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National Commission on Libraries (1991): Report 01

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SEC. 315. TECHNICAL AMENDMENT.

Section 343(a)(2)(A) of the Tech-Prep Education Act (20 U.S.C. 2394a(a)(2)(A)) is amended by striking "subject to a default management plan required by the Secretary" and inserting "prohibited from receiving assistance under part B of the Higher Education Act of 1965 pursuant to the provisions of section 435(a)(3) of such Act".

TITLE IV—IMPACT AID**SEC. 401. ADJUSTMENT FOR CERTAIN DECREASES IN FEDERAL ACTIVITIES.**

Section 3(e) of the Act of September 30, 1950 (Public Law 81-874) (hereafter in this title referred to as the "Act") (20 U.S.C. 238(e)) is amended—

(1) in the matter following subparagraph (C) of paragraph (1), by inserting "this subsection and" before "subsections (a) and (b)"; and

(2) in paragraph (2), by striking "section" and inserting "subsection".

SEC. 402. PAYMENT AMOUNTS.

Section 5 of the Act (20 U.S.C. 240) is amended:

(1) by amending paragraph (2) of subsection (b) to read as follows:

"(2) As soon as possible after the beginning of any fiscal year, the Secretary shall, on the basis of a written request for a preliminary payment from any local educational agency that was eligible for a payment for the preceding fiscal year on the basis of an entitlement established under section 2, make such a preliminary payment of 50 percent of the amount that such agency received for such preceding fiscal year on the basis of such entitlement."; and

(2) by amending subparagraph (D) of subsection (e)(1) to read as follows:

"(D) For any fiscal year after September 30, 1991, the Secretary is authorized to modify the per pupil amount described in subparagraph (A) of this paragraph, in any case in which, in the fiscal year for which the determination is made, a local educational agency is described under a different clause of section 5(c)(2)(A) than such agency was in fiscal year 1987."

SEC. 403. SPECIAL PAYMENT RULES.

(a) **PAYMENTS TO LOCAL EDUCATIONAL AGENCIES.**—Any local educational agency that received a payment for fiscal year 1987, 1988, 1989, or 1990 under section 3 of the Act of September 30, 1950 (Impact Aid) (20 U.S.C. 238), the amount of which was incorrect because of a failure by the Secretary of Education to apply any of the limitations on per pupil payments or local contribution rates specified in Public Law 99-500, Public Law 99-591, and Public Law 100-202, and which such payment resulted in or would result in an overpayment, shall be entitled to the amount of such payment.

(b) **FEDERAL CONTRIBUTIONS.**—No portion of any payment received by a local educational agency for fiscal year 1988, 1989, or 1990 under section 2 of the Act of September 30, 1950 (Impact Aid) (20 U.S.C. 237) may be recovered on the ground that such payment was determined incorrectly by employing a formula using such agency's base revenue limit per average daily attendance.

THE PRESIDING OFFICER. The question is on the agreeing to the amendment.

The amendment (No. 947) was agreed to.

THE PRESIDING OFFICER. Without objection, the bill is deemed read the third time and passed.

So the bill (H.R. 2313), as amended, was passed.

THE PRESIDING OFFICER. Without objection, a motion to reconsider is laid upon the table.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT AMENDMENTS OF 1991

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1593, a bill relating to libraries, introduced earlier today by Senators PELL, KENNEDY, HATCH and KASSEBAUM.

THE PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1593) to improve the operation and effectiveness of the United States National Commission on Libraries and Information Science, and for other purposes.

THE PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PELL. Mr. President, I am introducing a bill today that would make some technical, but important, changes to the authorizing statute for the National Commission on Libraries and Information Science to improve the Commission's operation and effectiveness.

The bill would permit the Commission to obtain administrative support services from any Federal agency, not just the Department of Education, and to receive in-kind as well as monetary contributions. These technical amendments would clarify terms of office and voting status of Commissioners and would also make clear that the Commission can be involved in inter-national library and information activities. Finally, this bill would remove the 20-year-old ceiling on the Commission's authorization of appropriations. I am pleased that Senators KENNEDY, HATCH and KASSEBAUM are cosponsors of these amendments.

THE PRESIDING OFFICER. Without objection, the bill is deemed read a third time and passed.

So the bill (S. 1593) was passed as follows:

S. 1593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Commission on Libraries and Information Science Act Amendments of 1991".

SEC. 2. COMMISSION ESTABLISHED.

Subsection (b) of section 3 of the National Commission on Libraries and Information Science Act (hereafter in this Act referred to as the "Act") (20 U.S.C. 1502(b)) is repealed.

SEC. 3. CONTRIBUTIONS.

Section 4 of the Act (20 U.S.C. 1503) is amended to read as follows:

"SEC. 4. CONTRIBUTIONS.

"The Commission is authorized to accept, hold, administer, and utilize gifts, bequests,

and devises of property, both real and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts, bequests, and devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon the order of the Commission."

SEC. 4. FUNCTIONS.

Paragraph (6) of section 5(a) of the Act (20 U.S.C. 1504(a)(6)) is amended by striking "the national communications networks" and inserting "national and international communications and cooperative networks".

SEC. 5. MEMBERSHIP.

Subsection (a) of section 6 of the Act (20 U.S.C. 1505(a)) is amended—

(1) after the third sentence thereof, by inserting the following new sentence: "A majority of members of the Commission shall constitute a quorum for conduct of business at official meetings of the Commission."; and

(2) in the fourth sentence thereof by striking "(1) the terms of office" and all that follows through "time of appointment," and inserting "(1) the term of office of any member of the Commission shall continue until the earlier of (A) the date on which the member's successor has been appointed by the President; or (B) July 19 of the year succeeding the year in which the member's appointed term of office shall expire."

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 7 of the Act (20 U.S.C. 1506) is amended to read as follows:

"SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$911,000 for fiscal year 1992 and such sums as may be necessary for each succeeding fiscal year thereafter to carry out the provisions of this Act."

THE PRESIDING OFFICER. Without objection, a motion to reconsider is laid upon the table.

REMOVAL OF INJUNCTION OF SECRECY

Mr. HOLLINGS. Mr. President, As in executive session,

I ask unanimous consent that the injunction of secrecy be removed from the Regional Agreement on Broadcasting Service Expansion in the Western Hemisphere (Treaty Document No. 102-10), transmitted to the Senate today by the President; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Regional Agreement for the Use of the Band 1605-1705 kHz in Region 2, with annexes, and two U.S. statements as contained in the Final Protocol, signed on behalf of the United States at Rio de Janeiro on June 8, 1988. I transmit