

1989

# Library Services Improvement Act (1989): Report 12

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**Calendar No. 233**

101ST CONGRESS  
1ST SESSION

**S. 1291**

[Report No. 101-125]

To extend and amend the Library Services and Construction Act, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JULY 11 (legislative day, JANUARY 3), 1989

Mr. PELL (for himself, Mrs. KASSEBAUM, Mr. MATSUNAGA, Mr. COCHRAN, Mr. DODD, Mr. SIMON, Mr. JEFFORDS, Mr. KENNEDY, Mr. HOLLINGS, Mr. GLENN, Mr. THURMOND, Mr. BURDICK, Ms. MIKULSKI, and Mr. SARBANES) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

SEPTEMBER 12 (legislative day, SEPTEMBER 6), 1989

Reported by Mr. KENNEDY, with amendments

[Omit the part struck through and insert the part printed in italic]

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**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 assembled,*

1 **SECTION 1. SHORT TITLE; REFERENCES.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Library Services and Construction Act Amendments of  
4 1989”.

5 (b) **REFERENCES.**—References in this Act to “the Act”  
6 are references to the Library Services and Construction Act  
7 (20 U.S.C. 351 et seq.).

8 **SEC. 2. DEFINITIONS.**

9 Section 3 of the Act is amended—

10 (1) in paragraph (2)—

11 (A) by striking “and initial equipment” and  
12 inserting “and for the purchase, lease, and instal-  
13 lation of equipment”;

14 (B) by striking “to conserve energy” and in-  
15 sserting “to ensure safe working environments and  
16 to conserve energy”; and

17 (C) by striking “includes machinery” and in-  
18 sserting “includes information and building technol-  
19 ogies, video and telecommunications equipment,  
20 machinery”; and

21 (2) by adding at the end thereof the following new  
22 paragraphs:

23 “(17) The term ‘handicapped individual’ means an  
24 individual who is physically or mentally impaired, visu-  
25 ally impaired, or hearing impaired.

1           “(18) The term ‘network’ means any local, state-  
2 wide, regional, or interstate cooperative association of  
3 library entities which provide for the systematic and ef-  
4 fective coordination of the resources of school, public,  
5 academic, and special libraries and information centers  
6 for improved supplementary services for the clientele  
7 served by each type of library entity.”.

8 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

9           (a) **AMENDMENT.**—Section 4(a) of the Act is amended  
10 to read as follows:

11           “SEC. 4. (a) There are authorized to be appropriated—

12                   “(1) for the purpose of making grants as provided  
13 in title I, \$100,000,000 for fiscal year 1990 and such  
14 sums as may be necessary for each of the 4 succeeding  
15 fiscal years;

16                   “(2) for the purpose of making grants as provided  
17 in title II, \$55,000,000 for fiscal year 1990 and such  
18 sums as may be necessary for each of the 4 succeeding  
19 fiscal years;

20                   “(3) for the purpose of making grants as provided  
21 in title III, \$35,000,000 for fiscal year 1990 and such  
22 sums as may be necessary for each of the 4 succeeding  
23 fiscal years;

24                   “(4) for the purpose of making grants as provided  
25 in title V, \$1,000,000 for fiscal year 1990 and such

1 sums as may be necessary for each of the 4 succeeding  
2 fiscal years;

3 “(5) for the purpose of making grants as provided  
4 in title VI, \$10,000,000 for fiscal year 1990 and such  
5 sums as may be necessary for each of the 4 succeeding  
6 fiscal years; and

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

11 There shall be available for the purpose of making grants  
12 under title IV for each of the fiscal years 1990, 1991, 1992,  
13 1993, and 1994, 1.5 percent of the amount appropriated pur-  
14 suant to each of paragraphs (1), (2), and (3) for each such  
15 fiscal year. There shall be available for the purpose of making  
16 grants under section 5(d) for such fiscal years 0.5 percent of  
17 the amount appropriated pursuant to each of such paragraphs  
18 for each such fiscal year.”

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

23 **SEC. 4. ALLOCATIONS.**

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

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

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

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

12               “(A) no funds shall be allocated to an Indian tribe  
13 unless such funds will be administered by a librarian;  
14 and

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

18       “(4) In making allocations under this subsection, the  
19 Secretary shall take such actions as may be necessary to pre-  
20 vent an allocation from being received to serve the same pop-  
21 ulation by any 2 or more of the following entities as defined  
22 in, or established pursuant to, the Alaska Native Claims Set-  
23 tlement Act:

24               “(A) an Alaskan native village,

25               “(B) a regional corporation, or

1           “(C) a village corporation.”.

2           (b) **CONFORMING AMENDMENT.**—Section 6(g)(2) of the  
3 Act is amended by inserting after “section 5(c)(2)” the fol-  
4 lowing: “in the same fiscal year in which it has received an  
5 allocation under section 5(c)(1)”.

6 **SEC. 5. RESOURCE SHARING COORDINATION.**

7           Section 6 of the Act is amended—

8           (1) in subsection (d)(1), by striking “and construc-  
9 tion” and inserting “, construction, and interlibrary co-  
10 operation and resource sharing”; and

11          (2) by adding at the end thereof the following new  
12 subsection:

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

22 **SEC. 6. MAINTENANCE OF EFFORT.**

23          Section 7 of this Act is amended—

24          (1) by redesignating subsections (b) and (c) as sub-  
25 sections (c) and (d), respectively; and

1           (2) by inserting after subsection (a) the following  
2           new subsection:

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

11   **SEC. 7. INTERGENERATIONAL LIBRARY SERVICES.**

12          Section 101 of the Act is amended—

13                 (1) by redesignating paragraphs (5) and (6) as  
14                 paragraphs (8) and (9), respectively; and

15                 (2) by inserting after paragraph (4) the following  
16                 new paragraph:

17                         “(5) for assisting libraries in developing intergen-  
18                         erational library programs that will match older adult  
19                         volunteers with libraries interested in developing after  
20                         school literacy and reading skills programs for unsuper-  
21                         vised school children during afterschool hours;”.

22   **SEC. 8. CHILDCARE LIBRARY OUTREACH.**

23          Section 101 of the Act is further amended by inserting  
24          after paragraph (5) the following new paragraph:

*Some states don't  
do treasury but have  
8 other criteria for qualification*

1           “(6) for assisting libraries in providing mobile li-  
2           brary 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 inserting  
6   after paragraph (6) the following new paragraph:

7           “(7) to establish and support model library liter-  
8           acy centers, coordinated by the State library adminis-  
9           trative agency with other interested State agencies and  
10          nonprofit organizations to reduce the number of func-  
11          tionally illiterate individuals and to help them reach  
12          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 its  
16   program to accomplish the purposes of this title, a State may  
17   make subgrants to library systems or networks which include  
18   libraries other than public libraries, if the purpose of the sub-  
19   grant is to improve services for public library patrons”.

20   **SEC. 11. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE**  
21   **LIBRARIES.**

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

24           “(3) No State shall, in carrying out the provisions  
25          of paragraph (2) of this subsection, reduce the amount

- not ed child care as income

States

some are registered  
but still not

1 paid to any major urban resource library below the  
 2 amount that such library received in the year preceding  
 3 the year for which the determination is made under  
 4 such paragraph (2), except that such amount shall be  
 5 ratably reduced to the extent that the total Federal al-  
 6 locations to the State under section 5 for purposes of  
 7 this title for the applicable fiscal year are reduced or  
 8 that the 1990 Census shows the population of the city  
 9 served by such library has decreased.”.

10 SEC. 12. STATE ANNUAL PROGRAM.

11 Section 103 of the Act is amended—

12 (1) in paragraph (3), by striking “and institutional-  
 13 ized individuals”;

14 (2) in paragraph (4)—

15 (A) by striking “(A)”;

16 (B) by striking everything following “elder-  
 17 ly” the first place it appears and inserting a semi-  
 18 colon; and

19 (3) by striking paragraph (5) and inserting the  
 20 following:

21 “(5) describe the uses of funds to make library  
 22 services and programs more accessible to handicapped  
 23 individuals.”.

1 **SEC. 13. TECHNOLOGY ENHANCEMENT.**

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

5 “(19) The term “technology enhancement” means  
6 the acquisition, installation, maintenance, or replace-  
7 ment, of substantial technological equipment (including  
8 library bibliographic automation equipment) necessary  
9 to provide access to information in electronic and other  
10 formats made possible by new information and commu-  
11 nications technologies.”.

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

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

16 (2) by striking the period at the end of paragraph  
17 (9) (as redesignated by section 7(1)) and inserting “;  
18 and”; and

19 (3) by adding at the end thereof the following new  
20 paragraph:

21 “(10) for assisting public libraries in making effec-  
22 tive use of technology to improve library and informa-  
23 tion services.”.

24 (c) **USE OF TITLE II FUNDS.**—Title II of the Act is  
25 amended—

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

4 (2) by inserting “AND LIBRARY AND INFORMA-  
5 TION TECHNOLOGY ENHANCEMENT” after “CON-  
6 STRUCTION” in the head of section 201;

7 (3) by inserting “and technology enhancement”  
8 after “construction” each place it appears in sections  
9 201, 202(a), 202(b), 203(1), 203(2), and 203(3);

10 (4) by striking “section 3(2)” in section 202(a)  
11 and inserting “sections 3(2) and 3(19), respectively”;  
12 and

13 (5) by inserting “AND TECHNOLOGY ENHANCE-  
14 MENT” after “CONSTRUCTION” in the heading of sec-  
15 tion 203.

16 (d) **USE OF TITLE III FUNDS.**—Section 302(a) of the  
17 Act is amended—

18 (1) by striking “and” at the end of paragraph (1);  
19 and

20 (2) by inserting before the period at the end of  
21 paragraph (2) the following: “; and (3) developing the  
22 technological capacity of libraries for interlibrary coop-  
23 eration and resource sharing”.

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

25 Section 203 of the Act is amended—

1 (1) by striking the period at the end of paragraph  
2 (4) and inserting “; and”; and

3 (2) by adding at the end thereof the following new  
4 paragraph:

5 “(5) follow policies and procedures in the con-  
6 struction of public libraries that will promote the pres-  
7 ervation of library and information resources to be uti-  
8 lized in the facilities.”.

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

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

12 **SEC. 16. PRESERVATION COOPERATION.**

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

15 “PRESERVATION PROGRAMS

16 “SEC. 305. (a) The long-range program and annual pro-  
17 gram of each State under this title may—

18 “(1) include a statewide preservation cooperation  
19 plan that complies with this section; and

20 “(2) identify the preservation objectives to be  
21 achieved during the period covered by the long-range  
22 plans required by section 6.

23 “(b) A statewide preservation cooperation plan complies  
24 with this section if—

25 “(1) such plan specifies the methods by which the  
26 State library administrative agency will work with li-

1 braries, archives, historical societies, scholarly organi-  
2 zations, and other agencies, within or outside the  
3 State, in planning, education and training, coordinat-  
4 ing, outreach and public information, and service pro-  
5 grams to ensure that endangered library and informa-  
6 tion resources are preserved systematically; and

7 “(2) such preservation plan is developed in consul-  
8 tation with such parties and agencies as the State ar-  
9 chives, historical societies, libraries, scholarly organiza-  
10 tions, and other interested parties.

11 “(c) A State that has a statewide preservation coopera-  
12 tion plan that complies with this section may use funds under  
13 this title to carry out such plan.

14 “(d) The State library administrative agency may con-  
15 tract part or all of the preservation program under this sec-  
16 tion to other agencies or institutions.”

17 **SEC. 17. LIBRARY LITERACY GRANTS.**

18 Section 601(e) of the Act is amended by striking  
19 “\$25,000” and inserting “\$35,000”.

20 **SEC. 18. GRANTS FOR FOREIGN LANGUAGE MATERIAL AQUISI-**  
21 **TION.**

22 *Section 501 of the Library Services Construction Act is*  
23 *amended by adding the following new subsection at the end*  
24 *thereof:*



1 **SEC. ~~20.~~ 21. EFFECTIVE DATE PROVISION.**

2       The amendments made by this Act shall take effect on  
3 October 1, 1989.

S 1291 RS—2

Calendar No. 233

101ST CONGRESS  
1ST SESSION

**S. 1291**

[Report No. 101-125]

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**A BILL**

To extend and amend the Library Services and  
Construction Act, and for other purposes.

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SEPTEMBER 12 (legislative day, SEPTEMBER 6), 1989

Reported with amendments