Library Services and Construction Act: Reauthorization Technicals (1984-1985): Correspondence 02

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Ms. Marsha N. Wice
Staff Assistant
Postsecondary Education Subcommittee
House Education and Labor Committee
Washington, D.C. 20515

Dear Marsha:

I am writing at your request to provide the views of the American Library Association on the differences between the House and Senate passed versions of HR 2878, the Library Services and Construction Act Amendments of 1984, as you prepare for a House-Senate conference on the bill. ALA strongly supports re-authorization of LSCA. We are pleased that the Senate chose to base its bill on the House-passed HR 2878, and appreciate the strong interest and support of both bodies for the vital services of libraries and for LSCA programs.

Some, although not all, of the issues involved in the differences between the House and Senate versions have been discussed within ALA's Legislation Committee and several ALA units. In addition, discussions within other interested organizations such as the White House Conference on Library and Information Services Task Force, fed into ALA discussions. Our membership is broad and diverse, and incorporates a variety of points of view. Because discussion did not cover all points of difference, and because on others we did not sense a true consensus among our membership, we have not previously written to you with ALA's "position" on HR 2878/S 2490 differences.

I should also note that I am responding to your request in the absence of Eileen Cooke, the Director of the ALA Washington Office, who is on leave, although I have been in touch with her by phone. With those caveats, I will try to provide guidance on the major House/Senate conference items.

Authorization (House Sec. 4, Senate Sec. 104). Recommendation: The Senate time frame; the House levels.
Administrative Costs (House Sec. 8). The House would amend the matching provisions for states to specify that administrative costs may not exceed 5 percent or $50,000 whichever is greater. Current law does not specify a percentage, and we have seen no evidence of excessive use of LSCA funds for administration. However, some states which do not now charge any administrative costs to LSCA may be under pressure to do so if the House provision becomes law. This would decrease funding for program purposes. **Recommendation**: On balance, the better choice is the Senate version which makes no change in current law.

Title I, Library Services (State Library Service Program, House Sec. 11, Senate Sec. 110). In the House version, state annual programs shall describe the extent to which funds will be used for seven specific services for the elderly, including payment of salaries for elderly library assistants and furnishing of transportation to the library for the elderly. In the Senate version the description of uses of funds for services to the elderly may include the list of seven services. **Recommendation**: The Senate version allows the states more flexibility in planning library services and programs for the elderly.

Title II, Construction (House Sec. 12, Senate Sec. 111). Section 7(b)(1) of the current Act provides that the federal share for LSCA II ranges between 66 and 33 percent based on a ratio of the state's per capita income to the average per capita income of the U.S. Neither bill repeals this provision, but each would enact a new provision which would be in conflict with this requirement.

The House would limit the federal share to one-half the cost of each project; the Senate would limit the federal share to one-third of the cost of each project. There are problems with both new provisions. The first is the reduced federal share. Of the contiguous states, under the FY '83 jobs bill funding for LSCA II the lowest federal share was Nevada at 40.16 percent and the highest was Mississippi at 64.54 percent. Every state except Alaska would be affected by the Senate bill. The federal share for 32 states was over 50 percent in FY '83.

The first problem is compounded by the second—the switch from the current required match by each state and its locals in the aggregate to a required match (at increased levels) on a project by project basis. Historically the nonfederal match for LSCA II has been higher than required—better than two to one in the aggregate. But this has never been true on a project by project basis. If some communities overmatched, and they did; this allowed other needier communities to participate with a higher level of federal help, and they did. Conversely, some states, in their planning process, limit the federal share for each project to less than the law would allow—but not all choose to do so.

The third problem is the conflict between the new section 202(b) to be added to the Act in differing versions by both House and Senate, and the existing section 7(b)(1).

**Recommendation**: State flexibility should not be restricted unnecessarily, nor should poorer communities who may need the federal assistance the most be eliminated from participation in LSCA II. Drop both House and Senate versions of the new section 202(b) in favor of current law. (Attached is a recent letter from Nathan Cohen, the LSCA Title II Coordinator at the Department of Education, who makes the same recommendation.)
Title III, Interlibrary Cooperation and Resource Sharing (House Sec. 13, Senate Sec. 112). In the House version, the state's long-range program shall include nine interlibrary and resource sharing objectives. In the Senate version, the nine objectives may be included in the state's long-range program. Recommendation: These nine objectives will undoubtedly serve as a model statewide resource sharing plan. However, to accommodate different circumstances among the states, the Senate version allows states more flexibility.

Titles V and VI, Foreign Language Materials Acquisition, and Library Literacy Programs (House Sec. 15). No position. This by no means indicates lack of interest, but rather lack of consensus as to the most appropriate mechanism for federal assistance in these areas. The library community is in general agreement that both areas are deserving of special emphasis and aid. We appreciate the House interest and concern as evidenced by the proposed titles V and VI, and the careful consideration of these titles in Senate hearings.

The range of opinions expressed has included the following: The Legislative history does not make clear whether title V is aimed at foreign language materials for the wide variety of recent immigrant groups for whom English is not the primary language and who need special services and materials from their libraries, or at foreign language materials to support and encourage those who speak only English to learn other languages in this increasingly internationally interdependent world. Most public librarians would say that the first is the most pressing need; presumably both would be eligible uses of funds.

Many librarians who work with illiterate adults feel strongly that a separate title with separate funding directly to libraries is necessary to make more rapid progress on a very large problem. Others feel that there are an increasing number of literacy initiatives funded under LSCA I, that removing literacy programs from the state planning process is not wise, and that title VI would either not be funded or be funded only at the expense of title I. All these opinions are legitimate, but sometimes conflicting.

Non-LSCA Amendments (Senate titles III and IV). No position. However, ALA agrees with a statement in the Senate report (S. Rept. 98-486) that the National Center for Education Statistics "should include among its responsibilities the collection and timely dissemination of base-line library statistics." We would also note that the pending development of need criteria for college library resources grants under title II-A of the Higher Education Act will require use of up-to-date academic library statistics. The eventual criteria themselves may well involve continuing reference to NCES academic library data, making the Senate recommendation all the more important. Support for NCES should be increased sufficiently to enable it to collect, analyze and disseminate statistics in a timely manner for all its areas of responsibility.
Ms. Marsha N. Wice

July 18, 1984

I hope these comments will be of assistance. Let me know if you need further information.

Sincerely,

Carol C. Henderson
Deputy Director
ALA Washington Office

CCH/pm

Attachment