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Library Services Improvement Act (1989): Report 03

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101ST CONGRESS
1ST SESSION

S. 1291

IN THE SENATE OF THE UNITED STATES
for himself, and on behalf of Senators Kassebaum, Matsunaga
Cochran, Dodd, Simon, Jeffords, Kennedy, Hollings and Glenn,
Mr. PELL introduced the following bill; which was read twice and referred to
the Committee on _____

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 assem-*
3 *bled,*

4 SECTION 1. SHORT TITLE; REFERENCES.

5 (a) SHORT TITLE.—This Act may be cited as the “Li-
6 brary Services and Construction Act Amendments of
7 1989”.

8 (b) REFERENCES.—References in this Act to “the
9 Act” are references to the Library Services and Construc-
10 tion Act (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”
5 and inserting “and for the purchase, lease, and
6 installation of equipment”;

7 (B) by striking “to conserve energy” and
8 inserting “to ensure safe working environments
9 and to conserve energy”; and

10 (C) by striking “includes machinery” and
11 inserting “includes information and building
12 technologies, video and telecommunications
13 equipment, machinery”; and

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

16 “(17) The term ‘handicapped individual’ means
17 an individual who is physically or mentally impaired,
18 visually impaired, or hearing impaired.

19 “(18) The term ‘network’ means any local,
20 statewide, regional, or interstate cooperative associa-
21 tion of library entities which provide for the system-
22 atic and effective coordination of the resources of
23 school, public, academic, and special libraries and
24 information centers for improved supplementary
25 services for the clientele served by each type of li-
26 brary 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 appropri-
5 ated—

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

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

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

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

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

1 “(6) for the purpose of activities as provided in
2 title VII, \$500,000 for fiscal year 1990, and such
3 sums as may be necessary each of the 4 succeeding
4 fiscal years.

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

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

17 **SEC. 4. ALLOCATIONS.**

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

20 “(c)(1) From one-half of the sums available pursuant
21 to the second sentence of section 4(a) for any fiscal year,
22 the Secretary shall allot an equal amount to each Indian
23 tribe that submits an approved application under section
24 403.

1 “(2) From the remaining one-half of the sums avail-
2 able pursuant to such second sentence, the Secretary shall
3 make allocations to Indian tribes that (A) are receiving an
4 allocation under paragraph (1) of this subsection for such
5 fiscal year; and (B) have submitted approved applications
6 under section 404.

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

8 “(A) no funds shall be allocated to an Indian
9 tribe unless such funds will be administered by a li-
10 brarian; and

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

14 “(4) In making allocations under this subsection, the
15 Secretary shall take such actions as may be necessary to
16 prevent an allocation from being received to serve the
17 same population by any two or more of the following enti-
18 ties as defined in, or established pursuant to, the Alaska
19 Native Claims Settlement Act:

20 “(A) an Alaskan native village,

21 “(B) a regional corporation, or

22 “(C) a village corporation.’’.

23 (b) CONFORMING AMENDMENT.—Section 6(g)(2) of the
24 Act is amended by inserting after “section 5(c)(2)” the

1 following: “in the same fiscal year in which it has re-
2 ceived an allocation under section 5(c)(1)”.

3 **SEC. 5. RESOURCE SHARING COORDINATION.**

4 Section 6 of the Act is amended—

5 (1) in subsection (d)(1), by striking “and con-
6 struction” and inserting “, construction, and interli-
7 brary cooperation and resource sharing”; and

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

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

19 **SEC. 6. MAINTENANCE OF EFFORT.**

20 Section 7 of this Act is amended—

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

23 (2) by inserting after subsection (a) the follow-
24 ing new subsection:

For fiscal year 1985 and 89 and every 5th or 6th year after,

1 “(b) In fiscal year 1990, and every fifth fiscal year
 2 thereafter, each State library agency may review its ex-
 3 penditures in the second fiscal year preceding fiscal year
 4 for which the determination is made under the programs
 5 from State and local sources and file with the Secretary a
 6 statement to establish a current, revised expenditure level
 7 to be used for measuring the maintenance of effort re-
 8 quired under subsections (a)(1)(B) and (a)(2).”.

In the earlier subsection. (State, State + local)

9 **SEC. 7. INTERGENERATIONAL LIBRARY SERVICES.**

10 Section 101 of the Act is amended—

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

13 (2) by inserting after paragraph (4) the follow-
 14 ing new paragraph:

15 “(5) for assisting libraries in developing inter-
 16 generational library programs that will match older
 17 adult volunteers with libraries interested in develop-
 18 ing after school literacy and reading skills programs
 19 for unsupervised school children during afterschool
 20 hours;”.

21 **SEC. 8. CHILDCARE LIBRARY OUTREACH.**

22 Section 101 of the Act is further amended by insert-
 23 ing after paragraph (5) the following new paragraph:

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

4 **SEC. 9. LIBRARY LITERACY CENTERS.**

5 Section 101 of the Act is further amended by insert-
6 ing after paragraph (6) the following new paragraph:

7 “(7) to establish and support model library lit-
8 eracy centers, coordinated by the State library ad-
9 ministrative agency with other interested State agen-
10 cies and nonprofit organizations to reduce the
11 number of functionally illiterate individuals and to
12 help them reach full employment;”.

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

14 Section 102(a) of the Act is amended by adding at the
15 end thereof the following new sentence: “In carrying out
16 its program to accomplish the purposes of this title, a State
17 may make subgrants to library systems or networks which
18 include libraries other than public libraries, if the purpose
19 of the subgrant is to improve services for public library
20 patrons”.

21 **SEC. 11. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE LI-**
22 **BRARIES.**

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

1 “(3) No State shall, in carrying out the provi-
2 sions of paragraph (2) of this subsection, reduce the
3 amount paid to any major urban resource library
4 below the amount that such library received in the
5 year preceding the year for which the determination
6 is made under such paragraph (2), except that such
7 amount shall be ratably reduced to the extent that the
8 total Federal allocations to the State under section 5
9 for purposes of this title for the applicable fiscal year
10 are reduced or that the 1990 Census shows the popu-
11 lation of the city served by such library has de-
12 creased.”.

13 **SEC. 12. STATE ANNUAL PROGRAM.**

14 Section 103 of the Act is amended—

15 (1) in paragraph (3), by striking “and institu-
16 tionalized individuals”;

17 (2) in paragraph (4)—

18 (A) by striking “(A)”; and

19 (B) by striking everything following “el-
20 derly” the first place it appears and inserting a
21 semicolon; and

22 (3) by striking paragraph (5) and inserting the
23 following:

1 “(5) describe the uses of funds to make library
2 services and programs more accessible to handi-
3 capped individuals.”.

4 **SEC. 13. TECHNOLOGY ENHANCEMENT.**

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

8 “(19) The term ‘technology enhancement’
9 means the acquisition, installation, maintenance, or
10 replacement, of substantial technological equipment
11 (including library bibliographic automation equip-
12 ment) necessary to provide access to information in
13 electronic and other formats made possible by new
14 information and communications technologies.”.

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

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

19 (2) by striking the period at the end of para-
20 graph (9) (as redesignated by section 7(1)) and in-
21 sserting “; and”; and

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

1 “(10) for assisting public libraries in making ef-
2 fective use of technology to improve library and in-
3 formation services.”.

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

6 (1) by inserting “AND TECHNOLOGY EN-
7 HANCEMENT” after “CONSTRUCTION” in the
8 heading of such title;

9 (2) by inserting “AND LIBRARY AND INFORMA-
10 TION TECHNOLOGY ENHANCEMENT” after “CONSTRUC-
11 TION” in the head of section 201;

12 (3) by inserting “and technology enhancement”
13 after “construction” each place it appears in sec-
14 tions 201, 202(a), 202(b), 203(1), 203(2), and
15 203(3);

16 (4) by striking “section 3(2)” in section 202(a)
17 and inserting “sections 3(2) and 3(19), respective-
18 ly”; and

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

22 (d) USE OF TITLE III FUNDS.—Section 302(a) of the
23 Act is amended—

24 (1) by striking “and” at the end of paragraph
25 (1); and

1 (2) by inserting before the period at the end of
2 paragraph (2) the following: “; and (3) developing
3 the technological capacity of libraries for interlibrary
4 cooperation and resource sharing”.

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

6 Section 203 of the Act is amended—

7 (1) by striking the period at the end of para-
8 graph (4) and inserting “; and”; and

9 (2) by adding at the end thereof the following
10 new paragraph:

11 “(5) follow policies and procedures in the con-
12 struction of public libraries that will promote the
13 preservation of library and information resources to
14 be utilized in the facilities.”.

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

16 Sections 301 and 304(a) of the Act are amended by
17 striking “eventual” and inserting “attaining”.

18 **SEC. 16. PRESERVATION COOPERATION.**

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

21 “PRESERVATION PROGRAMS

22 “SEC. 305. (a) The long-range program and annual
23 program of each State under this title may—

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

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

4 (b) A statewide preservation cooperation plan com-
5 plies with this section if—

6 (1) such plan specifies the methods by which
7 the State library administrative agency will work
8 with libraries, archives, historical societies, scholarly
9 organizations, and other agencies, within or outside
10 the State, in planning, education and training, coordi-
11 nating, outreach and public information, and service
12 programs to ensure that endangered library and in-
13 formation resources are preserved systematically; and

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

18 “(c) A State that has a statewide preservation coop-
19 eration plan that complies with this section may use funds
20 under this title to carry out such plan.

21 “(d) The State library administrative agency may
22 contract part or all of the preservation program under this
23 section to other agencies or institutions.”.

1 SEC. 17. LIBRARY LITERACY GRANTS.

2 Section 601(e) of the Act is amended by striking
3 “\$25,000” and inserting “\$35,000”.

4 SEC. 18. EVALUATION AND ASSESSMENT.

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

7 **“TITLE VII—EVALUATION AND**
8 **ASSESSMENT**

9 **“PROGRAM AUTHORITY**

10 **“SEC. 701. The Secretary is authorized to carry out a**
11 **program for the purpose of evaluation and assessment (di-**
12 **rectly or by grants or contracts) of programs authorized**
13 **under this Act.”.**

14 (b) CONFORMING AMENDMENT.—Section 5(a) of the
15 Act is amended by striking out paragraph (5).

16 SEC. 19. PUBLIC LIBRARY SERVICES.

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

20 (b) SECTION 101 HEADING.—The heading of section
21 101 is amended by inserting **“PUBLIC”** before **“LIBRARY”**.

22 SEC. 20. EFFECTIVE DATE PROVISION.

23 The amendments made by this Act shall take effect
24 on October 1, 1989.