Congress of the United States
House of Representatives
Washington, DC 20515

September 19, 2006

The Honorable David M. Walker
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Walker:

We are writing to request that the Government Accountability Office (GAO) examine the Administration's plan, incorporated in the President's fiscal year 2007 budget proposal, to cut funding for the Environmental Protection Agency's (EPA) library system by over 30 percent. This budget cut will force EPA to substantially restructure EPA library services by closing some libraries and reducing hours and services in others. We have grave concerns about the effects of this plan on EPA's ability to protect the environment, and we question whether the plan will actually save the government money.

EPA professional staff assert that the proposed cuts to EPA's library system will harm the Agency's ability to carry out its mission and will be especially damaging to EPA's ability to enforce environmental laws. They also fear that, due to inadequate planning and lack of funding for digitizing documents, access to many documents will be temporarily or permanently lost. Additionally, these cuts could deprive the public of access to critical environmental information in many parts of the country.

Background

The President's fiscal year 2007 budget proposal for EPA reduces funding for the EPA library system by two million dollars, a 30 percent cut from previous levels. The decision to target the cut to the 10 Regional libraries and the Headquarters library will result in substantially greater proportional cuts to these libraries and has already resulted in the closure of the Region 5 library. On August 15, EPA's Office of Environmental Information (OEI) issued a plan[1] for a new structure for the EPA library system based on the assumption the budget cut will occur.

The EPA Library Network consists of 27 libraries distributed throughout the country. The libraries serve EPA's 10 regional offices, 2 research centers, 12 research laboratories and EPA Headquarters. EPA's library system also serves the public. The system contains a large collection of unique materials that are not available through other sources. Each regional library primarily serves the region in which it is located and contains specialized materials

[1] Office of Environmental Information, U.S. EPA. EPA FY 2007 LIBRARY PLAN: National Framework for the Headquarters and Regional Libraries. August 15, 2006.

relevant to EPA activities in the area, including enforcement actions. Some of the libraries also serve as repositories for materials the Agency is required to make available to the public under various environmental statutes.

Timely access to information is essential to the Agency's work. EPA's scientists, engineers, regulators, and attorneys utilize the libraries' collections and services to assemble the information they need to enforce environmental laws, develop responsible regulation, and conduct environmental assessments and research.

Concerns About the EPA Plan

While the OEI plan is vague on specifics, a key element is its "phased approach to the closure of physical libraries," which suggests that EPA will close a number of its existing libraries. EPA has already identified three libraries to close and has begun implementing the plan by dispersing collections and reducing services, even though Congress has not yet approved EPA's FY 2007 appropriations. The plan aims to continue to provide access to documents electronically, but does not discuss the number of documents that would need to be digitized, the timeframe, or the amount and source of funding that would be necessary to carry this out.

EPA professional staff have raised strong concerns about this plan. The Office of Enforcement and Compliance Assurance (OECA) issued a position paper outlining the office's concerns about the effects of library closures on enforcement efforts.[2] The OECA paper suggests that EPA is implementing a seriously flawed plan that: (a) may increase costs to the EPA program offices that rely upon the libraries' services; (b) risks losing valuable information; and (c) fails to ensure the availability of information is in a timely manner, as is often critical in enforcement efforts. The presidents of 16 local unions representing at least 10,000 EPA employees wrote to Congress to protest the loss of EPA's technical libraries.[3] Among other issues, the letter states that, while there will be real losses in information availability, it is not clear that there will be any cost savings.

As the EPA staff note, the estimated savings of $2 million annually may be illusory and do not appear to be sufficient justification for making information less accessible within the Agency and to the public. A report produced by Stratus Consulting for the EPA Library Network in 2004[4] paints a very positive picture of EPA's library network and estimates conservatively that EPA's library network has a benefit to cost ratio of over 4:1. This suggests the plan may result in a net cost to the Agency if costs for retrieval of information are shifted to individual program offices or if additional funds are required to maintain availability of documents through intra- or internet access. For example, EPA's libraries contain many documents that have not been

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[2] Office of Enforcement and Compliance Assurance, U. S. EPA. OECA Position Paper on the 2007 EPA Library Plan. August 23, 2006.
[3] Letter from Presidents of 16 Local Unions to Senators Conrad Burns and Byron Dorgan. June 29, 2006.
[4] Office of Environmental Information, U. S. EPA, Business Case for Information Services: EPA's Regional Libraries and Centers. January 2004. EPA 260-R-04-001.

digitized. It appears that EPA plans to shut libraries first and digitize documents later. It is unclear from the budget proposal or the plan what funds will be allocated to ensuring that paper and microfiche documents will be digitized and made available electronically.

The public expects EPA to fulfill its mission of protecting human health and the environment. The Agency cannot accomplish this without information. EPA needs the information in these libraries and the services of professional librarians to facilitate timely access to this information.

EPA's activities are funded by the public and are designed to serve the public. A shuttered library does not further open and transparent government. It is unclear from the process that has occurred whether EPA at any point solicited comments or opinions from the external users of these library services about their plans to close libraries and to disperse and dispose of their collections.

We fully support the goal of modernizing the management and delivery of information services within the government and to the public. Information and communication technologies provide opportunities for the government to utilize and distribute information more efficiently both internally and externally. Modernization should occur, however, within a framework that ensures continuity in the delivery of service during the modernization process. The result should be enhanced and expanded access to information, not vague promises of future improvements to information services, while real access to information is eliminated without Congressional action.

Therefore, we request that GAO examine the plan for restructuring the EPA library network, its justification, and its implementation. We ask that GAO address the following questions in its examination:

1) How will EPA's plan affect the delivery of information services to Agency employees and the public? Will the services to Agency employees and the public be degraded, maintained at current levels, or improved through the implementation of this plan?

2) What is the current status of EPA's planned changes to its library system? What changes has EPA already made, and what additional changes are planned? For the libraries in the system that have already been closed, what is the status of their collections?

3) What criteria are being used to decide which materials in the EPA collection will be disposed of or dispersed to other locations? Are these criteria appropriate and being implemented in a manner that ensures documents are not lost or inaccessible for an extended period of time?

4) What plans have been made and what funds are available to digitize the paper holdings of these libraries? What is the estimated time and expense required to complete this transition? What provisions have been made to ensure these documents are available to Agency employees and the public prior to the time they will be made available in electronic form?

5) What costs are associated with any replacement of library services that are undertaken by individual program offices? Does this plan result in a redistribution of costs from the Office of Environmental Information to other Program Offices?

6) What, if any, provisions have been made to ensure that documents required to be available to the public under EPA's statutes (e.g. Superfund) will continue to be accessible as required by law?

7) In developing its plan, did EPA solicit input from members of the public that use its library system? If so, what concerns were raised and are they adequately addressed by EPA's plan? Did EPA take environmental justice issues into account in developing the plan to close its libraries?

Please contact Jean Fruci with the Committee on Science staff (202-225-6375), Alexandra Teitz with the Committee on Government Reform staff (202-225-5420), and Lorie Schmidt with the Committee on Energy and Commerce staff (202-226-3400) to discuss in detail the specific scope of work and timeline for completing this request.

Sincerely,

BART GORDON
Ranking Member
Committee on Science

HENRY A. WAXMAN
Ranking Member
Committee on Government Reform

JOHN D. DINGELL
Ranking Member
Committee on Energy and Commerce