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To promote the further development of public library services, and for other purposes.

IN THE SENATE OF THE UNITED STATES
JUNE 20 (legislative day, JUNE 12), 1980
Mr. Javits (for himself, Mr. Kennedy, Mr. Randolph, Mr. Pell, Mr. Stafford, and Mr. Williams) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL
To promote the further development of public library services, and for other purposes.

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".

DECLARATION OF POLICY AND PURPOSE
Sec. 2. (a)(1) It is the policy of the United States to establish, support, and expand educational 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 relating
to publicly supported programs designed to provide assist-
ance to those in need, including particularly programs con-
cerned 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 infor-
mation, especially information about public processes and the
various sides of public issues; and to provide to all persons,
without regard to their educational attainment, individual
ability or economic condition, free, equal, and open access to
all publicly funded library and information services.
(2) In order to achieve the policy set forth in subsection
(a) of this section, it is essential that a national program be
established to insure that an adequate level of library and
information services is made available in all communities ac-
cessible to all residents thereof, and to encourage government
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 librar-
ies; (2) in the provision, extension, and improvement of public
library services; (3) in public library construction; (4) in the
provision, extension, and improvement of public library pro-
grams 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.

6 (c)(1) It is further the purpose of this Act to preserve the tradition of local control over the selection and purchase of library materials and the furnishing of library and information services. The administration of libraries, the selection of personnel and library books and materials, and, insofar as consistent with the purposes of this Act, the determination of the best uses of the 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) “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. The annual programs shall be submitted in such detail as required by regulations promulgated by the Secretary.
(2) "Basic State plan" means the document which provides assurances—

(A) that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer 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 implemented; and which is submitted for approval as required by regulations promulgated by the Secretary.

(3) "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.
(4) "Criteria for determining adequacy of public library services" means the standards adopted by the State and approved by the Secretary to determine services or resources of public libraries which are inadequate and for which funds under this Act may be expended.

(5) "Disadvantaged persons" means persons who have educational, socioeconomic, cultural, or similar disadvantages that prevent them from receiving the benefits of library services.

(6) "Functionally illiterate" means persons who do not possess the necessary skills to read, write, and comprehend sufficiently to fulfill their own objectives as family and community members, citizens, consumers, job-holders, and members of social, religious, and other associations of their choosing.

(7) "Interlibrary cooperation" means the establishment, expansion, and operation of local, regional, and interstate cooperative library networks.

(8) "Library" means any school, public, academic, or special library or information center which provides library services, whether publicly or privately funded.

(9) "Library materials" means books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microforms, pictorial or graphic works,
musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, and processed video and magnetic tapes; printed, published, audiovisual materials, and nonconventional library materials designed specifically for the handicapped, and materials of a similar nature.

(10) "Library service" means the performance of all activities of a library relating to the collection and organization of library materials and to making the materials and information of a library available to a clientele.

(11) "Long-range program" means the comprehensive five-year program which identifies the library needs of the State and sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this Act. Each long-range program shall be developed by the State library administrative agency and shall specify the policies, criteria, priorities, and procedures of the State consistent with this Act as required by the regulations promulgated by the Secretary. Each long-range program shall be updated as library progress requires.

(12) "Network" means a formal arrangement under which materials, information, and services pro-
vided by a variety of types of libraries and other organizations are made available to all potential users and is designed to provide for the systematic and effective coordination of the resources of school, public, academic and special libraries and information centers to achieve improved service to the users thereof. A network may serve a community, metropolitan area, region covering portions of more than one State, or region within a State, or be statewide, multi-State, national, or international in scope.

(13) "Office" means the Office of Libraries and Learning Resources in the Department of Education.

(14) "Physically handicapped" means persons who have restricted physical capabilities which impair their ability to use 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.

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

(17) "Research library" means a public library which—
(A) makes its services available to the public free of charge;

(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through other public libraries;

(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

(D) is not an integral part of an institution of higher education.

A public library which is also a research library has the same basic entitlement to funds under this Act as any other public library.

(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 Mariana Islands.
(20) "State advisory council on libraries" means an advisory council for the purposes of clause (3) of section 9(a) of this Act which shall—

(A) be broadly representative of the public, school, academic, and special libraries in the State, and of persons intended to be served by such libraries, including disadvantaged persons within the State;

(B) advise the State library administrative agency on the development of, and policy matters arising in the administration of, the State plan; and

(C) assist the State library administrative agency in the evaluation of activities assisted under this Act.

(21) "State institutional library services" means the providing of books and other library materials, and of library and information services, which would normally be provided by a public library, to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, or (B) students in residential schools for the physically handicapped (including mentally retarded, hearing impaired, deaf, speech
impaired, visually handicapped, seriously emotionally
disturbed, crippled, or other health impaired individuals
who by reason of such impairment require special edu-
cation) 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 li-
brary services throughout the State, and which has
adequate authority under the laws of the State to ad-
minister State plans and annual programs in accord-
ance with the provisions of this Act.

(23) "Strengthening the State library administra-
tive agency" means improving the capacity of the
agency in the administration of programs and projects
assisted under this Act to meet Federal requirements.

AUTHORIZATION OF APPROPRIATIONS

Sec. 4. (a)(1) There are authorized to be appropriated
for the purpose of making grants to States to carry out inter-
library cooperation programs under title I, $20,000,000 for
the fiscal year 1983 and for each of the succeeding fiscal
years ending prior to October 1, 1987.

(2) There are authorized to be appropriated for the pur-
pose of making grants to States for public library services
under title II, such sums as may be necessary for the fiscal
1 year 1983 and for each of the succeeding fiscal years ending
2 prior to October 1, 1987.
3
4 (3) There are authorized to be appropriated for the pur-
5 pose of making grants to States for public library construc-
6 tion under title III, $150,000,000 for the fiscal year 1983,
7 and for each of the succeeding fiscal years ending prior to
8 October 1, 1987.
9
10 (4) There are authorized to be appropriated for the pur-
11 pose of making grants to States for public library programs to
12 meet special user needs under title IV such sums as may be
13 necessary for the fiscal year 1983 and for each of the suc-
14 ceeding fiscal years ending prior to October 1, 1987.
15
16 (5) There are authorized to be appropriated for the pur-
17 pose of making grants to States to carry out planning and
18 development, public awareness, and library personnel train-
19 ing programs under title V, such sums as may be necessary
20 for the fiscal year 1983 and for each of the succeeding fiscal
21 years ending prior to October 1, 1987.
22
23 (b) Notwithstanding any other provision of law, unless
24 enacted in express limitation of the provisions of this subsec-
25 tion, any sums appropriated pursuant to subsection (a)
26 shall—
27
28 (1) be included in the Act making appropriations
29 for the fiscal year prior to the fiscal year in which such
30 sums are obligated,
(2) be made available for expenditure prior to the beginning of such fiscal year, and

(3) subject to regulations of the Secretary promulgated in carrying out the provisions of section 5(b), remain available for obligation and expenditure for the year specified in the appropriation Act and until the close of the following fiscal year.

ALLOTMENTS TO STATES

SEC. 5. (a) (1) From the sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a) for any fiscal year the Secretary shall allot the minimum allotment as determined under paragraph (3) of this subsection to each State. Any sums remaining after minimum allotments have been made shall be allotted in the manner set forth in paragraph (2) of this subsection.

(2) From the remainder of any sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a) for any fiscal year, the Secretary shall allot to each State such part of such remainder as the population of the State bears to the population of all the States.

(3) For the purposes of this subsection, the “minimum allotment” shall be—

(A) with respect to appropriations for the purposes of title I, $40,000 for each State, 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;

(B) with respect to appropriations for the purposes of title II, $200,000 for each State, except that it shall be $40,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands;

(C) with respect to appropriations for the purposes of title III, $100,000 for each State, 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;

(D) with respect to appropriations for the purposes of title IV, $100,000 for each State, 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; and

(E) with respect to appropriations for the purposes of title V, $40,000 for each State, 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 4(a) for any fiscal year are insufficient to fully satisfy the aggregate of the minimum allotments for that
purpose, each of such minimum allotments shall be ratably reduced.

(4) The population of each State and of all the States shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

(5) There is authorized for the purpose of evaluation (directly or by grants or contracts) of programs authorized by this Act, such sums as Congress deems necessary for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(b) The amount of any State’s allotment under subsection (a) for any fiscal year from any appropriation made pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a) which the Secretary determines will not be required for the period and the purpose for which such allotment is available for carrying out the State’s annual program shall be available for reallocation from time to time on such dates during such year as the Secretary shall fix. Such amount shall be available for reallocation to other States in proportion to the original allotments for such year to such States under subsection (a) but with such proportionate amount for any such other States being reduced to the extent that it exceeds the amount which the Secretary estimates the State needs and will be able to use for such period of time for which the original allotments were made. The total of such reductions shall be
similarly reallocated among the States not suffering such a reduction. Any amount reallocated to a State under this subsection for any fiscal year shall be deemed to be a part of its allotment for such year pursuant to subsection (a).

PAYMENTS TO STATES

SEC. 6. (a) From the allotments available therefor under section 5 from appropriations pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a), the Secretary shall pay, to each State which has a basic State plan approved under section 9(a)(1), an annual program and a long-range program, an amount equal to the Federal share of the total sums expended by the State and its political subdivisions in carrying out such plan, except that no payments shall be made from appropriations pursuant to such paragraph (2) for the purposes of title II to any State (other than the Trust Territory of the Pacific Islands and the Northern Mariana Islands) for any fiscal year unless the Secretary determines that—

(1) there will be available for expenditure under the programs from State and local sources during the fiscal year for which the allotment is made—

(A) sums sufficient to enable the State to receive for the purpose of carrying out the programs payments in an amount not less than the minimum allotment for that State for the purpose, and
(B) not less than the total amount actually expended, in the areas covered by the programs for such year, for the purposes of such programs from such sources in the second preceding fiscal year; and

(2) there will be available for expenditure for the purposes of the programs from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for such purposes from such sources in the second preceding fiscal year.

(b)(1) For the purpose of this section, the Federal share for title I of this Act shall be 100 per centum of the cost of carrying out the State plan.

(2)(A) For the purpose of this section, the Federal share for title II and title III of this Act shall be 100 per centum less the State percentage, and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands and the Northern Mariana Islands), except that (i) the Federal share shall in no case be more than 66 per centum or less than 33 per centum, and (ii) the Federal share for Puerto Rico, Guam, American Samoa, and the
Virgin Islands shall be 66 per centum and (iii) the Federal share for the Trust Territory of the Pacific Islands and the Northern Mariana Islands shall be 100 per centum.

(B) The Federal share for title II and title III for each State shall be promulgated by the Secretary within sixty days after the beginning of the fiscal year ending September 30, 1982, and of every second fiscal year thereafter, on the basis of the average per capita incomes of each of the States and of all the States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands and the Northern Mariana Islands), for the three most recent consecutive years for which satisfactory data are available to him from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years beginning after the promulgation.

(3) For the purpose of this section, the Federal share for title IV shall be 100 per centum of the cost of carrying out the State plan.

(4) For the purpose of this section, the Federal share for title V shall be 100 per centum of the cost of carrying out the State plan.

OFFICE OF LIBRARIES AND LEARNING TECHNOLOGIES

Sec. 7. (a)(1) There is established in the Department of Education an Office of Libraries and Learning Technologies.
(2) The Office shall be headed by a Deputy Assistant Secretary.

(b) In order to carry out the purposes of this Act, the Secretary, through the Office, shall—

(1) carry out financial assistance programs authorized by titles I, II, III, IV, and V of this Act;

(2) encourage and assist comprehensive planning, coordination and development of multitype library and information networks and exchange programs, including—

(A) both profit and not-for-profit libraries from the public and private sector,

(B) the Library of Congress,

(C) a national periodicals system, and

(D) a national lending library for print and nonprint materials,

in cooperation with State library agencies and such other agencies, organizations, or libraries as are involved in such networks and programs, except that the operation of such networks shall be controlled at the State or regional level and shall be accessible equally to benefit all individuals;

(3)(A) encourage and assist interlibrary cooperation among libraries of all kinds, including national and regional library and information resource centers, State
library agencies, creation of interinstitutional catalogs,
exchange of library materials, transmission of bibliographic information, and joint operation of communications facilities, and

(B) encourage and support low rates for postal and telecommunication charges for such services;

(4) encourage and assist the transmission of information to public libraries for the benefit of individual users concerning Federal and State publicly supported programs designed to provide assistance to individuals in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly;

(5) encourage and assist the development and implementation of procedures to insure convenient, speedy and free access to all nonclassified information and materials in Government repositories, especially information about public processes and the various sides of public issues, including information and materials maintained by federally funded libraries and information services, whether operated by Federal agencies or established under Federal law;

(6) encourage and assist the development and implementation of procedures to facilitate participation by all federally supported libraries and information serv-
ices and appropriate Federal agencies in the development, review, adoption, and implementation of national and international standards for publishing, producing, organizing, storing, and transmitting information using established and recognized procedures and institutions;

(7) encourage and assist the establishment and implementation of standards which address hardware and software compatibility, computer and communications network protocols, and machine readable information;

(8) encourage and conduct research programs into development of new technologies to permit convenient and economic media conversion between conventional print and other formats for storage, retrieval, and transmission, including formats specially designed to serve hearing impaired, blind, and other physically handicapped persons;

(9) encourage and assist the establishment of cooperative library exchange programs with foreign libraries, including the translation and distribution of library materials and the international exchange of library and information services, including international networking;

(10) encourage and assist the development and improvement of the library resources of the United States, including acquisition of foreign materials, estab-
lishment of special collections to preserve local history and ethnic and cultural heritage, including American Indian culture, improved cataloging procedures, conservation and archival preservation of library materials, and technological advances;

(11) plan and implement campaigns and programs to increase public awareness of library and information services on the national level in coordination with the States as appropriate;

(12) encourage and assist measures to improve library-community interaction, including community needs assessment projects, cultural awareness projects, age-level consultant projects, and youth incentive projects;

(13) cooperate with and assist the Bureau of Indian Affairs in their establishment and operation of a National Indian Library Center and, upon request of the Bureau, assist in—

(A) the preservation, production, collection, and distribution of materials to Indian libraries;

(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 Indian libraries;
(D) the provision of network services to
Indian libraries, including access to information on
Government assistance programs for Indians, in-
cluding health, social services, economic develop-
ment and job training; and

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

(14) encourage and assist the planning and imple-
mentation of a national plan for the distribution of
Government publications to ensure convenient access
to all Government publications by all citizens, includ-
ing financial assistance to participating libraries to aid
in the maintenance collections, facsimile transmission,
and other technical facilities where appropriate, and
the maintenance of a low price structure for the pur-
chase of Government publications;

(15) coordinate the collection and dissemination of
statistical data relating to library services;

(16) establish and operate a National Clearing-
house on Library and Information Services to—
(A) plan and implement demonstration programs and research in innovative and improved library programs and information services,

(B) collect information on innovative and improved library programs and information services in the United States and elsewhere in the world,

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

(D) encourage and assist the exchange and circulation of cultural programs, exhibits, and other special materials to enrich library service to the public;

(17) 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 library and information services to individual residents in such institutions; and

(18) administer grants appropriated for the purpose of assisting in the implementation of the foregoing purposes.

ADMINISTRATIVE PROVISIONS

Sec. 8. (a) In order to carry out the functions of this Act, the Secretary is authorized to—
(1) prescribe such regulations as he deems reason-
ably necessary;

(2) appoint and fix the compensation of such per-
sonnel as may be necessary;

(3) receive money and other property donated, be-
queathed, or devised, without condition or restriction
other than that it will be used for the purposes of the
Office, and to use, sell, or otherwise dispose of such
property for the purpose of carrying out the functions
of the Office under this Act;

(4) receive, and use, sell, or otherwise dispose of,
in accordance with paragraph (3) money and other
property donated, bequeathed, or devised to the Office
with a condition or restriction including a condition
that the Office use other funds of the Office for the
purpose of the gift;

(5) appoint one or more advisory committees com-
posed of such private citizens and officials of Federal,
State, and local governments as the Secretary deems
desirable to advise the Office with respect to its func-
tions under this Act, which advisory committee or
committees shall have the same representative compo-
sition and functions on the national level as the State
Advisory Council on Libraries have pursuant to section
3 of this Act;
(6) secure from any Federal agency, including any independent establishment or instrumentality of the United States, or from any State or political subdivision thereof, information, estimates and statistics required in the performance of functions under this Act;

(7) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code;

(8) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem as authorized by section 5703 of title 5, United States Code;

(9) enter into contracts, grants, or other arrangements, or modifications thereof to carry out the provisions of this Act;

(10) provide for the making of such reports (including fund accounting reports) and the filing of such applications in such form and containing such information as the Secretary may reasonably require;

(11) make advances, progress, and other payments which the Secretary deems necessary to carry out the provisions of this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(12) make other necessary expenditures.
(b) Each member of a committee appointed pursuant to paragraph (5) of subsection (a) of this section who is not an officer or employee of the Federal Government shall receive an amount not to exceed 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 traveltime) 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, estimates, and available statistics, to the greatest practicable extent, to the Office in the performance of its functions.

STATE PLANS AND PROGRAMS

Sec. 9. (a) Any State desiring to receive its allotment for any purpose under this Act for any fiscal year shall—

(1) have in effect for such fiscal year a basic State plan which meets the requirements set forth in subsection (b),

(2) submit an annual program for the purposes for which allotments are desired, meeting the appropriate requirements set forth in titles I through V,
(3) submit, not later than July 1, 1982, a long-range program for carrying out the purposes of this Act as specified in subsection (d), and

(4) establish a State Advisory Council on Libraries which meets the requirements of section 3(20).

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

(1) provide for the administration, or supervision of the administration, 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 a long-range 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 of, and account for, Federal funds paid to the State (including any such funds paid by the State to any other agency) under this Act;

(3) provide satisfactory assurance that the State agency administering the plan (A) will make such reports, in such form and containing such information, as the Secretary may reasonably require to carry out his functions under this Act and to determine the extent to which funds provided under this Act have been effective in achieving the State's criteria for adequate serv-
ices, including reports of evaluations made under the State plans, and (B) will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(4) set forth the criteria to be used in determining the adequacy of public library services in various geographical areas and for various groups of persons in the State for titles I through V.

(c)(1) The Secretary shall not approve any basic State plan pursuant to this Act for any fiscal year unless—

(A) the plan fulfills the conditions specified in section 3(20) and subsection (b) of this section and the appropriate titles of this Act;

(B) the Secretary has made specific findings as to the compliance of such plan with requirements of this Act and he is satisfied that adequate procedures are contained in the plan to insure that any assurances and provisions of such plan will be carried out, including the receipt and acceptance of reports as required by subsection (b)(3) of this section.

(2) The State plan shall be made public as finally approved.

(3) The Secretary shall not finally disapprove any basic State plan submitted pursuant to subsection (a)(1), or any
modification thereof, without first affording the State reason-
able notice and opportunity for hearing.

(d) The long-range program of any State for carrying
out the purposes of this Act shall—

(1) set forth a program under which the funds re-
ceived by the State under the programs authorized by
this Act will be used to carry out a long-range pro-
gram of library services and construction covering a
period of not less than three nor more than five years;

(2) be annually reviewed and revised in accord-
ance with changing needs for assistance under this Act
and the results of the evaluation and surveys of the
State library administrative agency;

(3) set forth policies and procedures (A) for the
periodic evaluation of the effectiveness of programs and
projects supported under this Act, and (B) for appropri-
ate dissemination of the results of such evaluations and
other information pertaining to such programs or proj-
jects; and

(4) set forth effective policies and procedures for
the coordination of programs and projects supported
under this Act with library programs and projects op-
erated by institutions of higher education or local ele-
mentary or secondary schools and with other public or
private library services programs, and for cooperation
among local libraries to meet the needs of the people of the community.

Such program shall be developed with the advice of the State Advisory Council and in consultation with the Secretary and shall be made public as it is finally adopted.

(e) Whenever the Secretary, after giving reasonable notice and opportunity for hearing to the State agency administering a program submitted under this Act, finds—

(1) that the program has been so changed that it no longer complies with the provisions of this Act, or

(2) that in the administration of the program there is a failure to comply substantially with any such provisions or with any assurance or other provisions contained in the basic State plan,

then, until he is satisfied that there is no longer any such failure to comply, after appropriate notice to such State agency, the Secretary shall make no further payments to the State under 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 payments by such State agency under this Act shall be limited to local or other public library agencies not affected by the failure.

(f)(1) If any State is dissatisfied with 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 sixty 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 clerk of 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; but the court, for
good cause shown, may remand the case to the Secretary to
take further evidence. The Secretary may thereupon take
new or modified findings of fact and may modify his previous
action, and shall certify to the court the record of further
proceedings.

(3) 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 Su-
preme Court of the United States upon certiorari or certifica-
tion 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. 101. 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 pro-
gram under section 9(d) and an annual program under section
103 for interlibrary cooperation and network support pro-
grams among school, public, academic, and special libraries
and information centers.
USES OF FEDERAL FUNDS
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 li-
brary networks on an intrastate, statewide, regional,
multistate, and national basis;
(2) establishing, expanding, and operating intra-
state, statewide, regional, multistate, and national co-
operative networks of libraries to provide for the sys-
tematic and effective coordination of the resources of school, public, academic, and special libraries and information centers to achieve improved service to the users thereof, including bibliographic access, communications, and delivery systems, and including the conversion of existing collections and catalogs to machine-readable data bases; and

(3) special financial assistance for collection maintenance or development to resource libraries identified in the State plan, including research libraries, major academic libraries, and where appropriate, privately funded library collections which are heavily 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 purpose of making discretionary grants for assistance to regional, multistate, national, or international cooperative networks which benefit the 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 library may receive assistance or network services under this title unless the school, public,
1 academic, special library or information center, or resource
2 library has agreed to share its own library and information
3 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. Any State desiring to receive a grant from its
8 allotment for the purposes of this title for any fiscal year
9 shall, in addition to having submitted, and having had ap-
10 proved, a basic State plan under section 9, submit for that
11 fiscal year an annual program for interlibrary cooperation and
12 network support. Such program shall be submitted at such
13 time, in such form, and contain such information as the Sec-
14 retary may require by regulation, and shall—

(1) set forth a program for the year submitted
16 under which funds paid to the State from appropri-
17 ations pursuant to paragraph (1) of section 4(a) will be
18 used, consistent with its long-range program for the
19 purposes set forth in section 102, and

(2) include an extension of the long-range pro-
21 gram taking into consideration the results of evalua-
22 tions.
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)(1) to States which have had approved basic State plans under section 9(c) and have submitted a long-range program under section 9(d) and an annual program under section 203 for the provision, extension, and improvement of public library services.

USES OF FEDERAL FUNDS

Sec. 202. Funds appropriated pursuant to paragraph (2) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under sections 9 and 203. In order to provide, extend, and improve public library services, each State library administrative agency shall distribute funds received under this title directly to the public libraries in that State for general support purposes.

STATE ANNUAL PROGRAM FOR PUBLIC LIBRARY SERVICES

Sec. 203. Any State desiring 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 public library services.
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 (2) of section 4(a) for that year will be used, consistent with its long-range program, to provide, extend, and improve public library services on a fair and equitable basis to all citizens including children, students, adult learners, and older readers throughout the State;

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

(3) set forth the criteria used in allocating funds paid to the State from appropriations pursuant to such paragraph (2), which criteria shall insure that (A) the funds will be distributed among public libraries in the State on the basis of population, subject to such adjustments as may be provided for in reasonable standards and regulations adopted 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) will share its resources on an exchange basis with other public libraries in the State, and set forth procedures for the establishment of a statewide library network based upon the sharing of such resources;

(5) provide assurances that the State will use not more than 5 per centum of the funds received by the State under this Act to pay the costs of activities required by this Act for a State to qualify for assistance 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 submit a substantially complete annual program for each title of this Act under which funds are being sought within ninety days after the Secretary has notified the State of the availability of funds, and that such reports as
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 have submitted a long-
range program under section 9(d) and an appropriately up-
dated annual program under section 303 for the construction
of public libraries.

USES OF FEDERAL FUNDS

Sec. 302. Funds appropriated pursuant to paragraph (3)
of section 4(a) shall be available for grants to States from
allotments under section 5(a) for the purpose of paying the
Federal share of the cost of construction projects carried out
under State plans submitted and approved under sections 9
and 303. Such grants shall be used solely for the construction
of public libraries as defined in section 3 and for the remodel-
ing of public libraries necessary to meet standards adopted
pursuant to the Act of August 12, 1968, commonly known as
the Architectural Barriers Act of 1968, for the acquisition
and conversion of existing structures for use as libraries, and
for remodeling designed to conserve energy in the operation
of public libraries under approved 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 projects as the State may approve and are consistent with its long-range program. Such projects shall be submitted at such time and contain such information as the Secretary may require by regulation and shall—

(1) for the year submitted under which funds are 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 construction of public libraries in areas of the State which are without the library facilities necessary to provide adequate library services;

(2) follow the criteria, policies, and procedures for the approval of applications for the construction of public library facilities under the long-range program;

(3) follow policies and procedures which will insure that every local or other public agency whose application for funds under the plan with respect to a project for construction of public library facilities is
denied will be given an opportunity for a hearing before the State library administrative agency; and

(4) include 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(c) 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 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 sections 9 and 403. Such grants shall be used for—

(1) library services for rural, sparsely populated, and impacted areas to supplement services funded 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 aging, 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 publicly 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, employee, 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; nonprofit arts, cultural, archival, and historic preservation orga-
nizations; and publicly supported museums, schools, colleges, and adult education programs.

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

SEC. 403. Any State desiring 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 public library programs to meet special user needs. Such annual 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 will be used, consistent with its 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 co-
ordinating, 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 pro-
gram 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) for the purpose of paying
the Federal share of the cost of carrying out State plans sub-
mitted and approved under section 503. Subject to such limi-
tations and criteria as the Secretary shall establish by regula-
tion, grants under this title may be used for—

(1) meeting the costs of State library administra-
tive agencies for planning and evaluation, studies and
research, coordination with other Federal library grant
programs, planning for State network development,
and coordination with regional and national networks;

(2) strengthening the capacity of State library ad-
ministrative agencies for meeting 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 any similar programs undertaken on the national or local community levels; and

(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' advisers, literacy instructors, information 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) (2) 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 should 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 (5) of section 4(a) 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. 601. The provisions of this Act shall take effect October 1, 1981.