

Mary Lynch 171



# WASHINGTON NEWSLETTER

RECEIVED

OCT 28 1976

ALTA-PLA-RASD



110 MARYLAND AVENUE, N.E. • WASHINGTON, D. C. 20002 • TEL. 202-547-4440, TWX 710-822-1976

Vol. 28

October 19, 1976

No. 11

: All or any part of the ALA Washington Newsletter :  
: may be reprinted for distribution :

## CONTENTS

Arts and Humanities . . . . .	p. 1	Postal Legislation . . . . .	P. 3
Florence Agreement . . . . .	p. 2	New Public Laws . . . . .	P. 4
Thanks to Congress . . . . .	p. 2	Revenue Sharing . . . . .	p. 4
LSCA Action in '77 . . . . .	p. 2	Ford Attachment	

### Arts and Humanities

Legislation (HR 12838, PL 94-462) to extend for four years the authorizations for the National Endowments on the Arts and Humanities and to provide for several new programs to increase support for cultural activities was approved by Congress and signed by the President on October 8. Authorization levels for the arts and humanities endowments are \$93.5 million each for FY 1977, \$105 million each for FY 1978 and such sums as necessary for 1979 and 1980.

The measure establishes a separate challenge grant program under each endowment to provide to cultural institutions in great need awards of one federal dollar to match \$3 in funds from other sources. Each challenge grant program is authorized \$12 and \$18 million for fiscal years 1977 and 1978 respectively. Grants would be provided to cultural institutions and organizations to enable them to increase levels of continuing support, provide administrative and management improvements, increase audience participation, stimulate greater cooperation among institutions, and foster greater citizen involvement in planning. In addition, the challenge grant program of the National Endowment for the Humanities (NEH) would provide funds for bicentennial programs, retaining a provision from the Senate bill.

Speaking of NEH, Rep. Al Quie (R-MN) stated: "Our society needs the activities of our humanistic institutions--libraries, educational organizations, historical societies, and scholarly endeavors and they should exist and function to their maximum." (Congressional Record, September 27, p. H11272.) Libraries were also mentioned in connection with the challenge grant program in House floor debate on April 26 (see May 19 newsletter). Although funds are not yet available, the National Endowment for the Arts announced its challenge grant program on October 14, and has guidelines in the final stages. NEH will develop guidelines for its challenge grant program later this year.

In other provisions, funding is provided for any state humanities council, whether created as a state agency or a voluntary organization, and at least \$200,000 per state or 20 percent of all NEH funds are to go to support state humanities programs. The measure also establishes an Institute of Museum Services within HEW, and authorizes an American bicentennial photography and film project.

In a related development, the Senate Labor and Public Welfare Committee failed to act on the nomination of Ronald S. Berman for another four-year term as chairperson of the National Endowment for the Humanities. Besides the reluctance of the Senate Democrats to vote on long-term Presidential appointments until after the election, Berman faced opposition from Sen. Claiborne Pell (D-RI), Chairman of the Arts and Humanities Subcommittee and sponsor of the legislation which created the humanities endowment. Sen. Pell feels that NEH has been too academically oriented and does not reach the average citizen. Mr. Berman will continue to serve until a successor is confirmed.

#### Florence Agreement

A draft protocol to broaden the Florence Agreement to include audiovisual and microform materials will be considered by the UNESCO General Conference convening in Nairobi, Kenya, on October 26. The present Florence Agreement, which eliminates tariffs and other trade barriers to the free international flow of educational, scientific and cultural materials, applies primarily to traditional printed materials such as books, periodicals, and music. Drafted in 1950 it has been adhered to by the U.S. since 1966. Over 60 other countries also adhere.

The proposed addition--called a protocol--to the Florence Agreement appears in full in the September 27 issue of the Federal Register on pages 4223-26. The protocol removes the present burdensome certification requirements for audiovisual materials. Under its provisions the U.S. tariffs on films, recordings, and microform publications would be removed, and these materials would be given the same treatment as books.

If adopted in Nairobi, the protocol will take effect after at least five countries have ratified it. In the U.S. the protocol would first be sent by the State Department to the Senate for consideration as a treaty, and would be handled by the Senate Foreign Relations Committee. Following Senate approval as a treaty, a bill would have to be passed by both Houses making the necessary changes in the domestic laws required for adherence to the protocol.

#### Legislation Beneficial to Libraries -- Thanks to Congress

Rep. Bill Ford (D-MI), a long-time supporter of libraries, summarized some of the significant legislation enacted this year which benefits libraries in a statement appearing in the October 1 Congressional Record. The full text of his statement, attached to this newsletter, covers postal legislation, the new Higher Education Act program of aid to major research libraries (HEA Title II-C) and the status of the Library Services and Construction Act extension.

Letters of thanks, particularly from Michigan constituents, should go to Mr. Ford for his staunch support for libraries. As a matter of fact, now is a good time to contact all your legislators, while they are home campaigning. Thank them for their support throughout the year. Let them know that you are aware of their library related votes and that you appreciate their efforts in behalf of improving library services.

#### LSCA Slated for Early Action in '77

The Library Services and Construction Act, now operating on a one-year extension under Sec. 414(a) of the General Education Provisions Act, is due to expire September 30, 1977. Although the House passed a five-year extension bill in February, the Senate did not act before adjournment. Consequently, that bill (HR 11233) died with the close of the second session of the 94th Congress.

However, Sen. Claiborne Pell (D-RI), chairman of the Senate Education Subcommittee, announced that his subcommittee would hold hearings on LSCA shortly after the 95th Congress convenes in January so that extension could be enacted early enough for LSCA appropriations to be included in the regular FY 1978 Labor-HEW appropriations bill. Sen. Pell's statement, which appears in the October 1 Congressional Record, p. S17925, follows:

Mr. President, the Education Subcommittee which I chair will be holding hearings on extensions of the Library Services and Construction Act shortly after the 95th Congress convenes next January. It is our intention to have the LSCA extension bill enacted into law early in the year so that appropriations for LSCA can be included in the regular annual Labor-HEW appropriations bill. The new congressional budget procedure requires that the authorizing committees act early in the year, and we fully intend to act early on LSCA extension.

The outlook for libraries is grave these days. Their costs are still rising. Most tax-supported public libraries are hard-pressed by other needs of local government, and yet usage of public libraries is increasing. That was the experience of the depression era, and it is being repeated during these days of high and prolonged unemployment. LSCA has assisted many public libraries throughout the country to improve and extend their services to groups who may not have ready access to libraries such as the aging, the bilingual, the economically disadvantaged, or the handicapped.

In recent years, funds appropriated by Congress under the Library Services and Construction Act have been repeatedly impounded, deferred, or proposed for rescission by the administration. As a result the states have often received their LSCA allotments months after appropriations were enacted, causing uncertainty and disruption at the State and local level. The Education Subcommittee is well aware of the problems that have been caused in every State by the administration's delayed funding tactics. The States must have assurance that their LSCA funds will not be deferred or delayed. The Education Subcommittee, therefore, plans to hold hearings on LSCA extension promptly when the 95th Congress convenes next January, so the LSCA authorization can be enacted well before the May 15 deadline.

#### Postal Legislation

A postal reorganization measure (HR 8603) signed by the President on September 24 (PL 94-421), provides the Postal Service with a \$1 billion subsidy to remedy its immediate financial problems, sets up a Commission on Postal Service to study postal problems, and establishes a moratorium on rate increases, service changes, and post office closings until the new Commission reports, which must be done by March 15, 1977.

The new law also includes three provisions of interest to librarians. The first is an additional criteria to be considered by the Postal Rate Commission in recommending postal rates--the "educational, cultural, scientific, and informational value to the recipient of mail matter." The second specifically allows college course catalogs and looseleaf publications relating to law and public policy to be mailed at second class rates. The Postal Service had been revoking second-class permits for such publications on the grounds that they were not technically periodicals. The third allows

publishers and distributors mailing books to schools or libraries to do so at the fourth-class library rate, which previously applied only to books mailed between schools and libraries.

New Public Laws

Several measures of interest to librarians have been signed into law since the Status of Legislation Chart appeared in the October 5 newsletter. If you wish to update the chart, the new public laws are as follows:

<u>SUBJECT</u>	<u>BILL NUMBER</u>	<u>PUBLIC LAW NUMBER</u>
Arts & Humanities Extension	HR 12838	PL 94-462
Copyright Revision	S. 22	not signed yet
Education Amendments of 1976 (incl. HEA & Voc. Ed.)	S. 2657	PL 94-482
Public Service Employment (CETA VI)	HR 12987	PL 94-444
Public Works & Economic Development Amdts. (FWEDA)	S. 2228	PL 94-487
Revenue Sharing Extension	HR 13367	PL 94-488
Unemployment Compensation	HR 10210	not signed yet
Continuing Resolution	H.J. Res. 1105	PL 94-473

Revenue Sharing

On October 13, President Ford signed the bill (HR 13367) extending the revenue sharing program, a measure he strongly supported, and which Congress passed on September 30 shortly before adjournment. The bill, now PL 94-488, extends the State and Local Fiscal Assistance Act for three and three-quarter years, and authorizes a total of \$25.6 billion to be distributed to state and local governments before the law expires on October 1, 1980. For the library community the most important change is that the priority expenditures categories which included libraries, have been eliminated. There are no restrictions now on the purposes for which governments may use revenue sharing funds, so the competition will be keener than ever.

attachment



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 94<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 122 WASHINGTON, FRIDAY, OCTOBER 1, 1976 No. 151—Part III P. E 5474

LEGISLATION BENEFITING LIBRARIES IN 94th CONGRESS

by

Michigan's Representative William D. Ford

## LEGISLATION BENEFITING LIBRARIES IN THE 94TH CONGRESS

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 1976

Mr. FORD of Michigan. Mr. Speaker, as the second session of the 94th Congress comes to a close, I would like to summarize briefly for my colleagues some of the significant legislation benefiting libraries enacted during this session.

First, the Postal Reorganization Act Amendments of 1976 (Public Law 94-421). As a member of the Post Office and Civil Service Committee, I take particular pride in the fact that the postal amendments include several library-related provisions. For example, the Postal Rate Commission will now be required to consider as a new criterion in setting postal rates the educational, cultural, scientific, and informational value of matter being sent through the mails. This provision was made necessary by the rapidly spiraling costs of mailing books, magazines, and newspapers. The Postal Rate Commission never got around to deciding that a book has more intrinsic value to the public than a brick. A package of bricks may have the same shape, size, and weight as a package of books, but they are not the "same," and the law now requires the Postal Rate Commission to make a proper distinction in setting postal rates.

The postal amendments also include a provision making clear that college catalogs and looseleaf reporting service publications are entitled to second-class postal rates, as has been the practice for many years. This provision was made necessary when the U.S. Postal Service recently began to revoke the second-class permits of such publications. This completely unwarranted administrative action by the Postal Service threatened the very existence of certain second-class publications, and Congress was forced to restate the law on eligibility of college catalogs and looseleaf reports for second-class mail rates.

The postal amendments also include a provision allowing publishers and distributors to mail books and other educational materials to libraries at the fourth-class library rate rather than the higher fourth-class book rate. Libraries will be the beneficiaries of this provision, because publishers and distributors pass on to their customers the cost of postage.

Second, the Education Amendments of 1976 (S. 2657). As a member of the Education and Labor Committee, I am pleased with the library-related provisions of the new education amendments. We have enacted, for example, a new title II, part C of the Higher Education Act, a program of assistance to major research libraries. The purpose of this program is to assist research libraries in developing their collections not only to serve their immediate users, but also to make their holdings available to the users of smaller libraries. It is a foregone conclusion that every library cannot acquire every book or magazine a user might need, and for this reason well stocked research libraries are needed throughout the country to backstop the collections of the less comprehensive libraries. A user of any library will thus have access to the materials of the great research libraries, as libraries borrow materials from each other to satisfy the needs of their users.

The Education Amendments of 1976 also extend for 3 additional years the present college library resources programs authorized by title II, part A of the Higher Education Act, and the training, research, and demonstration programs authorized by part B of title II.

Third, the Library Services and Construction Act amendments. This is an area of disappointment, because although the House last February passed a 5-year extension of LSCA, the Senate did not act on the House bill during the session. As a result, action must be taken early next year in both House and Senate to extend LSCA, which expired at the end of fiscal year 1976, and is now under the 1-year extension authority of the General Education Provisions Act. As a member of the Education and Labor Committee, it is my intention to see that we in the House pass the LSCA extension bill early in the 95th Congress, so that funds for LSCA can be included in the regular Labor-HEW appropriations bill that will be developed by the Appropriations Committee in the spring.

Finally, I would like to briefly mention the White House Conference on Library and Information Services authorized by Public Law 93-568 to occur not later than 1978. As a member of the White House Conference Advisory Committee, appointed to that position by the Speaker of the House, I have been very disappointed by the failure of President Ford to move the White House Conference process forward. He has used delaying tactics continuously since the law

was first enacted in 1974. In the closing days of this session, he finally submitted his budget request to Congress requesting appropriation of \$3.5 million for the White House Conference and the preceding State conferences on library and information services. But this was an empty gesture designed solely to curry votes in November. By the time the budget request was submitted it was far too late in the session for Congress to appropriate the funds. The President should have submitted his White House Conference budget early in 1975. Failing to do so in 1975, he should have submitted the budget early in 1976, at the time he submitted his other budget proposals. President Ford made sure that no funds would be appropriated for the White House Conference by waiting until he was sure it was too late for any appropriations action when he requested the funds.

With a new Democratic administration in 1977, we will no longer be forced to wait forever for Presidential action. New and decisive leadership in the White House is essential. It is my hope that with new leadership next year, the law calling for the White House Conference on Library and Information Services will be promptly implemented.

Rep. Ford has long been an effective and articulate advocate for libraries of all types. He is a member of the White House Conference on Library and Information Services Advisory Committee, appointed to that post by House Speaker Carl Albert.

The statement reprinted here provides useful information on recent postal legislation and on the status of LSCA extension. Mr. Ford also discusses briefly the new research library program.

MICHIGAN RESIDENTS should send him a note of thanks for his strong support of libraries.