Library Services Improvement Act (1989): Report 12

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Calendar No. 233

S. 1291

[Report No. 101–125]

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

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]

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,
SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Library Services and Construction Act Amendments of 1989."

(b) REFERENCES.—References in this Act to "the Act" are references to the Library Services and Construction Act (20 U.S.C. 351 et seq.).

SEC. 2. DEFINITIONS.

Section 3 of the Act is amended—

(1) in paragraph (2)—

(A) by striking "and initial equipment" and inserting "and for the purchase, lease, and installation of equipment";

(B) by striking "to conserve energy" and inserting "to ensure safe working environments and to conserve energy"; and

(C) by striking "includes machinery" and inserting "includes information and building technologies, video and telecommunications equipment, machinery"; and

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

"(17) The term 'handicapped individual' means an individual who is physically or mentally impaired, visually impaired, or hearing impaired."
"(18) The term 'network' means any local, state-wide, regional, or interstate cooperative association of library entities 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 clientele served by each type of library entity.”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) Amendment.—Section 4(a) of the Act is amended to read as follows:

"Sec. 4. (a) There are authorized to be appropriated—

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

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

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

"(4) for the purpose of making grants as provided in title V, $1,000,000 for fiscal year 1990 and such
sums as may be necessary for each of the 4 succeeding fiscal years;
“(5) for the purpose of making grants as provided in title VI, $10,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years; and
“(6) for the purpose of activities as provided in title VII, $500,000 for fiscal year 1990, and such sums as may be necessary each of the 4 succeeding fiscal years.
There shall be available for the purpose of making grants under title IV for each of the fiscal years 1990, 1991, 1992, 1993, and 1994, 1.5 percent of the amount appropriated pursuant to each of paragraphs (1), (2), and (3) for each such fiscal year. There shall be available for the purpose of making grants under section 5(d) for such fiscal years 0.5 percent of the amount appropriated pursuant to each of such paragraphs for each such fiscal year.”.
(b) Carryover of Funds.—Section 4(b) of the Act is amended by striking “and for the next succeeding fiscal year” and inserting “and is authorized to remain available until expended”.
SEC. 4. ALLOCATIONS.
(a) Amendment.—Section 5(c) of the Act is amended to read as follows:
"(c)(1) From one-half of the sums available pursuant to
the second sentence of section 4(a) for any fiscal year, the
Secretary shall allot an equal amount to each Indian tribe
that submits an approved application under section 403.

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

"(3) In making allocations under paragraph (2)—

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

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

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

"(A) an Alaskan native village,

"(B) a regional corporation, or
“(C) a village corporation.”.

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

SEC. 5. RESOURCE SHARING COORDINATION.

Section 6 of the Act is amended—

(1) in subsection (d)(1), by striking “and construction” and inserting “, construction, and interlibrary cooperation and resource sharing”; and

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

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

SEC. 6. MAINTENANCE OF EFFORT.

Section 7 of this Act is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and
(2) by inserting after subsection (a) the following new subsection:

"(b) In fiscal year 1990, and every fifth fiscal year thereafter, each State library agency may review its expenditures in the second fiscal year preceding fiscal year for which the determination is made under the programs from State and local sources and file with the Secretary a statement to establish a current, revised expenditure level to be used for measuring the maintenance of effort required under subsections (a)(1)(B) and (a)(2).".

SEC. 7. INTERGENERATIONAL LIBRARY SERVICES.

Section 101 of the Act is amended—

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

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

"(5) for assisting libraries in developing intergenerational library programs that will match older adult volunteers with libraries interested in developing after school literacy and reading skills programs for unsupervised school children during afterschool hours;".

SEC. 8. CHILDCARE LIBRARY OUTREACH.

Section 101 of the Act is further amended by inserting after paragraph (5) the following new paragraph:
“(6) for assisting libraries in providing mobile library services and programs to licensed or certified child-care providers or child-care centers;”.

SEC. 9. LIBRARY LITERACY CENTERS.

Section 101 of the Act is further amended by inserting after paragraph (6) the following new paragraph:

“(7) to establish and support model library literacy centers, coordinated by the State library administrative agency with other interested State agencies and nonprofit organizations to reduce the number of functionally illiterate individuals and to help them reach full employment;”.

SEC. 10. USE OF TITLE I FUNDS.

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

SEC. 11. RATABLE REDUCTIONS OF MAJOR URBAN RESOURCE LIBRARIES.

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

“(3) No State shall, in carrying out the provisions of paragraph (2) of this subsection, reduce the amount
paid to any major urban resource library below the amount that such library received in the year preceding the year for which the determination is made under such paragraph (2), except that such amount shall be ratably reduced to the extent that the total Federal allocations to the State under section 5 for purposes of this title for the applicable fiscal year are reduced or that the 1990 Census shows the population of the city served by such library has decreased.”.

SEC. 12. STATE ANNUAL PROGRAM.

Section 103 of the Act is amended—

(1) in paragraph (3), by striking “and institutionalized individuals”;

(2) in paragraph (4)—

(A) by striking “(A)”; and

(B) by striking everything following “elderly” the first place it appears and inserting a semicolon; and

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

“(5) describe the uses of funds to make library services and programs more accessible to handicapped individuals.”.
SEC. 13. TECHNOLOGY ENHANCEMENT.

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

"(19) The term 'technology enhancement' means the acquisition, installation, maintenance, or replacement, of substantial technological equipment (including library bibliographic automation equipment) necessary to provide access to information in electronic and other formats made possible by new information and communications technologies."

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

(1) by striking "and" at the end of paragraph (8)

(as redesignated by section 7(1));

(2) by striking the period at the end of paragraph (9) (as redesignated by section 7(1)) and inserting "; and"

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

"(10) for assisting public libraries in making effective use of technology to improve library and information services."

(c) USE OF TITLE II FUNDS.—Title II of the Act is amended—
(1) by inserting "AND TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the heading of such title;

(2) by inserting "AND LIBRARY AND INFORMATION TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the head of section 201;

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

(4) by striking "section 3(2)" in section 202(a) and inserting "sections 3(2) and 3(19), respectively"; and

(5) by inserting "AND TECHNOLOGY ENHANCEMENT" after "CONSTRUCTION" in the heading of section 203.

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

(1) by striking "and" at the end of paragraph (1); and

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

SEC. 14. PRESERVATION OBJECTIVES IN CONSTRUCTION.

Section 203 of the Act is amended—
(1) by striking the period at the end of paragraph
(4) and inserting "; and"; and
(2) by adding at the end thereof the following new
paragraph:
"(5) follow policies and procedures in the con-
struction of public libraries that will promote the pres-
ervation of library and information resources to be uti-
лизed in the facilities."

SEC. 15. RESOURCE SHARING.

Sections 301 and 304(a) of the Act are amended by
striking "eventual" and inserting "attaining".

SEC. 16. PRESERVATION COOPERATION.

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

"PRESERVATION PROGRAMS

"Sec. 305. (a) The long-range program and annual pro-
gram of each State under this title may—

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

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

"(b) A statewide preservation cooperation plan complies
with this section if—

"(1) such plan specifies the methods by which the
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; and

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

“(c) A State that has a statewide preservation cooperation plan that complies with this section may use funds under this title to carry out such plan.

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

SEC. 17. LIBRARY LITERACY GRANTS.

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

SEC. 18. GRANTS FOR FOREIGN LANGUAGE MATERIAL ACQUISITION.

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

...
“(d)(1) The provisions of subsection (c) shall not apply to any major urban resource library.

“(2) The Secretary shall not use more than 30 percent of the funds appropriated under this title to provide grants to major urban resource libraries in excess of the amount of the limitation described in subsection (c).

SEC. 18. EVALUATION AND ASSESSMENT.

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

“TITLE VII—EVALUATION AND ASSESSMENT

“PROGRAM AUTHORITY

“Sec. 701. The Secretary is authorized to carry out a program for the purpose of evaluation and assessment (directly or by grants or contracts) of programs authorized under this Act.”.

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

SEC. 19. PUBLIC LIBRARY SERVICES.

(a) TITLE I HEADING.—The heading of title I of the Act is amended by inserting “PUBLIC” before “LIBRARY”.

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

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1 SEC. 21. EFFECTIVE DATE PROVISION.

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

S 1291 RS——2
A BILL

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

SEPTEMBER 12 (legislative day, SEPTEMBER 6), 1989
Reported with amendments