

1995

Institute of Museum and Library Services Act (1996): Memorandum 02

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MEMORANDUM

TO: DEMOCRATIC CONFEREES
FROM: OMER WADDLES
DATE: 10/24/95
RE: S.143, WORKFORCE DEVELOPMENT ACT

The Senate has named the entire Labor and Human Resources Committee to the Conference on S.143, the Workforce Development Act and H.R.1617, the Careers Act.

Please find enclosed the Senate and House passed versions of the respective bills. These are the two documents which are currently being broken down into the side-by-side by the Majority staff.

There was "hope" expressed by the Majority that staff meetings might be able to begin around November 1, with a target of completing action around Thanksgiving. Now that I have stated this "hope" it seems uncertain that staff meetings will be able to begin by the 1st since documents remain in the preparation stage. We will be carefully reviewing the final Conference documents to make sure they accurately reflect the two measures.

I will provide to you any additional documents I receive and will give you scheduling updates as they are provided by the majority staff.

Please feel free to call me with any questions or information you are hearing. 4-5441

Stay tuned.

104TH CONGRESS
1ST SESSION

H. R. 1617

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21 (legislative day, SEPTEMBER 5), 1995

Received; read twice and referred to the Committee on Labor and Human
Resources

AN ACT

To consolidate and reform workforce development and
literacy programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

TITLE IV—ADULT EDUCATION AND FAMILY LITERACY CONSOLIDATION GRANT AND LIBRARY SERVICES AND TECHNOLOGY CONSOLIDATION GRANT

- Sec. 401. Findings.
Sec. 402. Definitions.

Subtitle A—Adult Education and Family Literacy Consolidation Grant

- Sec. 411. Purposes.

CHAPTER 1—FUNDING

- Sec. 421. Reservations from amounts appropriated.
Sec. 422. Allotment.

CHAPTER 2—GRANTS TO STATES

- Sec. 431. Requirement to make grants.
Sec. 432. Uses of funds.
Sec. 433. Additional grant requirements.

CHAPTER 3—NATIONAL PROGRAMS

- Sec. 441. National Institute for Literacy.
Sec. 442. National leadership activities.

Subtitle B—Library Services and Technology Consolidation Grant

- Sec. 451. Purposes.
Sec. 452. Authorization of appropriations.
Sec. 453. Allotments.
Sec. 454. Grants to States.
Sec. 455. Uses of funds.
Sec. 456. Annual applications.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Effect on Rehabilitation Act of 1973.

TITLE VI—HIGHER EDUCATION PRIVATIZATION

- Sec. 601. Reorganization of the Student Loan Marketing Association through the formation of a holding company.
Sec. 602. Privatization of College Construction Loan Insurance Association.

TITLE VII—REPEALERS AND OTHER AMENDMENTS

- Sec. 701. Higher education provisions.
Sec. 702. Eligible institution.
Sec. 703. Carl D. Perkins Vocational and Applied Technology Education Act.
Sec. 704. Smith-Hughes Act.
Sec. 705. School-to-Work Opportunities Act of 1994.
Sec. 706. School Dropout Assistance Act.
Sec. 707. Adult Education Act.
Sec. 708. National Literacy Act.
Sec. 709. Library Services and Construction Act.
Sec. 710. Technology for Education Act of 1994.
Sec. 711. Job Training Partnership Act.

(H) Making grants to State or regional networks of literacy resource centers described in section 432(a)(3)(D).

(I) Other activities to enhance the quality of adult education and family literacy programs nationwide.

(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary may carry out the activities described in paragraph (1) directly or through grants, contracts, and cooperative agreements.

Subtitle B—Library Services and Technology Consolidation Grant

SEC. 451. PURPOSES.

The purposes of this subtitle are—

(1) to consolidate Federal library service programs;

(2) to improve public access to information through electronic networks; and

(3) to provide linkages among and between libraries and integrated career center systems.

SEC. 452. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle \$110,000,000 for each of the fiscal years 1997 through 2002.

1 (b) ADVANCE NOTICE OF FUNDING.—For the pur-
2 pose of affording adequate notice of funding available
3 under this subtitle, an appropriation to carry out this sub-
4 title is authorized to be included in an appropriation Act
5 for the fiscal year preceding the fiscal year for which such
6 appropriation is first available for obligation.

7 **SEC. 453. ALLOTMENTS.**

8 (a) INITIAL ALLOTMENTS.—

9 (1) IN GENERAL.—From the sums appropriated
10 under section 452 for any fiscal year, the Secretary
11 shall allot—

12 (A) \$40,000 each to Guam, American
13 Samoa, the Commonwealth of the Northern
14 Mariana Islands, and the Virgin Islands; and

15 (B) \$200,000 to each of the other States.

16 (2) RATABLE REDUCTION.—If the sums appro-
17 priated under section 452 for any fiscal year are in-
18 sufficient to pay all of the allotments under para-
19 graph (1), each such allotment shall be ratably re-
20 duced.

21 (b) ADDITIONAL ALLOTMENTS.—

22 (1) IN GENERAL.—From the remainder of the
23 sums appropriated under section 452 for any fiscal
24 year after the application of subsection (a), the Sec-
25 retary shall allot to each State an amount which

1 bears the same ratio to such remainder as the popu-
2 lation of the State bears to the population of all
3 States.

4 (2) DETERMINATION OF POPULATION OF
5 STATES.—For the purpose of this subsection, the
6 population of each State, and the total population of
7 all States, shall be determined by the Secretary on
8 the basis of the most recent census data available to
9 the Secretary, and the Secretary shall use for such
10 purpose, if available, the annual interim current cen-
11 sus data produced by the Secretary of Commerce
12 pursuant to section 181 of title 13, United States
13 Code.

14 **SEC. 454. GRANTS TO STATES.**

15 (a) IN GENERAL.—The Secretary shall make a grant
16 for a fiscal year to a State if the State—

17 (1) has submitted to the Secretary for the year
18 an annual application that has been approved by the
19 Secretary under section 456; and

20 (2) has entered into a written agreement with
21 the Secretary that—

22 (A) the State will provide 100 percent of
23 the funds paid to the State under this subtitle
24 for the year to the State library administrative
25 agency for the State;

1 (B) such agency will be required to use
2 such funds to carry out activities that—

3 (i) are described in such annual appli-
4 cation;

5 (ii) achieve the purposes of this sub-
6 title; and

7 (iii) satisfy the requirements of sec-
8 tion 455;

9 (C) there will be available from State and
10 local sources for expenditure by such agency to
11 carry out such activities an amount that equals
12 or exceeds 25 percent of the total cost (as de-
13 termined by the Secretary) of carrying out such
14 activities for the year; and

15 (D) such agency has the fiscal and legal
16 authority and capability to administer all as-
17 pects of such activities.

18 (b) AMOUNT OF GRANTS.—The amount of a grant
19 to a State under subsection (a) for a fiscal year shall equal
20 the lesser of the following:

21 (1) The sum of the initial and additional allot-
22 ments of the State for the year.

23 (2) 75 percent of the total cost (as determined
24 by the Secretary) of carrying out the activities de-
25 scribed in subsection (a)(2)(B) for the year.

1 **SEC. 455. USES OF FUNDS.**

2 (a) **IN GENERAL.**—Of the funds provided to a State
3 library administrative agency under section 454(a)(2)(A),
4 the agency shall expend (either directly or through
5 subgrants or cooperative agreements) at least 97 percent
6 for one or more of the following purposes:

7 (1) Electronically connecting libraries with inte-
8 grated career center systems designated or estab-
9 lished under section 107 and local service providers
10 receiving grants under paragraph (1) or (2) of sec-
11 tion 432(a).

12 (2) Establishing or enhancing linkages among
13 libraries.

14 (3) Assisting libraries in accessing information
15 through electronic networks.

16 (4) Encouraging libraries in different Federal,
17 State, and local jurisdictions, and different types of
18 libraries, to establish consortia and share resources.

19 (5) Paying costs for libraries to acquire or
20 share computer systems and telecommunications
21 technologies.

22 (6) Improving library and information services
23 for individuals who have difficulty using a library or
24 who need special library materials or services, in-
25 cluding individuals under the age of 18.

1 (b) ADMINISTRATIVE EXPENSES.—In any fiscal year,
2 a State library administrative agency may use not more
3 than 3 percent of the funds provided to the agency under
4 section 454(a)(2)(A) for planning, administration, evalua-
5 tions, and interagency coordination associated with a
6 grant under this subtitle.

7 **SEC. 456. ANNUAL APPLICATIONS.**

8 (a) SUBMISSION.—A State that desires to receive a
9 grant under this subtitle for a fiscal year shall submit to
10 the Secretary, in such form and manner and before such
11 deadline as the Secretary shall specify in regulations, an
12 application for such year. Such application shall—

13 (1) establish goals, and specify priorities, for
14 the State consistent with the purposes of this sub-
15 title;

16 (2) describe activities that are consistent with
17 such goals and priorities, the purposes of this sub-
18 title, and the requirements of section 455 that the
19 State library administrative agency will carry out
20 during such year using such grant;

21 (3) describe the procedures that such agency
22 will use to carry out such activities;

23 (4) describe the methodology that such agency
24 will use to evaluate the success of such activities in
25 achieving such goals and meeting such priorities;

1 (5) describe procedures that such agency will
2 use to involve libraries and library users throughout
3 the State in policy decisions regarding implementa-
4 tion of this subtitle; and

5 (6) provide assurances satisfactory to the Sec-
6 retary that such agency will make such reports, in
7 such form and containing such information, as the
8 Secretary may reasonably require to carry out this
9 subtitle and to determine the extent to which funds
10 provided under this subtitle have been effective in
11 carrying out its purposes.

12 (b) APPROVAL.—

13 (1) IN GENERAL.—The Secretary shall approve
14 each application submitted under subsection (a) that
15 satisfies the requirements of the subsection.

16 (2) RIGHTS OF STATES UPON DISAPPROVAL.—
17 If the Secretary determines that an application sub-
18 mitted by a State under subsection (a) does not sat-
19 isfy the requirements of such subsection, the Sec-
20 retary shall—

21 (A) immediately notify the State of such
22 determination and the reasons for such deter-
23 mination; and

24 (B) offer the State an opportunity to re-
25 vise its application to correct any deficiencies.

1 (C) in section 1206(a)(1)(A), by striking
2 “the Adult Education Act;” and inserting “title
3 IV of the CAREERS Act;”; and

4 (D) in section 9161(2), by striking “sec-
5 tion 312(2) of the Adult Education Act.” and
6 inserting “section 5 of the CAREERS Act.”.

7 (2) TECHNOLOGY FOR EDUCATION ACT.—The
8 Technology for Education Act of 1994 (20 U.S.C.
9 6801 et seq.) is amended in section 3113(1) by
10 striking “section 312 of the Adult Education Act;”
11 and inserting “section 5 of the CAREERS Act;”;

12 **SEC. 708. NATIONAL LITERACY ACT.**

13 The National Literacy Act of 1991, except section
14 101 of such Act, is repealed.

15 **SEC. 709. LIBRARY SERVICES AND CONSTRUCTION ACT.**

16 (a) IN GENERAL.—The Library Services and Con-
17 struction Act (20 U.S.C. 351 et seq.) is repealed.

18 (b) CONFORMING AMENDMENT.—The Technology for
19 Education Act of 1994 (20 U.S.C. 6801 et seq.) is amend-
20 ed in section 3113(10) by striking “section 3 of the Li-
21 brary Services and Construction Act;” and inserting “sec-
22 tion 5 of the CAREERS Act;”.