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1989

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Recommended Citation

"Library Services and Construction Act: Reauthorization (1989-1994): Report 07" (1989). *Library Services and Construction Act: Reauthorization (1989-1994)*. Paper 16.

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LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1989

HR 2742 and S. 1291

Summary of Significant Changes from Current Law

Legislation to reauthorize the Library Services and Construction Act for five years has been approved by the House Education and Labor Committee and the Senate Labor and Human Resources Committee. The bills were introduced by House Postsecondary Education Subcommittee Chairman Pat Williams (D-MT), and Senate Education, Arts, and Humanities Subcommittee Chairman Claiborne Pell (D-RI), in both cases with the cosponsorship of the ranking Republicans and a majority of the subcommittee members.

The major programmatic changes from current law in the bills as approved by the committees include an increased emphasis on technology within the framework of LSCA I, II and III; additional literacy and child-centered activities in title I; emphasis within titles II and III on the preservation of library materials; a new title VII for evaluation and assessment of LSCA by the Department of Education; a variety of technical amendments to increase flexibility and efficiency; and, in HR 2742, a new title VIII for Family Learning Centers. Amendments detailed below apply to both bills, unless otherwise specified.

AUTHORIZATION LEVELS (figures in thousands)

LSCA Title	Proposed FY 1990	Current Law FY 1989	Appropriations FY 1989
I, public library services	\$100,000	\$ 95,000	\$ 81,009
II, public library construction	55,000	50,000	22,324
III, interlibrary cooperation	35,000	30,000	19,102
IV, Indian library services	(2% of appropriations for LSCA I, II, and III)		
V, foreign language materials	1,000	1,000	-0-
VI, library literacy programs	10,000	5,000	4,730
VII, evaluation and assessment	500	---	---
VIII, family learning centers (Title VIII in HR 2742 only)	12,000	---	---

(For FY 1991 through 1994 - such sums as necessary)

PROVISIONS WHICH APPLY TO ALL STATE-BASED TITLES (I, II, and III)

Network is defined for the first time (in language very similar to existing title III wording) to mean "any local, statewide, regional or interstate cooperative association of library entities which provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers for improved supplementary services for the clientele served by each type of library entity."

TITLE I, LIBRARY SERVICES

Technology. Title I purposes as reflected in annual programs would be expanded to include "assisting public libraries in making effective use of technology to improve library and information services."

Intergenerational Library Services. Title I purposes as reflected in annual programs would be expanded to include "assisting libraries in developing intergenerational library programs that will match older volunteers with libraries interested in

developing after school literacy and reading skills programs for unsupervised school children during afterschool hours."

Childcare Library Outreach. Title I purposes as reflected in annual programs would be expanded to include "assisting libraries in providing mobile library services and programs to licensed or certified child-care providers or child-care centers."

Library Literacy Centers. Title I purposes as reflected in annual programs would be expanded to include "to establish model library literacy centers, coordinated by the State library agency with other interested State agencies and nonprofit organizations to reduce the number of functionally illiterate individuals and to help them reach full employment."

Drug Abuse Prevention (HR 2742, but not S. 1291). Title I purposes as reflected in annual programs would be expanded to include "assisting libraries in providing and displaying educational materials, and conducting community-wide programs, aimed at preventing and eliminating drug abuse, in cooperation with local education agencies or other agencies or organizations, if appropriate."

Multitype Library Systems. An amendment would be added to recognize that title I grants to multitype library systems result in improved library services, and to reduce title I/title III audit problems: "In carrying out its program to accomplish the purposes of this title, a State may make subgrants to library systems or networks which include libraries other than public libraries, if the purpose of the grant is to improve services for public library patrons."

Maintenance of Effort. HR 2742: The House bill would separate the nonfederal funding matching requirements from the maintenance of effort requirements. For the latter, states would report aggregate state aid to public libraries and library systems, and would be required to maintain at least 90 percent of such state aid in the second preceding fiscal year. Waivers would be allowed for exceptional circumstances. The few states which did not provide direct state aid would be required to maintain similar effort on expenditures for the state and library administrative agency, or the part of it engaged in extension and development of public library services in the state. S. 1291: To provide for periodic review and restatement of the maintenance of effort/matching floor for title I: "In fiscal year 1990, and every fifth year thereafter, each State library agency may review its expenditures under the programs from State and local sources and file with the Secretary a statement to establish a current, revised expenditure level to be used for measuring the maintenance of effort" requirement.

Ratable Reduction of MURLS Grants. An amendment would adjust the maintenance of effort requirement for Major Urban Resource Libraries (MURLS) to account for a drop in federal appropriations or in the population of cities above 100,000 which qualify. Ratable reductions would be allowed "to the extent that the total Federal allocations to the State under section 5 for purposes of this title are reduced or that the 1990 Census shows the population of the city has decreased."

Handicapped Individual. This phrase is defined to mean "an individual who is physically or mentally impaired, visually impaired, or hearing impaired."

TITLE II, PUBLIC LIBRARY CONSTRUCTION

Technology Enhancement. LSCA II would be retitled "Public Library Construction and Technology Enhancement."

Technology Eligibility. As an eligible use of LSCA II funds, "technology enhancement" would be defined as "the acquisition, installation, maintenance, or replacement, of substantial technological equipment (including library bibliographic automation equipment) necessary to provide access to information in electronic and other formats made possible by new information and communications technologies."

In addition, the definition of "construction" would be expanded to include projects "to ensure safe working environments." Within the overall definition of "construction," the term "equipment" would be expanded to include the lease of equipment, and information and building technologies, and video and telecommunications equipment.

Preservation. State annual programs for LSCA II would be amended to ensure that eligible projects "follow policies and procedures in the construction of public libraries that will promote the preservation of library and information resources to be utilized in the facilities."

Carryover of Funds. LSCA II funds would remain available until expended. Each time title II is funded, such language has been included in annual appropriations laws.

TITLE III, INTERLIBRARY COOPERATION AND RESOURCE SHARING

Technology. Uses of title III funds would expand to include "developing the technological capacity of libraries for interlibrary cooperation and resource sharing."

School Library Resources (HR 2742 only). Under title III: "Public and school libraries which cooperate to make school library resources available to the public during periods when school is not in session may be reimbursed for such expenses."

Preservation. The bill would provide for an optional statewide preservation cooperation plan and the identification of preservation objectives. States which choose this option would be required to develop such a plan "in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations, and other interested parties." Such a plan must specify "the methods by which the State library agency will work with libraries, archives, historical societies, scholarly organizations, and other agencies, within or outside the State, in planning, education and training, coordinating, outreach and public information, and service programs to ensure that endangered library and information resources are preserved systematically."

No additional funds would be authorized specifically for preservation, but states with such plans would be permitted to use title III funds to carry them out. States "may contract part or all of the preservation program under this section to other agencies or institutions."

TITLE IV, LIBRARY SERVICES FOR INDIAN TRIBES

Allocations. As in current law, 1.5 percent of appropriations for titles I, II, and III would be available for grants to Indian tribes; and 0.5 percent for organizations serving Hawaiian natives. Under current law, the amount of the basic grant equals the 1.5 percent set-aside divided by the number of tribes; funds not applied for successfully are re-allocated for special project grants. However, under the bills, one-half of the set-aside for Indian tribes would be used for basic grants, with the grant amount determined by dividing this half by the number of tribes submitting an approved application. The other half would be used for special project grants.

Alaskan Service Areas. To avoid applications from overlapping entities serving the same area, the bill would require implementing regulations to "prevent an allocation

from being received to serve the same population by any two or more of the following: an Alaskan native village, a regional corporation, or a village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act."

Special Project Grants. An Indian tribe would have to apply successfully for a basic grant to be eligible for a special project grant in the same fiscal year.

TITLE V, FOREIGN LANGUAGE MATERIALS ACQUISITION

Coordination. The Secretary of Education would be required to coordinate programs under LSCA V and VI with the programs assisted by LSCA I, II, and III, "and shall afford to the head of the State library administrative agency the opportunity to comment on any application for a grant under title V or VI of this Act prior to the awarding of the grant, in order to assure that such grants from the Secretary are for purposes consistent with the long-range program...."

Grant Amount. HR 2742: Under LSCA V, the maximum grant amount would be raised from \$15,000 to \$50,000. S. 1291: The maximum grant limitation of \$15,000 would "not apply to any major urban resource library." The Secretary of Education "shall not use more than 30 percent of the funds appropriated under this title to provide grants to major urban resource libraries in excess of the amount of the limitation described in subsection (c)." [Subsection (c) refers to the \$15,000 limit.]

TITLE VI, LIBRARY LITERACY PROGRAMS

Maximum Grant. The maximum amount of a literacy program grant would be raised from \$25,000 to \$35,000.

Coordination. (See the amendment described under title V.)

TITLE VII (current law includes only six titles)

Evaluation and Assessment. A new title VII, Evaluation and Assessment, would be added to authorize \$500,000 for the Secretary of Education "to carry out a program for the purpose of evaluation and assessment (directly or by grants and contracts)" of LSCA programs. The existing language in LSCA section 5(a)(5) which authorizes such sums as necessary for evaluation of LSCA programs would be stricken.

TITLE VIII (HR 2742, but not S. 1291)

Family Learning Centers. The House bill would add a new title VIII, Family Learning Centers, to authorize \$12 million for grants through state library agencies for one competitively selected family learning center at a public library in states with approved plans and applications. To be eligible, interested public libraries would have to provide certain family oriented services such as job and career information programs, and family library loan programs; and meet certain conditions such as sufficient qualified staff, hours of service which accommodate working parents, establishment of an advisory committee, etc.

No funds could be appropriated for title VIII unless LSCA I funds equaled or exceeded FY 1989 levels. Funds would be used for library services to families. At least 25 percent of funds would be for materials on child care and development, nutrition, parenting skills, and job and career information; and materials for children and adolescents. At least 10 percent of funds would be for computer hardware and software for public use.