

To: Member and Legislative Assistants, Subcommittee on Investigations and Oversight of the House Science and Technology Committee
From: Dan Pearson, I&O Staff Director
Subject: Hearing on the Closure of EPA Libraries.
Date: March 10, 2008

The Environmental Protection Agency (EPA) manages an extensive library system designed to serve the specific needs of its research and regulatory scientists, its enforcement specialists and the interested public. Beginning in 2003, EPA managers began a series of studies of how to consolidate and restructure their library system to reduce costs among its 26 branches.

By the end of FY 2006, seven libraries were closed. The libraries closed included three regional libraries (Dallas, Chicago, Kansas City), a technical library in Edison, NJ associated with the Region two library, a laboratory library in Region three located in Fort Meade, MD, and two libraries located in Washington, D.C. (the headquarters library and the chemical library managed by the Office of Prevention, Pesticides and Toxic Substances (OPPTS)).

Because EPA did not complete work necessary to restructure its library network, the collections previously housed in these libraries are still not fully accessible to EPA employees and the public. On Thursday, March 13 at 9:30 a.m. in Rayburn 2318 the Subcommittee on Investigations and Oversight will hold a hearing on EPA's plan to consolidate and modernize its library network and the impacts of their implementation of this plan on EPA employees and the public.

The witnesses testifying at the hearing will be:

Mr. John Stephenson, Director Natural Resources and Environment, Government Accountability Office;

Mr. Charles Orzechoskie, President, American Federation of Government Employees, Council 238;

Dr. Francesca Grifo, Senior Scientist and Director of the Scientific Integrity Program, Union of Concerned Scientists;

Mr. Jim Rettig, President-elect, American Library Association;

Ms. Molly O'Neill, Assistant Administrator for the Office of Environmental Information (OEI) and Chief Information Officer, Environmental Protection Agency.

This matter has been of interest to the Committee since March 2006 when Jeff Ruch, Executive Director of Public Employees for Environmental Responsibility (PEER) testified before the Subcommittee on Environment, Technology and Standards about a proposed funding cut of \$2 million dollars in the budget for EPA's regional libraries was likely to lead to the closure of library facilities. In September 2006, Mr. Gordon was joined by Mr. Dingell and Mr. Waxman (Senator Boxer later joined the request) in a letter to GAO requesting an investigation of EPA's library restructuring plan, its

implementation, and its potential impacts on delivery of library services to EPA employees and the public (letter attached).

In November 2006, those same House Members, joined by Mr. Oberstar, wrote to EPA Administrator Johnson asking that he suspend all activity designed to close facilities or dispose of materials until Congress could be heard on its preferences for EPA's library system. Early in 2007, Administrator Johnson agreed to do so. In the FY 2008 omnibus appropriation Congress included \$1 million in additional funding for EPA's libraries to reopen the regional libraries that were closed and required the Agency to provide a plan to restore library services within 90 days of the law's enactment (signed on December 26, 2007).

A good primer on the restructuring effort can be found in the attached report by CRS, this charter will briefly touch on five key questions which we hope to explore in the hearing.

1. Did EPA Have a Plan for Maintaining Continuity of Library Services When the Plan Was Implemented in 2006?

For several years, EPA managers have looked at alternative structures for delivering library services to their employees and the public. The collections in EPA's libraries are extraordinarily specialized and, in some cases, absolutely unique. The network as a whole is a unique library collection. EPA's own information procedures guidance on library materials dispersion reads in relevant part:

“Although it may be tempting to dispose of library materials quickly, the loss of important and unique materials could have serious future consequences if the Agency cannot document scientific findings or enforcement actions.”¹

Used by both their science staff and their enforcement staff, the holdings in these libraries are essential to the work done at EPA. Librarians at the facilities also play an integral role in helping staff locate the most responsive, richest materials for the particular research, enforcement action, or litigation that EPA staff are pursuing.

While EPA initiated a review in 2003 that identified areas for improvement and modernization of EPA's library network, the follow-up work recommended in the 2004 report: *Business Case for Information Services: EPA's Regional Libraries and Centers*² was not done before libraries were closed or limited in their service and collections were dispersed and disposed of. The failure to do the required preparatory work suggests that no plan was guiding the library consolidation process.

¹ “EPA Library Network Procedure: Library Materials Dispersion,” Issued by the EPA Chief Information Officer pursuant to delegation 1-19 dated 07/07/05.

² *Business Case for Information Services: EPA's Regional Libraries and Centers*, Prepared by Stratus Consulting for U.S. Environmental Protection Agency, Office of Environmental Information, EPA 260-R-001, January 2004.

Seven libraries were simply closed without the holdings being digitized, clearly prioritized for future digitization or even always secured for future access. Nothing about this effort appears to have been consistent with the guidance quoted above. In fact, the regions appear to have been presented with draconian budget cuts and then “allowed” to figure out how they would cope with those cuts with little or no guidance or coordination from Washington. This situation was guaranteed to lead to confusion and a collapse in service for many, many EPA employees.

2. Did EPA Realize Budget Savings Through Implementation of Their Plan?

EPA has said repeatedly that they had to respond to a \$2 million budget cut. This budget reduction appears to have been a cut initiated by the Agency itself. There is no line in the EPA’s budget submission to Congress or in the appropriations legislation or its accompanying report where the cut to services planned for FY 2007 (which began to unfold in September 2006) was revealed. Funding for the regional libraries is included in the budget for the Office of Environmental Information which is within a larger allocation for administrative functions of the Agency. The Administration chose to fold into their budget less money for library services. It was not a problem imposed upon the agency, and this budget decision runs contrary to information in their earlier planning activities that suggested that additional resources would be required initially to move to a more electronically-based system for delivering library services. EPA initiated library closings before Congress passed EPA’s appropriation for FY 2007, which ultimately included a larger overall Agency budget than was requested by the Administration, yet that did not slow the effort by EPA to implement this reduced “budget”.

As to budget savings, EPA also had no accounting mechanism in place to ensure that savings would in fact be realized by closing libraries. The Agency claimed it was committed to ensuring continued access to the materials in the libraries that closed. In order to provide continued access to library materials and digitize unique EPA documents, the collections would have to be sorted, identified and cataloged for distribution to the new location. In terms of documents to be digitized, materials would have to be identified, prioritized, digitized, and hosted on a computer with an effective interface to allow searching and retrieval. The prospect of virtual libraries is tempting, but it is not a cheap exercise.

The 2004 study on library restructuring laid out all the analyses that would have to occur to result in a net benefit to the government. GAO found that none of that research—including surveying library users about their needs, conducting a complete inventory of each library’s information resources, and fully evaluating alternative models for delivering library services—had taken place.

The *Business Case* report had laid out a high bar to get over for any plan aimed at closing libraries and changing access: they found that for every dollar spent, anywhere from \$2 to \$5.70 came back to the Agency and the public in benefits. The active involvement of librarians in searches for materials was the primary gain from the library system as it existed. Librarians were found to both speed searches for materials and improve the

quality of materials identified for a specific purpose. Digitizing collections alone would not fully capture those benefits—or necessarily offset the costs of searches done absent expert knowledge of reference material contained in the collections.

3. Has EPA’s Effort to Digitize Library Holdings Resulted in Greater Access to Library Collections?

On its face, a claim that modernizing a library system through delivery of web-based or electronic library services is persuasive. It sounds like it should be cheaper to maintain, cheaper to provide access and that it would result in expanded access to library collections and services. However, in the case of EPA’s efforts, there is little evidence that these presumed benefits have been realized or will be in the near term. Digitization of library materials does not require libraries to be closed, yet EPA closed libraries before collections were properly inventoried and digitization of materials appropriate for conversion to electronic media was completed.

EPA still has not digitized all materials eligible for digitization and it is unclear whether the products of this effort are appropriate for use by a library system. Materials were simply boxed up and stored or shipped to other EPA libraries; some materials were disposed of (including materials being tossed into dumpsters), and others were distributed to other public and private libraries. While employees who used closed libraries have all been provided with guidance on how to work with libraries that remain open somewhere in the system, it is still unclear whether collections from the closed libraries are still accessible to employees. Public access to these materials has apparently not yet been restored.

4. Did Implementation of EPA’s Plan Ensure Continuity of Library Services to EPA Employees and the Public or Improve Library Services?

Library Services have been interrupted for both EPA employees and the public. Not only have libraries been closed, but librarians with experience in managing the individual collections are no longer with the Agency. As important as the loss of access to materials was the loss of qualified librarians to help employees and the public navigate the extensive, often technical, holdings in these libraries. The closure of seven libraries had an absolute impact on the ability of EPA employees to do their jobs. In August of 2007, the Office of Enforcement and Compliance Assurance provided a position paper on the closure plan arguing that it would materially impact their ability to enforce the law.³

Another sign of the impact on employees was that it was substantial enough to contribute to a Federal Mediation and Conciliation Service arbitrator to find “that the changes effected by the Agency associated with the reorganization of its Library Network did, in some profound ways, affect the working conditions of the Union’s bargaining unit

³ Office of Enforcement and Compliance Assurance Position Paper on the 2007 EPA Library Plan, 8/23/2006.

employees.⁴ Agency employees complained to their Union representatives as well as to the Union of Concerned Scientists (UCS) and to the Public Employees for Environmental Responsibility (PEER) about these conditions.

EPA's failure to conduct the follow-on work necessary to realize the benefits of modernizing the delivery of library services resulted in a disruption of library service to EPA employees and the public. Service has not improved nor is the same level of service being provided today as existed prior to the closure of the libraries. This is especially true for service to the public. The 2004 study noted that: "EPA libraries often act as the safety net, catching the most frustrated members of the public trying to find information or assistance."⁵ The safety net has now been eliminated at five locations and hours have been reduced at other EPA libraries.

5. What Is The Path Forward?

As mentioned above, Congress has appropriated funds to reopen closed libraries. Note that the Region 5 library's physical infrastructure was auctioned by the General Services Administration -- \$40,000 worth of shelves, desks and materials went for \$300. The EPA also is required to present Congress with their plan for the future. That plan is due later in March, but the Subcommittee hopes to learn what steps EPA has taken to restore those libraries and get a firm commitment on when the agency's plan will be delivered to Congress.

GAO and the other witnesses at the hearing will also offer their recommendations on the steps EPA should take to restore library services to their employees and the public and to move forward with a modernization plan that truly delivers on EPA's stated goal of providing broader access to environmental information to a wider audience.

⁴ In the Matter of the Arbitration Between the U.S. Environmental Protection Agency and American Federation of Government Employees, AFL-CIO, Council 238, FMCS Case No. 07-50725, February 15, 2008, p. 66.

⁵ *Business Case for Information Services: EPA's Regional Libraries and Centers*, Prepared by Stratus Consulting for U.S. Environmental Protection Agency, Office of Environmental Information, EPA 260-R-001, January 2004. Page 3.