Library and Information Services, one in 1979 and one in 1991. The purpose of the conferences was to increase literacy, productivity and understanding of the democratic process in the United States through better utilization of library and information services. The information developed through the pre-conferences and the conferences was a major source of input to the Commission on the issues that needed to be addressed in order to meet the library and information needs of the American people.

The Commission's first major initiative was a multi-year effort through hearings, consultant reports and other research to prepare its 1975 publication *Toward a National Program for Library and Information Services: Goals for Action*. This was followed by a second major publication, *Library and Information Services Needs of the Nation*.

NCLIS was instrumental in working out the five-year review component, which allowed the deadlocked Copyright Act of 1976 to proceed, and it has retained an active interest in copyright issues. It has also been active in the development of the Library Services and Construction Act (LSCA) and its successor, the Library Services and Technology Act (LSTA), as well as legislation on education. The Commission has supported funding for libraries, including development of the Universal Services Fund, popularly known as the "E-Rate" program to fund the wiring of schools and libraries for Internet access.

Literacy and information literacy have been major concerns of the Commission. It worked to transfer technology from the government to public libraries to improve adult literacy programs. It continues to actively promote the importance of skills for finding and using information to help citizens of all ages to perform more effectively in an information society. NCLIS is an active member of the National Forum on Information Literacy (NFIL) and is working with NFIL and UNESCO to hold an international conference on information literacy.

The Commission completed a series of studies on the implications of the new information technologies for the library and information field, including an examination of how information technology can contribute to increased productivity. NCLIS was also instrumental in the Federal Highway Administration's adoption of a national library symbol for use on highway signs.

NCLIS has had a long-standing interest in library and information science education and recruiting, and it has supported programs for continuing education for library personnel. Networking and cooperation among libraries also have been issues that the Commission has addressed. The Commission has examined issues relating to coordination of bibliographic control of library materials and the establishment of a National Periodicals Center.

### **Highlights of NCLIS International Information Activities**

Since the United States withdrew from UNESCO in 1984, NCLIS has cooperated with the Department of State to coordinate and monitor proposals for International Contributions for Scientific, Educational and Cultural Activities (ICSECA) funds and to disburse the funds to appropriate organizations and activities. In recent years, NCLIS has held a series of meetings with key UNESCO officials as well as members of the U.S. Permanent Observer Mission to UNESCO to discuss information policy initiatives, and in FY 1999 the Commission passed a resolution to support the U.S. rejoining UNESCO.

NCLIS has been a regular participant in the meetings of the International Federation of Library Associations and Institutions (IFLA) and was a distinguished partner in the preparations for the IFLA conference in Boston in August 2001. The Commission has welcomed many groups of international librarians throughout the years and helped them to understand U.S. information policy. On behalf of the U.S. Information Agency (USIA) and the State Department, Commissioners have served on official delegations to other nations.

*Sister Libraries*, the NCLIS millennium project, is an international initiative to pair public and school libraries in the United States with others worldwide, focusing initially on programs specifically planned for children and teenagers.

The Commission and the British Library hosted a meeting on information and productivity in 1986 and participated in a series of conferences on the Role of Information in the Economy with representatives from industry, government and academia from the U.S., U.K. and Canada in 1986 and 1987. NCLIS has worked with the Australian and British library commissions and with governmental and non-governmental organizations in other countries. The Commission worked with the USIA on its international library programs and served as a member of the U.S. Book Abroad Task Force.

### **Highlights of NCLIS Activities for Library Statistics**

FY 2001 is the fifteenth consecutive year of cooperation between the Commission and the National Center for Education Statistics (NCES) in implementing the Library Statistics Program (LSP). The Commission serves as a liaison to the library community,

organizes meetings and training workshops, supports in-state training and technical assistance, monitors trends, and advises NCES on policy matters.

In addition, the Commission has sponsored six statistical projects, individually and in cooperation with other organizations, to measure public access to the Internet through public libraries. Now that most public libraries offer public Internet access, NCLIS research is shifting from measuring connectivity to measuring performance and productivity.

The Commission participates in a variety of activities to encourage the development of standards for library statistics, as well as the accurate and timely collection and dissemination of relevant statistical information to assist in policy development and implementation at the Federal, state and local levels.

### **Highlights of NCLIS Activities for Special Populations**

NCLIS has addressed the needs of many special populations, including children, the elderly, Native Americans, individuals with disabilities, people who are economically disadvantaged, people who live in rural areas, and cultural minorities.

Children have been the focus of a number of Commission hearings, reports and resolutions. In 1984 NCLIS responded to the report entitled *A Nation at Risk* by urging strong school library media center services and critical information skills for all students. Following the second White House Conference, the Commission held hearings on library and information services for young people, surveying selected school libraries and working toward school library media provisions in the reauthorized Elementary and Secondary Education Act. In 1998 a Commission hearing focused on *Kids and the Internet: The Promise and the Perils* and earlier this year the Commission held a hearing on *School Librarians: Knowledge Navigators Through Troubled Times*, focusing on the correlation between well equipped, professionally-staffed school libraries and student performance and on the investment necessary to make adequate school library media centers available to all students.

The information needs of the elderly also have received significant attention from the Commission. In fact, the Commission's enabling legislation includes a requirement that at least one Commissioner be "knowledgeable with respect to the library and information service and science needs of the elderly." The Commission has worked with a variety of federal agencies and national organizations regarding federal, state and local programs to improve library and information services for the aging. NCLIS has provided information to the Congress on legislation, including reauthorization of the Older Americans Act, so that information service requirements of this rapidly expanding segment of the population would be addressed. In 1995, the Commission co-hosted a national Pre-White House Conference for Older Adults, called "Toward the White House Conference on Aging: Priorities and Policies for Library and Information Services for Older Adults." In 1998 NCLIS helped to develop and participated in "The Internet: Empowering Older Americans," a forum sponsored by the Senate Special Committee on Aging and moderated by a Commissioner.

Through a series of regional hearings, NCLIS explored the lack of availability of library and information services for Native Americans living on or near reservations. In 1992, the Commission issued *Pathways to Excellence: A Report on Improving Library and Information Services for Native American Peoples*. In addition, the Commission worked with Congress, the Native American community and the library and information services community to establish Title IV of the Library Services and Technology Act to provide federal support for Native Americans living on or near reservations. NCLIS also encouraged the development of the American Indian Library Association (AILA) and served as an advisor to the Training and Assistance for Indian Library Services (TRAILS) program at the University of Oklahoma, to provide training and assistance to American Indians and Alaskan Native for improvement of library services on their reservations and in their villages.

In 1999 the Commission held a hearing on library and information services for individuals with disabilities. This issue had been addressed as well through the Commission's work on services for senior citizens, since most people develop some disabilities as they age.

With assistance from the National Agricultural Library, NCLIS conducted a six-year program to identify means to meet the needs for rural library and information services. In 1982, NCLIS assisted the Congress in coordinating and conducting a Congressional hearing on *The Changing Information Needs of Rural Americans: The Role of Libraries and Information Technology*. Following the hearing, NCLIS worked with the Department of Agriculture to organize a National Advisory Board on Rural Information Needs (NABRIN).

NCLIS also conducted hearings and sponsored a two-year research project for a task force to review the library and information needs of cultural minorities.

In these three decades Commissioners have seen and experienced much progress and some disappointments. At the beginning of a new century, The Commissioners see amazing opportunities for libraries and information services to enrich the life and work of the American people and an increased need for policy leadership to ensure equitable access for all.



## Attachment 2

Testimony of Martha B. Gould  
February 28, 2002

### INDEPENDENCE OF THE COMMISSION

**In creating the Commission, Congress called for a body that would be independent of any extraneous influence.** During the legislative consideration of the Commission's organic statute, serious consideration was given to placing the Commission within the (then) Department of Health, Education, and Welfare (DHEW). Despite such a proposed location, legislators made it clear that the Commission was to be an independent voice, as for example in this quotation from Senate Report 91-196:

Although the Commission has been placed within the Office of the Secretary of Health, Education, and Welfare, the committee wishes to stress the fact that the Commission has independent status and that the Secretary does not have authority to direct the activities of the Commission or to edit any of the reports or material published by the Commission.... The committee wishes to make clear that the National Commission established in the bill is not responsible to any department or agency with respect to the content of its reports. Of course, any department may comment on the activities of the Commission but no department has the authority to change or withhold reports the Commission wishes to make to the President and to the Congress.

The issue of independence was of such import that the final version of the legislation abandoned placement of the Commission within DHEW and instead established it as an independent agency. House Report 91-240 presented the issue as follows:

[Y]our committee has sought to assure that the Commission will enjoy the high level and independent status which it needs to avoid becoming either a rubber stamp for existing agencies, or merely a forum for an exchange of views. To assure the Commission's total independence, it is made a separate agency within the executive branch, free of any control by any other Federal executive agency....

Not set forth in the bill, but inherent in the independence accorded the Commission, is the right to make its recommendations to the President without seeking "clearance" from any other Federal agency. Your committee cannot too strongly emphasize the concept that if the Commission is to perform its assigned function of providing leadership, innovative advice, and coordination for our Nation's libraries and information science establishments, it must be able to state the problems as it sees them, to evaluate existing programs without grinding anyone's ax, and to make such recommendations as seem wise to the Commission and its members.

That the Congress intended this exemption to apply to clearance by the Office of Management and Budget was made explicitly clear in a colloquy between Representative Brademas and the first Chairman of the Commission, Frederick Burkhardt. At a hearing on November 29, 1978, Mr. Brademas offered the following observation:

For the record, I would like to state that as myself a principal sponsor in the House of Representatives of the law establishing the National Commission on Libraries and Information Science that I am not unfamiliar with that statute, and that I am aware of what the House report on the bill establishing the Commission says. I would here quote from page three of that report: 'To assure the Commission's total independence, it is made a separate agency within the executive branch, free of any control by any other Federal executive agency.' The Congress did not exclude the Office of Management and Budget from that directive. I make that observation for the edification of the personnel at OMB.

Independence was required for one other reason. The enumerated functions of the Commission would call for it to "appraise the adequacies and deficiencies of current library resources and services and evaluate the effectiveness of current library and information science programs." Clearly, the object of these appraisals would include programs administered by the federal government itself. Librarian of Congress L. Quincy Mumford, in correspondence with Representative Brademas, who chaired the House subcommittee that first considered the NCLIS legislation, discussed this situation. (Dr. Mumford had been a member of President Johnson's National Advisory Committee on Libraries, a group of distinguished Americans who first proposed creating the National Commission on Libraries and Information Science.) He wrote as follows:

I was pleased to note that your bill makes provision for the Commission to be an independent body, with the Department of Health, Education and Welfare providing administrative services only. I believe that it is both desirable and necessary for this Commission, which will certainly study problems relating to the library programs administered by the Office of Education, to be independent of HEW jurisdiction and report directly to the President and Congress.

Congress agreed with Dr. Mumford and created NCLIS as an independent agency. It should be pointed out that the library programs Dr. Mumford identified are now the responsibility of the Institute for Museum and Library Services (IMLS), a new agency created in 1996. Congress, at the time of creating IMLS, explicitly assigned NCLIS an advisory role regarding IMLS.

Summing it all up, Representative Patsy Mink of Hawaii (the only co-sponsor of the NCLIS legislation currently serving in the House of Representatives) said, "As a completely independent agency, [the Commission] will be able to make recommendations free of undue pressure from any source."

## Questions from Subcommittee Members

Testimony of Martha B. Gould  
February 28, 2002

### QUESTIONS FOR THE RECORD FROM SUBCOMMITTEE MEMBERS

#### Elimination of the Commission on Libraries

**Mr. Regula:** For the second year the President's budget eliminates the Commission, contending that your work can be done by many other agencies. Can you comment on this?

**Mrs. Gould:** We remain mystified by this development. When it occurred the first year (FY 2002), we attributed it simply to the lack of time the new Administration had after the delayed election results. We felt they just hadn't been able to examine our unique role and distinguish it from that of other organizations. Moreover, we knew that our requested budget of less than \$3 million was microscopic amidst many other much larger expenditures totaling nearly \$2 trillion and wouldn't merit much detailed attention.

We were quite disappointed when we encountered the same situation in the FY 2003 Budget; our justification and appeals fell on deaf ears at OMB. We were surprised that the recommendation would be repeated, coming as it did *after* Congress had indicated support for the Commission by continuing our funding—albeit, at a lower level—and the Senate Appropriations Committee had explicitly criticized the Administration recommendation.

An earlier suspicion that the motivation had nothing to do with the functions of the Commission or the savings of a few million dollars resurfaced. In December 2000, as the Commission was in the final stages of preparing our report, *A Comprehensive Assessment of Public Information*, undertaken at the request of Senators McCain and Lieberman, OMB “reminded” us that before the report could be submitted to Congress, it had to be *cleared* by OMB. We respectfully replied that our statute and legislative history made it quite unambiguous that our recommendations were not subject to clearance by any other body. (Our letter to OMB was an expanded version of the views put forth in Attachment 2 to the Written Testimony of Chairperson Gould, submitted to the Appropriations subcommittee.) It was shortly after this dispute that OMB notified us of its decision to “zero fund” us for FY 2002.

In all candor, we admit there is no *evidence* of such quid pro quo action on the part of OMB; nevertheless, we think even the possibility of such action should raise a flag of concern. The OMB proposal to eliminate us has greatly reduced the ability of the Commission to accomplish its objectives. Time that would best be

spent on the real work of the Commission must instead be devoted to explaining why the Commission should continue. A future OMB, whether in actual disagreement with a position taken by the Commission or simply disturbed that the Commission need not seek OMB approval, can use this process of “zero funding” to render the Commission nearly powerless, effectively undoing single-handedly what Congress and the President had accomplished through regular legislative process over 30 years ago.

Regarding the broader question of whether any other agencies can perform the work of the Commission, we would have to acknowledge that such a reassignment could be made, but we would seriously question its efficacy. Sumo wrestlers could be taught to figure skate, but the results would probably not appeal to fans of either wrestling or skating.

The Commission occupies a unique place in the policy landscape, especially the *information policy* landscape. A whole host of executive agencies have responsibilities in this area: OMB’s Office of Information and Regulatory Affairs; the White House Office of Science and Technology Policy; the Commerce Department’s National Telecommunications and Information Administration and its Patent and Trademark Office; the Federal Communications Commission; the Federal Trade Commission; the General Services Administration; and many more can all claim to be concerned with the information needs of the people. None, however, is assigned this area exclusively and comprehensively. Few, if any, can offer a fresh and independent perspective. Most would find that their recommendations would be subject to the clearance process of OMB discussed above.

One agency that has been singled out for possible receipt of the Commission’s function is the Institute of Museum and Library Services, evidently because the word “library” shows up in its name. It would be difficult to imagine a more inapt target for such assignment. The Institute results from the consolidation of federal support to libraries and museums envisioned in legislation passed in 1995, and it does a commendable job of carrying out its assignment. It is not a place to house an organization required to develop independent policy recommendations. The Institute distributes a modest amount of Federal library support to the States and other entities. It may be unimaginable to some, but it is not inconceivable that some future Administration or Congress could be upset by a particular recommendation advanced by a policy body within the Institute and consequently threaten overall library funding as a means of expressing displeasure. Moreover, the law explicitly tasks the Commission with evaluating the effectiveness of current library programs, one of which certainly is the Institute’s library funding efforts. It is pretty difficult to get a candid evaluation from an entity that is housed in the agency being evaluated.

**Mr. Regula:** What services does the Commission provide?

**Mrs. Gould:** Our enabling statute is quite specific in the work the Commission is assigned. In 1970, Congress affirmed a policy “that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation’s educational resources and the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.” (15 USC 1501) It established the Commission and gave it “primary responsibility for developing or recommending overall plans for, and advising governments and agencies on, the policy.” It enumerated specific functions: 1) advising the President and Congress on the policy; 2) performing research on the information needs of the Nation; 3) assessing the current state of library resources, services and programs; 4) developing plans and coordinating plans at all levels, Federal, State and local; 5) advising government and private agencies of any type on library matters; 6) promoting library and information science research and development; 7) preparing an annual report; and 8) publishing additional reports as we deem necessary. Also, we are assigned the role of advising the Director of the Institute of Museum and Library Services. We have the authority to enter into contracts and hold hearings. Other Federal agencies are directed to cooperate with us in carrying out our responsibilities. These assignments all appear in 15 USC 1504.

However, a dry recitation of these statutory assignments is not as meaningful as a few examples. Attachment 1 to Chairperson Gould’s Written Testimony highlights some of the more important services of the past three decades.

**Mr. Regula:** Can you tell us some of the benefits of the Commission's studies?

**Mrs. Gould:** The principal benefit of Commission studies is the independent perspective we can bring to any topic in the library and information field. We represent the users of libraries and information, not the libraries themselves or librarians or publishers. Therefore, we have no particular ax to grind.

A second benefit is the ability to gather, at minimal cost to the public, great expertise from a wide variety of interests. When we were working on *A Comprehensive Assessment of Public Information Dissemination*, more than 100 talented individuals participated, some writing white papers, others attending working group meetings, still others critiquing Commission drafts. On occasion, the Commission might reimburse one of these volunteers for out of pocket expenses, but most of this participation was without cost to the government. Overall, the professional contribution was of enormous magnitude.

A third benefit is longevity. It is a cliché for various groups studying some particular aspect of government policy to say “Our report isn’t just going to sit on the shelf.” The fact is, however, that such reports often do find themselves relegated to some dusty bookcase. Policymakers are not always willing or able to

accept the latest recommendations and may defer immediate consideration no matter how good the proposals. A permanent entity such as the Commission is able to maintain its past reports and bring them out again when the opportunity for renewed consideration presents itself. Without this continuing presence, the work of temporary commissions and boards, no matter how laudable, can find itself confined permanently to some forgotten shelf.

**Mr. Regula:** Does the Commission raise private funds?

**Mrs. Gould:** The Commission is “authorized to accept, hold, administer, and utilize gifts, bequests, and devises of property, both real and personal, for the purpose of aiding or facilitating the work of the Commission.” We have used this authority (20 USC 1503) to accept gifts that allowed us to fund activities for which appropriated funds are generally not available, most notably representation activities involving food. Modest deposits to our gift fund in recent years allowed us to run a successful Sister Libraries program where libraries in this country paired up with libraries around the world and exchanged information frequently involving the libraries’ younger patrons. At national library events, the Commission has been able to host a reception or a tea where representatives of the participating libraries could get together and share their experiences.

In the past decade, there has been some discussion of whether privately raised funds could be used to operate the Commission. We have generally steered clear of this approach. The Commission develops policy recommendations regarding the needs of the American people, a function we believe is inherently governmental. Our policy recommendations would become quite suspect if commercial entities that could benefit from a particular policy recommendation had made significant contributions to the Commission.

## **Homeland Security**

**Mr. Regula:** In your testimony, you mentioned a presentation on the role of libraries in emergency preparedness and disaster response to governors, mayors and county executives. What has been the response to the presentation?

**Mrs. Gould:** Thus far, the presentation is still in development. We have shown it only to selected librarians and their reaction has been very favorable. Where they have criticized the presentation, we have seen the criticism as constructive and have improved the presentation as a result. We have not yet shown the briefing to policymakers, although there have been some contacts made with the National Governors’ Association and the Conference of Mayors; we are hopeful that such organizations will provide a venue that will make the presentation widely available.

We also intend to put the presentation on our web site so that libraries around the Nation can download it and tailor it to meet their unique circumstances. Libraries

can present the briefing to their local policymakers and, it is hoped, secure a place for themselves at the emergency preparedness planning table. With the Commission's small budget, there is no way we can single-handedly assure the broadest possible dissemination.

**Mr. Regula:** What is the potential Federal role in implementing the Commission's recommendations?

**Mrs. Gould:** The Federal role is quite limited in implementing the Commission's recommendations in the presentation. Our basic message is that after a disaster of any type there is a crying need for information and that libraries can fill that need. Libraries, of course, have to plan how they will be able to respond immediately, but Federal entities that might have access to this needed information also have to have a plan that ensures they provide it to the libraries. In the earliest hours following a disaster, extended hours of operation by the library might be called for. If so, it is recommended that federal disaster funds be made available for keeping library facilities open beyond normal operating hours.

**Mr. Regula:** How will the Commission coordinate with other Federal agencies dealing with emergency preparedness and disaster response?

**Mrs. Gould:** The executive director of the Commission has already had a brief conversation on the topic with Governor Tom Ridge, the director of the Office of Homeland Security. Governor Ridge, whose wife is a librarian, immediately understood the opportunity we were developing and identified a staff member in his office to work with. We will likely coordinate our activities through that person after we have our initial discussion. We also will coordinate our efforts with the Federal Emergency Management Agency (FEMA) and the Centers for Disease Control and Prevention (CDC).

## **School Libraries**

**Mr. Regula:** I understand that the commission held a hearing on the status of school libraries. Please summarize your key findings.

**Mrs. Gould:** While the Commission learned a great deal about school libraries and we look forward with enthusiasm to publishing the record of our hearing, there are two key findings we would like to emphasize.

The first point concerns the body of statistical work that demonstrates an unmistakable connection between the quality of a school library and the performance of that school's students. Put simply, if a school has an up-to-date library with current titles and a professional librarian who works closely on curriculum development with the teachers, students will perform better academically than students without such resources. Under the concept of local control, some school administrators are eliminating library resources in order to

underwrite other school programs, e.g., athletics, drama, etc. In light of the statistical findings, such decisions are ill advised.

The second point calls for enhanced efforts to collect and disseminate useful and timely statistics about school libraries. Recent statistical collections were on a five year cycle. School librarians recognize that information garnered from statistical compilations can be persuasive in decision making affecting the school and its library. However, in a time of changes at "Internet speed," using statistics more than five years old is just not beneficial.

## **Roles of NCLIS and IMLS**

**Mr. Obey:** Please describe how the function of the Commission differs from that of the Institute for Museum and Library Services.

**Mrs. Gould:** The Institute administers block grants to the States to support library activities and provides a small number of leadership and other competitive grant programs for libraries, as set forth in the Museum and Library Service Act. It also administers separate museum grants. There is one leadership grant program that supports efforts of libraries and museums working collaboratively. In other words, the Institute distributes Federal money and makes sure that money is used effectively and legally.

The Commission does not administer any grant program. It develops policy recommendations to help meet the library and information needs of the people of the United States, and in order to develop such recommendations, it is authorized to collect information through hearings, research projects, etc.

## **Commission Vacancies**

**Mr. Obey:** The justifications indicate that 8 of 14 Commissioner seats are vacant. How have these vacancies impacted the work of the Commission? Who appoints the Commissioners and what steps have been taken to fill these vacancies?

**Mrs. Gould:** With only six Commissioners, plus the Librarian of Congress who is an ex officio member with a vote and the Director of the Institute for Museum and Library Services who is an ex officio member without a vote, the Commission does not have a quorum, which is defined in our statute as "a majority of members." Before we lost the quorum, when terms of three recess appointees expired at the end of the First Session of the 107<sup>th</sup> Congress, the Commission empowered the executive committee consisting of the Chairperson, the Vice Chair and two Commissioners to carry on the work of the Commission. This step allows the Commission to continue to operate, but it clearly is not possible for the Commission to explore any new policy initiatives. Until the new Administration

begins to appoint its nominees to the Commission, we will not have the political empowerment to accomplish new business.

The President, with Senate confirmation, appoints fourteen members of the Commission. In March 1999, Commission leaders met with staff in the Office of Presidential Personnel to present a briefing on what was characterized as an “impending crisis” at the Commission; without new appointments, the Commission would be lacking five members when the next three members’ terms lapsed in July 1999. President Clinton did nominate three individuals (one new member and two reappointments) and they were appointed by mid-2000. However, no more nominations were submitted to the Senate until early fall 2000 (five individuals including one reappointment). The Senate was unable to consider the nominations before it adjourned. The President then appointed three of these nominees as recess appointees. The terms of the recess appointees ended at the conclusion of the first session of the 107<sup>th</sup> Congress.

A dozen or so highly qualified individuals have indicated their interest in being appointed to the Commission by President Bush and many have strong support from Republican leaders. However, the Office of Presidential Personnel has indicated it will not be processing nominations at the same time OMB is proposing the elimination of the Commission. There have been a few contacts between the White House and Commission staff on this matter, but essentially there are no further steps the staff can take until the future of the Commission is unambiguously resolved.

### **Elimination of the Commission on Libraries**

**Mr. Obey:** The Administration is proposing for the second year to terminate the Commission. What achievements can you point to that would highlight the importance of the work of the Commission?

**Mrs. Gould:** Even during the past year (while contending with the Budget proposal to eliminate the Commission has sapped some of our energy and resources), the Commission has continued to achieve important results. Our direction of the library statistics program has brought about more rapid results while lessening the burden on those who provide the raw input. Timely, accurate statistics about the Nation’s libraries are an essential precursor to any policymaking dealing with such libraries. It was a Commission statistical effort that identified the paucity of Internet availability in public libraries in the mid-1990s and spurred the enactment of the Universal Services Fund that facilitates efforts of schools, libraries and health clinics to connect to the Internet.

Our involvement with government information has resulted in recommendations that, in this age of electronic information technologies, will contribute to the effective and efficient use of information created by the government and assure permanent public access to it by the taxpayers who paid for its creation. Our most

recent report was taken into consideration when recent electronic government (e-government) legislation was developed and introduced in the Congress.

Our hearings contribute to the public policy debate. Most recently we have held hearings on the subject of access to inappropriate material on the Internet by children in public libraries and schools, library services for individuals with disabilities, and the role of school libraries. Our recommendations regarding “kids and the Internet,” specifically that such access was a matter best determined by local authorities, was ignored by the Congress when it passed the Children's Internet Protection Act. On the other hand, our concrete suggestion of steps that local governing entities could take has proved helpful for school and library boards. Our hearing on disabilities (and some statistical research we undertook) indicate that much remains to be done in terms of providing assistance to libraries and other information providers to make their locations more accessible. Our school library hearing is not yet published, but based on what we learned, the Commission eagerly supported recent Federal legislation to provide additional support to school libraries.

In the international arena, recent Commission activities have led to greater understanding among nations, especially by children. Our Sister Libraries project paired institutions in America with partners in nations throughout the world and allowed the young people in various locations to share their cultural information with people in distant lands. Also, our effort to develop an international conference focusing on information literacy (the ability to recognize when information is needed and to locate, evaluate, and use it effectively) has been greeted enthusiastically, including by leaders at UNESCO. The scholarly papers being written to support this conference will be a significant contribution to the understanding of information literacy and especially its contribution to economic development.

## **Librarian Training**

**Mr. Obey:** The Administration is proposing \$10 million for a new initiative to train librarians in the budget request for the Institute of Museum and Library Services. Was the Commission consulted for its advice on this new initiative and what role, if any, did the Commission play in its development?

**Mrs. Gould:** The Commission, regretfully, was not consulted prior to the announcement of this new activity. The lack of consultation is indicative of the ongoing problem growing out of the OMB proposal to eliminate the Commission. Other components of the government, especially in the executive branch, are reluctant to take action that seems to endorse a continuing role for us while there is an “Administration proposal” that does away with us.

The Commission could be an instrumental partner in this area. The Chairperson of the Commission, although now retired from day-to-day senior management of a

metropolitan public library, continues to teach library students. She, therefore, has a first-hand appreciation of what job functions are needed in libraries as well as knowledge of today's students and what motivates them. She also has participated in national events on professional education presented by the American Library Association and regularly conferred with the association that represents library schools. Because of our reduced budget level this year, the Commission will not take an active role as this program develops, but we will maintain staff contacts with the Institute.

### **Commission Accomplishments**

**Mr. Obey:** The budget justification for the Commission is largely oriented toward process, describing the activities planned by the Commission for the upcoming year. What specific accomplishments or results is the Commission trying to achieve and how will we know if the Commission is successful.

**Mrs. Gould:** It may seem somewhat flip, but the most important question a policymaker can ask is "So what?" What will be different because a particular program exists? This question is especially complicated in the world of information and it would be inappropriate to imply, by our answer to this question for the record, that we have anything like a clear and complete response to the question.

For example, suppose that we did further work in the area already explored in our hearing on library services for individuals with disabilities. If we developed a number of recommendations that libraries could adopt that meant more people with disabilities were able to use libraries, we could then measure how many libraries adopted them. With a little more effort, we could measure the increase in the number of disabled individuals using libraries. But the question remains, "So what?" The really difficult question to answer is whether adoption of the recommendations led to meaningful improvement in the lives of the individuals with disabilities who use the libraries. Were they able to get information that improved their health, aided them in a job search, allowed them to participate more effectively in civic affairs, deepened their understanding of their faith, or learned how to get the missing items of a lifelong collection of historical artifacts, etc., etc.? We who love libraries see these and many other benefits flowing from libraries, but even for each of those benefits, it is still possible to ask "So what?"

Nonetheless, we recognize the importance of continuing to try to answer these questions even in cases where benefits may be realized long after delivery of services. "Outcomes based evaluation" is a key component of public policy, and the Commission understands that it must improve its ability to demonstrate the worth of all of its activities.

It is not our intent to evade the question, but simply identify the difficulty of providing a precise response. Some specific accomplishments the Commission would like to achieve are as follows:

- Serious legislative consideration will be given to our proposals in *A Comprehensive of Public Information Dissemination* and the American public will be assured effective and permanent access to the information created using their tax dollars.
- Efforts to gather statistics about libraries will result in more accurate and more quickly delivered information while reducing the burden on those who have to provide the raw data. These statistics will greatly improve our understanding of libraries today and equip us, as well as managers and policymakers at all levels of government, to make better recommendations about their future.
- Special energy will be devoted to improving statistics about school libraries, especially so that we can assess the implications of the new federal program for school libraries just enacted in the “No Child Left Behind Act” and measure the impact of school libraries on student performance.
- Legislation to reauthorize federal funding for libraries will be passed and will include significantly increased authorization levels with increased funds for smaller states thus allowing improved library services for all citizens of the Nation. A key component of the legislation should be means for assessing the effectiveness of federal funds. Assurance of a continuing role for the National Commission on Libraries and Information Science should be included.
- Major progress will be made toward convening a global conference in conjunction with UNESCO that focuses on information literacy and its role in national economic development.
- The Commission will begin to participate in the policy debate affecting the ownership of information. Intellectual property policy is especially thorny in a digitized environment and the rights of users, especially the “fair use” right, are being threatened. At the same time, the incentive for creation of new information must be preserved.

## **Library Services Act Reauthorization**

**Mr. Obey:** The Library Services Act must be reauthorized this year. What recommendations has the Commission made for changes to or improvements in the Act?

**Mrs. Gould:** The Commission played a major role in the original development of the Museum and Library Services Act in 1995, and some would argue that the Chairperson of the Commission, the late Jeanne Hurley Simon, played an indispensable role in the final passage of the law. As reauthorization efforts took shape over the past year or two, the Commission maintained a vigorous involvement. The library community organized a task force on the reauthorization, and while the Commission, as a government agency, did not formally join the task force, representatives of the Commission attended most of the task force meetings as observers. Recommendations made by the Commission observers were frequently incorporated in the work of the task force. The Commission supports the consensus legislation that was developed by the task force and to a large extent incorporated in the legislation now proceeding through Congress. The Commission believes that it is too soon to recommend any substantive changes to the significant modifications contained in the legislation enacted in 1995. On the other hand, it is appropriate to begin assessing the results of these changes and therefore it is reasonable to include in the reauthorization an explicit call for such assessment.