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98TH CONGRESS 1ST SESSION H.R. 2878

To amend and extend the Library Services and Construction Act.

IN THE HOUSE OF REPRESENTATIVES
MAY 3, 1983

Mr. Simon (for himself, Mr. Perkins, Mr. Ford of Michigan, Mr. Kogovsek, Mr. Owens, and Mr. Gunderson) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL
To amend and extend the Library Services and Construction Act.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 
4 SHORT TITLE; FINDINGS
5 SECTION 1. (a) This Act may be cited as the "Library
6 Services and Construction Act Amendments of 1983".
7 (b) The Congress finds that—
8 (1) the role of libraries has expanded to include
9 (A) providing programs to meet the needs of special
10 segments of the population, including librarian training
and outreach programs, (B) providing literacy training
for illiterate and functionally illiterate adults, and (C)
sharing resources and materials among a wide variety
of libraries;

(2) it has become necessary to expand the role of
libraries as information centers for their communities,
utilizing improved and new technologies and resources
to meet the increasing need for information services
and educational resources of Americans in a rapidly
changing economy;

(3) funding for construction of new libraries and
renovation of existing libraries is essential to ensure
continuation of library services for the public; and

(4) the scope and purpose of the Library Services
and Construction Act should therefore be revised to in-
clude a more comprehensive range of programs which
may receive funds thereunder and to ensure the exten-
sion of services to minorities and other populations that
would otherwise be unable to use regular library
facilities.

DECLARATION OF POLICY

Sec. 2. (a) Section 2(a) of the Library Services and
Construction Act (hereafter in this Act referred to as “the
Act”) is amended to read as follows:
"SEC. 2. (a) It is the purpose of this Act to assist the States in the extension and improvement of public library services to areas and populations of the States which are without such services or to which such services are inadequate and to assist Indian tribes in planning and developing library services to meet their needs. It is the further purpose of this Act to assist with (1) public library construction and renovation; (2) improving State and local public library services for physically handicapped, institutionalized, and culturally disadvantaged persons; (3) strengthening State library administrative agencies; (4) promoting interlibrary cooperation among all types of libraries; and (5) strengthening major urban resource libraries."

(b) Section 2(b) of the Act is amended by inserting "and Indian tribes" before the period at the end of the second sentence.

DEFINITIONS

SEC. 3. (a) Section 3 of the Act is amended—

(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) 'Secretary' means the Secretary of Education.";

(2) by inserting "the Northern Mariana Islands," after "the Virgin Islands," in paragraph (7); and

(3) by adding at the end thereof the following new paragraphs:
“(15) ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as determined by the Secretary after consultation with the Secretary of the Interior.

“(16) ‘Indian country’ means—

“(A) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;

“(B) all dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired Territory thereof, and whether within or without the limits of a State; and

“(C) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.”.

(b) The Act is amended—

(1) by striking out “Commissioner” each place it appears and inserting in lieu thereof “Secretary”; and
(2) by striking out “Commissioner’s” each place it appears and inserting in lieu thereof “Secretary’s”.

AUTHORIZATION OF APPROPRIATIONS

Sec. 4. (a) Section 4(a) of the Act is amended to read as follows:

"Sec. 4. (a) There are authorized to be appropriated—

“(1) for the purpose of making grants as provided in title I, $65,000,000 for fiscal year 1984, $80,000,000 for fiscal year 1985, $85,000,000 for fiscal year 1986, $90,000,000 for fiscal year 1987, and $95,000,000 for fiscal year 1988;

“(2) for the purpose of making grants as provided in title II, $50,000,000 for each of the fiscal years 1984, 1985, 1986, 1987, and 1988;

“(3) for the purpose of making grants as provided in title III, $15,000,000 for fiscal year 1984, $20,000,000 for fiscal year 1985, $25,000,000 for fiscal year 1986, $30,000,000 for fiscal year 1987, and $35,000,000 for fiscal year 1988;

“(4) for the purpose of making grants as provided in title IV, an amount for each of the fiscal years 1985, 1986, 1987, and 1988 equal to 2 per centum of the total amount appropriated pursuant to paragraphs (1), (2), and (3) for such fiscal year;
“(5) for the purpose of making grants as provided in title V, $1,000,000 for each of the fiscal years 1985, 1986, 1987, and 1988; and

“(6) for the purpose of making grants as provided in title VI, $5,000,000 for each of the fiscal years 1985, 1986, 1987, and 1988.

No payment may be made from any funds appropriated pursuant to paragraph (1), (2), or (3) for any fiscal year unless there has been appropriated pursuant to paragraph (4) for such fiscal year an amount equal to the amount authorized by such paragraph.”.

(b) Section 4 is further amended by adding at the end thereof the following new subsection:

“(d)(1) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which they are first available for obligation.

“(2) In order to effect a transition to the advance funding method of timing appropriation action, the provisions of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.
ALLOTMENTS TO STATES AND INDIAN TRIBES

Sec. 5. Section 5 of the Act is amended—

(1) by inserting "AND INDIAN TRIBES" after "STATES" in the heading of such section;

(2) by striking out "paragraph (1), (2), (3), or (4)" each place it appears in subsection (a) and inserting in lieu thereof "paragraph (1), (2), or (3)";

(3) by inserting "the Northern Mariana Islands," after "the Virgin Islands," each place it appears in subsection (a)(3);

(4) in subsection (a)(3), by inserting "and" at the end of subparagraph (B), by striking out "; and" at the end of subparagraph (C), and inserting in lieu thereof a period, and by striking out subparagraph (D); and

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

"(c)(1) From the sums appropriated pursuant to paragraph (4) of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indian tribe. Grants from such allotted amounts shall be made to Indian tribes which have submitted approved applications under section 403.

"(2) Any allotted funds for which an Indian tribe does not apply, or applies but does not qualify, shall be allocated by the Secretary among Indian tribes which have submitted approved plans under section 404. In making such allocations
(A) no funds shall be allocated to an Indian tribe unless such
funds will be administered by a librarian, and (B) the Secre-
tary shall take into account the needs of Indian tribes for
such allocations to carry out the activities described in sec-
tion 402(b).”.

PLANS AND PROGRAMS

Sec. 6. Section 6 of the Act is amended—

(1) by striking out “STATE” in the heading of
such section;

(2) by striking out “titles I, II, III, and IV” in
subsection (a) and inserting in lieu thereof “titles I, II,
and III”;

(3) by striking out paragraph (4) of subsection (b)
and inserting in lieu thereof the following:
“(4) provide that priority will be given to pro-
grams and projects—
“(A) that improve access to public library re-
resources and services for the least served popula-
tions in the State;
“(B) that serve the elderly;
“(C) that are designed to combat illiteracy;
and
“(D) that increase services and access to
services through effective use of technology.”;

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

"(g)(1) Any Indian tribe desiring to receive its allotment under section 5(c)(1) shall submit an application to the Secretary in accordance with section 403.

"(2) Any Indian tribe desiring to receive an additional allocation under section 5(c)(2) shall submit a plan in accordance with section 404."

PAYMENTS

SEC. 7. Section 7 of the Act is amended—

(1) by striking out "TO STATES" in the heading of such section;

(2) by striking out "paragraph (1), (2), (3), or (4)" in subsection (a) and inserting in lieu thereof "paragraph (1), (2), or (3)";

(3) by striking out "and title IV" in subsection (b)(1);

(4) by inserting "the Northern Mariana Islands," after "the Virgin Islands," each place it appears in subsection (b); and

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

"(c) From the appropriations pursuant to paragraph (4) of section 4(a), the Secretary shall pay to each Indian tribe which has an approved application under section 403 an
amount equal to such tribe’s allotment under section 5(c)(1) and shall pay to each Indian tribe which has an approved plan under section 404 an amount equal to such tribe’s additional allocation under section 6(g)(2), except that such additional allocation shall not exceed 80 per centum of the cost of carrying out such plan.”.

ADMINISTRATIVE COST

SEC. 8. Section 8 of the Act is amended to read as follows:

"ADMINISTRATIVE COST

"Sec. 8. A State may expend funds received under title I for administrative costs in connection with programs and activities carried out under titles I, II, and III, but such administrative expenditures under such titles for any fiscal year may not exceed the greater of (1) 5 per centum of the sum of the amounts allotted to such State under such titles for such fiscal year, or (2) $50,000.”.

GRANTS FOR LIBRARY SERVICES

SEC. 9. Section 101 of the Act is amended to read as follows:

"GRANTS TO STATES FOR LIBRARY SERVICES

"Sec. 101. 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 6 and have submitted annual programs under section 103—

"(1) for the extension of public library services to areas and populations without such services and the improvement of such services to areas and populations to ensure that such services are adequate to meet user needs and to make library services accessible to persons who, by reason of distance, residence, physical handicap, age, literacy level, or other disadvantage, are unable to receive the benefits of public library services regularly made available to the public;

"(2) for adapting public library services to meet particular needs of persons within the States;

"(3) for assisting libraries to serve as community information or referral centers;

"(4) for assisting libraries in providing literacy programs for adults and school dropouts in cooperation with other agencies and organizations, if appropriate;

"(5) for strengthening State library administrative agencies; and

"(6) for strengthening major urban resource libraries.
USES OF FEDERAL FUNDS

Sec. 10. Section 102(a)(1) of the Act is amended by inserting “assist libraries to serve as community information centers and to” after “designed to”.

STATE LIBRARY SERVICE PROGRAM

Sec. 11. Section 103 of the Act is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and inserting after paragraph (3) the following:

“(4) describe the extent to which such funds will be used for (A) the training of librarians to work with the elderly; (B) the conduct of special library programs for the elderly; (C) the purchase of special library materials for use by the elderly; (D) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (E) the provision of inhome visits by librarians and other library personnel to the elderly; (F) the establishment of outreach programs to notify the elderly of library services available to them; and (G) the furnishing of transportation to enable the elderly to have access to library services;”; and

(2) by adding at the end thereof the following new sentence: “The amount which a State is required to expend pursuant to clause (3) of this section shall be
ratably reduced to the extent that Federal allocations
to the State are reduced.”.

CONSTRUCTION: USE OF FUNDS

SEC. 12. (a)(1) Section 202 of the Act is amended by
striking out the second sentence and inserting in lieu thereof
the following: “Such grants shall be used for the construction
(as defined in section 3(2)) of public libraries.”.

(2) Section 3(2) of the Act is amended by inserting after
the first sentence the following new sentence: “Such term
includes remodeling to meet standards under the Architectur-
al Barriers Act of 1968, remodeling designed to conserve
energy, renovation or remodeling to accommodate new tech-
nologies, and the purchase of existing historic buildings for
conversion to public libraries.”.

(b)(1) Section 202 of the Act is further amended by in-
serting “(a)” after “SEC. 202.” and by adding at the end
thereof the following new subsections:

“(b) For the purposes of subsection (a), the Federal
share of the cost of construction of any project assisted under
this title shall not exceed one-half of the total cost of such
project.

“(c) If, within twenty years after completion of con-
struction of any library facility which has been constructed in
part with funds made available under this title—
“(1) the recipient (or its successor in title or possession) ceases or fails to be a public or nonprofit institution, or

“(2) the facility ceases to be used as a library facility, unless the Secretary determines that there is good cause for releasing the institution from its obligation,

the United States shall be entitled to recover from such recipient (or successor) an amount which bears the same ratio to the value of the facility at that time (or part thereof constituting an approved project or projects) as the amount of the Federal grant bore to the cost of such facility (or part thereof). The value shall be determined by the parties or by action brought in the United States district court for the district in which the facility is located.”.

(2) Subsection (c) of section 202 of the Act as added by the amendment made by paragraph (1) shall apply to any facility constructed prior to or after the date of enactment of this Act with funds made available under title II of the Act.

INTERLIBRARY COOPERATION AND RESOURCE SHARING

SEC. 13. (a) The heading of title III of the Act is amended by inserting “AND RESOURCE SHARING” after “INTERLIBRARY COOPERATION”.

(b) Section 301 of the Act is amended—
(1) by striking out "section 6 and" and inserting in lieu thereof "section 6,"; and

(2) by inserting before the period at the end thereof of a comma and the following: "and have submitted long-range and annual programs which are directed toward eventual compliance with the requirements of section 304".

(c) Section 303 of the Act is amended by inserting "shall comply with the requirements of section 304," after "by regulation and" in the second sentence.

(d) Title III of the Act is further amended by adding at the end thereof the following new section:

"RESOURCE SHARING

"SEC. 304. (a) The long-range program and annual program of each State shall include a statewide resource sharing plan which is directed toward eventual compliance with the provisions of this section.

"(b) In developing the State basic and long-range programs, the State library agency with the assistance of the State advisory council on libraries shall consider recommendations from current and potential participating institutions in the interlibrary and resource sharing programs authorized by this title.

"(c) The State's long-range program shall identify inter-library and resource sharing objectives to be achieved during
the period covered by the basic and long-range plans required by section 6 and shall include—

"(1) criteria for participation in statewide resource sharing to ensure equitable participation by libraries of all types that agree to meet requirements for resource sharing;

"(2) an analysis of the needs for development and maintenance of bibliographic access, including data bases for monographs, serials, and audiovisual materials;

"(3) an analysis of the needs for development and maintenance of communications systems for information exchange among participating libraries;

"(4) an analysis of the needs for development and maintenance of delivery systems for exchanging library materials among participating libraries;

"(5) a projection of the computer and other technological needs for resource sharing;

"(6) an identification of means which will be required to provide users access to library resources, including collection development and maintenance in major public, academic, and private libraries serving as resource centers;
“(7) a proposal, where appropriate, for the development, establishment, demonstration, and maintenance of intrastate multitype library systems;

“(8) an analysis of the State’s needs for development and maintenance of links with State and national resource sharing systems; and

“(9) a description of how the evaluations required by section 6(d) will be conducted.

“(d) Libraries participating in resource sharing activities under this section may be reimbursed for their expenses in loaning materials to public libraries.”

LIBRARY SERVICES FOR INDIAN TRIBES

Sec. 14. Title IV of the Act is amended to read as follows:

“TITLE IV—LIBRARY SERVICES FOR INDIAN TRIBES

FINDINGS AND PURPOSE; AUTHORIZATION OF GRANTS

“Sec. 401. (a) The Congress finds that—

“(1) most Indian tribes receive little or no funds under titles I, II, and III of this Act;

“(2) Indian tribes and reservations are generally considered to be separate nations and seldom are eligible for direct library allocations from States;
“(3) the vast majority of Indians living on or near reservations do not have access to adequate libraries or have access to no libraries at all; and

“(4) this title is therefore required specifically to promote special efforts to provide Indian tribes with library services.

“(b) It is therefore the purpose of this title (1) to promote the extension of public library services to Indian people living on or near reservations; (2) to provide incentives for the establishment and expansion of tribal library programs; and (3) to improve the administration and implementation of library services for Indians by providing funds to establish and support ongoing library programs.

“(c) The Secretary shall carry out a program of making grants from allotments under section 5(c)(1) to Indian tribes that have submitted an approved application under section 403 for library services to Indians living on or near reservations.

“(d) The Secretary shall carry out a program of making special project grants from funds available under section 5(c)(2) to Indian tribes that have submitted approved plans for the provision of library services as described in section 404.
“USE OF FUNDS

“Sec. 402. (a) Funds made available by grant under subsection (c) or (d) of section 401 may be used for—

“(1) inservice or preservice training of Indians as library personnel;

“(2) purchase of library materials;

“(3) conduct of special library programs for Indians;

“(4) salaries of library personnel;

“(5) construction, purchase, renovation, or remodeling of library buildings and facilities;

“(6) transportation to enable Indians to have access to library services;

“(7) dissemination of information about library services;

“(8) assessment of tribal library needs; and

“(9) contracts to provide public library services to Indians living on or near reservations or to accomplish any of the activities described in paragraphs (1) through (8).

“(b) Any tribe that supports a public library system, shall continue to expend from Federal, State, and local sources an amount not less than the amount expended by the tribe from such sources for public library services during the
second fiscal year preceding the fiscal year for which the determination is made.

"(c) Nothing in this Act shall be construed to prohibit restricted collections of tribal cultural materials with funds made available under this Act.

"APPLICATIONS FOR LIBRARY SERVICES TO INDIANS

"SEC. 403. Any Indian tribe which desires to receive its allotment under section 5(c)(1) shall submit an application which contains such information as the Secretary may require by regulation.

"PLANS FOR LIBRARY SERVICES TO INDIANS

"SEC. 404. Any Indian tribe which desires to receive a special project grant from funds available under section 5(c)(2) shall submit a plan for library services on or near an Indian reservation. Such plans shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall set forth a program for the year under which funds paid to the Indian tribe will be used, consistent with—

"(1) a long-range program, and

"(2) the purposes set forth in section 402(a).

"COORDINATION WITH PROGRAMS FOR INDIANS

"SEC. 405. The Secretary shall coordinate with the Secretary of the Interior programs under this title with the programs assisted under the various Acts and programs ad-
FOREIGN LANGUAGE MATERIALS AND LITERACY PROGRAMS

Sec. 15. The Act is further amended by adding at the end thereof the following new titles:

"TITLE V—FOREIGN LANGUAGE MATERIALS ACQUISITION

"GRANTS FOR FOREIGN LANGUAGE MATERIAL ACQUISITION

"Sec. 501. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(5) to State and local public libraries for the acquisition of foreign language materials.

"(b) Recipients of grants under this title shall be selected on a competitive basis.

"(c) No grant under this title for any fiscal year shall exceed $15,000.

"TITLE VI—LIBRARY LITERACY PROGRAMS

"STATE AND LOCAL LIBRARY GRANTS

"Sec. 601. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(6) to State and local public libraries for the purposes of supporting literacy programs.
"(b) Grants to State public libraries under this title shall be for the purposes of—

"(1) coordinating and planning library literacy programs; and

"(2) making arrangements for training librarians and volunteers to carry out such programs.

"(c) Grants to local public libraries shall be for the purposes of—

"(1) promoting the use of the voluntary services of individuals, agencies, and organizations in providing literacy programs;

"(2) acquisition of materials for literacy programs; and

"(3) using library facilities for such programs.

"(d) Recipients of grants under this title shall be selected on a competitive basis.

"(e) No grant under this title for any fiscal year shall exceed $25,000.".
AN ACT
To amend and extend the Library Services and Construction Act.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3
SHORT TITLE; FINDINGS
4 Section 1. (a) This Act may be cited as the “Library
5 Services and Construction Act Amendments of 1983”.
6 (b) The Congress finds that—
7 (1) the role of libraries has expanded to include
8 (A) providing programs to meet the needs of special
9 segments of the population, including librarian training
10 and outreach programs, (B) providing literacy training
for illiterate and functionally illiterate adults, and (C) sharing resources and materials among a wide variety of libraries;

(2) it has become necessary to expand the role of libraries as information centers for their communities, utilizing improved and new technologies and resources to meet the increasing need for information services and educational resources of Americans in a rapidly changing economy;

(3) funding for construction of new libraries and renovation of existing libraries is essential to ensure continuation of library services for the public;

(4) attention in the following title should be paid to the needs of small and rural community libraries and information centers because these facilities are often underfunded and understaffed and as a consequence cannot adequately serve the needs of the community; and

(5) the scope and purpose of the Library Services and Construction Act should therefore be revised to include a more comprehensive range of programs which may receive funds thereunder and to ensure the extension of services to minorities and other populations that would otherwise be unable to use regular library facilities.
DECLARATION OF POLICY

Sec. 2. (a) Section 2(a) of the Library Services and Construction Act (hereafter in this Act referred to as "the Act") is amended to read as follows:

"Sec. 2. (a) It is the purpose of this Act to assist the States in the extension and improvement of public library services to areas and populations of the States which are without such services or to which such services are inadequate and to assist Indian tribes in planning and developing library services to meet their needs. It is the further purpose of this Act to assist with (1) public library construction and renovation; (2) improving State and local public library services for physically handicapped, institutionalized, and other disadvantaged persons; (3) strengthening State library administrative agencies; (4) promoting interlibrary cooperation among all types of libraries; and (5) strengthening major urban resource libraries."

(b) Section 2(b) of the Act is amended by inserting "and Indian tribes" before the period at the end of the second sentence.

DEFINITIONS

Sec. 3. (a) Section 3 of the Act is amended—
(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) 'Secretary' means the Secretary of Education.";
(2) by inserting "the Northern Mariana Islands," after "the Virgin Islands," in paragraph (7); and
(3) by adding at the end thereof the following new paragraph:
"(15) ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as determined by the Secretary after consultation with the Secretary of the Interior.”.

(b) The Act is amended—
(1) by striking out “Commissioner” each place it appears and inserting in lieu thereof “Secretary”; and
(2) by striking out “Commissioner’s” each place it appears and inserting in lieu thereof “Secretary’s”.

AUTHORIZATION OF APPROPRIATIONS
SEC. 4. (a) Section 4(a) of the Act is amended to read as follows:
"Sec. 4. (a) There are authorized to be appropriated—
“(1) for the purpose of making grants as provided in title I, $65,000,000 for fiscal year 1984,
$80,000,000 for fiscal year 1985, $85,000,000 for

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fiscal year 1986, $90,000,000 for fiscal year 1987, and
$95,000,000 for fiscal year 1988;

“(2) for the purpose of making grants as provided
in title II, $50,000,000 for each of the fiscal years

“(3) for the purpose of making grants as provided
in title III, $15,000,000 for fiscal year 1984,
$20,000,000 for fiscal year 1985, $25,000,000 for
fiscal year 1986, $30,000,000 for fiscal year 1987, and
$35,000,000 for fiscal year 1988;

“(4) for the purpose of making grants as provided
in title V, $1,000,000 for each of the fiscal years
1985, 1986, 1987, and 1988; and

“(5) for the purpose of making grants as provided
in title VI, $5,000,000 for each of the fiscal years

There shall be available for the purpose of making grants
under title IV for each of the fiscal years 1985, 1986, 1987,
and 1988, 2 per centum of the amount appropriated pursuant
to each of paragraphs (1), (2), and (3) for each such fiscal
year.”.

(b) Section 4 is further amended by adding at the end
thereof the following new subsection:

“(d)(1) For the purpose of affording adequate notice of
funding available under this Act, appropriations under this
Act are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which they are first available for obligation.

“(2) In order to effect a transition to the advance funding method of timing appropriation action, the provisions of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.”.

ALLOTMENTS TO STATES AND INDIAN TRIBES

SEC. 5. Section 5 of the Act is amended—

(1) by inserting “AND INDIAN TRIBES” after “STATES” in the heading of such section;

(2) by striking out “paragraph (1), (2), (3), or (4)” each place it appears in subsection (a) and inserting in lieu thereof “paragraph (1), (2), or (3)”;

(3) by inserting “the Northern Mariana Islands,” after “the Virgin Islands,” each place it appears in subsection (a)(3);

(4) in subsection (a)(3), by inserting “and” at the end of subparagraph (B), by striking out “; and” at the end of subparagraph (C), and inserting in lieu thereof a period, and by striking out subparagraph (D); and
(5) by adding at the end thereof the following new subsection:

"(c)(1) From the sums available pursuant to the last sentence of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indian tribe. Grants from such allotted amounts shall be made to Indian tribes which have submitted approved applications under section 403.

(2) Any allotted funds for which an Indian tribe does not apply, or applies but does not qualify, shall be allocated by the Secretary among Indian tribes which have submitted approved plans under section 404. In making such allocations (A) no funds shall be allocated to an Indian tribe unless such funds will be administered by a librarian, and (B) the Secretary shall take into account the needs of Indian tribes for such allocations to carry out the activities described in section 402(b)."

PLANS AND PROGRAMS

Sec. 6. Section 6 of the Act is amended—

(1) by striking out "STATE" in the heading of such section;

(2) by striking out "titles I, II, III, and IV" in subsection (a) and inserting in lieu thereof "titles I, II, and III";

(3) by striking out paragraph (4) of subsection (b) and inserting in lieu thereof the following:
“(4) provide that priority will be given to programs and projects—

“(A) that improve access to public library resources and services for the least served populations in the State;

“(B) that serve the elderly;

“(C) that are designed to combat illiteracy;

and

“(D) that increase services and access to services through effective use of technology.”;

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

“(g)(1) Any Indian tribe desiring to receive its allotment under section 5(c)(1) shall submit an application to the Secretary in accordance with section 403.

“(2) Any Indian tribe desiring to receive an additional allocation under section 5(c)(2) shall submit a plan in accordance with section 404.”.

PAYMENTS

SEC. 7. Section 7 of the Act is amended—

(1) by striking out “TO STATES” in the heading of such section;

(2) by striking out “paragraph (1), (2), (3), or (4)” in subsection (a) and inserting in lieu thereof “paragraph (1), (2), or (3)”;

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(3) by striking out “and title IV” in subsection (b)(1);
(4) by inserting “and the Northern Mariana Islands” after “American Samoa,” in subsection (b)(1);
(5) by inserting “the Northern Mariana Islands,” after “the Virgin Islands,” in subsection (b)(2); and
(6) by adding at the end thereof the following new subsection:
“(c) From the sums available pursuant to the 1st sentence of section 4(a), the Secretary shall pay to each Indian tribe which has an approved application under section 403 an amount equal to such tribe’s allotment under section 5(c)(1) and shall pay to each Indian tribe which has an approved plan under section 404 an amount equal to such tribe’s additional allocation under section 6(g)(2), except that such additional allocation shall not exceed 80 percent of the cost of carrying out such plan.”.

ADMINISTRATIVE COST

Sec. 8. Section 8 of the Act is amended to read as follows:

“ADMINISTRATIVE COST

“Sec. 8. A State may expend funds received under titles I and II for administrative costs in connection with programs and activities carried out under titles I, II, and III, but such administrative expenditures under such titles for any
fiscal year may not exceed the greater of (1) 5 per centum of
the sum of the amounts allotted to such State under such
titles for such fiscal year, or (2) $50,000.’’.

. GRANTS FOR LIBRARY SERVICES

Sec. 9. Section 101 of the Act is amended to read as
follows:

“GRANTS TO STATES FOR LIBRARY SERVICES

“Sec. 101. 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 6 and have submitted annual programs under
section 103—

“(1) for the extension of public library services to
areas and populations without such services and the
improvement of such services to areas and populations
to ensure that such services are adequate to meet user
needs and to make library services accessible to per-
sons who, by reason of distance, residence, physical
handicap, age, literacy level, or other disadvantage, are
unable to receive the benefits of public library services
regularly made available to the public;

“(2) for adapting public library services to meet
particular needs of persons within the States;

“(3) for assisting libraries to serve as community
information and referral centers;
“(4) for assisting libraries in providing literacy programs for adults and school dropouts in cooperation with other agencies and organizations, if appropriate;

“(5) for strengthening State library administrative agencies; and

“(6) for strengthening major urban resource libraries.”.

USES OF FEDERAL FUNDS

Sec. 10. Section 102(a)(1) of the Act is amended by inserting “assist libraries to serve as community information and referral centers and to” after “designed to”.

STATE LIBRARY SERVICE PROGRAM

Sec. 11. Section 103 of the Act is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and inserting after paragraph (3) the following:

“(4) describe the extent to which such funds will be used for (A) the training of librarians to work with the elderly; (B) the conduct of special library programs for the elderly; (C) the purchase of special library materials for use by the elderly; (D) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (E) the provision of in-home visits by librarians and other library personnel to the elderly; (F) the establishment of out-
reach programs to notify the elderly of library services
available to them; and (G) the furnishing of transportation
to enable the elderly to have access to library services;”; and

(2) by adding at the end thereof the following new sentence: “The amount which a State is required to expend pursuant to clause (3) of this section shall be ratably reduced to the extent that Federal allocations to the State are reduced.”.

CONSTRUCTION: USE OF FUNDS

SEC. 12. (a)(1) Section 202 of the Act is amended by striking out the second sentence and inserting in lieu thereof the following: “Such grants shall be used for the construction (as defined in section 3(2)) of public libraries.”.

(2) Section 3(2) of the Act is amended by inserting after the first sentence the following new sentence: “Such term includes remodeling to meet standards under the Architectural Barriers Act of 1968, remodeling designed to conserve energy, renovation, or remodeling to accommodate new technologies, and the purchase of existing historic buildings for conversion to public libraries.”.

(b)(1) Section 202 of the Act is further amended by inserting “(a)” after “SEC. 202.” and by adding at the end thereof the following new subsections:
“(b) For the purposes of subsection (a), the Federal share of the cost of construction of any project assisted under this title shall not exceed one-half of the total cost of such project.

“(c) If, within 20 years after completion of construction of any library facility which has been constructed in part with funds made available under this title—

“(1) the recipient (or its successor in title or possession) ceases or fails to be a public or nonprofit institution, or

“(2) the facility ceases to be used as a library facility, unless the Secretary determines that there is good cause for releasing the institution from its obligation,

the United States shall be entitled to recover from such recipient (or successor) an amount which bears the same ratio to the value of the facility at that time (or part thereof constituting an approved project or projects) as the amount of the Federal grant bore to the cost of such facility (or part thereof). The value shall be determined by the parties or by action brought in the United States district court for the district in which the facility is located.”.

(2) Subsection (c) of section 202 of the Act as added by the amendment made by paragraph (1) shall apply to any
facility constructed prior to or after the date of enactment of this Act with funds made available under title II of the Act.

(c) Section 203 of the Act is amended—

(1) by designating the first and second paragraphs thereof as subsections (a) and (b) respectively; and

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

"(c) In meeting the goal's of the State's plan for provision of adequate library services, projects submitted under subsection (b) shall give priority, when economically feasible, to the acquisition and conversion of unused public school facilities."

INTERLIBRARY COOPERATION AND RESOURCE SHARING

(a) The heading of title III of the Act is amended by inserting "AND RESOURCE SHARING" after "INTERLIBRARY COOPERATION".

(b) Section 301 of the Act is amended—

(1) by striking out "section 6 and" and inserting in lieu thereof "section 6,"; and

(2) by inserting before the period at the end thereof a comma and the following: "and have submitted long-range and annual programs which are directed toward eventual compliance with the requirements of section 304".

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(c) Section 303 of the Act is amended by inserting
"shall comply with the requirements of section 304," after
"by regulation and" in the second sentence.
(d) Title III of the Act is further amended by adding at
the end thereof the following new section:

"RESOURCE SHARING

"SEC. 304. (a) The long-range program and annual pro-
gram of each State shall include a statewide resource sharing
plan which is directed toward eventual compliance with the
provisions of this section.

(b) In developing the State basic and long-range pro-
grams, the State library agency with the assistance of the
State advisory council on libraries shall consider recommen-
dations from current and potential participating institutions in
the interlibrary and resource sharing programs authorized by
this title.

(c) The State's long-range program shall identify inter-
library and resource sharing objectives to be achieved during
the period covered by the basic and long-range plans required
by section 6 and shall include—

(1) criteria for participation in statewide resource
sharing to ensure equitable participation by libraries of
all types that agree to meet requirements for resource
sharing;
“(2) an analysis of the needs for development and maintenance of bibliographic access, including databases for monographs, serials, and audiovisual materials;

“(3) an analysis of the needs for development and maintenance of communications systems for information exchange among participating libraries;

“(4) an analysis of the needs for development and maintenance of delivery systems for exchanging library materials among participating libraries;

“(5) a projection of the computer and other technological needs for resource sharing;

“(6) an identification of means which will be required to provide users access to library resources, including collection development and maintenance in major public, academic, school, and private libraries serving as resource centers;

“(7) a proposal, where appropriate, for the development, establishment, demonstration, and maintenance of intrastate multitype library systems;

“(8) an analysis of the State’s needs for development and maintenance of links with State and national resource sharing systems; and

“(9) a description of how the evaluations required by section 6(d) will be conducted.
“(d) Libraries participating in resource sharing activities under this section may be reimbursed for their expenses in loaning materials to public libraries.”.

LIBRARY SERVICES FOR INDIAN TRIBES

Sec. 14. Title IV of the Act is amended to read as follows:

“TITLE IV—LIBRARY SERVICES FOR INDIAN TRIBES

“FINDINGS AND PURPOSE; AUTHORIZATION OF GRANTS

“Sec. 401. (a) The Congress finds that—

“(1) most Indian tribes receive little or no funds under titles I, II, and III of this Act;

“(2) Indian tribes and reservations are generally considered to be separate nations and seldom are eligible for direct library allocations from States;

“(3) the vast majority of Indians living on or near reservations do not have access to adequate libraries or have access to no libraries at all; and

“(4) this title is therefore required specifically to promote special efforts to provide Indian tribes with library services.

“(b) It is therefore the purpose of this title (1) to promote the extension of public library services to Indian people living on or near reservations; (2) to provide incentives for the establishment and expansion of tribal library programs; and (3)
to improve the administration and implementation of library services for Indians by providing funds to establish and support ongoing library programs.

"(c) The Secretary shall carry out a program of making grants from allotments under section 5(c)(1) to Indian tribes that have submitted an approved application under section 403 for library services to Indians living on or near reservations.

"(d) The Secretary shall carry out a program of making special project grants from funds available under section 5(c)(2) to Indian tribes that have submitted approved plans for the provision of library services as described in section 404.

"USE OF FUNDS

"Sec. 402. (a) Funds made available by grant under subsection (c) or (d) of section 401 may be used for—

"(1) inservice or preservice training of Indians as library personnel;

"(2) purchase of library materials;

"(3) conduct of special library programs for Indians;

"(4) salaries of library personnel;

"(5) construction, purchase, renovation, or remodeling of library buildings and facilities;
“(6) transportation to enable Indians to have access to library services;

“(7) dissemination of information about library services;

“(8) assessment of tribal library needs; and

“(9) contracts to provide public library services to Indians living on or near reservations or to accomplish any of the activities described in paragraphs (1) through (8).

“(b) Any tribe that supports a public library system, shall continue to expend from Federal, State, and local sources an amount not less than the amount expended by the tribe from such sources for public library services during the second fiscal year preceding the fiscal year for which the determination is made.

“(c) Nothing in this Act shall be construed to prohibit restricted collections of tribal cultural materials with funds made available under this Act.

“APPLICATIONS FOR LIBRARY SERVICES TO INDIANS

“Sec. 403. Any Indian tribe which desires to receive its allotment under section 5(c)(1) shall submit an application which contains such information as the Secretary may require by regulation.
"PLANS FOR LIBRARY SERVICES TO INDIANS

"Sec. 404. Any Indian tribe which desires to receive a special project grant from funds available under section 5(c)(2) shall submit a plan for library services on or near an Indian reservation. Such plans shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall set forth a program for the year under which funds paid to the Indian tribe will be used, consistent with—

"(1) a long-range program, and

"(2) the purposes set forth in section 402(a).

"COORDINATION WITH PROGRAMS FOR INDIANS

"Sec. 405. The Secretary shall coordinate with the Secretary of the Interior programs under this title with the programs assisted under the various Acts and programs administered by the Department of the Interior that pertain to Indians."

FOREIGN LANGUAGE MATERIALS AND LITERACY PROGRAMS

Sec. 15. The Act is further amended by adding at the end thereof the following new titles:
TITLE V—FOREIGN LANGUAGE MATERIALS
ACQUISITION

GRANTS FOR FOREIGN LANGUAGE MATERIAL ACQUISITION

"Sec. 501. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(4) to State and local public libraries for the acquisition of foreign language materials.

"(b) Recipients of grants under this title shall be selected on a competitive basis.

"(c) No grant under this title for any fiscal year shall exceed $15,000.

TITLE VI—LIBRARY LITERACY PROGRAMS

STATE AND LOCAL LIBRARY GRANTS

"Sec. 601. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(5) to State and local public libraries for the purposes of supporting literacy programs.

"(b) Grants to State public libraries under this title shall be for the purposes of—

"(1) coordinating and planning library literacy programs; and

"(2) making arrangements for training librarians and volunteers to carry out such programs.
“(c) Grants to local public libraries shall be for the purposes of—

“(1) promoting the use of the voluntary services of individuals, agencies, and organizations in providing literacy programs;

“(2) acquisition of materials for literacy programs; and

“(3) using library facilities for such programs.

“(d) Recipients of grants under this title shall be selected on a competitive basis.

“(e) No grant under this title for any fiscal year shall exceed $25,000.”.


Attest: BENJAMIN J. GUTHRIE,

Clerk.