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Library Services and Construction Act: Reauthorization (1989-1994): Report 12

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101ST CONGRESS
1ST SESSION

S. 1291

To extend and amend the Library Services and Construction Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 11 (legislative day, JANUARY 3), 1989

Mr. PELL (for himself, Mrs. KASSEBAUM, Mr. MATSUNAGA, Mr. COCHRAN, Mr. DODD, Mr. SIMON, Mr. JEFFORDS, Mr. KENNEDY, Mr. HOLLINGS, and Mr. GLENN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To extend and amend the Library Services and Construction Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Library Services and Construction Act Amendments of
6 1989”.

7 (b) **REFERENCES.**—References in this Act to “the Act”
8 are references to the Library Services and Construction Act
9 (20 U.S.C. 351 et seq.).

1 SEC. 2. DEFINITIONS.

2 Section 3 of the Act is amended—

3 (1) in paragraph (2)—

4 (A) by striking “and initial equipment” and
5 inserting “and for the purchase, lease, and instal-
6 lation of equipment”;7 (B) by striking “to conserve energy” and in-
8 serting “to ensure safe working environments and
9 to conserve energy”; and10 (C) by striking “includes machinery” and in-
11 serting “includes information and building technol-
12 ogies, video and telecommunications equipment,
13 machinery”; and14 (2) by adding at the end thereof the following new
15 paragraphs:16 “(17) The term ‘handicapped individual’ means an
17 individual who is physically or mentally impaired, visu-
18 ally impaired, or hearing impaired.19 “(18) The term ‘network’ means any local, state-
20 wide, regional, or interstate cooperative association of
21 library entities which provide for the systematic and ef-
22 fective coordination of the resources of school, public,
23 academic, and special libraries and information centers
24 for improved supplementary services for the clientele
25 served by each type of library entity.

1 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

2 (a) AMENDMENT.—Section 4(a) of the Act is amended
3 to read as follows:

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

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

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

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

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

21 (5) for the purpose of making grants as provided
22 in title VI, \$10,000,000 for fiscal year 1990 and such
23 sums as may be necessary for each of the 4 succeeding
24 fiscal years; and

25 “(6) for the purpose of activities as provided in
26 title VII, \$500,000 for fiscal year 1990, and such

1 sums as may be necessary each of the 4 succeeding
2 fiscal years.

3 There shall be available for the purpose of making grants
4 under title IV for each of the fiscal years 1990, 1991, 1992,
5 1993, and 1994, 1.5 percent of the amount appropriated pur-
6 suant to each of paragraphs (1), (2), and (3) for each such
7 fiscal year. There shall be available for the purpose of making
8 grants under section 5(d) for such fiscal years 0.5 percent of
9 the amount appropriated pursuant to each of such paragraphs
10 for each such fiscal year.”

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

15 SEC. 4. ALLOCATIONS.

16 (a) AMENDMENT.—Section 5(c) of the Act is amended
17 to read as follows:

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

22 “(2) From the remaining one-half of the sums available
23 pursuant to such second sentence, the Secretary shall make
24 allocations to Indian tribes that (A) are receiving an alloca-
25 tion under paragraph (1) of this subsection for such fiscal

1 year; and (B) have submitted approved applications under
2 section 404.

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

4 “(A) no funds shall be allocated to an Indian tribe
5 unless such funds will be administered by a librarian;
6 and

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

10 “(4) In making allocations under this subsection, the
11 Secretary shall take such actions as may be necessary to pre-
12 vent an allocation from being received to serve the same pop-
13 ulation by any two or more of the following entities as de-
14 fined in, or established pursuant to, the Alaska Native Claims
15 Settlement Act:

16 “(A) an Alaskan native village,

17 “(B) a regional corporation, or

18 “(C) a village corporation.”

19 (b) CONFORMING AMENDMENT.—Section 6(g)(2) of the
20 Act is amended by inserting after “section 5(c)(2)” the fol-
21 lowing: “in the same fiscal year in which it has received an
22 allocation under section 5(c)(1)”.

23 **SEC. 5. RESOURCE SHARING COORDINATION.**

24 Section 6 of the Act is amended—

1 (1) in subsection (d)(1), by striking “and construc-
2 tion” and inserting “, construction, and interlibrary co-
3 operation and resource sharing”; and

4 (2) by adding at the end thereof the following new
5 subsection:

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

15 **SEC. 6. MAINTENANCE OF EFFORT.**

16 Section 7 of this Act is amended—

17 (1) by redesignating subsections (b) and (c) as sub-
18 sections (c) and (d), respectively; and

19 (2) by inserting after subsection (a) the following
20 new subsection:

21 “(b) In fiscal year 1990, and every fifth fiscal year
22 thereafter, each State library agency may review its expendi-
23 tures in the second fiscal year preceding fiscal year for which
24 the determination is made under the programs from State and
25 local sources and file with the Secretary a statement to es-

1 tablish a current, revised expenditure level to be used for
 2 measuring the maintenance of effort required under subsec-
 3 tions (a)(1)(B) and (a)(2).”.

4 **SEC. 7. INTERGENERATIONAL LIBRARY SERVICES.**

5 Section 101 of the Act is amended—

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

8 (2) by inserting after paragraph (4) the following
 9 new paragraph:

10 “(5) for assisting libraries in developing intergen-
 11 erational library programs that will match older adult
 12 volunteers with libraries interested in developing after
 13 school literacy and reading skills programs for unsuper-
 14 vised school children during afterschool hours;”.

15 **SEC. 8. CHILDCARE LIBRARY OUTREACH.**

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

18 “(6) for assisting libraries in providing mobile li-
 19 brary services and programs to licensed or certified
 20 child-care providers or child-care centers;”.

21 **SEC. 9. LIBRARY LITERACY CENTERS.**

22 Section 101 of the Act is further amended by inserting
 23 after paragraph (6) the following new paragraph:

24 “(7) to establish and support model library liter-
 25 acy centers, coordinated by the State library adminis-

1 trative agency with other interested State agencies and
2 nonprofit organizations to reduce the number of func-
3 tionally illiterate individuals and to help them reach
4 full employment;”.

5 **SEC. 10. USE OF TITLE I FUNDS.**

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

12 **SEC. 11. RATABLE REDUCTIONS OF MAJOR URBAN RE-**
13 **SOURCE LIBRARIES.**

14 Section 102(c) of the Act is amended by adding at the
15 end thereof the following new paragraph:

16 “(3) No State shall, in carrying out the provisions
17 of paragraph (2) of this subsection, reduce the amount
18 paid to any major urban resource library below the
19 amount that such library received in the year preceding
20 the year for which the determination is made under
21 such paragraph (2),” except that such amount shall be
22 ratably reduced to the extent that the total Federal al-
23 locations to the State under section 5 for purposes of
24 this title for the applicable fiscal year are reduced or

1 that the 1990 Census shows the population of the city
2 served by such library has decreased.”.

3 **SEC. 12. STATE ANNUAL PROGRAM.**

4 Section 103 of the Act is amended—

5 (1) in paragraph (3), by striking “and institutional-
6 ized individuals”;

7 (2) in paragraph (4)—

8 (A) by striking “(A)”; and

9 (B) by striking everything following “elder-
10 ly” the first place it appears and inserting a semi-
11 colon; and

12 (3) by striking paragraph (5) and inserting the fol-
13 lowing:

14 “(5) describe the uses of funds to make library
15 services and programs more accessible to handicapped
16 individuals.”.

17 **SEC. 13. TECHNOLOGY ENHANCEMENT.**

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

21 “(19) The term ‘technology enhancement’ means
22 the acquisition, installation, maintenance, or replace-
23 ment, of substantial technological equipment (including
24 library bibliographic automation equipment) necessary
25 to provide access to information in electronic and other

1 formats made possible by new information and commu-
2 nications technologies.”

3 (b) USE OF TITLE I FUNDS.—Section 101 of the Act is
4 further amended—

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

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

10 (3) by adding at the end thereof the following new
11 paragraph:

12 “(10) for assisting public libraries in making effec-
13 tive use of technology to improve library and informa-
14 tion services.”

15 (c) USE OF TITLE II FUNDS.—Title II of the Act is
16 amended—

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

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

23 (3) by inserting “and technology enhancement”
24 after “construction” each place it appears in sections
25 201, 202(a), 202(b), 203(1), 203(2), and 203(3);

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

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

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

9 (1) by striking “and” at the end of paragraph (1);
10 and

11 (2) by inserting before the period at the end of
12 paragraph (2) the following: “; and (3) developing the
13 technological capacity of libraries for interlibrary coop-
14 eration and resource sharing”.

15 **SEC. 14. PRESERVATION OBJECTIVES IN CONSTRUCTION.**

16 Section 203 of the Act is amended—

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

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

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

1 **SEC. 15. RESOURCE SHARING.**

2 Sections 301 and 304(a) of the Act are amended by
3 striking "eventual" and inserting "attaining".

4 **SEC. 16. PRESERVATION COOPERATION.**

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

7 "PRESERVATION PROGRAMS

8 "SEC. 305. (a) The long-range program and annual pro-
9 gram of each State under this title may—

10 (1) include a statewide preservation cooperation
11 plan that complies with this section; and

12 (2) identify the preservation objectives to be
13 achieved during the period covered by the long-range
14 plans required by section 6.

15 (b) A statewide preservation cooperation plan complies
16 with this section if—

17 (1) such plan specifies the methods by which the
18 State library administrative agency will work with li-
19 braries, archives, historical societies, scholarly organi-
20 zations, and other agencies, within or outside the
21 State, in planning, education and training, coordinat-
22 ing, outreach and public information, and service pro-
23 grams to ensure that endangered library and informa-
24 tion resources are preserved systematically; and

25 "(2) such preservation plan is developed in consul-
26 tation with such parties and agencies as the State ar-

1 chives, historical societies, libraries, scholarly organiza-
2 tions, and other interested parties.

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

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

9 **SEC. 17. LIBRARY LITERACY GRANTS.**

10 Section 601(e) of the Act is amended by striking
11 “\$25,000” and inserting “\$35,000”.

12 **SEC. 18. EVALUATION AND ASSESSMENT.**

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

15 **“TITLE VII—EVALUATION AND**
16 **ASSESSMENT**

17 **“PROGRAM AUTHORITY**

18 **“SEC. 701.** The Secretary is authorized to carry out a
19 program for the purpose of evaluation and assessment (direct-
20 ly or by grants or contracts) of programs authorized under
21 this Act.”.

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

1 **SEC. 19. PUBLIC LIBRARY SERVICES.**

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

5 (b) **SECTION 101 HEADING.**—The heading of section
6 101 is amended by inserting “**PUBLIC**” before “**LIBRARY**”.

7 **SEC. 20. EFFECTIVE DATE PROVISION.**

8 The amendments made by this Act shall take effect on
9 October 1, 1989.

○