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Library Services Improvement Act (1989): Speech 02

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**STATEMENT OF SENATOR CLAIBORNE PELL
REGARDING THE ESTABLISHMENT OF AN
INSTITUTE FOR MUSEUM AND LIBRARY SERVICES**

Mr. President. America's future depends upon the transfer of our nation's great history and culture to the next generations. Broad access to information and knowledge are critical to our well-being. Modern technology and communications have provided us with the tools to facilitate this sharing of knowledge and culture. We must make sure that all Americans are given the opportunity to benefit from the resources available. Libraries and museums are among the best institutions through which we can achieve such parity.

I propose an amendment to establish within the National Foundation for the Arts and Humanities, an Institute of Museum and Library Services. The Institute shall consist of an Office of Museum Services and an Office of Library Services. By merging libraries into the expanded Institute, they will gain greater strength and visibility than under their current status within the Department of Education. In addition, the many new cooperative programs between libraries and museums will flourish.

As with its predecessor, the Institute of Museum Services, the Office of Museum Services will provide grants that go solely toward the general operating support of our nation's art, history and science museums, strengthening them in the area for which it is most difficult to raise private funds. A significant percentage of these federal funds are used for educational activities, bringing instruction and joy to millions of Americans of all ages in every state. Our nation receives back in value the cost of the program many times over.

I ask my colleagues to support this amendment.

In the Senate of the United States,

October 12 (legislative day, September 18), 1989.

Resolved, That the bill from the House of Representatives (H.R. 2742) entitled "An Act to extend and amend the Library Services and Construction Act, and for other purposes", do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; REFERENCES.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
3 *"Library Services and Construction Act Amendments of*
4 *1989".*

5 (b) *REFERENCES.*—*References in this Act to "the Act"*
6 *are references to the Library Services and Construction Act*
7 *(20 U.S.C. 351 et seq.).*

8 ***SEC. 2. DEFINITIONS.***

9 *Section 3 of the Act is amended—*

10 (1) *in paragraph (2)—*

11 (A) *by striking "and initial equipment" and*
12 *inserting "and for the purchase, lease, and instal-*
13 *lation of equipment";*

14 (B) *by striking "to conserve energy" and in-*
15 *serting "to ensure safe working environments and*
16 *to conserve energy"; and*

1 (C) by striking “includes machinery” and
2 inserting “includes information and building tech-
3 nologies, video and telecommunications equip-
4 ment, machinery”; and

5 (2) by adding at the end thereof the following new
6 paragraphs:

7 “(17) The term ‘handicapped individual’ means
8 an individual who is physically or mentally impaired,
9 visually impaired, or hearing impaired.

10 “(18) The term ‘network’ means any local, state-
11 wide, regional, or interstate cooperative association of
12 library entities which provide for the systematic and ef-
13 fective coordination of the resources of school, public,
14 academic, and special libraries and information centers
15 for improved supplementary services for the clientele
16 served by each type of library entity.”.

17 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) **AMENDMENT.**—Section 4(a) of the Act is amended
19 to read as follows:

20 “SEC. 4. (a) There are authorized to be appropriated—

21 “(1) for the purpose of making grants as provided
22 in title I, \$100,000,000 for fiscal year 1990 and such
23 sums as may be necessary for each of the 4 succeeding
24 fiscal years;

1 “(2) for the purpose of making grants as provided
2 in title II, \$55,000,000 for fiscal year 1990 and such
3 sums as may be necessary for each of the 4 succeeding
4 fiscal years;

5 “(3) for the purpose of making grants as provided
6 in title III, \$35,000,000 for fiscal year 1990 and such
7 sums as may be necessary for each of the 4 succeeding
8 fiscal years;

9 “(4) for the purpose of making grants as provided
10 in title V, \$1,000,000 for fiscal year 1990 and such
11 sums as may be necessary for each of the 4 succeeding
12 fiscal years;

13 “(5) for the purpose of making grants as provided
14 in title VI, \$10,000,000 for fiscal year 1990 and such
15 sums as may be necessary for each of the 4 succeeding
16 fiscal years; and

17 “(6) for the purpose of activities as provided in
18 title VII, \$500,000 for fiscal year 1990, and such
19 sums as may be necessary each of the 4 succeeding
20 fiscal years.

21 There shall be available for the purpose of making grants
22 under title IV for each of the fiscal years 1990, 1991, 1992,
23 1993, and 1994, 1.5 percent of the amount appropriated pur-
24 suant to each of paragraphs (1), (2), and (3) for each such
25 fiscal year. There shall be available for the purpose of

1 *making grants under section 5(d) for such fiscal years 0.5*
2 *percent of the amount appropriated pursuant to each of such*
3 *paragraphs for each such fiscal year.”.*

4 (b) *CARRYOVER OF FUNDS.*—Section 4(b) of the Act is
5 *amended by striking “and for the next succeeding fiscal*
6 *year” and inserting “and is authorized to remain available*
7 *until expended”.*

8 **SEC. 4. ALLOCATIONS.**

9 (a) *AMENDMENT.*—Section 5(c) of the Act is amended
10 *to read as follows:*

11 “(c)(1) *From one-half of the sums available pursuant to*
12 *the second sentence of section 4(a) for any fiscal year, the*
13 *Secretary shall allot an equal amount to each Indian tribe*
14 *that submits an approved application under section 403.*

15 “(2) *From the remaining one-half of the sums available*
16 *pursuant to such second sentence, the Secretary shall make*
17 *allocations to Indian tribes that (A) are receiving an alloca-*
18 *tion under paragraph (1) of this subsection for such fiscal*
19 *year; and (B) have submitted approved applications under*
20 *section 404.*

21 “(3) *In making allocations under paragraph (2)—*

22 “(A) *no funds shall be allocated to an Indian*
23 *tribe unless such funds will be administered by a li-*
24 *brarian; and*

1 “(B) the Secretary shall take into account the
2 needs of Indian tribes for such allocations to carry out
3 the activities described in section 402(b).

4 “(4) In making allocations under this subsection, the
5 Secretary shall take such actions as may be necessary to pre-
6 vent an allocation from being received to serve the same popu-
7 lation by any 2 or more of the following entities as defined
8 in, or established pursuant to, the Alaska Native Claims Set-
9 tlement Act:

10 “(A) an Alaskan native village,

11 “(B) a regional corporation, or

12 “(C) a village corporation.”.

13 (b) **CONFORMING AMENDMENT.**—Section 6(g)(2) of
14 the Act is amended by inserting after “section 5(c)(2)” the
15 following: “in the same fiscal year in which it has received
16 an allocation under section 5(c)(1)”.

17 **SEC. 5. ANTIDISCRIMINATION PROVISION.**

18 Section 6(b) of the Act is amended by—

19 (1) striking “and” at the end of paragraph (3);

20 (2) redesignating paragraph (4) as paragraph (5);

21 and

22 (3) inserting the following new paragraph (4)
23 after paragraph (3):

24 “(4) provide assurances that libraries within the
25 State shall not discriminate on the basis of race, reli-

1 *gion, age, gender, national origin, or handicapping*
2 *condition in providing space for public meetings; and”.*

3 **SEC. 6. RESOURCE SHARING COORDINATION.**

4 *Section 6 of the Act is further amended—*

5 (1) *in subsection (d)(1), by striking “and con-*
6 *struction” and inserting “, construction, and interli-*
7 *brary cooperation and resource sharing”; and*

8 (2) *by adding at the end thereof the following new*
9 *subsection:*

10 *“(h) The Secretary shall coordinate programs under*
11 *titles V and VI of this Act with the programs assisted by*
12 *titles I, II, and III of this Act, and shall provide to the head*
13 *of the State library administrative agency the opportunity to*
14 *comment on any application for a grant under title V or VI*
15 *of this Act prior to the awarding of the grant, in order to*
16 *assure that such grants from the Secretary are for purposes*
17 *consistent with the long-range program required under sub-*
18 *section (d) of this section.”.*

19 **SEC. 7. MAINTENANCE OF EFFORT.**

20 *Section 7 of this Act is amended—*

21 (1) *by redesignating subsections (b) and (c) as*
22 *subsections (c) and (d), respectively; and*

23 (2) *by inserting after subsection (a) the following*
24 *new subsection:*

1 “(b) In fiscal year 1990, and every fifth fiscal year
2 thereafter, each State library agency may review its expendi-
3 tures in the second fiscal year preceding fiscal year for which
4 the determination is made under the programs from State
5 and local sources and file with the Secretary a statement to
6 establish a current, revised expenditure level to be used for
7 measuring the maintenance of effort required under subsec-
8 tions (a)(1)(B) and (a)(2).”.

9 **SEC. 8. INTERGENERATIONAL LIBRARY SERVICES.**

10 Section 101 of the Act is amended—

11 (1) by redesignating paragraphs (5) and (6) as
12 paragraphs (8) and (9), respectively; and

13 (2) by inserting after paragraph (4) the following
14 new paragraph:

15 “(5) for assisting libraries in developing intergen-
16 erational library programs that will match older adult
17 volunteers with libraries interested in developing after
18 school literacy and reading skills programs for unsu-
19 pervised school children during afterschool hours;”.

20 **SEC. 9. CHILDCARE LIBRARY OUTREACH.**

21 Section 101 of the Act is further amended by inserting
22 after paragraph (5) the following new paragraph:

23 “(6) for assisting libraries in providing mobile li-
24 brary services and programs to child-care providers or
25 child-care centers which are licensed or certified by the

1 *State, or otherwise meet the requirements of State*
2 *law;”.*

3 **SEC. 10. LIBRARY LITERACY CENTERS.**

4 *Section 101 of the Act is further amended by inserting*
5 *after paragraph (6) the following new paragraph:*

6 *“(7) to establish and support model library liter-*
7 *acy centers, coordinated by the State library adminis-*
8 *trative agency with other interested State agencies and*
9 *nonprofit organizations to reduce the number of func-*
10 *tionally illiterate individuals and to help them reach*
11 *full employment;”.*

12 **SEC. 11. USE OF TITLE I FUNDS.**

13 *Section 102(a) of the Act is amended by adding at the*
14 *end thereof the following new sentence: “In carrying out its*
15 *program to accomplish the purposes of this title, a State may*
16 *make subgrants to library systems or networks which include*
17 *libraries other than public libraries, if the purpose of the sub-*
18 *grant is to improve services for public library patrons”.*

19 **SEC. 12. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE**
20 **LIBRARIES.**

21 *Section 102(c) of the Act is amended by adding at the*
22 *end thereof the following new paragraph:*

23 *“(3) No State shall, in carrying out the provi-*
24 *sions of paragraph (2) of this subsection, reduce the*
25 *amount paid to any major urban resource library*

1 *below the amount that such library received in the year*
2 *preceding the year for which the determination is made*
3 *under such paragraph (2), except that such amount*
4 *shall be ratably reduced to the extent that the total*
5 *Federal allocations to the State under section 5 for*
6 *purposes of this title for the applicable fiscal year are*
7 *reduced or that the 1990 Census shows the population*
8 *of the city served by such library has decreased.”.*

9 **SEC. 13. STATE ANNUAL PROGRAM.**

10 *Section 103 of the Act is amended—*

11 *(1) in paragraph (3), by striking “and institu-*
12 *tionalized individuals”;*

13 *(2) in paragraph (4)—*

14 *(A) by striking “(A)”;* and

15 *(B) by striking everything following “elder-*
16 *ly” the first place it appears and inserting a*
17 *semicolon; and*

18 *(3) by striking paragraph (5) and inserting the*
19 *following:*

20 *“(5) describe the uses of funds to make library*
21 *services and programs more accessible to handicapped*
22 *individuals.”.*

1 **SEC. 14. TECHNOLOGY ENHANCEMENT.**

2 (a) *DEFINITION.*—Section 3 of the Act is further
3 amended by adding at the end thereof the following new
4 paragraph:

5 “(19) The term ‘technology enhancement’ means
6 the acquisition, installation, maintenance, or replace-
7 ment, of substantial technological equipment (including
8 library bibliographic automation equipment) necessary
9 to provide access to information in electronic and other
10 formats made possible by new information and commu-
11 nications technologies.”

12 (b) *USE OF TITLE I FUNDS.*—Section 101 of the Act
13 is further amended—

14 (1) by striking “and” at the end of paragraph (8)
15 (as redesignated by section 7(1));

16 (2) by striking the period at the end of paragraph
17 (9) (as redesignated by section 7(1)) and inserting
18 “; and”; and

19 (3) by adding at the end thereof the following new
20 paragraph:

21 “(10) for assisting public libraries in making ef-
22 fective use of technology to improve library and infor-
23 mation services.”

24 (c) *USE OF TITLE II FUNDS.*—Title II of the Act is
25 amended—

1 (1) by inserting “AND TECHNOLOGY EN-
2 HANCEMENT” after “CONSTRUCTION” in the
3 heading of such title;

4 (2) by inserting “AND LIBRARY AND INFORMA-
5 TION TECHNOLOGY ENHANCEMENT” after “CON-
6 STRUCTION” in the head of section 201;

7 (3) by inserting “and technology enhancement”
8 after “construction” each place it appears in sections
9 201, 202(a), 202(b), 203(1), 203(2), and 203(3);

10 (4) by striking “section 3(2)” in section 202(a)
11 and inserting “sections 3(2) and 3(19), respectively”;
12 and

13 (5) by inserting “AND TECHNOLOGY ENHANCE-
14 MENT” after “CONSTRUCTION” in the heading of sec-
15 tion 203.

16 (d) *USE OF TITLE III FUNDS.*—Section 302(a) of the
17 Act is amended—

18 (1) by striking “and” at the end of paragraph (1);
19 and

20 (2) by inserting before the period at the end of
21 paragraph (2) the following: “; and (3) developing the
22 technological capacity of libraries for interlibrary coop-
23 eration and resource sharing”.

24 **SEC. 15. PRESERVATION OBJECTIVES IN CONSTRUCTION.**

25 Section 203 of the Act is amended—

1 (1) by striking the period at the end of paragraph
2 (4) and inserting “; and”; and

3 (2) by adding at the end thereof the following new
4 paragraph:

5 “(5) follow policies and procedures in the con-
6 struction of public libraries that will promote the pres-
7 ervation of library and information resources to be uti-
8 lized in the facilities.”

9 **SEC. 16. RESOURCE SHARING.**

10 Sections 301 and 304(a) of the Act are amended by
11 striking “eventual” and inserting “attaining”.

12 **SEC. 17. PRESERVATION COOPERATION.**

13 Title III of the Act is amended by adding at the end
14 thereof the following new section:

15 “PRESERVATION PROGRAMS

16 “SEC. 305. (a) The long-range program and annual
17 program of each State under this title may—

18 “(1) include a statewide preservation cooperation
19 plan that complies with this section; and

20 “(2) identify the preservation objectives to be
21 achieved during the period covered by the long-range
22 plans required by section 6.

23 “(b) A statewide preservation cooperation plan complies
24 with this section if—

25 “(1) such plan specifies the methods by which the
26 State library administrative agency will work with li-

1 *braries, archives, historical societies, scholarly organi-*
2 *zations, and other agencies, within or outside the State,*
3 *in planning, education and training, coordinating, out-*
4 *reach and public information, and service programs to*
5 *ensure that endangered library and information re-*
6 *sources are preserved systematically; and*

7 *“(2) such preservation plan is developed in con-*
8 *sultation with such parties and agencies as the State*
9 *archives, historical societies, libraries, scholarly organi-*
10 *zations, and other interested parties.*

11 *“(c) A State that has a statewide preservation coopera-*
12 *tion plan that complies with this section may use funds under*
13 *this title to carry out such plan.*

14 *“(d) The State library administrative agency may con-*
15 *tract part or all of the preservation program under this sec-*
16 *tion to other agencies or institutions.”.*

17 **SEC. 18. LIBRARY LITERACY GRANTS.**

18 *Section 601(e) of the Act is amended by striking*
19 *“\$25,000” and inserting “\$35,000”.*

20 **SEC. 19. GRANTS FOR FOREIGN LANGUAGE MATERIAL**
21 **AQUISITION.**

22 *Section 501 of the Library Services Construction Act is*
23 *amended by adding the following new subsection at the end*
24 *thereof:*

1 “(d)(1) *The provisions of subsection (c) shall not apply*
2 *to any major urban resource library.*

3 “(2) *The Secretary shall not use more than 30 percent*
4 *of the funds appropriated under this title to provide grants to*
5 *major urban resource libraries in excess of the amount of the*
6 *limitation described in subsection (c).*

7 **SEC. 20. EVALUATION AND ASSESSMENT.**

8 (a) **AMENDMENT.**—*The Act is further amended by*
9 *adding at the end thereof the following new title:*

10 **“TITLE VII—EVALUATION AND**
11 **ASSESSMENT**

12 **“PROGRAM AUTHORITY**

13 **“SEC. 701.** *The Secretary is authorized to carry out a*
14 *program for the purpose of evaluation and assessment*
15 *(directly or by grants or contracts) of programs authorized*
16 *under this Act.”.*

17 (b) **CONFORMING AMENDMENT.**—*Section 5(a) of the*
18 *Act is amended by striking out paragraph (5).*

19 **SEC. 21. PUBLIC LIBRARY SERVICES.**

20 (a) **TITLE I HEADING.**—*The heading of title I of the*
21 *Act is amended by inserting “PUBLIC” before “LI-*
22 *BRARY”.*

23 (b) **SECTION 101 HEADING.**—*The heading of section*
24 *101 is amended by inserting “PUBLIC” before “LIBRARY”.*

1 **SEC. 22. EFFECTIVE DATE PROVISION.**

2 *The amendments made by this Act shall take effect on*

3 *October 1, 1989.*

Attest:

Secretary.