



# WASHINGTON NEWSLETTER



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### LSCA Extension

On the Senate side . . . The Subcommittee on Education, Arts and Humanities, chaired by Sen. Claiborne Pell (D-RI), held three days of hearings in March -- in Washington, D.C., New York City, and Providence -- on two LSCA bills: (1) S. 602, sponsored by Sen. Pell, which would extend LSCA for five years and amend Title I by channeling 2/3 of Title I appropriations over \$60 million to major urban resource libraries in SMSAs of over 100,000; and (2) S. 941, introduced by Sen. Jacob Javits (R-NY), which would add a new LSCA Title V to assist public libraries serving cities of over 100,000. Next steps are for the Senate Education Subcommittee to make its recommendations to the parent Committee on Human Resources which would then report out an LSCA extension bill. Following the hearings, the subcommittee seemed to be leaning toward the Pell approach, possibly with some modifications.

On the House side . . . Action has moved rapidly, with expeditious LSCA passage on March 21 by a vote of 368 to 1, with 63 members not voting. (Attached to this newsletter is a Congressional Record excerpt of the vote.) The House-passed bill (HR 3712) would extend LSCA for four years, with an amendment requiring that states match their administrative costs from non-federal funds. The Education and Labor Committee expressed some concern that states might be spending too much of their LSCA allotment for administration, thereby shortchanging local libraries. According to the committee report (H. Rept. 95-97), the committee "expects the administrators of the act to monitor state practices and to advise the committee if corrective legislation seems to be necessary. Administrative expenses in excess of 10 percent of program costs would appear to be unwarranted." The House bill does not amend LSCA to target special assistance to urban libraries. Instead, the House idea seems to be that the existing Title I can do the job if adequately funded, since one of the Title I priorities is strengthening metropolitan libraries that serve as regional or national resources.

Next steps . . . Once the Senate subcommittee makes its recommendations to the full Human Resources Committee, an LSCA extension bill is expected to be reported from the full committee without delay. It would then be scheduled for floor action,

after which a conference with the House will follow to reconcile differences between House and Senate versions of LSCA extension.

Sponsors . . . In addition to Sen. Pell, S. 602 is co-sponsored by Sens. Jennings Randolph (D-WV), Harrison Williams (D-NJ), and William Hathaway (D-ME). Sen. Javits is the sole sponsor of S. 941. The House-passed bill was sponsored by all members of the Subcommittee on Select Education plus most members of the full Education and Labor Committee, a total of 35 sponsors, as follows: Democrats John Brademas(IN), Carl Perkins (KY), Frank Thompson (NJ), John Dent (PA), Augustus Hawkins (CA), Bill Ford (MI), Philip Burton (CA), Bill Clay (MO), Mario Biaggi (NY), Ike Andrews (NC), Michael Blouin (IA), Robert Cornell (WI), Paul Simon (IL), Edward Beard (RI), Leo Zeferetti (NY), George Miller (CA), Ronald Mottl (OH), Michael Myers (PA), Austin Murphy (PA), Joseph Le Fante (NJ), Cec Heftel (HI), Baltasar Corrada (P.R.), Dale Kildee (MI); and Republicans Al Quie (MN), John Ashbrook (OH), John Erlenborn (IL), Ronald Sarasin (CT), John Buchanan (AL), James Jeffords (VT), Larry Pressler (SD), William Goodling (PA), Bud Shuster (PA), Shirley Pettis (CA), Carl Pursell (MI), and Mickey Edwards (OK).

Appropriations, FY 1977

FY 1977 funds for higher education programs, including the HEA Title II library and HEA Title VI educational equipment programs, were not provided in the regular annual appropriations bill for HEW because of delayed enactment of authorizing legislation (Education Amendments of 1976, PL 94-482). Congress is now completing action on a FY 1977 supplemental appropriations bill (HR 4877) which includes the following (House and Senate bills are compared with final conference action):

	HR 4877 <u>House-Passed</u>	HR 4877 <u>Senate-Passed</u>	HR 4877 <u>Conference</u>
HEA II-A (college library resources)	\$9,975,000	\$9,975,000	\$9,975,000
HEA II-B (training)	1,000,000	3,000,000	2,000,000
HEA II-B (demonstrations)	1,000,000	1,000,000	1,000,000
HEA VI-A (equipment)	7,500,000	7,500,000	7,500,000
White House Conference on Lib. & Inf. Services	3,500,000	3,500,000	3,500,000
Humanities Challenge Grants	9,000,000	6,750,000	9,000,000

The move to increase funding for the HEA II-B training program in the House with Rep. Edward Roybal's (D-CA) subcommittee amendment to raise the President's \$500,000 budget request to \$1,000,000, and was followed by Sen. Edward Brooke's (R-MA) subcommittee amendment to raise the House figure to \$3,000,000. The conferees then "split the difference," with the result that HEA II-B funding is now restored to its FY 1975 level. (In FY 1976, the program was cut in half, with the entire cut taken from the training program.)

Although no funds were provided in the House-passed bill for the one-year program of grants to states for statewide leadership in guidance and testing (authorized by the Education Amendments of 1976), the Senate voted to include \$3 million for this purpose, and the conferees agreed to the Senate amount. School library/media specialists will recall that this program was a compromise adopted by Congress in response to a move on the part of guidance groups to have a percentage of ESEA IV-B funds earmarked for statewide leadership in guidance and testing. Congress did not go along with earmarking consolidated funds, but instead created a separate program for FY 1977 only. It is this program that now receives \$3 million in the FY 1977 supplemental appropriations bill.

Congress is scheduled to take what used to be called the Easter Recess but is now called "the Easter nonlegislative period," during the week of April 11, and the

supplemental appropriations bill will not be finally approved by both House and Senate until after this period. Conferees have completed their work, however, and are expected to file their report before the recess.

#### GPO Microforms Approved

In late March, the Joint Committee on Printing finally signed off on the long-pending microform project for depository libraries. The Committee has now authorized GPO's Public Printer to convert to fiche as necessary and as requested by individual depository librarians that category of publications known as non-GPO documentation. In addition, GPO is authorized to convert to fiche GPO documentation, as necessary and as requested by individual depository librarians, "when savings in costs are clearly demonstrable." The Joint Committee also directed the Public Printer to activate the GPO Micropublishing Council, with representatives from both depository libraries and industry.

#### Telecommunications

Both House and Senate Subcommittees on Communications are now gearing up for major revision of the Communications Act of 1934, a time-consuming and difficult process that is likely to take years. The Act, originally designated by its framers as "An Act to Provide for the Regulation of Interstate and Foreign Communication by Wire or Radio, and for Other Purposes," has been amended countless times in patchwork fashion, but is hopelessly outdated. House Communications Subcommittee Chairman Lionel Van Deerlin (D-CA) likened it to the 1909 Copyright Act in a speech during ALA's Midwinter Meeting in February:

"The Lord made the world in six days, but that was before the emergence of the United States Congress, and I hardly expect that we'll have so easy a job with re-writing the Communications Act. Many of you were directly or indirectly involved in the revision of the Copyright Act of 1909 -- another case in which new technologies outmoded old laws. From efforts like that, wise people learn patience while others just grow old.

"The process of drawing up new communications legislation will be cumbersome, complex, and prolonged. I have not promised...that we will pass a new Communications Act this session. I do promise that we will begin this session....

"To achieve the potential benefits which the new technologies appear to hold out to us will require a legal and regulatory framework as imaginative and innovative as the technology itself. To build that kind of new Communications Act, we in the Congress...are going to need help and support. We are going to need your participation. Librarians must contribute their knowledge and understanding to the process of communications policy-making. Not only librarians, but university and school administrators and teachers, health care professionals, public broadcasters as well as commercial broadcasters, those interested in CAI, as well as those interested in IBM."

The House subcommittee held hearings last year on cable television, and on AT&T's proposal to curb competition in the telecommunications industry, but took no legislative action. Following up on the chairman's promise to begin a rewrite of the 1934 Act, the subcommittee staff is now drawing up option papers on needed changes which should be available for public comment next month. The Senate Subcommittee on Commerce, chaired by Sen. Ernest Hollings (D-SC), has just held some exploratory hearings on the future of telecommunications and the various public policy options now before the Congress. Additional hearings will be held this week on rural telecommunications and in June on CATV. Many of the members of the Hollings subcommittee are new to this field, and these hearings are intended to educate the subcommittee for the long and arduous task ahead.

#### Appropriations, FY 1978

Both the House and Senate Labor-HEW Appropriations Subcommittees are on the home stretch in their FY 1978 hearings, the Senate aiming to conclude before the "Easter Nonlegislative Period" and the House scheduled to finish its hearings on

April 22. Eileen Cooke, Director of ALA's Washington Office, testified before the Senate subcommittee on April 6, presenting ALA's FY 1978 appropriations recommendations as follows:

	FY 1977 Appropriation	FY 1978 Budget	FY 1978 ALA Appropriation Request
HEA II-A (college lib. resources)	\$ 9,975,000	\$ 9,975,000	\$ 21,000,000
II-B (training)	2,000,000	500,000	6,000,000
II-B (demonstrations)	1,000,000	1,000,000	3,000,000
II-C (research libraries)	-0-	-0-	15,000,000
VI-A (educ. equipment)	7,500,000	7,500,000	15,000,000
ESEA IV-B (school lib. resources)	154,330,000*	154,330,000*	197,330,000*
LSCA I (public library services)	56,900,000	56,900,000	75,000,000
II (construction)	-0-	-0-	97,000,000
III (interlibrary cooperation)	3,337,000	3,337,000	18,200,000
Total LSCA	\$ 60,237,000	\$ 60,237,000	\$190,200,000
National Commission on Libraries and Information Science	492,575	563,000	563,000
Medical Library Assistance Act	8,000,000	7,987,000	15,000,000

\*Advance funded program.

Copyright Warning

The Copyright Office issued an advance notice of proposed rulemaking in the March 30, 1977 Federal Register (pp. 16838-39) concerning a warning of copyright for use by libraries and archives. Both section 108(d) and 108(e) of the new copyright law (PL 94-553) specify as one of the conditions a library must meet in order to make a copy, that the library must display prominently, at the place where orders are accepted "a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation." This same warning must be included also on the library's photoduplication order form.

Before prescribing such a warning by regulation, the Register of Copyrights issued this advance notice "to elicit public comment, views, and information which will assist the Copyright Office in considering alternatives and formulating a tentative regulation to be later issued as a proposed rule for additional comment." Initial comments should be received by the Copyright Office (Office of General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559) on or before May 6, 1977. There will then be an additional period in which people may review initial comments received (by visiting the Copyright Office or by arranging to receive copies from that Office) and submit "reply comments" on or before May 23.

For more information on this procedure, see the Federal Register and call Jon Baumgarten, General Counsel, Copyright Office, 703-557-8731.

Senate Confirmations

Although Joseph Califano was confirmed as Secretary of HEW on January 24, he has been without key education deputies until just recently. On April 1, the Senate confirmed President Carter's nominees for Assistant Secretary of Education -- Mary Berry of Colorado, and for Commissioner of Education -- Ernest LeRoy Boyer of New York.

Attachment



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 95<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 123

WASHINGTON, MONDAY, MARCH 21, 1977 P. H 2304 No. 49

## House of Representatives

YEAS—368			Satterfield			Tsongas		
Addabbo	Dent	Jones, Tenn.	Pease	Sawyer	Udall	Ullman	Van Deerlin	Vander Jagt
Akaka	Derrick	Jordan	Pepper	Scheuer	Vanik	Vento	Volkmer	Waggonner
Alexander	Derwinski	Kasten	Perkins	Schroeder	Walker	Walgren	Walsh	Wampler
Allen	Devine	Kastenmeier	Pettis	Schulze	Watkins	Waxman	Weaver	Weiss
Ambro	Dickinson	Kazen	Pickle	Sebellus	Whalen	White	Whitehurst	Whitley
Ammerman	Dicks	Kelly	Pike	Seiberling	Whitten	Wiggins	Wilson, Bob	Wilson, C. H.
Anderson, Calif.	Diggs	Kemp	Poage	Sharp	Wilson, Tex.	Winn	Wirth	Wolfe
Anderson, Ill.	Dingell	Ketchum	Preyer	Shibley	Wright	Wyder	Wylie	Yates
Andrews, N. Dak.	Dodd	Keys	Price	Shuster	Young, Fla.	Young, Mo.	Young, Tex.	
Annunzio	Dornan	Kildee	Pritchard	Simon				
Applegate	Downey	Kindness	Quayle	Skubitz				
Archer	Drinan	Koch	Quillien	Smith, Iowa				
Armstrong	Duncan, Tenn.	Kostmayer	Rahall	Smith, Nebr.				
Ashbrook	Edgar	Krebs	Railsback	Snyder				
Ashley	Edwards, Ala.	Krueger	Regula	Solarz				
AuCoin	Edwards, Calif.	Lagomarsino	Reuss	Spellman				
Badham	Edwards, Okla.	Latta	Rhodes	Spence				
Balfalls	Eilberg	Le Fante	Richmond	Stangeland				
Baldus	English	Lederer	Rinaldo	St Germain				
Barnard	Erlenborn	Leggett	Risenhoover	Stanton				
Baucus	Ertel	Lehman	Roberts	Stark				
Bauman	Evans, Del.	Lent	Robinson	Steed				
Beard, R.I.	Evans, Ga.	Levitas	Rodino	Steers				
Beard, Tenn.	Evans, Ind.	Lloyd, Calif.	Roe	Steiger				
Bedell	Fary	Lloyd, Tenn.	Rogers	Stockman				
Bellenson	Fascell	Long, La.	Rooney	Stokes				
Benjamin	Fenwick	Long, Md.	Rose	Stratton				
Bennett	Findley	Lott	Rostenkowski	Studds				
Bevill	Fish	Lujan	Rousselot	Symms				
Bingham	Fisher	Luken	Roybal	Taylor				
Blanchard	Fithian	Lundine	Runnels	Thone				
Blouin	Flippo	McCloskey	Ruppe	Thornton				
Boggs	Flood	McCormack	Russo	Tonry				
Bolling	Flowers	McDade	Santini	Traxler				
Bonker	Flynt	McHugh	Sarasin	Treen				
Bowen	Foley	McKinney		Tribble				
Brademas	Ford, Mich.	Madigan						
Breckinridge	Ford, Tenn.	Maguire						
Brinkley	Forsythe	Mahon						
Brodhead	Fountain	Markey						
Brooks	Fraser	Marks						
Broomfield	Frenzel	Marlenee						
Brown, Calif.	Frey	Marrlott						
Brown, Mich.	Fuqua	Martin						
Brown, Ohio	Gammage	Mathis						
Broyhill	Gaydos	Mattox						
Buchanan	Gephardt	Mazzoli						
Burgener	Gibbons	Meeds						
Burke, Fla.	Gilman	Meyner						
Burke, Mass.	Ginn	Michel						
Burleson, Tex.	Glickman	Mikulski						
Burlison, Mo.	Goldwater	Miller, Calif.						
Burton, John	Goodling	Miller, Ohio						
Burton, Phillip	Gore	Mineta						
Butler	Gradison	Minish						
Byron	Grassley	Mitchell, Md.						
Caputo	Gudger	Mitchell, N.Y.						
Carney	Hagedorn	Moakley						
Carr	Hall	Moffett						
Carter	Hamilton	Mollohan						
Cavanaugh	Hammer-	Moore						
Cederberg	schmidt	Moorhead,						
Clausen,	Hanley	Calif.						
Don H.	Hannaford	Moss						
Clawson, Del.	Hansen	Mottl						
Cleveland	Harkin	Murphy, Ill.						
Cochran	Harrington	Murphy, N.Y.						
Cohen	Harris	Murphy, Pa.						
Coleman	Harsha	Murtha						
Collins, Ill.	Heckler	Myers, Gary						
Collins, Tex.	Hefner	Myers, Michael						
Conable	Hefel	Myers, Ind.						
Conte	Hightower	Natcher						
Corcoran	Hillis	Neal						
Corman	Holland	Nedzi						
Cornwell	Hollenbeck	Nichols						
Coughlin	Holt	Nix						
D'Amours	Horton	Nolan						
Daniel, Dan	Howard	Nowak						
Daniel, R. W.	Huckaby	O'Brien						
Danielson	Hughes	Oaker						
Davis	Hyde	Oberstar						
de la Garza	Ichord	Obey						
Delaney	Jacobs	Ottinger						
Dellums	Jenkins	Panetta						
	Jenrette	Patten						
	Jones, Okla.	Patterson						

### State Administrative Costs to be Monitored

The House-passed bill would extend the Library Services and Construction Act for 4 additional years, with an amendment requiring that administrative costs expended by the states in carrying out programs under the act must be matched by the states from non-federal funds.

According to the committee report (H Rept 95-97), the committee "expects the administrators of the act to monitor state practices and to advise the committee if corrective legislation seems to be necessary. Administrative expenses in excess of 10 percent of program costs would appear to be unwarranted."

### No Additional Support for Urban Libraries in HR 3712

The House bill would not amend LSCA to target special assistance to urban libraries. Instead, the House approach is to help urban libraries through Title I, which includes as one of its priorities, strengthening metropolitan libraries that serve as regional or national resources.

The Senate bill, not fully developed yet by the Education Subcommittee (S 602), is expected to contain a provision designed to target funds to urban libraries.

### NAYS—1 McDonald

### NOT VOTING—63

Abdnor	Florio	Milford
Andrews, N.C.	Gialmo	Montgomery
Aspin	Gonzalez	Moorhead, Pa.
Badillo	Guyer	Pressler
Blaggi	Hawkins	Pursell
Boland	Holtzman	Roncaglio
Bonior	Hubbard	Rosenthal
Breaux	Ireland	Rudd
Burke, Calif.	Jeffords	Ryan
Chappell	Johnson, Calif.	Sikes
Chisholm	Johnson, Colo.	Slak
Clay	Jones, N.C.	Skelton
Conyers	LaFalce	Slack
Cornell	Leach	Stagers
Cotter	McClory	Stump
Crane	McEwen	Teague
Duncan, Oreg.	McFall	Thompson
Early	McKay	Tucker
Eckhardt	Metcalfe	Young, Alaska
Emery	Mikva	Zablocki
Evans, Colo.		Zelefetti

LSCA Extension (HR 3712) Passes House on March 21, 1977, by a vote of 368-1, with 63 members not voting. Senate action on LSCA extension is expected in April.