
Javits

Follow this and additional works at: https://digitalcommons.uri.edu/pell_neh_I_67

Recommended Citation
https://digitalcommons.uri.edu/pell_neh_I_67/4

This Report is brought to you for free and open access by the Education: National Endowment for the Arts and Humanities, Subject Files I (1973-1996) at DigitalCommons@URI. It has been accepted for inclusion in National Library and Information Services Act (1979-1980) by an authorized administrator of DigitalCommons@URI. For more information, please contact digitalcommons-group@uri.edu.
This booklet contains the complete text of the proposed NATIONAL LIBRARY AND INFORMATION SERVICES ACT (S.2859), which is based on resolutions adopted by Delegates to the White House Conference on Library and Information Services in November, 1979, and incorporates a consensus of views by the various library organizations which reviewed and offered suggestions on the original Javits-Kennedy "study bill" S.1124, which this legislation now replaces.

By Mr. JAVITS (for himself, Mr. KENNEDY, Mr. RANDOLPH, Mr. PELL, Mr. STAFFORD, and Mr. WILLIAMS):

S. 2859. A bill to promote the further development of public library services and for other purposes; to the Committee on Labor and Human Resources.

Mr. JAVITS. Mr. President, today I am introducing, joined by Senators KENNEDY, RANDOLPH, PELL, STAFFORD, and WILLIAMS, the National Library and Information Services Act, a comprehensive bill to provide for coordination of interlibrary resource sharing and to expand the Federal Government's support of public library services for all segments of the population. Our bill, which is based on legislation, S.1124, which I introduced on May 14 of last year, with Senators KENNEDY and RANDOLPH, for the purposes of study by the delegates to the White House Conference on Library and Information Services, is the culmination of many months and years of work in preparation for the Conference, which was held in November 1979. It incorporates the principal legislative recommendations approved by the Conference delegates, and is intended to replace the existing mechanism of Federal support for public libraries, the Library Services and Construction Act, which expires in 1982.

The purpose of our initial legislation, S. 1124, was to provide a focus for debate of the key issues facing libraries in connection with the White House Conference, including relationships among the State, local, and the Federal governments in providing funding, interlibrary cooperation, planning, construction, and the meeting of special user needs. S. 1124 served that purpose as a fulcrum for consideration of these and other critical issues at the Conference.

and the current bill represents a broad consensus of all the major library and information organizations which so far addressed the issue of comprehensive legislation. With the recommendations of the White House Conference in hand, and the expiration of the Library Services and Construction Act and the Joint Economic Committee is due to report to us, the time is now ripe for full congressional hearings and final amendment prior to enactment.

THE NEED FOR THIS LEGISLATION

The Nation's library system has not kept pace with the information needs of present-day America. We require a bold new initiative on both national and State levels to make better use of existing resources and to develop new techniques for information access and sharing.

Many local public libraries across the country are in deep trouble. Sharp inflationary cost increases, combined with budget cuts, have forced staff layoffs and reduced hours, and lower purchasing of library materials, books and periodicals in many communities. Local taxpayer revolt against regressive property and sales taxes (like California's Proposition 13) have increased the pressure to close branches and retrench generally.

Meanwhile the demand for library services has been surging. Older citizens are jamming reading rooms of public libraries as never before. People out of work have learned that libraries can help them with job information and career changes. Adult self-learners have joined college and high school students in using public libraries as study and research centers. The poor, the disabled, the illiterate, the non-English speaking, the institutionalized—all are hungering for the information and library services that are as rightfully theirs as they are of the affluent and middle income members of society.

Over 80 percent of the cost of the Nation's public libraries is borne by local government. The State and Federal governments together pay less than 20 percent. Yet public libraries provide services which plainly should be available to all, regardless of race, creed, or economic status. Such services should be funded fairly with the goal of guaranteeing adequate library services for the residents of every city, town, village, hamlet, and farm of every State in the land.

The bill brings together in one comprehensive piece of legislation the principal suggestions made by various library groups over the course of several years. Most of the provisions are familiar to those who are active in the field. The major provisions of the bill will accomplish the following: First, expand the responsibilities of the U.S. Department of Education in providing support for coordinated library and information services nationally and internationally while preserving local control over State and local library services; second, provide funding for local, regional, national and international information networks linking all publicly funded libraries and all private libraries who wish to participate; third, authorize Federal matching funds to support public library services; fourth, provide matching funds to spur public library construction and renovation; fifth, specifically authorize Federal grants to meet the special needs of library users, such as rural residents, the functionally illiterate, handicapped, disadvantaged; and sixth, support State planning and public awareness programs and the training of local personnel in library skills.

BASIC PROVISIONS

The bill redefines the responsibilities of the Department of Education's Office of Library and Learning Technologies to coordinate research into innovative library techniques and to plan and coordinate sharing of information and re-
sources. The functions of the proposed agency incorporate many of the recommendations of the White House Conference as well as those of the American Library Association. The bill makes it clear that what is intended is a service agency with no direction or control over local library administration, selection of personnel, or the purchase of library books and materials. It is contemplated that the office will come under the jurisdiction of an Assistant Secretary for Library and Information Services when and if that post is established.

Federal funds appropriated under this title would be used for planning, development, and maintenance of cooperative library networks on local, State, regional, and national levels; pooling the resources of different kinds of libraries (including school, academic, public, and special) for joint access and exchange of materials; and providing financial aid for research libraries whose collections are not readily available to the general public.

TITLe II. OPERATING FUNDS FOR PUBLIC LIBRARIES

The Federal share of matching funds would be based on the Hill-Burton formula, taking into account the economic resources of the various States. A maximum of seven percent of the funds authorized by this title could be used to meet State administrative costs, and the balance would be distributed to local public libraries on the basis of population, with appropriate adjustments provided for by State regulation. The funds would be used for general library operating expenses, including acquisitions, staff, heat, light, and similar costs. This would be continuing year-to-year support, rather than short-term demonstration grants as under present limited LSCA funding.

TITLe III. PUBLIC LIBRARY CONSTRUCTION

There have been no Federal construction funds for libraries for the past several years, and need for renewed assistance, particularly for underserved and underserved communities, is very real. All construction grants would be joint Federal-State matching funds, again with appropriate adjustments for State regulation, and would permit acquisition of existing structures and conversion for library purposes.

TITLe IV. PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

People who live in rural, sparsely populated, and impacted areas would be eligible for special library funds under this title, which is also intended to fund special services to meet problems not unique to them. These include illiteracy, high unemployment, inability to speak English, physical handicaps, people who are institutionalized, the economically and educationally disadvantaged, and other groups with special needs. These special library service grants would be financed entirely out of Federal funds allocated under State plans.

TITLe V. PLANNING AND DEVELOPMENT

Grants under this title are to be used for planning and strengthening of State library systems, public awareness programs, and training of library personnel in the local communities, including trustees. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the material and bill were ordered to be printed in the Record, as follows:

TITLe VI. PLANNING AND DEVELOPMENT

Grants under this title are to be used for planning and strengthening of State library systems, public awareness programs, and training of library personnel in the local communities, including trustees.

Mr. President, I ask unanimous consent that an index to the National Library Services and Information Services Act, and a cross-reference from the relevant resolutions adopted by the White House Conference to the sections of the act be printed in the Record. I also ask unanimous consent that the Senate submit portfolio, containing the signatures of delegates and alternates to the Conference petitioning the Congress and the President to enact a National Library Services Act, to be included in the National Archives, and that the statement of purposes for this petitioning be made part of the Record.

I also ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the material and bill were ordered to be printed in the Record, as follows:

NATIONAL LIBRARY AND INFORMATION SERVICES ACT; ADMINISTRATION AND CROSS-REFERENCE GUIDE

(The following is an index to the sections of the proposed National Library and Information Services Act, together with a cross-reference to resolutions adopted by the White House Conference on Libraries and Information Services, using the letter and numbering code employed in the final report on the conference adopted by the Committee of the Conference in Chicago on January 5, 1960.)

SECTION 1. POLICY AND PURPOSE

Section 2(a) Policy of U.S. to promote universal library and information services; provide all persons access to information on public programs and information repositories on public issues; and free, equal and open access to all publicly funded library and information services.

(b) Purpose of act to promote and assist inter-library cooperation; public library services, construction, and special programs; and strengthen state library agencies and library personnel.

(c) Purpose to preserve the tradition of local control.

DEFINITIONS

Section 3. The following terms are defined: Agency; Administration of the Act; Annual Program; Basic State Plan; Criteria for determining adequacy of public library service; disadvantaged persons; Functionally illiterate; inter-library cooperation; library materials; Library service; Long-range program; physically handicapped; network; Public Library; Public library services; Research library; State; State Advisory Council on Libraries; State institutional library services; State library administrative agency; and Strengthening the State library administrative agency.

AUTHORIZATION OF APPROPRIATIONS

Section 4. (a) General authorization provisions for appropriations: "Such sums as may be necessary for fiscal years 1961, 1962, 1963, 1964, and 1965; $20,000,000 for title I; $150,000,000 for title II.

(b) Provision for forward funding of expenditures for the following fiscal years.

ALLOTMENTS TO STATES

Section 5. (a) Procedure for allotting appropriation to states.

(b) Authorization for reallocation of unexpended funds.

PAYMENTS TO STATES

Section 6. (a) Requirements for States to qualify for funding: a basic State plan, an annual program plan, plus maintenance of local and State funding.

(b) Federal share of costs under titles I, IV and V to be 100%; under titles II and III a sliding scale from 33 1/3% to 66 2/3%, based on each State's per capita income.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Library and Information Services Act of 1979."

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) (1) It is the policy of the United States to establish, support, and expand educational and informational opportunities for individuals of all ages and conditions through the promotion of universal library and information services; to provide all persons ready and convenient access to information services; and to support programs designed to provide assistance to those in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly; to implement the constitutional guarantees of free speech and free press through public access to all Government repositories of nonclassified information, especially information about public processes and the various sides of public issues; and to provide to all persons, without regard to their state library attainment, individual ability or economic condition, free, equal and open access to all publicly funded library and information services.

(2) In order to achieve this policy set forth in subsection (a) of this section, it is essential that a national program be established to assure that an effective national library and information systems is made available in all communities accessible to all residents thereof; and to encourage agencies at all levels to work together toward the goal of library and information services for all.

(b) It is the purpose of this Act to assist the States (1) in promoting interlibrary cooperation among all types of libraries; (2) in the creation, extension, and improvement of public library services; (3) in public library construction; (4) in the provision, extension, and improvement of public library programs to meet special user needs, including library services for physically handicapped, institutionalized, functionally illiterate, unemployed, persons with limited English language skills, and economically and educationally disadvantaged individuals; and (5) in strengthening state library administrative agencies and library personnel.

(c) (1) It is further the purpose of this Act to preserve and strengthen the control over the selection and purchase of library materials and the furnishing of library and information services. The administration of the national program for the selection and purchase of library books and materials, and, insofar as consistent with the purposes of this Act, the distribution of these funds provided under this Act shall be reserved to the States and the units of local government of the States.

(2) Nothing in this Act shall be construed to interfere with State and local initiative and responsibility for the conduct of library services.

DEFINITIONS

Sec. 3. As used in this Act——

"Annual program" means the projects which are developed and submitted to describe the specific activities to be carried out annually toward achieving fulfillment of the long-range program. These programs shall be submitted in such detail as required by regulations promulgated by the Secretary.

"Federal-State plan" means the document which provides assurances——

(A) that the designated State library administrative agencies, having fiscal and political authority and capable of administering all aspects of this Act; and

(B) that the policies, priorities, criteria, and procedures of the State necessary to the implementation of all programs under the provisions of this Act will be established and

C-9 Preservation of Library and Information Resources Section 7(c), 10(c); 402(7); 502(3)

C-10 Interagency Cooperation 7(6)

C-11 Elimination of Publication 7(7)

C-12 Telecommunication Networks 7(8)

C-14 Cooperative Standards and Networking 7(9)

C-15 Continuing Education for Librarians 7(10)

C-16 Librarians Skills Instruction 7(11)

C-17 Specialists for State Library Leadership and Development 7(12)

C-18 Training and Continuing Education and Staff Development 7(13)

D. SPECIAL LIBRARY PROGRAMS——TITLE AND PAGE

Approved in General Session:

D-1 Bibliography: Title Services 7(1)

D-2 National Indian Omnibus Library Bill 7(2)

D-3 Information Systems in U.S. Territories Approved by Paper Ballot:

D-4 Minority Needs 402(4); 402(7); 502(4)

E. INTERNATIONAL ISSUES——TITLE AND PAGE

Approved in General Session:

E-1 International Information Exchanges 7(3)

E-2 Federal International Communication and Accountability Approved by Paper Ballot:

E-3 International Conference 7(4)

E-4 Center for International Studies

E-5 Establish an International Youth Library

E-6 International Copyright Agreement (None under F "Conference Followup and Commandment")

NATIONAL LIBRARY ACT

This portfolio contains the signatures of Delegates and Alternates to the White House Conference on Library and Information Services, petitioning the President and Congress of the United States to enact a National Library and Information Services Act, including the following:

1. (a) (1) It is the policy of the United States to establish, support, and expand educational and informational opportunities for individuals of all ages and conditions through the promotion of universal library and information services; to provide all persons ready and convenient access to information services; and to support programs designed to provide assistance to those in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly; to implement the constitutional guarantees of free speech and free press through public access to all Government repositories of nonclassified information, especially information about public processes and the various sides of public issues; and to provide to all persons, without regard to their state library attainment, individual ability or economic condition, free, equal and open access to all publicly funded library and information services.

(2) In order to achieve this policy set forth in subsection (a) of this section, it is essential that a national program be established to assure that an effective national library and information services system is made available in all communities accessible to all residents thereof; and to encourage agencies at all levels to work together toward the goal of library and information services for all.

(b) It is the purpose of this Act to assist the States (1) in promoting interlibrary cooperation among all types of libraries; (2) in the creation, extension, and improvement of public library services; (3) in public library construction; (4) in the provision, extension, and improvement of public library programs to meet special user needs, including library services for physically handicapped, institutionalized, functionally illiterate, unemployed, persons with limited English language skills, and economically and educationally disadvantaged individuals; and (5) in strengthening state library administrative agencies and library personnel.

(c) (1) It is further the purpose of this Act to preserve and strengthen the control over the selection and purchase of library materials and the furnishing of library and information services. The administration of the national program for the selection and purchase of library books and materials, and, insofar as consistent with the purposes of this Act, the distribution of these funds provided under this Act shall be reserved to the States and the units of local government of the States.

(2) Nothing in this Act shall be construed to interfere with State and local initiative and responsibility for the conduct of library services.

DEFINITIONS

Sec. 3. As used in this Act——
(1) "Office" means the Office of Libraries and Learning Resources in the Department of Education and the Library Administration and School Improvement Programs Council, as authorized by title II, section 2001, of the Education for All Handicapped Children Act of 1975, as amended.

(13) "Office" means the Office of Libraries and Learning Resources in the Department of Education and the Library Administration and School Improvement Programs Council, as authorized by title II, section 2001, of the Education for All Handicapped Children Act of 1975, as amended.

(14) "Physically handicapped" means persons with restricted physical capabilities which impair the use of library materials, including the blind, visually handicapped, and hearing impaired persons.

(15) "Public library" means a library that serves free of charge all residents of a community, district, or region, and receives its financial support in whole or in part from public funds, or provides for the provision of library services.

(16) "Public library services" means library services furnished by a public library free of charge.

(17) "Research library" means a public library which—

(18) "Secretary" means the Secretary of Education.

(19) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, or the Northern Marianas Islands.

(20) "State Library" means a State public library agency or the State library administrative agency of a State.

(21) "State institutional library services" means the provision of books and other library materials, and of library and information services, which would normally be provided by a public library to (A) inmates of penal institutions, patients, or residents of penal institutions; (B) veterans in penal institutions; (C) institutionalized, hopeless, impaired, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other physically handicapped individuals who by reason of such impairment require special education) operated or substantially supported by the State; or (D) students in residential schools for the physically handicapped, hearing impaired, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other physically handicapped individuals, operated or substantially supported by the State.

(22) "State library administrative agency" means the official agency of a State charged by law of that State with the extension and development of public library services throughout the State, and which has adequate authority under the laws of the State to administer long-range program in accordance with the provisions of this Act.

(23) "Strengthening the State library administration's capacity to improve the provision of educational services to the users thereof. A network may serve a community, metropolitan area, region, or state, or region within a State, or a state-wide, multi-State, national or international scope.

ALLOTMENTS TO STATES

(24) (a) From the sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a) of this Act, the Secretary shall allot such sums to each State in such part of such remaining as the population of the State bears to the population of the States.

(25) For the purposes of this subsection, the "minimum allotment" shall be—

(26) (A) with respect to appropriations for the purposes of title II, paragraph (1), except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands;

(27) (B) with respect to appropriations for the purposes of title III, except that it shall be $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands;

(28) (C) with respect to appropriations for the purposes of title III, $150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(29) (D) $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(30) (E) $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(31) For the purposes of this subsection, the "minimum allotment" shall be—

(32) (a) $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands;

(33) (b) $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(34) (c) $150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(35) (d) $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(36) (e) $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(37) (f) $150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(38) (g) $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(39) (h) $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(40) (i) $150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(41) (j) $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(42) (k) $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Marianas Islands.

(43) (l) $150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.
(D) with respect to appropriations for the purposes of title III, the allotment for Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands, except that it shall be $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

(F) with respect to appropriations for the purposes of title III for any fiscal year, except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

If the sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 9(a)(1) are insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such minimum allotments shall be reclassified.

(4) The population of each State and of all the States shall be determined by the Secretary on the basis of the most recent allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(b) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(c) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(d) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(e) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(f) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(g) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(h) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.

(i) The amount of any State's allotment that is insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such sums as Congress deems necessary for purposes identified in subsection (a) for any fiscal year, pursuant to such paragraph, for the fiscal year beginning prior to October 1, 1987.
(b) the operation of a clearinghouse and referral center for collections of Indian, cultural, language and historical materials;

(C) the provision of technical assistance to the State agency and other advisory councils on Libraries have pursuant to section 3 of this Act;

(D) the provision of network services to Indian libraries, including access to information on Government assistance programs for Indian health, education, economic development and job training;

(E) the provision and coordination of pre-service and in-service training and certification of Indian library workers, in collaboration with higher education agencies and the several Indian tribes, Alaska Natives and Aleuts;

(F) encourage and assist the planning and implementation of a national plan for the distribution of Government publications to ensure convenient access to all Government publications by the public citizens, including financial assistance to participating libraries to aid in the maintenance of collections, facilities for the transmission, and other technical services where appropriate, and the maintenance of a low price structure for the purchase of Government publications;

(G) receive, and use, sell, or otherwise dispose of, any fiscal pay-allotments, and other payments which the Secretary deems necessary to carry out the provisions of this Act, in accordance with the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(H) make other necessary expenditures.

Each member of a committee appointed pursuant to paragraph (5) of subsection (b) of this section who is an employee of an executive agency shall be reimbursed for travel expenses, including per diem as authorized by section 411(a) of title 5, United States Code, as determined by the Secretary for each day he is engaged in the actual performance of his duties, including travel time, as a member of a committee.

All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

(c) Upon written request made by the Secretary of Education, each Federal agency, independent establishment or instrumentality is authorized and directed to furnish such cooperation, assistance, access, information and services to the application, if practicable, of the greatest practicable extent, to the Office in the performance of its functions.

Section 8. (a) Any State desiring to receive its allotment for carrying out the purposes of this Act for any fiscal year shall—

(1) have in effect for such fiscal year a basic State plan for carrying out the purpose of this Act, as specified in subsection (b), and

(2) submit an annual program for the purposes for which allotments are desired, meeting the appropriate requirements set forth in titles I through V.

(b) A basic State plan under this Act shall—

(1) provide for the administration, supervision, and coordination of the programs authorized by this Act by the State library administrative agency;

(2) provide that any funds paid to the State in accordance with the program and an annual program shall be expended solely for the purposes for which funds have been authorized and appropriated and that such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement, and account for, Federal funds paid to the State (including any such funds paid to any other agency) under this Act,

(3) provide satisfactory assurance that the Secretary administering the plan (A) will make such reports, and contain such information, as the Secretary may reasonably require to carry out his functions under this Act, and (B) will make such reports, and contain such information, as the Secretary may reasonably require to carry out his functions under this Act, and (B) will make such reports, and contain such information, as the Secretary may reasonably require to carry out his functions under this Act,

(4) provide for the making of such reports, and contain such information, as the Secretary may reasonably require,

(5) make or cause to be made the exchange and circulation of cultural programs, exhibits, and other special materials to enrich library services to the public citizens;

(6) advise and assist Federal departments and agencies which have responsibility for the institutional care, treatment or custody of persons, including correctional facilities and hospitals, to plan for and provide adequate and improved library programs and information services;

(7) publish and distribute information of special value in developing or improving library programs and services, and

(8) provide funds to ensure the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, as determined by the Secretary for each day he is engaged in the actual performance of his duties, including travel time, as a member of a committee.

All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

(c) Upon written request made by the Secretary of Education, each Federal agency, independent establishment or instrumentality is authorized and directed to furnish such cooperation, assistance, access, information and services to the application, if practicable, of the greatest practicable extent, to the Office in the performance of its functions.

STATE PLANS AND PROGRAMS

Sec. 8. (a) Any State desiring to receive its allotment for carrying out the purposes of this Act for any fiscal year shall—

(1) have in effect for such fiscal year a basic State plan for carrying out the purpose of this Act, as specified in subsection (b), and

(2) submit an annual program for the purposes for which allotments are desired, meeting the appropriate requirements set forth in titles I through V.

(b) A basic State plan under this Act shall—

(1) provide for the administration, supervision, and coordination of the programs authorized by this Act by the State library administrative agency;

(2) provide that any funds paid to the State in accordance with the program and an annual program shall be expended solely for the purposes for which funds have been authorized and appropriated and that such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement, and account for, Federal funds paid to the State (including any such funds paid to any other agency) under this Act;

(3) provide satisfactory assurance that the Secretary administering the plan (A) will make such reports, and contain such information, as the Secretary may reasonably require to carry out his functions under this Act, and (B) will make such reports, and contain such information, as the Secretary may reasonably require to carry out his functions under this Act,

(4) provide for the making of such reports, and contain such information, as the Secretary may reasonably require,

(5) make or cause to be made the exchange and circulation of cultural programs, exhibits, and other special materials to enrich library services to the public citizens;

(6) advise and assist Federal departments and agencies which have responsibility for the institutional care, treatment or custody of persons, including correctional facilities and hospitals, to plan for and provide adequate and improved library programs and information services;

(7) publish and distribute information of special value in developing or improving library programs and services, and
d
(2) that in the administration of the program there is a failure to comply substantially with any mandatory provisions or assurances or other provisions contained in the basic State plan, then, until he is satisfied that there is no longer a failure to comply, except after appropriate notice to such State agency, the Secretary shall make no further payments under or pursuant to this Act or shall limit payments to programs or projects under, or parts of, the programs not affected by the failure, or shall require that payment by the State agency under this Act shall be limited to local or other public library agencies not affected by the failure. The Secretary may disapprove the Secretary's final action with respect to the approval of a plan submitted under this Act or with his final action under subsection (e) such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of Title 28, United States Code.

(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive. The court, in exercising its power shown, may remand the case to the Secretary to take further evidence. The Secretary may thereafter take into account such findings of fact and may modify his previous action, and shall certify to the court the record of further proceedings.

(a) the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the appropriate court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

TITLE I—INTERLIBRARY COOPERATION AND NETWORK SUPPORT

GRANTS TO STATES FOR INTERLIBRARY COOPERATION AND NETWORK SUPPORT PROGRAMS

Sec. 102. (a) Funds appropriated pursuant to paragraph (1) of section 4(a) shall be available for grants to States from allotments under paragraphs (1) and (3) of section 5(a) for the purposes of paying the Federal share of the cost of carrying out State plans submitted and approved under sections 9 and 103. Such grants shall be used for:

(1) planning for, and taking other steps leading to the development and maintenance of, cooperative library networks on an intrastate, statewide, regional, multistate, and national basis;

(2) establishing, expanding, and operating intrastate, statewide, regional, multistate, and national cooperative networks of libraries to provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and to achieve improved service to the users thereof, including bibliographic access, communications, and delivery, and the coordination of existing collections and catalogs to machine-readable data bases; and

(3) special financial assistance for collection maintenance or development to re- train librarians or other State plan staff, including research libraries, major academic libraries, and where appropriate, private institutions heavily dependent on Federal support used as library resources by public libraries in the State.

(b) Notwithstanding any other provision of this Act, the Secretary is authorized to set aside not to exceed 15 per centum of the funds appropriated under paragraph (1) of section 4(a) for the purposes of making discretionary grants for assistance to regional, multistate, national or international cooperative networks of libraries in one or more States but which extend beyond the jurisdiction of any single State, including research, system development, operations, and capital costs.

(c) No school, public, academic, special library or information center, or resource center or library resource center has agreed to share its own library and information resources on a fair and equitable basis with other participating libraries in the appropriate cooperative network program.

STATE ANNUAL PROGRAM FOR INTERLIBRARY COOPERATION AND NETWORK SUPPORT

Sec. 103. Annual program under section 9(a) to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit for that fiscal year an annual program for interlibrary cooperation and network support. Such program shall be submitted at such time, in such form, and containing such information as the Secretary may require by regulation, and shall—

(1) set forth a program for the year submitted under which funds paid to the State under this Act for the purposes of paragraph (2) of section 4(a) for that year will be used, consistent with its long-range program, to support the development and improvement of public library services in a fair and equitable manner on a long-range basis to all citizens including children, students, adult learners, and older readers throughout the State; and

(2) set forth a program for any statewide public library services to be performed by or for the benefit of the State library administrative agency;

(3) set forth the criteria used in allocating funds to States for programs pursuant to such paragraph (2), which criteria shall indicate that (A) the funds will be distributed among public library resources on a basis based on the State on the basis of population, subject to such adjustments as may be provided for in reasonable standards and regulations promulgated by the State library administrative agency, and (B) the State will expend from State and local sources an amount not less than the amount expended by the State from such sources for library services during the second preceding fiscal year;

(4) provide assurances that any public library receiving funds from appropriations made pursuant to paragraph (1) of section 4(a) shall have used a formula on an exchange basis with other public libraries in the State, and set forth procedures for the establishment of a single administrative agency; and

(5) provide assurances that the State will adopt 5 percent of the funds received by the State under this Act to pay the costs of activities required by this Act for the purposes of paragraph (2) of section 4(a) and necessary for meeting Federal reporting and compliance requirements;

(6) include such information, policies, and procedures as will assure that the activities to be carried out during that year are consistent with the long-range program;

(7) include an extension of the long-range program, taking into consideration the results of evaluations; and

(8) provide assurances that the State will support substantial and complete annual program for each title of this Act under which funds are being sought within 90 days after the Secretary has notified the State of the availability of funds, and that such reports may be due will have been submitted to the Secretary before the annual program is to be considered.

TITLE II—PUBLIC LIBRARY SERVICES

GRANTS TO STATES FOR PUBLIC LIBRARY SERVICES

Sec. 201. The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a) to States for the purpose of enabling States to carry out the purposes set forth in section 102, and an annual program under section 9(d) and an annual program under section 103.

(3) the Secretary shall have the authority to carry out the purposes of this title directly to the public libraries in that State for the purposes of section 102.

STATE ANNUAL PROGRAM FOR PUBLIC LIBRARY SERVICES

Sec. 203. Any State desiring to receive a grant from its allotment under this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit for that fiscal year an annual program for public library services. Such program shall be submitted at such time, in such form, and containing such information as the Secretary may require by regulation, and shall—

(1) set forth a program for the year submitted under which funds paid to the State under this Act for the purposes of paragraph (2) of section 4(a) for that year will be used, consistent with its long-range program, to support the development and improvement of public library services in a fair and equitable manner on a long-range basis to all citizens including children, students, adult learners, and older readers throughout the State; and

(2) set forth a program for any statewide public library services to be performed by or for the benefit of the State library administrative agency;

(3) set forth the criteria used in allocating funds to States for programs pursuant to such paragraph (2), which criteria shall indicate that (A) the funds will be distributed among public library resources on a basis based on the State on the basis of population, subject to such adjustments as may be provided for in reasonable standards and regulations promulgated by the State library administrative agency, and (B) the State will expend from State and local sources an amount not less than the amount expended by the State from such sources for library services during the second preceding fiscal year;

(4) provide assurances that any public library receiving funds from appropriations made pursuant to paragraph (1) of section 4(a) shall have used a formula on an exchange basis with other public libraries in the State, and set forth procedures for the establishment of a single administrative agency; and

(5) provide assurances that the State will adopt 5 percent of the funds received by the State under this Act to pay the costs of activities required by this Act for the purposes of paragraph (2) of section 4(a) and necessary for meeting Federal reporting and compliance requirements;

(6) include such information, policies, and procedures as will assure that the activities to be carried out during that year are consistent with the long-range program;

(7) include an extension of the long-range program, taking into consideration the results of evaluations; and

(8) provide assurances that the State will support substantial and complete annual program for each title of this Act under which funds are being sought within 90 days after the Secretary has notified the State of the availability of funds, and that such reports may be due will have been submitted to the Secretary before the annual program is to be considered.

TITLE III—PUBLIC LIBRARY CONSTRUCTION

GRANTS TO STATES FOR PUBLIC LIBRARY CONSTRUCTION

Sec. 301. The Secretary shall carry out a program of making grants to States which have had approved a basic State plan under section 9(c) and this title for the construction of public libraries necessary to meet standards adopted pursuant to this Act. The Secretary shall be authorized to make grants for the purpose of carrying out projects under section 9(d) and an annual program under section 103 for the construction of public libraries.
libraries, and for remodeling designed to conserve energy in the operation of public libraries under appropriated State plans.

STATE ANNUAL PROGRAM FOR THE CONSTRUCTION OF PUBLIC LIBRARIES

Sec. 303. Any State desiring to receive a grant from its allotment for the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit such a plan to the Secretary. Such plan shall be approved and be consistent with the State’s long-range program for the construction of public libraries in areas of the State which are without the library facilities necessary to provide adequate library services; (2) the criteria, policies, and procedures which will be used for approving or denying applications for funds under the plan; and the manner in which the results of evaluations of the construction or operation of public library facilities under the plan shall be made available to the public;

(4) an extension of the long-range program taking into consideration the results of evaluations.

TITLE IV—PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

GRANTS TO STATES FOR PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

Sec. 401. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 9(a) of this title and have submitted a long-range program under section 9(d) and an annual program under section 403 of this title for public library programs to meet special user needs.

USES OF FEDERAL FUNDS; FEDERAL SHARE

Sec. 402. Funds appropriated pursuant to paragraph (4) of section 4(a) of this title shall be available for grants to States from allotments pursuant to paragraph (4) of section 4(a) of this Act for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under section 403. Such funds shall be used for—

(1) Library services for rural, sparsely populated, and impacted areas to supplement services under title II;

(2) literacy training programs for the functionally illiterate;

(3) job information services and career counseling in high unemployment areas;

(4) English language instruction;

(5) library services for the aged, the developmentally disabled, those with learning disabilities, and the physically handicapped;

(6) extension library services for patients, residents, and inmates of mental and general hospitals, correctional facilities, and other publically supported institutions, which may include State institutional library services;

(7) outreach programs and other services to serve the economically and educationally disadvantaged;

(8) technical and reference services to serve business, employees, scientific, or other special groups;

(9) information and referral centers established in cooperation with other community and educational institutions and public and private agencies;

(10) assistance to library and information services in Indian country; and

(11) library programs developed in cooperation with public agencies; public broadcasting, non-profit archival, and historic preservation organizations; and publicly supported museums, schools, colleges, and universities.

STATE ANNUAL PROGRAM FOR PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

Sec. 402. Any State desiring to receive a grant from its allotment for the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit such a plan to the Secretary. Such plan shall be approved, and be consistent with the State’s long-range program for public library programs to meet special user needs. Such plan shall be submitted in such form, and contain such information as the Secretary may require by regulation and shall—

(1) for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (3) of section 4(a) for that year, be used, consistent with the State’s long-range program for the purposes set forth in section 402 of this title, and

(2) include an extension of the long-range program taking into consideration the results of evaluations.

COORDINATION WITH OTHER FEDERAL PROGRAMS

Sec. 404. In carrying out the program of grants authorized by this title, the Secretary shall consult with the heads of other appropriate Federal agencies for the purpose of coordinating, wherever practicable, the programs assisted under this title with the activities of such agencies.

TITLE V—PLANNING AND DEVELOPMENT

GRANTS TO STATES FOR PLANNING AND DEVELOPMENT

Sec. 501. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 9(c) and have submitted a long-range program under section 9(d) and an annual program under section 503 for planning and development.

USES OF FEDERAL FUNDS

Sec. 502. (a) Funds appropriated pursuant to paragraph (5) of section 4(a) should be available for grants to States from allotments under section 5(a) of this Act for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under section 503. Subject to such limitations and criteria as the Secretary shall establish by regulation, grants under this title may be used for—

(1) meeting the costs of State library administrative agencies for planning and evaluation, studies and research, coordination, and other activities of such agencies;

(2) strengthening the capacity of State library administrative agencies for making the needs of the people of the State, including development of staff, which may include specialists in adult, young adult, and children’s services, and the continuing education of State library administrative agency personnel;

(3) funding statewide public awareness programs to educate the citizens of the State as to the availability and use of library and information services and the value of such services in meeting individual needs, such public awareness programs to be coordinated with other Federal grant programs, planning for State network development, and coordination with regional and national networks;

(4) providing in-service training, continuing education, and career incentive programs for local library personnel, supplementing programs under the Higher Education Act, and including the recruitment and training on the local level of community liaison workers, public information officers, learners’ advisors, literacy instructors, inform-ation specialists, trustees, and other library personnel who are representative of the constituencies in the community being served.

(b) Funds provided under this title may be transferred for use by institutions of higher education to carry out programs described in subsections (a) (3) and (4) of this section.

STATE ANNUAL PROGRAM FOR PLANNING AND DEVELOPMENT

Sec. 503. Any State desiring to receive a grant from its allotment to the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit for that fiscal year an annual program for planning and development. Such program shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) of this Act would be used, consistent with its long-range program for the purposes set forth in section 502, and

(2) include an extension of the long-range program taking into consideration the results of evaluations.

TITLE VI—MISCELLANEOUS PROVISIONS

EFFECTIVE DATE

Sec. 501. The provisions of this Act shall take effect October 1, 1981.