



# WASHINGTON NEWSLETTER



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- Attachments: 1) Table of Funds, 2) Status of Legislation Chart  
3) Announcement of ALA Midwinter Meeting on Copyright 5-year review

### Energy Conservation

The long delayed national energy policy, held up in conference for over a year, was finally completed by Congress when the Senate on October 9 and the House on October 14 agreed to the conference version. The series of five bills comprising a much-modified version of President Carter's energy package was voted on as one measure by Congress, but became five separate public laws after being signed by the President on November 9. The part of the package most relevant to libraries is HR 5037, the National Energy Conservation Policy Act, now PL 95-619. School, college and public libraries should be eligible for assistance under Title III which is an energy conservation program for schools and health care facilities and buildings owned by units of local government.

For public and nonprofit schools (elementary and secondary and postsecondary levels) and hospitals, authorizations are as follows: for preliminary energy audits and energy audits, \$20 million for FY 1978 and \$5 million for FY 1979; for energy conservation project grants, \$180 million for FY 1978, \$295 million for FY 1979 and \$400 million for FY 1980. For buildings owned by units of local government and public care institutions (such as rehabilitation facilities, public health centers, etc.), authorizations are as follows: for preliminary energy audits and energy audits, \$7.5 million for FY 1978 and \$7.5 million for FY 1979; for technical assistance grants, \$17.5 million for FY 1978 and \$32.5 million for FY 1979. Funds for all parts of the program will remain available until expended.

Funds will be allocated among the states according to a formula based on population, climate and other factors. States must submit an approved state plan, and agencies and institutions submit grants to the state energy agency. In addition, applications from schools and hospitals must be approved by the State hospital facilities agency or state school facilities agency. In general the programs pay up to 50 percent of the cost of audits and projects, although there are exceptions under special circumstances.



Both House and Senate bills defined government buildings as those owned by units of general purpose government below the state level. This would have made ineligible those public libraries which are owned by the governing body of special purpose library districts or by library boards. However, after communications from ALA and letters from numerous librarians, the conferees added a definition of a "public or nonprofit institution" and included clarifying language directed at libraries in their explanatory statement. According to the conference report (H. Rept. 95-1751):

A public or nonprofit institution is owned and operated by a State, a political subdivision of a State or an agency or instrumentality of either, or an organization exempt for income tax under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code. The conferees also agreed that for the purposes of the part the definition of "public or nonprofit institution" should be construed to include libraries which derive their principal support from tax revenues even though such libraries may not be owned or operated by units of local government as defined in the part.

#### Telecommunications

The Public Telecommunications Financing Act of 1978, signed into law (PL 95-567) by President Carter on November 2, is a measure based on legislation proposed by the President last fall. As finally approved by a House-Senate conference committee (H. Rept. 95-1774) the act continues long-term financing for the Corporation for Public Broadcasting, includes a provision for satellite interconnection service, requires open meetings of the governing board and its committees under most circumstances, and requires public broadcast stations to establish community advisory boards and make good faith effort to assure that the composition of the board reflects the diverse needs and interests of the community served.

The Educational Broadcast facilities program is moved from the Office of Libraries and Learning Resources in USOE to the new National Telecommunications and Information Administration in the Commerce Department. Program staff members are scheduled to move to the new location about December 1. The authorization level for the facilities program is increased from \$30 million to \$40 million for each of fiscal years 1979, 1980 and 1981. The eligibility for grants is broadened to include states, localities and nonprofit educational and cultural organizations. Special emphasis is to be given to applications which would increase the participation of women and minorities. The telecommunications demonstration program, which would continue to be administered by HEW, is extended for three years at the current level, that is, \$1 million for each of fiscal years 1979, 1980 and 1981.

#### Title 44 Revision

The Joint Committee on Printing, in connection with its announced intention to initiate a comprehensive review of Title 44 of the U. S. Code covering government printing and the depository library system, has established an Ad Hoc Advisory Committee to the JCP on Revising Title 44. The committee is meeting weekly from November through January to develop issues for consideration by the JCP, which is expected to hold hearings on the revision next spring.

ALA was asked to nominate a representative and alternate to the advisory committee. Francis Buckley, Documents Specialist at the Detroit Public Library (5201 Woodward Ave., Detroit, MI 48221, 313/833-1409) has been appointed as ALA representative. Francis chairs the GPO Depository Library Council to the Public Printer and is Chair of ALA's Government Documents Round Table. The ALA alternate is Lois Mills, Documents and Legal Reference Librarian at Western Illinois University

(Macomb IL 61455, 309/298-1845). She chairs the Ad Hoc Subcommittee on Federal Depository Legislation of the ALA Legislation Committee and is past Vice-Chair of GODORT. The other library group represented on the advisory committee is the Federal Library Committee, plus representatives of GPO, other government agencies, congressional committees, labor unions, and other associations.

ALA also submitted a major statement on revision of Title 44 to the JCP on November 6. Among the ALA recommendations are complete distribution to depository libraries of all government publications and government-produced information in the most appropriate format, funding for depository libraries for support services, and establishment of a national depository agency to house and service a comprehensive collection of federal government publications.

Librarians who wish to suggest issues that should be raised in the revision of Title 44 or those wanting further information are encouraged to contact Francis Buckley or Lois Mills or the ALA Washington Office.

### Adult Education

Title XIII, Part A, of the Education Amendments of 1978 (PL 95-561) amends the Adult Education Act to expand the current delivery system of adult education (through libraries and other agencies) and to broaden the outreach of the program. The emphasis is on providing adult basic education for those adults who are least educated and most in need of assistance--those who lack the skills and knowledge needed to function minimally in day-to-day living.

Under the state administered program, local educational agencies and public or private nonprofit agencies, organizations and institutions submit applications to the state to compete for funds for carrying out instructional programs authorized under an approved state plan. The authorization is \$210 million for FY 1979, increasing each year to reach \$290 million for FY 1983.

The amended Adult Education Act also includes three national discretionary programs: 1) Grants to or contracts with public and private nonprofit agencies, institutions, and organizations for development, evaluation, and dissemination projects. 2) Extension of the Emergency Adult Education Program for Indochina Refugees through September 30, 1983. Grants to state and local educational agencies to assist adult Indochina refugees in becoming integrated into American society and in becoming more employable. 3) A new Adult Education Program for Immigrants. Grants to or contracts with state and local educational agencies and other public and private nonprofit agencies, organizations and institutions to provide programs of adult education to immigrant adults in need of these services.

To provide an opportunity for public participation in the development of regulations to implement the amended Adult Education Act, a series of public meetings will be held during December as follows: December 11 in Coraopolis, PA; December 12 in Albany, NY, Oak Creek, WI, and Salt Lake City, UT; December 13 in Gorham, ME, Oklahoma City, OK, and Portland OR; December 15 in Orlando, FL, St. Louis, MO, and Downey, CA. Broad participation by the public is encouraged. Inquiries may be directed to the state director of adult education or the USOE regional cities or to Paul V. Delker, Director, Division of Adult Education, USOE, 202/245-2278. A notice of intent to issue regulations is expected to be published in the Federal Register before the end of November.



## Presidential Records

Legislation asserting for the first time public ownership and custody of the records of future presidents, vice presidents and their staffs was signed November 4 by President Carter (PL 95-591). The new law, the Presidential Records Act, terminates the tradition of private ownership of presidential papers and the reliance on volunteerism to determine the fate of their disposition. Records created by a president or aides to assist in the performance of official duties are declared government property and must be transferred immediately upon the conclusion of a president's tenure in office to the custody of the Archivist of the United States. The archivist is given the responsibility for placing the records in a presidential library or other federally operated facility. Currently existing presidential libraries would not be affected. The measure will become effective with the presidential term beginning in 1981.

Strictly personal papers are exempted and in addition a president can restrict access to sensitive information for up to 12 years after leaving office. Papers which are not sensitive or no longer subject to restriction will be governed by the Freedom of Information Act. After the period of restrictions has run, the archivist has an affirmative duty to make records available to the public as rapidly and completely as possible.

The measure draws heavily from the recommendations of the National Study Commission on Records and Documents of Federal Officials. The commission was established by the Presidential Recordings and Materials Preservation Act (PL 93-526), the same act which directed the Administrator of General Services to take custody of former President Nixon's tapes and papers. Although that act did not apply to future presidents, it did set up the commission to study the problem and recommend appropriate legislation.

The Presidential Records Act (HR 13500, H. Rept. 95-1487) was introduced in the House by Rep. Richardson Preyer (D-NC), and passed by the House on October 10. In the Senate, bills (S. 2596, S. 3494) were introduced by Sen. Gaylord Nelson (D-WI) but were not reported. However, the Senate passed the House bill on October 13.

## Federal Information Centers

Legislation giving statutory authorization for a system of federal information centers was signed by the president on October 20. Passed by the Senate on September 12 (S. 3259) and by the House on September 25 (HR 13633), the measure, now PL 95-491, authorizes \$7 million for FY 1980 and such sums as necessary for succeeding years to expand the FICs to cities in the 22 states which do not now have them.

## Copyright - Five-Year Review

A second meeting with library and user groups was held October 17 by the Copyright Office on the five-year review mandated by section 103(i) of the copyright law. A similar meeting was held with copyright proprietors. At both meetings the Register of Copyrights Barbara Ringer requested that the groups select a smaller number of representatives to constitute one 8 or 10 member advisory committee to the Register to assist in developing procedures and format for the five-year review. An open meeting on the five-year review will be held on Tuesday, January 9 from 3:00 to 10:00 p.m. during ALA Midwinter. See the attached announcement. This will be an opportunity for you to share with representatives of ALA and the Copyright Office your thoughts about what facts and figures can be marshalled to show whether (and if so, how) the copyright law is affecting library service to the public.

FUNDS FOR LIBRARY AND RELATED PROGRAMS

<u>LIBRARY PROGRAMS</u>	<u>FY 1979 House Bill</u>	<u>FY 1979 Senate Bill</u>	<u>FY 1979 Appropriation</u>
<u>ESEA Title IV-B - School libraries</u>	<u>\$175,000,000<sup>1</sup></u>	<u>\$185,000,000<sup>1</sup></u>	<u>\$180,000,000<sup>1</sup></u>
GPO Superintendent of Documents	23,200,000	23,200,000	23,200,000 <sup>2</sup>
HEA Title VI-A - Undergrad. Equipment	-0-	-0-	-0-
<u>Higher Education Act - Title II</u>	<u>17,975,000</u>	<u>19,975,000</u>	<u>18,975,000</u>
Title II-A - College Lib. Resources	9,975,000	9,975,000	9,975,000
II-B - Training	2,000,000	2,000,000	2,000,000
II-B - Demonstrations	1,000,000	1,000,000	1,000,000
II-C - Research Libraries	5,000,000	7,000,000	6,000,000
Library of Congress	174,646,300	174,646,300	174,646,300 <sup>2</sup>
<u>Library Services &amp; Construction Act</u>	<u>65,000,000</u>	<u>70,000,000</u>	<u>67,500,000</u>
Title I - Library Services	60,000,000	65,000,000	62,500,000
II - Pub. Lib. Construction	-0-	-0-	-0-
III - Interlibrary Cooperation	5,000,000	5,000,000	5,000,000
Medical Library Assistance Act	deferred	deferred	7,987,000
National Agricultural Library	7,527,000	7,527,000	7,527,000
National Comm. Lib. & Info. Science	648,000	683,000	648,000
National Library of Medicine	31,887,000	35,000,000	33,444,000

<u>LIBRARY-RELATED PROGRAMS</u>			
Adult Education Act	100,000,000 <sup>1</sup>	100,000,000 <sup>1</sup>	100,000,000 <sup>1</sup>
Book Distribution (RIF)	6,000,000	6,000,000	6,000,000
Community Education	5,000,000	5,553,000	5,376,000
Consumers' Education	3,135,000	4,068,000	3,601,000
Corp. for Public Broadcasting	deferred	deferred	152,000,000 <sup>3</sup>
Educ. Broadcasting Facilities	deferred	deferred	18,000,000
Ed. Handicap. Children (state grants)	804,000,000 <sup>1</sup>	804,000,000 <sup>1</sup>	804,000,000 <sup>1</sup>
Education Information Centers	3,000,000	3,000,000	3,000,000
Educational TV & Radio Programming	5,000,000	7,000,000	6,000,000
ESEA Title I - Ed. Deprived Children	3,078,820,000 <sup>1</sup>	2,889,845,000 <sup>1</sup>	3,078,382,000 <sup>1</sup>
IV-C - Ed. Innov. & Support	197,400,000 <sup>1</sup>	197,400,000 <sup>1</sup>	197,400,000 <sup>1</sup>
VII - Bilingual Education	150,000,000	143,500,000	150,000,000
IX - Ethnic Heritage	2,300,000	1,000,000	2,000,000
Gifted & Talented Children	2,560,000	5,000,000	3,780,000
HEA Title I-A - Community Service	18,000,000	14,000,000	16,000,000
I-B - Lifelong Learning	-0-	-0-	-0-
III - Develop. Institutions	120,000,000	120,000,000	120,000,000
HEA Title VII - Construction & Renovat.	29,000,000	29,000,000	29,000,000
Indian Education Act	73,735,000	71,735,000	71,735,000
Metric Education	1,840,000	1,840,000	1,840,000
National Center for Educ. Statistics	15,700,000	13,940,000	14,820,000
National Endowment for Arts	149,660,000	149,210,000	149,435,000
National Endowment for Humanities	145,600,000	144,250,000	145,046,000
National Historical Publs. & Rec. Comm.	4,000,000	4,000,000	4,000,000
National Institute of Education	97,500,000	90,071,000	92,300,000
NDEA Title VI - Language Development	17,000,000	17,000,000	17,000,000
Postsec. Educ. Improvement Fund	13,000,000	13,000,000	13,000,000
Right to Read (except RIF)	21,000,000	21,000,000	21,000,000
Teacher Centers	15,000,000	10,250,000	12,625,000
Telecommunications Demonstrations	deferred	deferred	1,000,000
Women's Educational Equity	9,000,000	9,000,000	9,000,000

<sup>1</sup>Advance funded program

<sup>2</sup>Subject to 5 percent reduction made by Congress in Legislative Appropriations bill

<sup>3</sup>CPB funded two years in advance

STATUS OF LEGISLATION OF INTEREST TO LIBRARIANS  95th Congress, 2nd Session  Convened January 19, 1978 Adjourned October 15, 1978  Chart Date November 20, 1978	HOUSE				SENATE				FINAL ACTION		
	Introduced	Hearings Reported by Subcommittee	Committee Report Number	Floor Action	Introduced	Hearings Reported by Subcommittee	Committee Report Number	Floor Action	Conference Report	Final Passage	Public Law
Arts & Humanities-White House Conferences	HJ Res 649	X X	887	X	HJ Res 649		736	X	none	X	PL 95-272
CETA Extension	HR 12452	X X	1124	X	S 2570	X X	891	X	1765	X	PL 95-524
Civil Service Reform	HR 11280	X X	1403	X	S 2640	X	969	X	1717	X	PL 95-454
College Libraries Act	HR 10541										
Communications Act revision	HR 13015	X									
Congressional Budget Ceilings-FY 1979	H Con Res 683	X	1456	X	S Con Res 104	X	1124	X	1594	X	
Criminal Code revision	HR 6869	X			S 1437	X	605	X			
Depository Libraries-Law Schools	HR 8358	X X	650	X	S 1258		670	X	none	X	PL 95-261
Education-separate Cabinet Department	HR 13778	X X	1531		S 991	X X	1078	X			
Elem. & Sec. Education Act extension	HR 15	X X	1137	X	S 1753	X X	856	X	1753	X	PL 95-561
Energy Conservation-schools, local gvt. bldgs.	HR 5037	X	543	X	HR 5037	X	409	X	1751	X	PL 95-619
ERA ratification deadline extension	HJ Res 638	X	1405	X	SJ Res 134	X	none	X	none	X	none
Federal Information Centers Act	HR 13688	X X	1530	X	S 3259		1129	X	none	X	PL 95-491
Indian Community Colleges	HR 9158		1558	X	S 1215		582	X	none	X	PL 95-471
LC Madison Bldg. -auth. additional funds	HR 12342	X X	1168	X	S 3112	X X	906	X	none	X	PL 95-548
Medical Library Assistance Act extension	HR 12347	X X	1192		S 2450	X X	838	X	none	X	PL 95-622
Nat'l Science Foundation authorization	HR 11400	X X	993	X	S 2549	X X	851	X	none	X	PL 95-434
Older Americans Act	HR 12255	X X	1150	X	S 2850	X X	855	X	1618	X	PL 95-478
Postal Service Act of 1977	HR 7700	X X	808	X	S 3229	X X	1191				
Presidential Records Act	HR 13500	X X	1487	X	S 2596	X	none	X	none	X	PL 95-591
Public Telecommunications Financing Act	HR 12605	X X	1178	X	S 2883	X X	853	X	1774	X	PL 95-567
Rehabilitation Act extension	HR 12467	X X	1149	X	S 2600	X X	890	X	1780	X	PL 95-602
Sex Discrimination (pregnancy disability)	HR 6075	X	948	X	S 995	X	331	X	1786	X	PL 95-555
<u>Appropriations FY 1979</u>											
Continuing Resolution	HJ Res 1139		1599	X	HJ Res 1139		1317			X	PL 95-482
HUD & Independent Agencies	HR 12936	X X	1255	X	HR 12936	X X	1060	X	1569	X	PL 95-392
Interior & Related Agencies	HR 12932	X X	1251	X	HR 12932	X X	1063	X	1672	X	PL 95-465
Labor-HEW	HR 12929	X X	1248	X	HR 12929	X X	1119	X	1746	X	PL 95-480
Legislative	HR 12935	X X	1254	X	HR 12935	X X	1024	X	1457	X	PL 95-391
Treasury, Postal Service	HR 12930	X X	1249	X	HR 12930	X X	939	X	1673	X	PL 95-429

For bills, reports & laws write: House & Senate Doc. Rms., U.S. Capitol, Washington, D.C. 20515 & 20510 respectively.



O P E N M E E T I N G

ALA MIDWINTER CONFERENCE

January 7-12, 1979

Washington, D.C.

SPONSOR: Ad Hoc Copyright Subcommittee, ALA Legislation Committee

TOPIC: Copyright Law Five-Year Review

DATE: Tuesday, January 9, 1979

TIME: 8:00 p.m. - 10:00 p.m.

PLACE: Blue Room, Shoreham-Americana

SPEAKERS: Ivan Bender, Copyright Office  
Donald King, King Research, Inc.  
Nancy Marshall, ALA Ad Hoc Copyright Subcommittee

PURPOSE: To provide an opportunity for the library community to speak out on what should be included in the five-year review mandated by section 108(i) of the Copyright Law (P.L. 94-553).

The Ad Hoc Copyright Subcommittee was charged in the Spring of 1978 as follows:

To set up and implement a mechanism for monitoring the effects on library services of compliance with the new copyright law, in preparation for the five-year review by the Register of Copyrights. To determine the kinds of data that should be collected for the review and how best to collect them. To serve as liaison with ALA divisions and other units and other library organizations, to receive information, serve as a sounding board and relay information to the Legislation Committee on the various aspects of the copyright law, which are unsettled or on which there is general lack of understanding among librarians.

The Subcommittee welcomes ALA member comments and ideas. All interested Conference attendees are urged to attend this meeting for input to the five-year review.