June 19, 2017

The Honorable James Lankford
Chairman
Subcommittee on the Legislative Branch
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Chris Murphy
Ranking Member
Subcommittee on the Legislative Branch
Committee on Appropriations
United States Senate
Washington, DC 20510

RE: FY2018 Funding for the Library of Congress

Dear Chairman Lankford and Ranking Member Murphy:

I write to express the American Bar Association’s (ABA) strong support for the Library of Congress’s FY2018 budget request. Among other things, the Library’s budget request would provide adequate funding for the Law Library of Congress, including mandatories and price level increases throughout its operations. Accordingly, we urge you to fund the Library’s budget request in its entirety.

The ABA, through our Standing Committee on the Law Library of Congress, has enjoyed an 85-year relationship with the Law Library of Congress; during that time, we have learned the special challenges it faces in serving the Congress, the American public, and the world. As one demonstration of the challenges, the ABA’s 400,000 members support more than 3,500 entities covering most every legal specialty imaginable. Each of these specialties supports different aspects of American business, education, and the rule of law. No institution other than the Law Library can support these enormous and complex demands.

Below are a few examples of the important needs filled by Law Library staff members in the past year by providing assistance to constituents either directly or through Members of Congress.

From a recent report to our Standing Committee, between October 1 and March 31 the Foreign, Comparative, and International Law Divisions of the Law Library of Congress responded to 173 requests from Congress and 149 from executive-branch agencies. The Law Library’s Public Services Division responded to 7,743 requests and inquiries posed through Ask A Librarian, in person, or by telephone, including 448 requests from Congressional offices and CRS. In addition, the Law Library added a new class on regulations research to the Congressional Legal Instruction Program, a series of classes available only to congressional staff.

The informational resources provided by Library of Congress and its Law Library support business development, job creation, and international relations. In addition to specific patron
requests, the Law Library’s role in restoring world governments through the repatriation of legal materials cannot be overemphasized. Following the destruction of Afghan legal documents by the Taliban, the Law Library of Congress, one of the few institutions in the world maintaining these historic records, assisted in the return of legal materials to help reconstruct the Afghan legal system. Similarly, the 2010 earthquake in Haiti destroyed that country’s legal records. The Law Library of Congress, with its collection of Haitian legal materials, provided documents to help rebuild the Haitian justice system. The Law Library’s collection also includes other historical documents that are critically important to understanding and administering legal systems. More and more, the Law Library is called upon to do important comparative studies across multiple legal systems. In fact, approximately half of the collection consists of foreign legal materials.

The Law Library has requested modest increases for FY2018. During the past several years, the Law Library has experienced an increase in multi-jurisdictional requests for European Union, Canada, and Western European legal systems (Netherlands and Nordic countries). The Law Library has asked legal specialists already on staff to increase their portfolios to cover those additional areas for now. Similarly, the Law Library is using positions vacated due to retirements to re-fill library technician positions. Library technicians ensure ready access to legal materials from the collection that numbers well over three million volumes, spans the ages, and covers virtually every jurisdiction in the world.

We understand the tremendous challenge you face in prioritizing funding requests in this difficult budget climate. However, we must stress that funding cuts in the coming year to the Library and the Law Library of Congress may negatively impact your constituents, including school children, teachers, scholars, lawyers, and small business owners, as well as the Congress, itself. Outdated or obsolete information can slow their progress and undermine success.

The priorities identified by the Law Library for next year are important to fulfilling its mission to serve the Congress and the nation effectively, both in preserving hard copies of legal materials and in further developing access to these materials online. We strongly support them.

We respectfully urge Congress to grant the Library’s funding request for FY2018. The ABA appreciates Congress’ historical support for the Library of Congress and the Law Library. In particular, we appreciate the inclusion of Law Library shelving as part of the FY2017 Consolidated Appropriations Act. Funding for ready and safe access to the unparalleled collections and for Law Library personnel provides a greater measure of support and access to justice for Congress, its constituents, the executive and judicial branches of our government. We hope that Congress will continue to find the means to protect and enhance the value of these treasures for all Americans, now and for generations to come. We would be pleased to assist your committee with any questions you may have as to the importance of the Law Library’s work towards the American justice system as a whole.

Sincerely,

Thomas M. Susman

cc: Members, Appropriations Committee