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Sandy -

This is a side-by-side comparing the existing Library Service Act with the reauthorization legislation introduced by Stofford and co-sponsored by Dee. It was prepared by Roy Millerson and should be of help if and when we decide to move in this area.

DE
The Library Services and Construction Act¹

(Public Law 597, 84th Congress)

AN ACT To promote the further development of public library services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Library Services and Construction Act”.

DECLARATION OF POLICY

SEC. 2. (a) It is the purpose of this Act to assist the States in the extension and improvement of public library services in areas of the States which are without such services or in which such services are inadequate, and with public library construction, and in the improvement of such other State library services as library services for physically handicapped, institutionalized, and disadvantaged persons, in promoting interlibrary cooperation among all types of libraries, and in strengthening major urban resource libraries, in promoting interlibrary cooperation among all types of libraries.

(b) Nothing in this Act shall be construed to interfere with State and local initiative and responsibility in the conduct of library services. The administration of libraries, the selection of personnel and library books and materials, and, insofar as consistent with the purposes of this Act, the determination of the best uses of the funds provided under this Act shall be reserved to the States and their local subdivisions.


¹Sec. 519 of P.L. 93–380 provides as follows:

"Sec. 519. (a) There is established, in the Office of Education, an Office of Libraries and Learning Resources (hereafter in this section referred to as the "Office"), through which the Commissioner shall administer all programs in the Office of Education related to assistance for, and encouragement of, libraries and information centers and education technology.

(b) The Office shall be headed by a Director, to whom the Commissioner shall delegate his delegable functions with respect to the programs administered through the Office."

S. 1431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “National Library and Information Services Act”.

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) (1) It is the policy of the United States to establish, support, and expand educational opportunities for individuals of all ages and conditions through the promotion of universal library and information services; to provide all persons ready and convenient access to information relating to; publicly supported programs designed to provide assistance to those in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly; to implement the constitutional guarantees of free speech and free press through public access to national repositories of non-classified information, especially information about public processes and the various sides of public issues; and to provide to all persons, without regard to their educational attainment, individual ability or economic condition, free, equal, and open access to all publicly funded library and information services.

(2) In order to achieve the policy set forth in subsection (a) of this section, it is essential that a national program be established to ensure that an adequate level of library and information services is made available in all communities, accessible to all residents thereof, and to encourage governmental agencies at all levels to work together toward the goal of library and information services for all.

(b) It is the purpose of this Act to assist the States (1) in promoting interlibrary cooperation among all types of libraries; (2) in the provision, extension, and improvement of public library services; (3) in public library construction; (4) in the provision, extension, and improvement of public library programs to meet special user needs, including library services for physically handicapped, institutionalized, functionally illiterate, unemployed, persons with limited English language skills, and economically and educationally disadvantaged individuals; and (5) in strengthening State library administrative agencies and library personnel.

(c) (1) It is further the purpose of this Act to preserve the tradition of local control over the selection and purchase of library materials and the furnishing of library and information services. The administration of libraries, the selection of personnel and library books and materials, and, insofar as consistent with the purposes of this Act, the determination of the best uses of the funds provided under this Act shall be reserved to the States and the units of local government within their jurisdiction.

(2) Nothing in this Act shall be construed to interfere with State and local initiative and responsibility for the conduct of library services.
DEFINITIONS

Sec. 3. The following definitions shall apply to this Act:
(1) “Commissioner” means the Commissioner of Education.

(2) “Construction” includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.

(3) “Library service” means the performance of all activities of a library relating to the collection and organization of library materials and to making the materials and information of a library available to a clientele.

(4) "Library services for the physically handicapped" means the providing of library services, through public or other nonprofit libraries, agencies, or organizations, to physically handicapped persons (including the blind and other visually handicapped) certified by competent authority as unable to read or to use conventional printed materials as a result of physical limitations.

(5) “Public library” means a library that serves free of charge all residents of a community, district, or region, and receives its financial support in whole or in part from public funds. Such term also includes a research library, which, for the purposes of this sentence, means a library, which—
(A) makes its services available to the public free of charge;
(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;
(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and
(D) is not an integral part of an institution of higher education.

(6) “Public library services” means library services furnished by a public library free of charge.

(7) “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(8) “Secretary” means the Secretary of Education.

(9) “State” means the Secretary of Education.

(10) “Library service” means the performance of all activities of a library relating to the collection and organization of library materials and to making the materials and information of a library available to a clientele.

(11) “Public library” means a library that serves free of charge all residents of a community, district, or region, and receives its financial support in whole or in part from public funds, and is not an integral component of an institution of higher education.

(12) “Public library services” means library services furnished by a public library free of charge.

(13) “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, or the Northern Mariana Islands.
These annual programs shall be submitted in such detail as provided by regulations promulgated by the Commissioner.

(8) "State Advisory Council on Libraries" means an advisory council for the purposes of clause (3) of section 6(a) of this Act which shall—

(A) be broadly representative of the public, school, academic, special, and institutional libraries, and libraries serving the handicapped, in the State and of persons using such libraries, including disadvantaged persons within the State;

(B) advise the State library administrative agency on the development of, and policy matters arising in the administration of, State plan; and

(C) assist the State library administrative agency in the evaluation of activities assisted under this Act;

(9) "State institutional library services" means the providing of books and other library materials, and of library services, to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, or (B) students in residential schools for the physically handicapped (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons who by reason thereof require special education) operated or substantially supported by the State.

(10) "State library administrative agency" means the official agency of a State charged by law of that State, with the extension and development of public library services throughout the State, which has adequate authority under law of the State to administer State plans in accordance with the provisions of this Act.

(11) "Basic State plan" means the document which gives assurances that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer all aspects of this Act; provides assurances for establishing the State's policies, priorities, criteria, and procedures necessary to the implementation of all programs under provisions of this Act; and submits copies for approval as required by regulations promulgated by the Commissioner.

(12) "Long-range program" means the comprehensive five-year program which identifies a State's library needs and sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this Act. Such long-range programs shall be developed by the State library administrative agency and shall specify the State's policies, criteria, priorities, and procedures consistent with the Act as required by the regulations promulgated by the Commissioner and shall be updated as library progress requires.

(13) "Annual program" means the projects which are developed and submitted to describe the specific activities to be carried out annually toward achieving fulfillment of the long-range program. These annual programs shall be submitted in such detail as required by regulations promulgated by the Commissioner.

(14) "Major urban resource library" means any public library located in a city having a population of 100,000 or more individuals, as determined by the Commissioner.

(20) "State advisory council on libraries" means an advisory council for the purposes of clause (3) of section 9(a) of this Act which shall—

(A) be broadly representative of the public, school, academic, and special libraries in the State, and of persons intended to be served by such libraries, including disadvantaged persons within the State;

(B) advise the State library administrative agency on the development of, and policy matters arising in the administration of, the State plans, and programs; and

(C) assist the State library administrative agency in the evaluation of activities assisted under this Act.

(21) "State institutional library services" means the providing of books and other library materials, and of library and information services, which would normally be provided by a public library, to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, or (B) students in residential schools for the physically handicapped (including mentally retarded, hearing impaired, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired individuals who by reason of such impairment require special education) operated or substantially supported by the State.

(22) "State library administrative agency" means the official agency of a State charged by law of that State, with the extension and development of public library services throughout the State, which has adequate authority under the laws of the State to administer State plans and annual programs in accordance with the provisions of this Act.

(23) "Basic State plan" means the document which provides assurances—

(A) that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer all aspects of this Act; and

(B) that the policies, criteria, priorities, and procedures of the State necessary to the implementation of all programs under the provisions of this Act will be established and implemented; and which is submitted for approval as required by regulations promulgated by the Secretary.

(11) "Long-range program" means the comprehensive five-year program which identifies the library needs of the State, sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this Act. Each long-range program shall be developed by the State library administrative agency and shall specify the State's policies, criteria, priorities, and procedures consistent with the Act as required by the regulations promulgated by the Commissioner. Each long-range program shall be updated as library progress requires.

(1) "Annual program" means the projects which are developed and submitted to describe the specific activities to be carried out annually toward achieving fulfillment of the long-range program. The annual programs shall be submitted in such detail as required by regulations promulgated by the Secretary.
(4) "Criteria for determining adequacy of public library services" means the standards adopted by the State and approved by the Secretary to determine services or resources of public libraries which are inadequate and for which funds under this Act may be expended.

(5) "Disadvantaged persons" means persons who have educational, socioeconomic, cultural, or similar disadvantages that prevent them from receiving the benefits of library services.

(6) "Functionally illiterate" means persons who do not possess the necessary skills to read, write, and comprehend sufficiently to fulfill their own objectives as family and community members, citizens, consumers, job-holders, and members of social, religious, and other associations of their choosing.

(7) "Interlibrary cooperation" means the establishment, expansion, and operation of local, regional, and interstate cooperative library networks.

(8) "Library" means any school, public, academic, or special library or information center which provides library services, whether publicly or privately funded.

(9) "Library materials" means books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microforms, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, and processed visual and magnetic tapes; printed, published and nonconventional library materials; and nonconventional library materials designed specifically for the handicapped, and materials of a similar nature.

(12) "Network" means a formal arrangement under which materials, information, and services provided by a variety of types of libraries and other organizations are made available to all potential users and is designed to provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers to achieve improved service to the users thereof. A network may serve a community, metropolitan area, region covering portions of more than one State, or region within a State, or be statewide, multi-State, national, or international in scope.

(13) "Office" means the Office of Libraries and Learning Resources in the Department of Education.

(14) "Physically handicapped" means persons who have restricted physical capabilities which impair their ability to use library materials, including the blind, visually handicapped, and hearing impaired persons.

(17) "Resource library" means any library which:

(A) makes its services available to the public free of charge;

(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through other public libraries;

(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

(D) is not an integral part of an institution of higher education.

A public library which is also a resource library has the same basic entitlement to funds under this Act as any other public library.

(23) "Strengthening the State library administrative agency" means improving the capacity of the agency in the administration of programs and projects assisted under this Act to meet Federal requirements.
AUTHORIZATIONS OF APPROPRIATIONS

Sec. 4. (a) For the purpose of carrying out the provisions of this Act the following sums are authorized to be appropriated:

(1) For the purpose of making grants to States for library services as provided in title I, there are authorized to be appropriated $112,000,000 for the fiscal year ending June 30, 1972, $117,600,000 for the fiscal year ending June 30, 1973, $123,500,000 for the fiscal year ending June 30, 1974, $129,675,000 for the fiscal year ending June 30, 1975, $137,150,000 for the fiscal year ending June 30, 1976, $110,000,000 for fiscal year 1978, $140,000,000 for fiscal year 1979, and $150,000,000 for each of the succeeding fiscal years.

(2) For the purpose of making grants to States for public library construction, as provided in title II, there are authorized to be appropriated $80,000,000 for the fiscal year ending June 30, 1972, $84,000,000 for the fiscal year ending June 30, 1973, $88,000,000 for the fiscal year ending June 3, 1974, $92,500,000 for the fiscal year ending June 30, 1975, and $97,000,000 for the fiscal year ending June 30, 1976, and such sums as may be necessary for fiscal years 1978 through fiscal year 1981, and $97,000,000 for fiscal year 1982.

(3) For the purpose of making grants to States to enable them to carry out interlibrary cooperation programs authorized by title III, there are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1972, $15,750,000 for the fiscal year ending June 30, 1973, $16,500,000 for the fiscal year ending June 30, 1974, $17,300,000 for the fiscal year ending June 30, 1975, $18,200,000 for the fiscal year ending June 30, 1976, $15,000,000 for fiscal year 1978, and $20,000,000 for fiscal year 1979 and each of the three succeeding fiscal years.

(4) For the purpose of making grants to States to enable them to carry out public library service programs for older persons authorized by title IV, there are authorized to be appropriated such sums as may be necessary for each fiscal year ending prior to October 1, 1982.

(b) Notwithstanding any other provision of law, unless enacted in express limitation of the provisions of this subsection, any sums appropriated pursuant to subsection (a) shall (1), in the case of sums appropriated pursuant to paragraphs (1) and (3) thereof, be available for obligation and expenditure for the period of time specified in the Act making such appropriation, and (2), in the case of sums appropriated pursuant to paragraph (2) thereof, subject to regulations of the Commissioner promulgated in carrying out the provisions of section 5(b), be available for obligation and expenditure for the year specified in the Appropriation Act and for the next succeeding year.

ALLOTMENTS TO STATES

Sec. 5. (a)(1) From the sums appropriated pursuant to paragraph (1), (2), (3), or (4) of section 4(a) for any fiscal year, the Commissioner shall allot the minimum allotment, as determined under paragraph (3) of this subsection, to each State. Any sums remaining after minimum allotments have been made shall be allotted in the manner set forth in paragraph (2) of this subsection.

(2) From the remainder of any sums appropriated pursuant to paragraph (1), (2), (3), or (4) of section 4(a) for any fiscal year, the Commissioner shall allot to each State such part of such remainder as the population of the State bears to the population of all the States.

(3) For the purposes of this subsection, the “minimum allotment” shall be—

(A) with respect to appropriations for the purposes of title I, $200,000 for each State, except that it shall be $40,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(B) with respect to appropriations for the purposes of title II, $100,000 for each State, except that it shall be $20,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(C) with respect to appropriations for the purposes of title III, $40,000 for each State, except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; and

(D) with respect to appropriations for the purposes of title IV, $40,000 for each State, except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

If the sums appropriated pursuant to paragraph (1), (2), (3), or (4) of section 4(a) for any fiscal year are insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such minimum allotments shall be reduced ratably.

(4) The population of each State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

(5) There is hereby authorized for the purpose of evaluation (directly or by grants or contracts) of programs authorized by this Act, such sums as Congress may deem necessary for any fiscal year.

(b) The amount of any State’s allotment under subsection (a) for any fiscal year from any appropriation made pursuant to paragraph (1), (2), or (3) of section 4(a) which the Commissioner deems will not be required for the period and the purpose for which such allotment is available for carrying out the State’s annual program shall be available for reallocation from time to time on such dates during such year as the Commissioner shall fix. Such amount shall be available for reallocation to other States in proportion to the original allotments for such year to such States under subsection (a) but with such proportionate amount for any of such other State being reduced to the extent that if it exceeds the amount which the Commissioner estimates the State needs and will be able to use for such period of time for which the original allotments were made and the total of such reductions shall be similarly reallocated among the States not suffering such a reduction. Any amount reallocated to a State under this subsection for any fiscal year shall be deemed to be a part of its allotment for such year pursuant to subsection (a).

STATEN PLANS AND PROGRAMS

Sec. 6. (a) Any State desiring to receive its allotment for any purpose under this Act for any fiscal year shall (1) have in effect for such fiscal year a basic State plan as defined in section 3(11) and meeting the requirements set forth in subsection (b), (2) submit an annual program as defined in section 3(13) for the purposes for which allotments are desired, meeting the appropriate requirements set forth in titles I, II, III, and IV and shall submit (no later than July 1, 1972) a long-range program as defined in section 3(12) for carrying out the purposes of this Act as specified in subsection (d), and (3) establish a State Advisory Council on Libraries which meets the requirements of section 3(8).

(b) A basic State plan under this Act shall—

(1) provide for the administration, or supervision of the administration, of the programs authorized by this Act by the State library administrative agency;

(2) provide that any funds paid to the State in accordance with a long-range program and an annual program shall be expended solely for the purposes for which funds have been authorized and appropriated and that such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement of, and account for, Federal funds paid to the State (including any such funds paid by the State to any other agency) under this Act;

(3) provide satisfactory assurance that the State agency administering the plan (A) will make such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this Act and to determine the extent to which funds provided under this Act have been effective in carrying out its purposes, including reports of evaluations made under the State plans, and (B) will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

(4) set forth the criteria to be used in determining the adequacy of public library services in geographical areas and for groups of persons in the State, including criteria designed to assure that priority will be given to programs or projects which serve urban and rural areas with high concentrations of low-income families and to programs and projects which serve areas with high concentrations of persons of limited English-speaking ability (as defined in section 703(a) of title VII of the Elementary and Secondary Education Act of 1965, as amended).

(c)(1) The Commissioner shall not approve any basic State plan pursuant to this Act for any fiscal year unless—

(A) the plan fulfills the conditions specified in section 3(11) and subsection (b) of this section and the appropriate titles of this Act;

(B) he has made specific findings as to the compliance of such plan with requirements of this Act and he is satisfied that adequate procedures are subscribed to therein insure that any assurances and provisions of such plan will be carried out.

(2) The State plan shall be made public as finally approved.

(3) The Commissioner shall not finally disapprove any basic State plan submitted pursuant to subsection (a)(1), or any modification thereof, without first affording the State reasonable notice and opportunity for hearing.

(b) A basic State plan under this Act shall—

(1) provide for the administration, or supervision of the administration, of the programs authorized by this Act by the State library administrative agency;

(2) provide that any funds paid to the State in accordance with a long-range program and an annual program shall be expended solely for the purposes for which funds have been authorized and appropriated and that such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement of, and account for, Federal funds paid to the State (including any such funds paid by the State to any other agency) under this Act;

(3) provide satisfactory assurance that the State agency administering the plan (A) will make such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this Act and to determine the extent to which funds provided under this Act have been effective in achieving the State's criteria for adequate services, including reports of evaluations made under the State plans, and (B) will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(4) set forth the criteria to be used in determining the adequacy of public library services in various geographical areas and for various groups of persons in the State for titles I through V.

(c) (1) The Secretary shall not approve any basic State plan pursuant to this Act for any fiscal year unless—

(A) the plan fulfills the conditions specified in section 3(20) and subsection (b) of this section and the appropriate titles of this Act;

(B) the Secretary has made specific findings as to the compliance of such plan with requirements of this Act and he is satisfied that adequate procedures are subscribed to therein to assure that any assurances and provisions of such plan will be carried out, including the receipt and acceptance of reports as required by subsection (b)(3) of this section.

(2) The State plan shall be made public as finally approved.

(3) The Secretary shall not finally disapprove any basic State plan submitted pursuant to subsection (a)(1), or any modification thereof, without first affording the State reasonable notice and opportunity for hearing.

STATE PLANS AND PROGRAMS

Sec. 9. (a) Any State desiring to receive its allotment for any purpose under this Act for any fiscal year shall—

(1) have in effect for such fiscal year a basic State plan which meets the requirements set forth in subsection (b),

(2) submit an annual program for the purposes for which allotments are desired, meeting the appropriate requirements set forth in title I through V,

(3) submit, no later than July 1, 1982, a long-range program for carrying out the purposes of this Act as specified in subsection (d), and

(4) establish a State Advisory Council on Libraries which meets the requirements of section 3(20).

(b) A basic State plan under this Act shall—

(1)(A) provide for the administration, or supervision of the administration, of the programs authorized by this Act by the State library administrative agency;

(2) provide that any funds paid to the State in accordance with a long-range program and an annual program shall be expended solely for the purposes for which funds have been authorized and appropriated and that such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement of, and account for, Federal funds paid to the State (including any such funds paid by the State to any other agency) under this Act;

(3) provide satisfactory assurance that the State agency administering the plan (A) will make such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this Act and to determine the extent to which funds provided under this Act have been effective in achieving the State's criteria for adequate services, including reports of evaluations made under the State plans, and (B) will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports; and

(4) set forth the criteria to be used in determining the adequacy of public library services in various geographical areas and for various groups of persons in the State for titles I through V.
(d) The long-range program of any State for carrying out the purposes of this Act shall be developed in consultation with the Commissioner and shall—
(1) set forth a program under which the funds received by the State under the programs authorized by this Act will be used to carry out a long-range program of library services and construction covering a period of not less than five years;
(2) be annually reviewed and revised in accordance with changing needs for assistance under this Act and the results of the evaluation and surveys of the State library administrative agency;
(3) set forth policies and procedures (A) for the periodic evaluation of the effectiveness of programs and projects supported under this Act, and (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects; and
(4) set forth effective policies and procedures for the coordination of programs and projects supported under this Act with library programs and projects operated by institutions of higher education or local elementary or secondary schools and with other public or private library services programs.

Such program shall be developed with advice of the State Advisory council and in consultation with the Commissioner and shall be made public as it is finally adopted.

(e) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency administering a program submitted under this Act, finds—
(1) that the program has been so changed that it no longer complies with the provisions of this Act, or
(2) that in the administration of the program there is a failure to comply substantially with any such provisions or with any assurance or other provision contained in the basic State plan,
then, until he is satisfied that there is no longer any such failure to comply, after appropriate notice to such State agency, he shall make no further payments to the State under this Act or shall limit payments to programs or projects under, or parts of, the programs not affected by the failure, or shall require that payments by such State agency under this Act shall be limited to local or other public library agencies not affected by the failure.

(f)(1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under this Act or with his final action under subsection (e) such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon take new or modified findings of fact and may modify his previous action, and shall certify to the court the record of further proceedings.

(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.
PASTMENTS TO STATES

SEC. 7. (a) From the allotments available therefor under section 5 from appropriations pursuant to paragraph (1), (2), (3), or (4) of section 4(a), the Commissioner shall pay to each State which has a basic State plan approved under section 6(a)(1), an annual program and a long-range program as defined in sections 3(12) and (13) an amount equal to the Federal share of the total sums expended by the State and its political subdivisions in carrying out such plan, except that no payments shall be made from appropriations pursuant to such paragraph (1) for the purposes of title I to any State (other than the Trust Territory of the Pacific Islands) for any fiscal year unless the Commissioner determines that—

1. there will be available for expenditure under the programs from State and local sources during the fiscal year for which the allotment is made—

(A) sums sufficient to enable the State to receive for the purpose of carrying out the programs payments in an amount not less than the minimum allotment for that State for the purpose, and

(B) not less than the total amount actually expended, in the areas covered by the programs for such year, for the purposes of such programs from such sources in the second preceding fiscal year; and

2. there will be available for expenditure for the purposes of the programs from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for such purposes from such sources in the second preceding fiscal year.

(b)(1) For the purpose of this section, the “Federal share” for any State shall be, except as is provided otherwise in title III and title IV, 100 per centum less the State percentage, and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all the States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that (A) the Federal share shall in no case be more than 66 per centum, or less than 33 per centum, and (B) the Federal share for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66 per centum, and (C) the Federal share for the Trust Territory of the Pacific Islands shall be 100 per centum.

(2) The “Federal share” for each State shall be promulgated by the Commissioner within sixty days after the beginning of the fiscal year ending June 30, 1971, and of every second fiscal year thereafter, on the basis of the average per capita incomes of each of the States and of all the States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), for the three most recent consecutive years for which satisfactory data are available to him from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years beginning after the promulgation.

ADMINISTRATIVE COSTS

Sec. 8. The amount expended by any State, from an allotment received under this Act for any fiscal year, for administrative costs in connection with any program or activity carried out by such State under this Act shall be matched by such State from funds other than Federal funds.

TITLE I—LIBRARY SERVICES

GRANTS TO STATES FOR LIBRARY SERVICES

Sec. 101. The Commissioner 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 for the extension of public library services to areas without such services and the improvement of such services in areas which such services are inadequate, for making library services more accessible to persons who, by reason of distance, residence, or physical handicap, or other disadvantage, are unable to receive the benefits of public library services regularly made available to the public, for adapting public library services to meet particular needs of persons within the States, for improving and strengthening library administrative agencies, and in strengthening major urban resource libraries.


USES OF FEDERAL FUNDS

Sec. 102. (a) Funds appropriated pursuant to paragraph (1) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under section 6 and section 103. Except as is provided in subsection (b), grants to States under this title may be used solely

(1) for planning for, and taking other steps leading to the development of, programs and projects designed to extend and improve library services, as provided in clause (2);

(2) for (A) extending public library services to geographical areas and groups of persons without such services and improving such services in such areas and for such groups as may have inadequate public library services; and (B) establishing, expanding, and operating programs and projects to provide (i) State institutional library services, (ii) library services to the physically handicapped, and (iii) library services for the disadvantaged in urban and rural areas; and (C) strengthening metropolitan public libraries which serve as national or regional resource centers; and

(3) for supporting and expanding library services of major urban resource libraries which, because of the value of the collections of such libraries to individual users and to other libraries, need special assistance to furnish services at a level required to meet the demands made for such services.

No grant may be made under clause (3) of this subsection unless the major urban resource library provides services to users throughout the regional area in which such library is located.

(b) Subject to the provisions of section 8 and such limitations and criteria as the Commissioner shall establish by regulation, grants to States under this title may be used (1) to pay the cost of administering the State plans submitted and approved under this Act (including obtaining the services of consultants), statewide planning for and evaluation of library services, dissemination of information concerning library services, and the activities of such advisory groups and panels as may be necessary to assist the State library administrative agency in carrying out its functions under this title, and (2) for strengthening the capacity of State library administrative agencies for meeting the needs of the people of the States.

(c)(1) Subject to such criteria as the Commissioner shall establish by regulation, in any fiscal year in which sums appropriated pursuant to paragraph (1) of section 4(a) exceed $60,000,000, each State which is subject to the provisions of this subsection shall reserve that portion of the allotment of each State attributable to the amount in excess of $60,000,000 in that fiscal year in the manner required in paragraph (2).
(2)(A) In each State having one or more cities with a population of 100,000 or more individuals, as determined by the Commissioner, and in which the aggregate population of such cities does not exceed 50 percent of the total population of the State, the portion of the excess amount specified in paragraph (1) shall be reserved for the purposes described in subsection (a)(3) of this section in accordance with clause (2) of section 103 in an amount which bears the same ratio to the total of such excess amount as the aggregate population of such cities bears to the total population of such State.

(B) In each State having one or more cities with a population of 100,000 or more individuals, as determined by the Commissioner, and in which the aggregate population of such cities exceeds 50 percent of the total population of the State, 50 percent of the excess amount specified in paragraph (1) shall be reserved for the purposes described in subsection (a)(3) in accordance with clause (2) of section 103.

(C) Any State which does not include any city with a population of 100,000 or more individuals, as determined by the Commissioner, shall not be subject to the provisions of this subsection.


STATE ANNUAL PROGRAM FOR LIBRARY SERVICES

Sec. 103. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services. Such program shall be submitted at such time, in such form, and contain such information as the Commissioner may require by regulation, and shall—

(1) set forth a program, subject to clause (2) of this section, for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (1) of section 4(a) for that year will be used, consistent with its long-range program, solely for the purposes set forth in section 102;

(2) set forth a program for the year submitted under which the amount reserved by the State under section 102(c), if applicable, will be used for the purposes set forth in clause (3) of section 102(e);

(3) set forth the criteria used in allocating such funds among such purposes, which criteria shall insure that the State will expend from Federal, State, and local sources an amount not less than the amount expended by the State from such sources for State institutional library services, and library services to the physically handicapped during the second fiscal year preceding the fiscal year for which the determination is made;

(4) include such information, policies, and procedures as will assure that the activities to be carried out during that year are consistent with the long-range program; and

(5) include an extension of the long-range program, taking into consideration the results of evaluations.

No State shall, in carrying out the provisions of clause (2) of this section, reduce the amount paid to an urban resource library below the amount that such library received in the year preceding the year for which the determination is made under such clause (2).

TITLE II—PUBLIC LIBRARY CONSTRUCTION

GRANTS TO STATES FOR PUBLIC LIBRARY CONSTRUCTION

Sec. 201. The Commissioner shall carry out a program of making grants to States which have had approved a basic State plan under section 6 and have submitted a long-range program and submit annually appropriately updated programs under section 203 for the construction of public libraries.


USES OF FEDERAL FUNDS

Sec. 202. Funds appropriated pursuant to paragraph (2) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of paying the Federal share of the cost of construction projects carried under State plans. Such grants shall be used solely for the construction of public libraries for the Architectural Barriers Act of 1968, and for remodeling designed to conserve energy in the operation of public libraries under approved State plans.


STATE ANNUAL PROGRAM FOR THE CONSTRUCTION OF PUBLIC LIBRARIES

Sec. 203. Any State desiring to receive a grant from its allotment for the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit such projects as the State may approve and are consistent with its long-range program. Such projects shall be submitted at such time and contain such information as the Commissioner may require by regulation and shall—

(1) for the year submitted under which funds are paid to the State from appropriations pursuant to paragraph (2) of section 4(a) for that year, be used, consistent with the State's long-range program, for the construction of public libraries in areas of the State which are without the library facilities necessary to provide adequate library services;

(2) follow the criteria, policies, and procedures for the approval of applications for the construction of public library facilities under the long-range program;

(3) follow policies and procedures which will insure that every local or other public agency whose application for funds under the plan with respect to a project for construction of public library facilities is denied will be given an opportunity for a hearing before the State library administrative agency;

(4) include an extension of the long-range program taking into consideration the results of evaluations.


TITLE III—PUBLIC LIBRARY CONSTRUCTION

GRANTS TO STATES FOR PUBLIC LIBRARY CONSTRUCTION

Sec. 201. The Secretary shall carry out a program of making grants to States which have had approved a basic State plan under section 9(c) and have submitted a long-range program under section 9(d) and an appropriately updated annual program under section 903 for the construction of public libraries.

USUBS OF FEDERAL FUNDS

Sec. 202. Funds appropriated pursuant to paragraph (3) of section 9(a) shall be available for grants to States from allotments under section 9(a) for the purpose of paying the Federal share of the cost of construction projects carried out under State plans submitted and approved under sections 9 and 203. Such grants shall be used solely for the construction of public libraries as defined in section 9 and for the remodeling of public libraries necessary to meet standards adopted pursuant to the Act of August 12, 1968, commonly known as the Architectural Barriers Act of 1968, for the acquisition and conversion of existing structures for use as libraries, and for remodeling designed to conserve energy in the operation of public libraries under approved State plans.

STATE ANNUAL PROGRAM FOR THE CONSTRUCTION OF PUBLIC LIBRARIES

Sec. 203. Any State desiring to receive a grant from its allotment for the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit such projects as the State may approve and are consistent with its long-range program. Such projects shall be submitted at such time and contain such information as the Secretary may require by regulation and shall—

(1) for the year submitted under which funds are paid to the State from appropriations pursuant to paragraph (3) of section 9(a) for that year, be used, consistent with the State's long-range program, for the construction of public libraries in areas of the State which are without the library facilities necessary to provide adequate library services;

(2) follow the criteria, policies, and procedures for the construction of public library facilities under the long-range program;

(3) follow policies and procedures which will insure that every local or other public agency whose application for funds under the plan with respect to a project for construction of public library facilities is denied will be given an opportunity for a hearing before the State library administrative agency; and

(4) include an extension of the long-range program taking into consideration the results of evaluations.
Sec. 301. The Commissioner shall carry out a program of making grants to States which have an approved basic State plan under section 6 and have submitted a long-range program and an annual program under section 303 for interlibrary cooperation programs.


USES OF FEDERAL FUNDS

Sec. 302. (a) Funds appropriated pursuant to paragraph (3) of section 4(a) shall be available for grants to States from allotments under paragraphs (1) and (3) of section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 303. Such grants shall be used (1) for planning for, and taking other steps leading to the development of, cooperative library networks; and (2) establishing, expanding, and operating local, regional, and interstate cooperative networks of libraries, 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 special clientele served by each type of library or center.

(b) For the purposes of this title, the Federal share shall be 100 per centum of the cost of carrying out the State plan.

Sec. 303. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for interlibrary cooperation. Such program shall be submitted at such time, in such form, and contain such information as the Commissioner may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (3) of section 4(a) will be used, consistent with its long-range program for the purposes set forth in section 302,

(2) include an extension of the long-range program taking into consideration the results of evaluations.

(c)(1) The amendment made by subsection (b) shall be effective after June 30, 1971.

(2) In the case of funds appropriated to carry out programs under the Library Services and Construction Act for the fiscal year ending June 30, 1971, each State is authorized, in accordance with regulations of the Commissioner of Education, to use a portion of its allotment for the development of such plans as may be required by such Act, as amended by subsection (b).

TITLE IV—OLDER READERS SERVICES

GRANTS TO STATES FOR OLDER READERS SERVICES

Sec. 401. The Commissioner shall carry out a program of making grants to States which have an approved basic State plan under section 6 and have submitted a long-range program and an annual program under section 403 for library services for older persons.


USES OF FEDERAL FUNDS

Sec. 402. (a) Funds appropriated pursuant to paragraph (4) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 403. Such grants shall be used for (1) the training of librarians to work with the elderly; (2) the conduct of special library programs for the elderly; (3) the purchase of special library materials for use by the elderly; (4) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (5) the provision of in-home visits by librarians and other library personnel to the elderly; (6) the establishment of outreach programs to notify the elderly of library services available to them; and (7) the furnishing of transportation to enable the elderly to have access to library services.

(b) For the purposes of this title, the Federal share shall be 100 per centum of the cost of carrying out the State plan.


STATE ANNUAL PROGRAM FOR LIBRARY SERVICES FOR THE ELDERLY

Sec. 403. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services for older persons. Such program shall be submitted at such time, in such form, and contain such information as the Commissioner may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) will be used, consistent with its long-range program for the purposes set forth in section 402, and

(2) include an extension of the long-range program taking into consideration the results of evaluations.


COORDINATION WITH PROGRAMS FOR OLDER AMERICANS

Sec. 404. In carrying out the program authorized by this title, the Commissioner shall consult with the Commissioner of the Administration on Aging and the Director of ACTION for the purpose of coordinating where practicable, the programs assisted under this title with the programs assisted under the Older Americans Act of 1965.

TITLE IV—PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

GRANTS TO STATES FOR PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

SEC. 401. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 9(c) of this title and have submitted a long-range program under section 9(d) and an annual program under section 403 of this title for public library programs to meet special user needs.

USES OF FEDERAL FUNDS; FEDERAL SHARE

SEC. 402. Funds appropriated pursuant to paragraph (4) of section 4(a) of this title shall be available for grants to States from allotments under section 8(a) of this Act for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under sections 9 and 403. Such grants may be used for—

(1) library services for rural, sparsely populated, and impacted areas to supplement services funded under title IX;
(2) literacy training programs for the functionally illiterate;
(3) job information services and career counseling in high unemployment areas;
(4) English language instruction;
(5) library services for the aging, the developmentally disabled, those with learning disabilities, the blind and visually handicapped, and those with hearing disabilities;
(6) extension library services for patients, residents and inmates of mental and general hospitals, correctional facilities, and other publicly supported institutions, which may include State Institutional library services;
(7) outreach programs and other services to serve the economically and educationally disadvantaged;
(8) technical and reference services to serve business, employee, scientific, or other special groups;
(9) information and referral centers established in cooperation with other community and educational institutions and public and private agencies;
(10) assistance to library and information services in Indian country; and
(11) library programs developed in cooperation with public agencies; public broadcasting; nonprofit arts, cultural, archival, and historic preservation organizations; and publicly supported museums, schools, colleges, and adult education programs.

STATE ANNUAL PROGRAM FOR PUBLIC LIBRARY PROGRAM TO MEET SPECIAL USER NEEDS

SEC. 403. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 9, submit for that fiscal year an annual program for public library programs to meet special user needs. Such annual program shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) of this Act will be used, consistent with its long-range program for the purposes set forth in section 403 of this title, and
(2) include an extension of the long-range program taking into consideration the results of evaluations.

COORDINATION WITH OTHER FEDERAL PROGRAMS

SEC. 404. In carrying out the program of grants authorized by this title, the Secretary shall consult with the heads of other appropriate Federal agencies for the purpose of coordinating, wherever practicable, the programs assisted under this title with the activities of such agencies.
TITLE V—PLANNING AND DEVELOPMENT
GRANTS TO STATES FOR PLANNING AND DEVELOPMENT

Sec. 501. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 6(a) and have submitted a long-range program under section 6(d) and an annual program under section 503 for planning and development.

USES OF FEDERAL FUNDS

Sec. 502. (a) Funds appropriated pursuant to paragraph (5) of section 4(a) shall be available for grants to States for allotments under section 8(a) for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under section 503. Subject to such limitations and criteria as the Secretary shall establish by regulation, grants under this title may be used for—

1. meeting the costs of State library administrative agencies for planning and evaluation, studies and research, coordination with other Federal library grant programs, planning for State networks, development, and coordination with regional and national networks;

2. strengthening the capacity of State library administrative agencies for meeting the needs of the people of the State, including development of staff, which may include specialists in adult, young adult, and children's services, and the continuing education of State library administrative agency personnel;

3. funding statewide public awareness programs to educate the citizens of the State as to the availability and use of library and information services and the value of such services in meeting individual needs, such public awareness programs to be coordinated with any similar programs undertaken on the national or local community levels; and

4. providing in-service training, continuing education, and career incentive programs for local library personnel, supplementing programs under the Higher Education Act, and including the recruitment and training on the local level of community liaison workers, public information officers, learners' advisers, literacy instructors, information specialists, trustees, and other library personnel who are representative of the constituencies in the community being served.

(b) Funds provided under this title may be transferred for use by institutions of higher education to carry out programs described in subsections (a)(2) and (4) of this section.

STATE ANNUAL PROGRAM FOR PLANNING AND DEVELOPMENT

Sec. 503. Any State desiring to receive a grant from its allotment to the purpose of this title for any fiscal year shall, in addition to having submitted and having had approved a basic State plan under section 6, submit for that fiscal year an annual program for planning and development. Such program should be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall—

1. set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (5) of section 4(a) would be used consistent with its long-range program for the purposes set forth in section 502, and

2. include an extension of the long-range program taking into consideration the results of evaluations.

TITLE VI—MISCELLANEOUS PROVISIONS

EFFECTIVE DATE

Sec. 601. The provisions of this Act shall take effect October 1, 1981.
Sec. 7. (a) (1) There is established in the Department of Education an Office of Libraries and Learning Technologies.
(2) The Office shall be headed by a Deputy Assistant Secretary.
(b) In order to carry out the purposes of this Act, the Secretary, through the Office, shall—
(1) carry out financial assistance programs authorized by titles I, II, III, IV, and V of this Act;
(2) encourage and assist comprehensive planning, coordination and development of multitype library and information networks and exchange programs, including—
(A) both profit and not-for-profit libraries from the public and private sector,
(B) the Library of Congress,
(C) a national periodicals system, and
(D) a national lending library for print and nonprint materials,
in cooperation with State library agencies and such other agencies, organizations, or libraries as are involved in such networks and programs, except that the operation of such networks shall be controlled at the State or regional level and shall be accessible equally to benefit all individuals;
(3) (A) encourage and assist interlibrary cooperation among libraries of all kinds, including national and regional library and information resource centers, State library agencies, creation of interinstitutional catalogs, exchange of library materials, transmission of bibliographic information, and joint operation of communications facilities, and
(B) encourage and support low rates for postal and telecommunication charges for such services;
(4) encourage and assist the transmission of information to public libraries for the benefit of individual users concerning Federal and State publicly supported programs designed to provide assistance to individuals in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly;
(5) encourage and assist the development and implementation of procedures to insure convenient, speedy and free access to all nonclassified information and materials in Government repositories, especially information about public processes and the various sides of public issues, including information and materials maintained by federally funded libraries and information services, whether operated by Federal agencies or established under Federal law;
(6) encourage and assist the development and implementation of procedures to facilitate participation by all federally supported libraries and information services and appropriate Federal agencies in the development, review, adoption, and implementation of national and international standards for publishing, producing, organizing, storing, and transmitting information using established and recognized procedures and institutions;
(7) encourage and assist the establishment and implementation of standards which address hardware and software compatibility computer and communications network protocols, and machine-readable information;
(8) encourage and conduct research programs into development of new technologies to permit convenient and economic media conversion between conventional print and other formats for storage, retrieval, and transmission, including formats specially designed to serve hearing impaired, blind, and other physically handicapped persons;
(9) encourage and assist the establishment of cooperative library exchange programs with foreign libraries, including the translation and distribution of library materials and the international exchange of library and information services, including international networking.
(10) encourage and assist the development and improvement of the library resources of the United States, including acquisition of foreign materials, establishment of special collections to preserve local history and ethnic and cultural heritage, including American Indian culture, improved cataloging procedures, conservation and archival preservation of library materials, and technological advances;

(11) plan and implement campaigns and programs to increase public awareness of library and information services on the national level in coordination with the States as appropriate;

(12) encourage and assist measures to improve library-community interaction, including community needs assessment projects, cultural awareness projects, age-level consultant projects, and youth incentive projects;

(13) cooperate with and assist the Bureau of Indian Affairs in their establishment and operation of a National Indian Library Center and, upon request of the Bureau, assist in—

   (A) the preservation, production, collection, and distribution of materials to Indian libraries;

   (B) the operation of a clearinghouse and referral center for collections of Indian cultural, language, and historical materials;

   (C) the provision of technical assistance to Indian libraries;

   (D) the provision of network services to Indian libraries, including access to information on Government assistance programs for Indians, including health, social services, economic development and job training; and

(14) encourage and assist the planning and implementation of a national plan for the distribution of Government publications to insure convenient access to all Government publications by all citizens, including financial assistance to participating libraries to aid in the maintenance collections, facsimile transmission, and other technical facilities where appropriate, and the maintenance of a low price structure for the purchase of Government publications;

(15) coordinate the collection and dissemination of statistical data relating to library services;

(16) establish and operate a National Clearinghouse on Library and Information Services to—

   (A) plan and implement demonstration programs and research in innovative and improved library programs and information services,

   (B) collect information on innovative and improved library programs and information services in the United States and elsewhere in the world,

   (C) publish and distribute information of special value in developing or improving library programs and services, and

   (D) encourage and assist the exchange and circulation of cultural programs, exhibits, and other special materials to enrich library service to the public;

(17) advise and assist Federal departments and agencies which have responsibility for the institutional care, treatment or custody of persons, including correctional facilities and hospitals, to plan for and provide adequate library and information services to individual residents in such institutions; and

(18) administer grants authorized for the purpose of assisting in the implementation of the foregoing purposes.
ADMINISTRATIVE PROVISIONS

Sec. 8. (a) In order to carry out the functions of this Act, the Secretary is authorized to—
(1) prescribe such regulations as he deems reasonably necessary;
(2) appoint and fix the compensation of such personnel as may be necessary;
(3) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it will be used for the purposes of the Office, and to use, sell, or otherwise dispose of such property for the purpose of carrying out the functions of the Office under this Act;
(4) receive, and use, sell, or otherwise dispose of, in accordance with paragraph (3), money and other property donated, bequeathed, or devised to the Office with a condition or restriction including a condition that the Office use such funds of the Office for the purpose of the gift;
(5) appoint one or more advisory committees composed of such private citizens and officials of Federal, State, and local governments as the Secretary deems desirable to advise the Office with respect to its functions under this Act, which advisory committees shall have the same representative composition and functions on the national level as the State Advisory Council on Libraries have pursuant to section 3 of this Act;
(6) secure from any Federal agency, including any independent establishment or instrumentality of the United States, or from any State or political subdivision thereof, information, estimates and statistics required in the performance of functions under this Act;
(7) obtain the services of experts and consultants in accordance with the provisions of section 5109 of title 5, United States Code;
(8) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses including per diem as authorized by section 5703 of title 5, United States Code;
(9) enter into contracts, grants, or other arrangements, or modifications thereof to carry out the provisions of this Act;
(10) provide for the making of such reports (including fund accounting reports) and the filing of such applications in such form and containing such information as the Secretary may reasonably require;
(11) make advances, progress, and other payments which the Secretary deems necessary to carry out the provisions of this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 533); and
(12) Make other necessary expenditures.
(b) Each member of a committee appointed pursuant to paragraph (5) of subsection (a) of this section who is not an officer or employee of the Federal Government shall receive an amount not to exceed the maximum daily rate prescribed for GS-18 under section 5339 of title 5, United States Code, as determined by the Secretary for each day he is engaged in the actual performance of his duties (including travel time) as a member of a committee. All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.
(c) Upon written request made by the Secretary of Education, each Federal agency, independent establishment or instrumentality is authorized and directed to furnish such cooperation, assistance, access, information, estimates, and available statistics, to the greatest practicable extent, to the Office in the performance of its functions.