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Section-by-Section analysis of the Library Services and Construction Act Reauthorization

Section 1

This section gives the title of the Act "Library Services and Construction Act Amendments of 1984" and gives the Congressional findings relative to the Act. Those findings are as follows: The role of libraries has expanded to include providing programs to meet the needs of special populations, to help establish networks and share resource materials among a wide variety of libraries; the role of libraries as information centers should be expanded to meet the increasing needs of their communities for informational and educational resources, and the scope and purpose of the Library Services and Construction Act (LSCA) should be expanded to include a broader range of programs which may receive funds and to ensure services to populations which might otherwise be without library services.

Section 2

This section amends the declaration of policy to state that it is the purpose of the Act: to assist the states in extending services to areas and populations without such services, including the elderly and Indian tribes; to assist with library construction and renovation; to improve library services for special populations such as the handicapped and institutionalized; to assist in strengthening state library administrative agencies; to promote interlibrary cooperation and resource-sharing; and to strengthen major urban resource libraries.

Section 3

This section amends the definitions section to include the Northern Mariana Islands; to change Commissioner to Secretary of Education; to add to the definition of construction "remodeling to meet the standards under the Architectural Barriers Act of 1968, remodeling designed to conserve energy, and renovation or remodeling to accommodate new technologies". It also amends the definitions to include "Indian tribe" which is defined as "any Indian tribe, band, nation, or 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 of the Interior."

Section 4
This section authorizes the following appropriations:
For Title I, $75 million for fiscal year 1985, $80 million for fiscal year 1986, $85 million for fiscal year 1987, $90 million for fiscal year 1988, and $95 million for fiscal year 1989; for Title II, $50 million for fiscal years 1985-1989; for Title III, $18 million for fiscal year 1985, $21 million for fiscal year 1986, $24 million for fiscal year 1987, $27 million for fiscal year 1988, and $30 million for fiscal year 1989. For Title IV, a setaside equal to 1 percent of that appropriated for Titles I, II, and III is authorized. This section also adds a provision to place the LSCA program on a forward funded basis beginning in fiscal year 1985.

Section 5

This section amends the allotments to include allotments for Indian tribes. Each tribe is entitled to receive an equal amount of money based on the total appropriations for any fiscal year. If an Indian tribe does not apply for its allotment, that money will be retained by the Secretary and used to make discretionary grants on a competitive basis. Competitive grants require that the funds be administered by a librarian.

Section 6

This section amends requirements for state plans and programs to include priority for projects that improve access to library facilities for the least served populations in the state (including those of limited English speaking ability and programs and projects in both urban and rural areas) and for programs that serve the elderly, combat illiteracy, and that increase user access through effective use of technology. The section further specifies that any Indian tribe wishing to receive an allotment must submit an application to the Secretary of Education. In order to receive a discretionary grant, an Indian tribe must submit a long-range plan.

Section 7

This section mandates that the Secretary pay each Indian tribe which has an approved application an amount equal to that tribe's allotment. If an Indian tribe receives an additional discretionary grant, Federal monies shall not exceed 80 percent of the cost of carrying out this plan.

Section 8

This section amends Section 101 of LSCA, "Grants to States for Library Services." Grants to states may be used for extending library services to meet special needs of individuals in the state, to assist libraries to serve as community information referral centers, to provide literacy
training for the public, and to improve and strengthen library administrative agencies and major urban resource libraries.

Section 9

This section amends Section 102 of LSCA to include using Federal funds to assist libraries in serving as community information referral centers.

Section 10

This section amends Section 103 of LSCA, "State Library Service Programs." The allowable uses of Federal funds to provide programs for the elderly are outlined in this section. Legitimate expenses include: training librarians to work with the elderly; conducting special library programs for the elderly; purchasing special library materials; paying salaries for elderly people to work in libraries in programs for the elderly; providing in-home visits by librarians; establishing outreach programs to notify the elderly of library services available to them; and furnishing transportation to enable the elderly to have access to library services.

The section also ratably reduces the amount of money the State must expend for physically handicapped and institutionalized persons if Federal allocations to the state are reduced.

Section 11

This section amends the use of library funds for the purposes of construction as defined in Section 3. The Federal share of the cost of construction shall not exceed one-third of the total cost of the construction project. If within twenty years after the completion of construction of a library facility which has been constructed with funds from LSCA, the facility is no longer used as a library, the U.S. government is entitled to recover an amount which bears the same ratio to the value of the facility at that time as the amount of the Federal grant was to the cost of the facility. The value of the building shall be determined by the parties involved or by the appropriate United States District Court. This amendment applies to any facility constructed with funds from Title II prior to or after the date of enactment of this bill.

Section 12

This section amends the resource sharing title of LSCA. The new name of the title is "Interlibrary Cooperation and Resource Sharing". The annual and long-range state plans will need to identify interlibrary and resource sharing objectives to be achieved during the period covered by the
plans and may include the following: criteria for participation in statewide resource sharing to ensure inclusion of libraries of all types; analysis of the needs for the development and maintenance of bibliographic access; analysis of the needs for the development and maintenance of communications systems for information exchange among participants; analysis of the needs for the development and maintenance of delivery systems for exchanging library materials; a projection of hardware and software needs for the operation of the resource sharing system; a mechanism to identify users and help provide access to library resources; a proposal for the development, establishment and maintenance of intrastate multitype library systems; analysis of the needs for the development and maintenance of multistate and national resource sharing systems; and a description of the methods for periodic evaluations of the state's success in meeting the requirements listed.

Non-profit and academic libraries participating in resource-sharing activities may be reimbursed for their expenses in loaning materials to public libraries.

Section 13

This section amends Title IV of LSCA to read "Title IV -- Library Services for Indian Tribes." The Congress finds that this title is needed because most Indian tribes receive little or no funds under other titles of the Act, Indian tribes are generally considered to be separate nations and are seldom eligible for direct allocations from states, and the majority of Indians living on or near reservations have little or no access to libraries at all.

The purpose of this title is to promote the extension of library services to Indian peoples living on or near reservations; to provide incentives for encouraging the establishment of tribal library programs; and to improve the administration and implementation of library services of Indian tribes by providing funds to establish and support on-going library programs.

Funds may be used for: inservice or preservice training of Indians as library workers; purchase of library materials; conduct of special library programs for Indians; salaries of library workers; construction, purchase, renovation, or remodeling of library buildings and facilities; transportation to enable Indians to have access to library services; dissemination of information about library services; assessment of tribal library needs; and contracts to provide public library services to Indians living on or near reservations or to accomplish any of the activities described above.

If tribes currently support public library systems, they must continue to expend the same amount of money in support
of those services. Special collections of tribal cultural materials may be established and restricted.

Plans for discretionary grants must contain whatever information the Secretary of Education requires by regulation and shall also set forth a program for one year under which funds will be used consistent with a long-range program as well as the allowable expenditures.

The Secretary of Education shall consult with the Secretary of the Interior for the purpose of coordinating 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.

Section 14

This section allows the National Commission on Libraries and Information Science to access the Library of Congress's computerized SCORPIO.