1989

Library Services Improvement Act (1988-1989): Report 08

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ACT on TIER V

Geants
Chairman Williams

July 20, 1989

I hope this information will be helpful as you approach full committee markup of S. 792. Your subcommittee staff, as the attached AIA resolution indicates, has been a pleasure to work with. We especially appreciate Harry Miller's hard work in the development of the bill. She represented your position carefully and effectively in the AIA reauthorization process at a session of the Appropriations Committee.

Sincerely,

Eileen G. Cooke
Director
AIA Washington Office
RESOLUTION IN SUPPORT OF LECA REAUTHORIZATION

WHEREAS, Members and staff of the House Postsecondary Education and Senate Education, Arts, and Humanities Subcommittees of the U.S. Congress have been exceptionally open and responsive to the professional recommendations for reauthorizing the Library Services and Construction Act (LECA); and

WHEREAS, The library profession strongly supports prompt passage of LECA reauthorization with minor technical amendments; now, therefore, be it

RESOLVED, That the American Library Association commend members and staff of both reauthorizing subcommittees for their bi-partisan efforts and sensitive action on LECA reauthorization, and be it further

RESOLVED, That the American Library Association urge LECA reauthorization be completed at the earliest possible date and that it be signed into law immediately thereafter.

Adopted by the Council of the American Library Association
Dallas, Texas
June 28, 1989
(Council Document #83)
[COMMITTEE PRINT]
July 14, 1989

Showing the Amendment in the Nature of a Substitute to H.R. 2747 Adopted by the Subcommittee on Postsecondary Education)

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES.

(a) Short Title.--This Act may be cited as the "Library Services and Construction Act Amendments of 1989".

(b) REFERENCES.--References in this Act to "the Act" are references to the Library Services and Construction Act (20 U.S.C. 351 et seq.).

SEC. 2. DEFINITIONS.

Section 3 of the Act is amended

(1) in paragraph (2)--

(A) by striking "and initial equipment" and

inserting "and for the purchase, lease, and

installation of equipment":

(B) by striking "to conserve energy" and

inserting "to ensure safe working environments and
to conserve energy": and
(C) by striking "includes machinery" and inserting "includes information and building technologies, video and telecommunications equipment, machinery"; and

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

"(17) The term "handicapped individual" means an individual who is physically or mentally impaired, visually impaired, or hearing impaired.

(18) The term "network" means 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."
WILLIAM B.

1. Title II, $35,000,000 for fiscal year 1990 and such sums as may be necessary for each of the four succeeding fiscal years;

2. ‘(3) for the purpose of making grants as provided in title III, $35,000,000 for fiscal year 1990 and such sums as may be necessary for each of the four succeeding fiscal years;

3. ‘(4) for the purpose of making grants as provided in title V, $1,000,000 for fiscal year 1990 and such sums as may be necessary for each of the four succeeding fiscal years;

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

5. ‘(6) for the purpose of activities as provided in title VII, $500,000 for fiscal year 1990, and such sums as may be necessary for each of the four succeeding fiscal years; and

6. ‘(7) for the purpose of making grants as provided in title VIII, $12,000,000 for fiscal year 1990 and such sums as may be necessary for each of the four succeeding fiscal years.

7. The amounts shall be available for the purpose of making such grants for each of the fiscal years 1990, 1991, 1992,
1. 1993, and 1994, 1.5 percent of the amount appropriated
2. pursuant to each of paragraphs (1), (2), and (3) for each
3. such fiscal year. There shall be available for the purpose of
4. making grants under section 4(d) for such fiscal years 0.5
5. percent of the amount appropriated pursuant to each of such
6. paragraphs for each such fiscal year.

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

SEC. 4. ALLOCATIONS.

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

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

'(c)(2) From the remaining one-half of the sum available
pursuant to such second sentence, the Secretary shall make
allocations to Indian tribes that (A) are receiving an
allocation under paragraph (1) of this subsection for such
year and (B) have submitted approved applications
under section 404.

'(b) Making allocations under paragraph (1) of this
subsection for any such fiscal year, funds shall be allocated
...
5

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).

(4) In making allocations under this subsection, the

Secretary shall take such actions as may be necessary to
prevent an allocation from being received to serve the same
population by any two or more of the following entities (as
defined in or established pursuant to the Alaskan Native
Claims Settlement Act): an Alaskan native village, a regional
corporation, or a village corporation.''

(b) CONFORMING AMENDMENT.--Section 6(a)(2) of the Act is
amended by inserting after ''section 5(c)(2)'' the following:
''in the same fiscal year in which it has received an
allocation under section 5(c)(1)''

SEC. 5. RESOURCE SHARING COORDINATION.

Section 6 of the Act is amended--

(1) in subsection (d)(1), by striking ''and
construction'' and inserting ''construction, and
library cooperation and resource sharing''; and

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

subsection:

''(h) The Secretary shall coordinate programs under

... of this Act with the programs assisted by
titles I, II, and III of this Act, and shall provide 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 required
under subsection (d) of this section.

SEC. 6. MAINTENANCE OF EffORT.

Section 7 of this Act is amended--

(1) by redesignating subsections (b) and (c) as
subsections (c) and (d), respectively; and

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

"(b) In fiscal year 1990, and every fifth year
thereafter, each State library administrative 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 required under
subsections (a)(1)(B) and (a)(2)."

SEC. 7. INTERGENERATIONAL LIBRARY SERVICES.

Section 101 of the Act is amended--

(1) by redesignating paragraphs (5) and (6) as
paragraphs (3) and (10), respectively; and

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

'(5) for assisting libraries in developing
intergenerational library programs that will match older
adult volunteers with libraries interested in developing
after school literacy and reading skills programs for
unsupervised school children during after school hours;'.

SEC. 8. CHILDCARE LIBRARY OUTREACH.

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

'(6) for assisting libraries in providing mobile
library services and programs to licensed or certified
child-care providers or child-care centers;'.

SEC. 9. LIBRARY LITERACY CENTERS.

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

'(7) to establish and support model library literacy
centers, coordinated by the State library administrative
agency with other interested State agencies and nonprofit
organizations to reduce the number of functionally
illiterate individuals and to help them reach full
employment;'.

SEC. 10. DRUG ABUSE PREVENTION.

Section 101 of the Act is further amended by inserting
after paragraph (7) the following new paragraph:

'(8) for assisting libraries in providing and
8. 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.

SEC. 11. USE OF TITLE I FUNDS.

Section 102(a) of the Act is amended by adding at the end thereof the following new sentence: "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 subgrant is to improve services for public library patrons.".

SEC. 12. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE LIBRARIES.

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

"(3) No State shall, in carrying out the provisions of paragraph (2) of this subsection, reduce the amount paid to any major urban resource library below the amount that such library received in the fiscal year preceding the fiscal year for which the determination is made under such paragraph (2), except that such amount may be ratably reduced to the extent that (A) the total Federal allocations to the State under section 5 for purposes of
this title for the applicable fiscal year are reduced, or
(B) the 1990 Census shows the population of the city
governed by such library has decreased.

SEC. 13. STATE ANNUAL PROGRAM.
Section 103 of the Act is amended--
(1) in paragraph (3), by striking "and institutionalized individuals";
(2) in paragraph (4) --
(A) by striking "(A)"; and
(B) by striking everything following "elderly"
the first place it appears and inserting a semicolon;
and
(3) by striking paragraph (5) and inserting the following:
"(b) describe the uses of funds to make library services and programs more accessible to handicapped individuals.".

SEC. 14. TECHNOLOGY ENHANCEMENT.
(a) DEFINITION.--Section 3 of the Act is further amended by adding at the end thereof the following new paragraph:
"(19) The term 'technology enhancement' means 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.''

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

(1) by striking "and" at the end of paragraph (9)
(as redesignated by section 7(1));

(2) by striking the period at the end of paragraph
(10) (as redesignated by section 7(1)) and inserting "; and"
and

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

"(11) for assisting public libraries in making
effective use of technology to improve library and
information services.",

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

(1) by inserting "AND TECHNOLOGY ENHANCEMENT" after
"CONSTRUCTION" in the heading of such title;

(2) by inserting "AND LIBRARY AND INFORMATION
TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the
head of section 201;

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

(4) by striking "section 3(2)" in section 202(a)
and inserting "sections 3(2) and 3(19), respectively": and
(5) by inserting "AND TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the heading of section 204.
(d) USE OF TITLE III FUNDS.--Section 302(a) of the Act is amended--
(1) by striking "and" at the end of clause (1); and
(2) by inserting before the period at the end of clause (2) the following: "; and (b) developing the technological capacity of libraries for interlibrary cooperation and resource sharing".

SEC. 15. PRESERVATION OBJECTIVES IN CONSTRUCTION.
Section 204 of the Act is amended--
(1) by striking the period at the end of paragraph (4) and inserting "; and"; and
(2) by adding at the end thereof the following new paragraph:
"(5) 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.".

SEC. 16. RESOURCE SHARING.
Sections 301 and 304(a) of the Act are each amended by striking "eventual" and inserting "attaining".

SEC. 17. PRESERVATION COOPERATION.
Title III of the Act is amended by adding at the end thereof the following new section:

"PRESERVATION PROGRAMS

'Sec. 305. (a) The long-range program and annual program of each State under this title may--

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

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

'(b) A statewide preservation cooperation plan complies with this section if--

'(1) such plan specifies the methods by which the State library administrative 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; and

'(2) such preservation plan is developed in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations, and other interested parties.

'(c) A State which has a statewide preservation
1 cooperation plan that complies with this section may use
2 funds under this title to carry out such plan.
3 "'(d) The State library administrative agency may
4 contract part or all of the preservation program under this
5 section to other agencies or institutions.'"
6 SEC. 18. LIBRARY LITERACY GRANTS.
7 Section 601(e) of the Act is amended by striking
8 "$25,000" and inserting "$35,000".
9 SEC. 19. EVALUATION AND ASSESSMENT.
10 "(a) AMENDMENT.--The Act is further amended by adding at
11 the end thereof the following new title:
12 'TITLE VII.--EVALUATION AND ASSESSMENT
13 PROGRAM AUTHORITY
14 'SEC. 701. The Secretary is authorized to carry out a
15 program for the purpose of evaluation and assessment
16 (directly or by grants or contracts) of programs authorized
17 under this Act.'"
18 (b) CONFORMING AMENDMENT.--Section 5(a) of the Act is
19 amended by striking out paragraph (5).
20 SEC. 20. FAMILY LEARNING CENTERS.
21 (a) AMENDMENT.--The Library Services and Construction Act
22 is amended by adding at the end the following:
23 'TITLE VIII.--FAMILY LEARNING CENTERS
24 STATEMENT OF PURPOSE
25 'SEC. 801. It is the purpose of this title to expand and
1. Improve opportunities for lifetime learning and the
2. involvement of the Nation's families as partners in their
3. children's education by providing comprehensive, family-
4. oriented library services through Family Learning Centers.

GRANTS TO STATES FOR FAMILY LEARNING CENTERS

"Sec. 802. The Secretary shall carry out a program of
making grants to States which have an approved basic State
plan under section 6 of this Act and an approved application
under section 802 of this Act.

STATE APPLICATION

Sec. 803. (a) Funds appropriated pursuant to paragraph
(7) of section 4(a) shall be available for grants to States
from allotments under section 5(a) for the purpose of
supporting a family learning center in each of the several
States.

(b) Any State wishing to receive a grant from its
allotment shall, through its State library administrative
agency, submit an application to the Secretary at such time,
in such form, and containing such information and assurances
as the Secretary may reasonably require. No application may
be approved by the Secretary unless it contains assurances
that the State will--

'(1) select a local public library as a family
learning center in accordance with the provisions of this
title; and
15

(2) distribute 100 percent of the amounts paid to it under this title to the local public library selected as a family learning center under section 806.

USE OF FUNDS

SEC. 804. (a) Funds made available under this title shall be used to initiate, expand, or improve public library services to families.

(b) Not less than 25 percent of the funds made available under this title shall be used for the acquisition of resources and materials in print and electronic formats—

(1) which are intended for use by and with adults, including materials in such areas as child care, child development, nutrition, parenting skills, and job and career information; and

(2) which are intended for use by and with children and adolescents.

(c) Not less than 10 percent of the funds made available under this title shall be used for—

(1) the acquisition or leasing of computer hardware for use by library patrons, including services necessary for the operation, installation, and maintenance of such equipment; and

(2) the acquisition of computer software and complementary explanatory material for use by library patrons.
LOCAL APPLICATION

(1) describe the manner in which the funds will be used to initiate, expand, or improve library services to families;

(2) provide assurances that the library will be open on weekday evenings, Saturdays, and some Sundays and legal public holidays to enable families in which both parents work outside the home to utilize the library's services;

(3) demonstrate that the library has or will have sufficient qualified staff with specialized training in providing library services to children, adolescents, and adults;

(4) provide for the establishment of an advisory committee consisting of parents, teachers, local school administrators, librarians, library administrators, library trustees, local elected officials, and business
leaders, at least one-third of whom are parents who regularly use the services of the library;

(5) provide for the establishment of a family library loan program through which families may borrow sets of books for extended periods, and other innovative programs and policies designed to encourage greater use of the library by families;

(6) provide for a job and career information program to provide information and assistance to parents and others who are unemployed or seeking a new job;

(7) describe, if appropriate, any special services and outreach activities which will be offered to meet the needs of--

(A) adolescent parents;

(B) single-parent families;

(C) families in which both parents are employed outside the home;

(D) parents and children with limited English language proficiency; and

(E) educationally disadvantaged adults and their children;

(8) describe the methods by which the library will publicize and promote the services of the Center in cooperation with the local media, schools, businesses, social service agencies, and other appropriate entities;
and

"(9) provide assurances that the funds provided will
be used to supplement and not supplant funds otherwise
available for the purposes of this title.

"SELECTION OF FAMILY LEARNING CENTERS

"SEC. 806. (a) Each State shall select a family learning
center on a competitive basis from among the local public
libraries submitting applications under section 805. In
making such selection, the State shall give priority to
applications which--

"(1) promise to serve a significant number of
families on a regular basis; and

"(2) offer innovative approaches to improving
library services for families and approaches which show
promise for replication and dissemination.".

(b) CONFORMING AMENDMENTS.--

(1) Section 3 of the Act is amended by adding at the
end thereof the following:

"(20) The term 'educationally disadvantaged adult'
has the meaning given that term in section 312(1)(A) of
the Adult Education Act of 1968 (20 U.S.C. 2102(a))."

(2) Section 5(a)(3)(A) of the Act is amended by
inserting "and VIII" after "title I".

SEC. 21. TECHNICAL AMENDMENT.

Title I of the Act is amended--
(1) by inserting "PUBLIC" before "LIBRARY" in the heading of such title; and
(2) by inserting "PUBLIC" before "LIBRARY" in the heading of section 101.

SEC. 22. EFFECTIVE DATE.
The amendments made by this Act shall take effect on October 1, 1989.
LIBRARY AND SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1989
HR. 2742

Summary of Significant Changes from Current Law

Section 1. Title

Section 1 of the bill specifies the short title as the Library Services and Construction Act Amendments of 1986 and clarifies that all references in this legislation refer to the Library Services and Construction Act.

Section 2. Definitions

Section 2 of the bill amends the definition of "Construction" to allow for the purchase, lease, and installation of equipment; adds the phrase "ensure safe working environments" and broadens the reference to machinery to include new forms of library technologies. Section 2 also adds two new paragraphs that define "handicapped individual" and "network".

Section 3. Authorization of Appropriations

Section 3 of the bill amends the Section 4 of the Act to authorize the Titles at the following levels for Fiscal Year 1990 and such sums as may be necessary in the succeeding 4 years:

<table>
<thead>
<tr>
<th>Title</th>
<th>Proposed FY 90</th>
<th>Current FY 90</th>
<th>Actual FY 89</th>
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<tbody>
<tr>
<td>I Library Services</td>
<td>$100,000</td>
<td>$95,000</td>
<td>$81,300</td>
</tr>
<tr>
<td>II Construction</td>
<td>55,000</td>
<td>50,000</td>
<td>22,324</td>
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<td>III Interlibrary</td>
<td></td>
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<tr>
<td>Cooperation</td>
<td>35,000</td>
<td>30,000</td>
<td>19,102</td>
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<td>IV Indian Services</td>
<td>(2% of appropriations for I, II, and III)</td>
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<td></td>
</tr>
<tr>
<td>V Foreign Language</td>
<td>$1,000</td>
<td>$1,000</td>
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</tr>
<tr>
<td>Materials</td>
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<td></td>
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<tr>
<td>VI Literacy Programs</td>
<td>10,000</td>
<td>5,000</td>
<td>4,730</td>
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<tr>
<td>VII Evaluation and Assessment</td>
<td>500</td>
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<td></td>
</tr>
<tr>
<td>VIII Family Learning Centers</td>
<td>12,000</td>
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<td></td>
</tr>
</tbody>
</table>

-1-
Section 4: Allocations

Section 4 of the bill amends the internal allocation of funds under Title IV, Library Services for Indian Tribes. One half of the set-aside for Indian tribes would be used for basic grants with the amount of the basic grant being determined by dividing this half by the number of tribes that submit an approved application. The other half would be used for special project grants. Under current law, the basic grant equals the 0.5% set-aside divided by the total number of tribes. All funds not applied for successfully are reallocated as special project grants. The legislative intent is to put more emphasis on the basic grant over the special grant. Tribes will get an average increase of $1500 in the size of the their basic grant. Special grants will continue to go only those tribes that receive a basic grant.

To avoid applications from overlapping entities serving the same area, the bill requires that implementing regulations "prevent an allocation from being made to serve the same population by any two or more of the following: an Alaska Native village, a regional corporation or a village corporation as defined in the statutes pursuant to the Alaska Native Claims Settlement Act."
Section 1. Library Literacy Centers

It is noted that the bill amends Title I purposes as reflected in annual programs to include Library Literacy Centers.

Sec. 2. Amendment

The amendment of Sec. 1 recognizes that grants to Title I programs should be awarded to an improved public library.

Sec. 3. Amendment

The amendment of Sec. 2 makes it possible to notably reduce the amount of money awarded to states which have not been found.

Sec. 4. Amendment

The amendment of Sec. 2 recognizes that grants to Title I programs should be awarded to an improved public library.

Sec. 5. Amendment

The amendment of Sec. 2 makes it possible to notably reduce the amount of money awarded to states which have not been found.

Technology refers to the extent

Title I purposes as affected in annual programs should be

Sec. 6. Amendment

The amendment of Sec. 2 is entitled "Public Library Technology Center Program."

Technology refers to the extent

Expands the use of Title I funds to include "developing the technological capacity of libraries for interlibrary cooperation and resource sharing".

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