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Back Talk--Habemus bibliothecariam! Alleluia!

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When I get carried away, I tend to blurt in Latin a little, but I'll try to control myself. The news that we have a Librarian of Congress is very good news indeed.

Carla Hayden has been getting lots of advice, so I'll just point to one subject and then dwell a bit on another. In 1999-2000 I chaired an expert panel (appointed by the **National Research Council of the National Academy of Sciences**) that reviewed **LC's** digital strategy and pointed the way ahead. The book we wrote (*LC 21: A Digital Strategy for the Library of Congress*) holds up pretty well — almost too well, because too many of its recommendations remain unfulfilled.

LC has done too little to bring itself into the twenty-first century, and what it has done it has mainly sought to do alone. This can't go on, mustn't go on, and (I think) won't go on. We — Americans and global citizens — need an American national library that both collects and makes useful and used the cultural product of this country and at the same time carries out its historic role as cultural friend and rescuer of imperilled languages and cultures around the world. **LC** needs to be a library first of all, and it needs to be a twenty-first century library that knows it can only flourish in full collaboration with as many partners as possible. I think we can be confident of progress on that account.

Here's what I'm worried about. In various stages between the 1950s and 1990s, digital publishing was invented and took off. It became possible to have access to extraordinary cultural riches in digital form and — over the internet — ubiquitously. In 1981, I joined the **Penn** faculty and discovered that somebody had produced a digital version of one of the great best-sellers of the early middle ages, **Pope Gregory the Great's** thirty-five volume commentary on the book of *Job*, a commentary about forty times as long as the book of *Job* itself. I was gobsmacked and made great use of it, for all that the display and searches were astonishingly (by today's standards) primitive. By the mid-90s, you could get that text on the net. I still want to say, "Wow," when I think what I had to do to read that book in print when I was in college.

Much has happened since the 1990s. Libraries spend well over a billion dollars a year on digital information for our users, and publishers sell to libraries and individual users what they are pleased to call "eBooks" — don't get me started there. But we're stuck now in a dangerous moment.

The vast majority of the print cultural heritage of humankind is not yet digitized. And much of what is digitized cannot be made widely and easily available to readers. An **Ithaka** study (**Lavoie** and **Schonfeld**, "Books without Boundaries" [2006]) based on data now ten years old tells us that no more than about 18% (in 2005: less by now) of the contents of **ARL** libraries can be construed as old enough to be in public domain. Current material and best-sellers may be digitally available, but often in formats that are inferior in functionality and very unlikely to be preserved reliably. And behind that superficial collection of the new and the famous are the vast stack shelves of our libraries, quieter than ever. You know the story: lower circulation, less stack traffic, more off-site shelving with relatively infrequent recalls. And lots of people bemoaning the fate of the print book.

So here's my two-part mantra. The print book has a long and glorious future in front of it; and that future depends on digitization.

If it's 16 AD and you are a papyrus book in Rome, and you want somebody to be reading you 2,000 years later, you have two choices: get with the technology or get lucky. Getting lucky meant moving to Egypt and picking the right future archaeological site (the luckiest choice was the town of Oxyrhynchus, which was to Egypt what 1950s Philadelphia was to the U.S.): once there, you had to get yourself buried and hope that somebody would dig you up in a couple thousand years and transcribe you. It happened, but getting with the technology was the better choice. That meant getting yourself copied repeatedly from one generation to another in the format and media of the times. For most of the ancient books available today, this meant finding a medieval monastery with a lot of sheep, in order to provide you, the book, with sheepskin to get yourself written down on. *The Name of the Rose* gives you a good idea how well that worked.

What's the equivalent today? We will preserve and cherish our print collections with great enthusiasm. But if we cherish them only as print collections, they will fade — no, sorry, let me correct that: they have faded already and they will fade more, very soon. For example, a 1930s or 1960s best seller novel (think *Anthony Adverse* or *Oliver Wiswell* or *A Shade of Difference*) now needs a digital avatar to go trawling for readers the way Pokemon Go players go after Pokemonsters. If there's not a strong digital representation of a book, it's flat out not going to be discovered, it's not going to be read. If you're *Anthony Adverse*, sure, you can be glad "Benediction Classics" has you in print; "Down East Books" is looking after *Oliver Wiswell*; and "Word Fire Press" has got *A Shade of Difference*. Do you feel lucky, book? Plan to be around another fifty years? Find yourself a scanner and a friendly person to turn your pages and push the button.

The digital representation of a book has its own chancy future. I know folks who think that onscreen reading is mainly for discovery, browsing, and specific searches — and a recent **ACRL** report confirms that seems to be how people are actually using eBooks. Maybe that will change and the ebook will become primary; or maybe print-on-demand will really take off. But if people don't find books in the places they look — and I mean, in the palms of their hands, vying for attention with Picachu — then no matter how beautifully preserved the library's print copy is, it won't get read. The fate of print will be determined by our success in achieving massive digitization with business models that make the results available all along the long tail as cheaply as a 1950s song on iTunes. Or cheaper.

That's where we need the Librarian of Congress. Copyright law is rebarbative and surrounded by lawyers in expensive suits who rarely have the interests of scholars and libraries at heart. Changing the law in positive ways is either difficult or impossible and there's a real risk that if we ask for change, we'll get change — in the wrong direction. But as long as the Copyright Office reports to the Librarian of Congress — and even if the profiteers succeed in snatching it away from there — the convening power of the Library can and should be used to bring to the table representatives of authors, publishers, libraries, and other stakeholders to talk about how to reach the goal that is now in everybody's interest.

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licenses as a significant and important opportunity to meet campus needs related to scholarly communication. Some key language we focus on to promote access that is as open as possible includes fair use rights; author rights for reuse of articles they authored that appear in the licensed content; scholarly sharing language; use in MITx classes (i.e., MOOCs, or Massive Open Online Courses); interlibrary lending; off-setting strategies to support open access publishing in relation to toll-access publishing; access for walk-in users; perpetual access; and text/data mining rights. As part of our support for author reuse rights, we aim for publisher agreements that allow us to fulfill the wish of our faculty, as stated in their Open Access Policy, that "compliance with the policy" be "as convenient for the faculty as possible."

Since forming SCCS we have had two successes with this kind of approach. As described in a recent "IO: In the Open" blog post, through our new agreement and partnership, **Springer** will send final peer-reviewed manuscripts of **MIT**-authored scholarly papers directly to the Open Access Articles Collection of DSpace@MIT, the Institute's open access repository. This will reduce the burden on authors to locate and deposit the correct version of their manuscripts, and, because we can pass metadata through from **Springer** and apply our own automatically during the deposit process, this arrangement will also speed deposit and cataloging time for library staff.

We also carried out a rewarding and fruitful negotiation in a situation that started from a very difficult place — a large commercial vendor putting forward a price increase between nine and ten times what we had been paying (along with an altered purchase model). Following the principled negotiation model, and taking full advantage of our combination of subject, collections, and acquisitions expertise, we identified mutual interests, explicitly stated our values and principles, and worked together with the information provider to carve out a deal that worked for both parties. We were able to keep the content available to our users — something that looked nearly impossible at the outset — and advanced many of our scholarly communication objectives by incorporating them into our negotiations, including

- Added support for perpetual access
- Use in Course packs
- Use in Course reserves
- Use in MITx (MOOCs) — for figures/tables/ illustrations Reiterating an existing commitment to interlibrary loan
- All use allowed for under U.S. copyright law, including fair use
- Text/data mining access
- Guaranteed caps on price increases for other products being purchased from the same provider

While we thought we would have to walk away from anything but a very reduced title-by-title purchase of this provider's content, at significant cost to our users and in labor intensive ordering and record keeping workflows, using our new team-based and principled approach we were able to achieve a solution that meets user needs, opens the content up for more uses at **MIT**, and advances our longer term objectives. The negotiation included many firsts, including our first open acknowledgement to an information provider that we had been paying less than our perceived value of the material. Feedback from the information provider

It's in everyone's interests to digitize our cultural past and make it available on reasonable terms. I think the stakeholder communities are on the point of recognizing this, and that the opportunity is there for the new Librarian of Congress to be our hero. If we don't collaborate to make this happen, then a cultural moment will pass and we will lose our ability to summon the past to advise, guide, and console us. That would be stupid. 🐊

about the process was positive, providing support for the concept that principle-based bargaining builds relationships rather than undermining them, as rigid "line in the sand" position-based bargaining can.

We are just beginning to imagine and adopt practices that take full advantage of our new organizational model. We hope these examples will be joined by many others as we build experience, train ourselves to look at things more broadly, and identify opportunities.

Working more closely with the MIT Press — Our new organizational model, because of its collapsing of scholarly communications aims with a budget to advance them, also positions us to work more effectively with the **MIT Press**. The Press, under the new leadership of Director **Amy Brand**, is examining opportunities for more open access publishing efforts. It's too early to report on any outcomes, but we are excited and energized by this partnership. And we see the **MIT Libraries'** focus on "inside-out" collections as a perspective from which to consider how to participate in library-based publishing (however that is defined) for the first time.

What we aren't doing – ignoring current needs — The question we receive most frequently in regard to organizational changes is "what will you do when a faculty member wants a new **Elsevier** journal? Will you say no?" This question seems to reflect the anxiety we all feel about telling our constituents we can't — or won't — meet their needs. Our organizational change is not about denying our faculty the resources they need: We are adding a new set of lenses for making collections decisions, not removing any that we've been using. Meeting our community's current and evolving needs remains paramount. We are not suggesting that one lens be exclusive or necessarily even primary — but rather that we will approach our purchases with thoughtful consideration of competing viewpoints and values, and try to make wise choices based on all the lenses we use.

What's Next

So our efforts in the early months have taken us in the direction of transforming the scholarly communication landscape towards more openness, through a variety of techniques — open access deposits, negotiated rights that allow use in MITx (MOOC) courses, perpetual access to more commercial material, and building local "inside out" collections by spending our collections dollars in new ways.

This year we will lead a restructuring process for our collections budget so that it more fully supports our strategic aims, making it more possible for us to move flexibly to innovate and spend to achieve our goals and influence the market in positive ways. We will also be exploring and documenting what it means philosophically and practically to use our collections dollars to advance the openness of the scholarly communication system and social justice, diversity, and inclusion. We are at a redrawn starting line on a journey that will no doubt involve some dead ends, some traffic jams, and many reroutings. While I know we will face challenges intellectually and practically, I believe that fundamentally with our new organizational model we have put ourselves — as my GPS app tells me in such an optimistic way — "on the fastest route" to our intended destination: a scholarly communication landscape friendlier to universities, their authors, and readers of their research outputs. 🐊

Endnotes

1. See *http://orweblog.oclc.org/Outside-in-and-inside-out-redux/* and *http://orweblog.oclc.org/Web-sightings/*.

2. Our implementation system and workflow models in support of the MIT Faculty Open Access Policy are described in: **Duranceau, Ellen Finnie** and **Sue Kriegsman**. "Campus Open Access Policy Implementation Models and Implications for IR Services." In: Making IRs Work, Purdue University Press, November 2015. *https://dspace.mit.edu/handle/1721.1/99738.* And: **Duranceau, Ellen Finnie** and **Sue Kriegsman**. "Implementing Open Access Policies Using Institutional Repositories." Chapter 5 of: *The Institutional Repository: Benefits and Challenges.* ALA ALCTS, eversion published January 2013. *http://www.ala.org/alcts/sites/ala.org.alcts/files/content/resources/papers/ir_ch05_.pdf*

3. Note some of this material in this section appeared in a similar form at: *http://intheopen.net/2016/03/#sthash.Tw1c4YY3.dpuf* and *http://intheopen.net/2016/04/using-library-content-licenses-to-shape-the-scholarly-communications-landscape/*.