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Library Services Improvement Act (1989): Report 07

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SUGGESTIONS FOR TECHNICAL AMENDMENTS
TO THE LIBRARY SERVICES AND CONSTRUCTION ACT (LSCA)
as recommended by the Chief Officers of State Library Agencies (COSLA)
April 13, 1989

1. **Periodic Review and Revision of Maintenance of Effort.** A provision for periodic review and re-statement of the maintenance of effort/matching floor for Title I is needed to allow states to report levels of State and local expenditures more closely related to the Library Services and Construction Act (LSCA) program in the State(s) as outlined in the long-range program required in Section 103. The reauthorization might provide for such a review and re-statement every five years, in 1990 for the first instance.

We recommend that the following be inserted as (b) in Section 7:

PAYMENTS: "(b) in 1990, and every fifth year thereafter, each State Library Agency is authorized to review its expenditures under the programs from State and local sources and file, as may be needed, a statement to establish a current, revised expenditure level to be used for measuring maintenance of effort for succeeding years, provided the new expenditure floor meets the requirements of the following subsection."

What is now subsection (b) dealing with the Federal share should be re-numbered and become subsection (c). It may also be necessary to make a parallel technical amendment to Section 7 (a) (1) (b) and Section 7 (a) (2).

2. **Ratable Reduction of MURLS Grants in the Event of Reduced Appropriations.** A provision should make it possible for ratably reducing Title I grants to Major Urban Resource Libraries (MURLS) to the extent that Federal allocations to the State are reduced. A similar provision was enacted in 1985 for the Title I services to the physically handicapped and institutionalized persons. Such a provision for the MURLS program is important should appropriations be reduced as a result of Gramm-Rudman requirements or sequestering by the Administration. It can also be important to States in which allocations may be reduced because of population changes currently or in the 1990 census.

We recommend that the following underscored language be inserted in the paragraph that follows clause (7) in Section 103:

"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), except that such amount shall be ratably reduced to the extent that Federal allocations to the State are reduced or that the 1990 Census shows the population of a city has decreased."

3. **Preservation.** We recommend a Title III-B authorizing a preservation cooperation program in which state library agencies would work with libraries, archives, historical societies, scholarly organizations, and other agencies in planning, education and training, coordinating, outreach and public information, and service programs to ensure that endangered library and information resources are preserved for future generations. Such a Title III-B would complement the interlibrary cooperation and resource sharing already under way in Title III and it would build upon the work of the Library of Congress and the National Endowment for the Humanities.

Preservation needs are so great that some estimate a need for \$12.5 million annually through LSCA programs. We recommend that the current Title III program continue and be expanded, with:

- (1) Increased authorization (and appropriations) of at least \$7.5 million for the Title III Interlibrary Cooperation and Resource Sharing program to enable any library to provide access to information in electronic form made possible by new information and communications technologies; and
- (2) A Title III-B which would provide \$100,000 for each State (and \$20,000 for each of the five outlying territories) targeted toward cooperative preservation work (requiring a Title III-B, \$5.1 million authorization).

In this way, each State could address the technology and resource sharing needs in Title III and could carry out the preservation program in cooperation with the National Endowment for the Humanities and other organizations. It should be possible for a State which needs to expend more than \$100,000 for the preservation program to use part of its regular Title III funds for preservation, depending upon its technology needs and over-all priorities.

Language authorizing a Title III-B might be inserted as follows:

Section 4. AUTHORIZATION OF APPROPRIATION. (a) (4) "for the purpose of making grants as provided in Title III-B, \$5,100,000 for each of the fiscal years, 1990, 1991, 1992, 1993, and 1994."

Section 305, under TITLE III - INTERLIBRARY COOPERATION AND RESOURCE SHARING GRANTS TO STATES FOR INTERLIBRARY COOPERATION AND PRESERVATION PROGRAMS. "Section 305. Title III-B Preservation Cooperation Program. (a) The long-range program and annual program of each State shall include a statewide preservation cooperation program in which the state library agency works with libraries, archives, historical societies, scholarly organizations, and other agencies, within or outside the State, in planning, education and training, coordinating, outreach and public information, and service programs to ensure that endangered library and information resources are preserved systematically. The State's long-range program shall identify the preservation objectives to be achieved during the period covered by the

basic and long-range plans required by Section 6 and preservation plans shall be developed in consultation with such parties and agencies as the state archives, historical societies, libraries, scholarly organizations, and the public. The state library agency may contract part or all of the preservation program to other agencies or institutions."

"Section 306. Use of Funds. Grants to States under this title shall be for the purposes of (a) planning and interagency cooperation in preservation of endangered library and information resources, (b) education, training and internships, (c) a preservation coordinator and such other staff and resources as may be needed for coordinating and providing preservation services."

The authorization section (Section 4) would need to be amended to increase the authorization for the current Title III program by \$7.2 million, and provide the \$5.1 million for Title III-B.

4. Coordination between U. S. Education Department Discretionary Grants and State Programs under LSCA. The Act should require that the Secretary of Education develop and use a grant application notification process that enables the State Librarian to comment on the degree to which applications from within the State for Higher Education Act II-D and LSCA V and VI are consistent with the State Plans that Congress requires in Sections 6 and 304 of the Federal Library Services and Construction Act. Since such State plans are developed in consultation with the Secretary of Education, the Secretary should administer Federal discretionary grant funds in such a way as to assure that the Federal grants made to libraries in the States are consistent with those plans.

We recommend that the following language be inserted as subsection (h) in Section 6 - PLANS AND PROGRAMS: "The Secretary shall coordinate programs under LSCA Titles V and VI and Higher Education Act Title II with the State programs assisted by the Federal Library Services and Construction Act, and shall afford to the head of the State Library Administrative Agency the opportunity to comment on any application for such program before an LSCA Title V, LSCA Title VI, or HEA Title II-D grant is made, in order to assure that such grants from the Secretary are for purposes consistent with the long range program required under Section 6 (d) of this Act."

5. Relationship between Public Libraries and Multitype Library Systems. Recognize that grants of Title I funds to multitype library systems result in improved public library services.

We recommend the following be inserted as part of Section 102 (a) dealing with Title I:

"In carrying out its program to accomplish the purposes of Title I, States may make subgrants to library systems or networks which include other than public libraries provided the intent of the grant is to improve services to library patrons."

6. **The Secretary of Education and the Library Programs Office.** The reauthorization of LSCA should make clear that there is a partnership between the Secretary of Education and the State library agencies in administering the Federal Library Services and Construction Act and other Federal library programs (see also recommendation #4 above) and that the Secretary should provide to the library programs office the staff and resources needed to administer the LSCA programs effectively. Effective administration requires staff, computer and telecommunications equipment, travel funds, contractual, printing, and other funds and resources to carry the consultation, technical assistance, analysis, and reporting in a State-Federal partnership.

We recommend the following be inserted as (g) in Section 6:

The Secretary shall administer this act in full partnership with the State library administrative agencies which have in effect basic state plans and long range programs required in this Section and shall provide to the library programs office from sums appropriated for the operation of the Department of Education the staff and resources needed to administer the program effectively.

What is now subsection (g) dealing with Indian tribe applications would be re-numbered and become subsection (h). It may also be desirable to include a definition of "library program office" in Section 3. The Chief Officers of State Library Agencies (COSLA) would be glad to work with you in developing this definition.

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