

1989

Library Services Improvement Act (1989): Correspondence 02

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UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

JUL 12 1989

Honorable Claiborne Pell
Chairman
Subcommittee on Education, Arts and Humanities
Committee on Labor and Human Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing to express the Department of Education's views on a draft bill to extend and amend the Library Services and Construction Act, and for other purposes. I understand that the bill, which is scheduled to be introduced momentarily and marked up on July 13, is identical to H.R. 2742, as introduced, and my remarks, of course, reflect this understanding. While I advocate a Federal role in improving library services, I have several concerns regarding this bill. I believe that the success of the Library Services and Construction Act (LSCA) over the past thirty years in improving access to library services for the general public offers an opportunity to redefine the Federal role in this area. It is now appropriate to move beyond LSCA in shaping this Federal role.

As I understand it, the Senate bill would reauthorize LSCA through fiscal year 1994 with an authorization level of \$201.5 million for fiscal year 1990, and would, while retaining the major provisions of LSCA, make several changes to current law. For example, the bill would modify administrative provisions regarding allocation of funds to Alaskan natives, the coordination of programs under titles V and VI with other programs under the Act, and maintenance of effort. The bill would add to the basic library services program under title I new emphases on intergenerational library programs, childcare library outreach, and library literacy centers. The bill would also expand the construction program under title II by broadening the definition of construction and adding a "technology enhancement" authority that would fund the acquisition, installation, maintenance, and replacement of technological equipment. The bill would expand the resource sharing programs under title III to include authority for statewide preservation cooperation plans. Finally, the bill would add authority for the Secretary to support the evaluation and assessment of programs under the LSCA.

As indicated by the Department's legislative proposal, the "Library Services Improvement Act of 1989," that was transmitted to Congress on March 16, the conduct of evaluation and assessment

activities is a useful addition to the Federal role. A modest allocation of funds in this area can make a substantial contribution to improved library services in all types of libraries.

However, in general, I believe that reauthorization and expansion of LSCA no longer presents the most effective allocation of Federal dollars for library services. As provided in the Department's proposal, S. 1257, we would discontinue those activities under current law that are well established and for which there is now little need for continued Federal support, and would take a more targeted approach to improving library services. Our bill would authorize programs to: (1) improve the contribution of libraries to the education of economically disadvantaged or handicapped individuals; (2) increase access to a greater variety of library materials through resource sharing; and (3) support research and assessment needed to improve library services. I urge the Committee to give serious consideration to the Department's proposal.

I am also concerned about several specific aspects of the bill. Particularly problematic is proposed section 5(h) of LSCA, which would require the Secretary to provide to the State library administrative agency an opportunity to comment on any application for a grant under title V or VI of LSCA prior to the awarding of the grant. This presents a potential conflict of interest because that same State agency is also eligible to apply for title V and VI funds; it may also create confusion at the State level regarding which agency has the final authority to comment, since the "single point of contact" (under Executive Order 12372) in each State to review grants will likely not be the State library administrative agency.

Another concern is that proposed section 7(b) of LSCA, which would allow the State to determine for the Secretary a revised expenditure level every five years, is not consistent with the annual maintenance of effort computation retained in current law and could cloud the authority of the Secretary to determine compliance with the law's maintenance of effort requirements. I am concerned that, unlike the Department's bill, H.R. 2742 does not target its services upon those most in need of receiving them and does nothing to enhance State accountability for their programs; States should at least be required to identify their program goals in measurable terms, explain how they intend to meet those goals, and describe the evaluation methods they will use to determine whether those goals have been met.

Finally, I believe that library construction is no longer an appropriate Federal responsibility and therefore oppose the bill's expansion of construction authority. Moreover, the introduction of a technology enhancement authority in the construction program under title II, and the resultant comingling of technology enhancement equipment and equipment in general, would be difficult to administer.

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I look forward to working with you to enhance the Federal role in improving library services.

The Office of Management and Budget advises that there is no objection to the submission of this report to the Congress.

Sincerely,

A handwritten signature in black ink, reading "Lauro F. Cavazos" with a long horizontal line extending to the right.

Lauro F. Cavazos