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The Librarian of Congress**

**Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
“Oversight of Modernization at the United States Copyright Office”**

December 10, 2019

Chairman Tillis, Ranking Member Coons, and Members of the Subcommittee, I appreciate the opportunity to appear before you today. It is important that Congress have these hearings to discuss Copyright Office modernization. Members of Congress and the American public should have a full and complete understanding of the Library’s plans and its progress, and we welcome your feedback.

Three years ago before my confirmation as Librarian of Congress, I heard from Congress and the copyright stakeholder community about the critical need to modernize the U.S. Copyright Office, and I am pleased to tell you today that modernization has been a top priority since I took office. We are making progress in upgrading the Copyright Office’s IT so that its systems are automated, integrated, and more user-friendly. It is a complex undertaking; however, with the resources provided by Congress and the dedication of the agency’s capable staff, the task is achievable. I believe in offices leading this effort – the U.S. Copyright Office and the Office of the Chief Information Officer -- and I am confident that this agency will deliver a modernized Copyright system. Mr. Bud Barton, our CIO, has been instrumental to improving the agency’s IT infrastructure, and Ms. Karyn Temple has achieved many accomplishments in her 8 years with the U.S. Copyright Office, including spearheading modernization efforts, overseeing improvements such as new public outreach mechanisms, eliminating the registration backlog, and reducing registration processing times. Her leadership in the effort to modernize the Copyright Office's IT infrastructure, in close collaboration with the Library of Congress, has greatly improved critical functions and paved the way for a modernized Copyright system. She has recently accepted a new role and will be leaving the agency early next year. I want to take this opportunity to thank the Register for her service and wish her all the best in her new role. As you will hear in testimony today, she has been instrumental in building a strong, transparent foundation to continue the modernization effort without interruption.

The Library is a different organization than it was just a short time ago. Over the past few years, we have implemented an agency-wide strategic plan, ensured that plan is aligned with the strategic direction of service units like the Copyright Office, and stabilized and optimized our IT infrastructure. We have streamlined and strengthened our IT management and governance and centralized and professionalized our IT workforce. Altogether, this hard work has allowed us to close as implemented nearly 95% of the IT recommendations made by the Government Accountability Office (GAO) in 2015, and we will keep working until we close 100%.

At the same time, the Library has been moving forward to upgrade its IT to support Copyright's mission specific applications.

The Library and the Copyright Office are working together in a comprehensive effort to develop new, modern technology to support the nation's exceptional copyright system.

Each year, the Copyright Office processes around 500,000 claims for registration and records thousands of documents relating to a broad range of creative works. To move these activities into the modern era, the new Enterprise Copyright System (ECS) will make it easier for the Copyright Office to examine and register creative works; transfer rights and record other documents pertaining to copyright status; and build and maintain the nation's central database of official public copyright records.

The public deserves a modern, efficient copyright system, and thanks to the generous support of Congress, the Library is now one year into a five-year effort to make this goal a reality. Importantly, the effort will require investments in information technology on the technical side and a re-imagining of Copyright Office procedures on the business side. These two activities must operate together and inform each other for modernization to be optimally successful.

At the direction of Congress, the Copyright Office and the Office of the Chief Information Officer collaborated on the release of a Modified Provisional IT Modernization Plan in September 2017, which established an overall IT modernization strategy for improving Copyright Office user services. Shortly thereafter in fiscal year 2018, the two offices commenced a joint effort to develop a future-state version of the Office's IT system as part of a larger, Office-wide modernization program.

In FY 2018 and 2019, the Office of the Chief Information Officer and the Copyright Office solicited user experience feedback to inform the design of the new system; made progress in developing an online Recordation system that will for the first time allow users to record information related to copyright ownership using a digital platform; and launched development for a new Public Records system to allow the public to effectively search for information across the entire database of current and historic copyright records.

We are on track to release a limited Recordation pilot in the spring of 2020. It will be the first component of the enterprise system released to a population of limited users. In addition, a prototype of the Public Records system is scheduled to be released in late FY 2020, and the next-generation Registration system is anticipated to go into full scale development later this fiscal year, as well. Using agile software development, the Enterprise Copyright System is being built to simplify and automate the online registration process for copyright customers beyond what is currently possible in the existing electronic Copyright (eCO) system.

In addition to work around the Enterprise Copyright System, copyright.gov has recently been refreshed to unveil a new visual design, improved navigation, security and performance

enhancements, and new content and web tools. We released the Copyright Virtual Card Catalog online in FY 2018, and upgraded it in FY 2019 to provide the public easier access to more than 40 million digitized copyright records.

The larger modernization effort is an Office-wide initiative to re-imagine its operations, and it has two central components: (1) ensuring that non-IT activities like process workflows, internal communication, staff training and regulations are efficient and aligned with the Office's strategic goals, and (2) transforming the Office's multiple IT systems into a single improved and integrated enterprise system. Both the Office of the Chief Information Officer and the Copyright Office are aggressively pursuing this modernization project. With the proper planning, oversight, and collaboration, we can keep progress moving forward.

The agency's Inspector General (IG) recently identified the modernization program as a top management challenge because of its complexity, magnitude, and importance to fulfilling the Office's mission. I welcome the IG's guidance, as I believe it will greatly benefit the project as it continues. In fact, we are currently acting upon two valuable suggestions from the IG. First, we are undertaking a developing effort to create a "critical path" for Copyright modernization that will outline a set of detailed milestones and outcome measures over the span of the modernization effort. The critical path will be updated on a rolling basis as milestones are met. Secondly, the Copyright Office is soliciting assistance from an outside consulting firm to develop an integrated "master schedule" to monitor scope, progress, and accountability across related projects. According the IG, an integrated master schedule is expected to show the various interdependencies that exist along the modernization program's critical path to ensure that the entire effort operates efficiently.

I have also taken several steps to ensure there is appropriate leadership management of this project, including conducting weekly meetings with the Register of Copyrights and the Chief Information Officer, and supporting the appointment of a senior technical advisor to help plan and manage Copyright IT modernization. This senior advisor reports directly to the Register and will help enhance the existing collaboration between the Copyright Office and the agency's technical staff.

Frequent engagement exists between the agency's technology professionals and the Copyright Office at every level, from top to bottom and with a clear sense of role and responsibilities. The Copyright Office, with its expertise of both copyright law and its internal systems, provides required business features to technology professionals. The CIO's office then uses its expertise to develop technology solutions to support those requested features for the Copyright Office. The Copyright Modernization Office, created within the Copyright Office in 2018, represents the business interests of the Office, advocating for and optimizing outcomes that deliver on the Office's internal and external customer priorities. Within the CIO's office, program managers and an assigned partner liaison work closely with Copyright Office senior officials on a daily basis to identify specific IT needs and to ensure those needs are met. At the most intimate level, staff from both offices work side-by-side on as members of small development teams responsible for building and testing specific system components. These multiple levels of engagement ensure close collaboration between both offices during a time of organizational change.

Perhaps just as importantly, we have ensured that the Copyright Office has a voice in strategic technology decisions at the agency level. The Library's executive managers, including the Register of Copyrights, participate on the agency's top Technology Strategy Board -- the highest level of technology governance where strategic priorities are set. The Copyright Office also has representation on other IT governance bodies that influence software application development, budget planning and execution, and digital strategy. In addition, the Copyright IT Modernization project has its own governance board led by the Register of Copyrights and the Chief Information Officer, which acts as a modernization steering committee to facilitate the coordination necessary to accomplish a system transformation of this magnitude.

And finally, we are applying lessons learned from GAO and the Library's Inspector General to ensure projects are aligned with the Library's IT governance, project management and development processes. This includes centrally coordinating IT management through the Office of the Chief Information Officer, which culminated in October 2018 and represented a significant step to advance our work to address GAO's recommendations. With centralization, Library service units are able to focus on mission-specific operations, and we have a single authoritative source for technology that allows for a more efficient use of IT personnel and contract labor; reduces duplication in software, hardware, and overhead; and improves IT security.

As noted in a 2015 Inspector General report, it was once possible for parts of the Library to bypass the agency's IT investment review process. In fact, the GAO specifically recommended that this deficiency be corrected in its 2015 report on Copyright Office technical and organizational challenges. In response to these independent auditors, the Library has since updated its IT governance process to ensure all IT investments are identified and reviewed by executive management prior to execution. Approved IT activities are now monitored throughout the investment lifecycle, and we continuously track IT spending across all appropriations to capture the breadth and depth of our IT resources. These changes help ensure accountability internally, to the taxpayers, and to Congress.

IT centralization can be a challenging process for any organization accustomed to working under a more siloed approach. In the Library's case, it has been a necessary step to ensuring our technology services meet strategic objectives, while still providing good customer service to the service units, which remains paramount.

In Conclusion

With modernization, the public will be able to access the specialized service of the Copyright Office in one easily accessible place. Users in the creative community will benefit from the first fully-integrated, fully-electronic copyright system that will be more intuitive and efficient for individual creators and larger businesses, alike. The Library is working to support this modernization in a way that was not possible in the past, but that is essential to expanded user access and services. While there is still work to be done, we have made great progress, and I am confident that we now have the framework and expertise in place to continue building on the progress made.

I thank you again for your continued interest and for inviting me to update the Subcommittee on this important topic.