

Library



# WASHINGTON NEWSLETTER



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### Energy Conservation

A proposed rulemaking for energy conservation grants for schools, colleges, hospitals, and buildings owned by units of local government (including public libraries) was published in the December 12 Federal Register (pp. 58157-74). Among the the questions raised is the following (p. 58158):

...the legislative history...reflects an intention on the part of the House and Senate conferees that the term "public or nonprofit institutions" 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 that term is defined. The question is whether it would be appropriate or useful to include "library" as a defined term in the regulations, and what criteria should be used in determining whether a given library derives its "principal support" from tax revenues.

Comments on the proposed rulemaking are due by January 12 to Margaret Sibley, Office of State Specific Programs, Mail Stop 461, Rm. 6456, Dept. of Energy, 12th & Pennsylvania Ave., N.W., Washington, D.C. 20461. In addition public hearings will be held on January 8, 9, and 10 in each of three locations: San Francisco, Chicago, and Washington, D.C. The new program is part of the National Energy Conservation Policy Act (PL 95-619) described in the November 21 ALA Washington Newsletter.

### ESEA Title IV-B Regulations

A notice of a decision to develop regulations for the Elementary and Secondary Education Act Title IV to implement the changes made by the Education Amendments of 1978 (PL 95-561) and to recodify existing program regulations was published in the November 29 Federal Register (p. 55801). The regulations will govern the content of the state's plan for administering the programs, including the activities of the state advisory council, the criteria for distribution of funds, participation of private school children, and maintenance of state, local and private school expenditures. For further information on the development of regulations for ESEA IV-B, Instructional Materials and School Library Resources contact Louise V. Sutherland (Rm. 3125B, ROB-3), 400 Maryland Ave., S.W., Washington, D.C. 20202 (202/245-2488).

### Civil Service Reform

Toward the end of this legislative session President Carter signed three acts which when taken together make significant changes in the statutes affecting the working conditions of federal librarians and staff administering federal library programs. The Federal Employees Part-Time Career Employment Act of 1978 (PL 95-437) opens the way for federal departments and agencies to establish part-time career employment programs. As the wording indicates, the program is not designed for temporary positions. The Federal Employees Flexible and Compressed Work Schedules Act of 1978 (PL 95-390) will allow agencies to experiment with varied work schedules. Report on the impact of flexible or compressed work schedules on such factors as efficiency of government operations, service to the public, etc., will be required.

The most far-reaching changes occur in the much publicized Civil Service Reform Act of 1978 (PL 95-454). One provision of this act originated in earlier legislation (HR 6953) providing for grade and salary retention for incumbents of downgraded positions. As early in the process as July 1977 ALA submitted a statement to the Subcommittee on Compensation and employee benefits of the House Committee on Post Office and Civil Service in support of HR 6953. Under the terms of the Civil Service Reform Act employees downgraded through no fault of their own will have their grades and salaries protected for two years. These provisions are particularly important in light of recent downgrading efforts in USOE's Office of Libraries and Learning Resources, whose activities in support of library programs touch upon public, school, and academic libraries everywhere.

### Rehabilitation Act Extension

Among the bills finally enacted during the last day of the session was a revision and extension of the Rehabilitation Act of 1973. Signed into law on November 6, the Comprehensive Rehabilitation Services Amendments of 1978 (PL 95-602) were passed by the House on May 16 and by the Senate on September 21. The final version, worked out by a House-Senate conference committee, contains several provisions of special interest to librarians.

The act establishes an Architectural and Transportation Barriers Compliance Board and gives it powers to develop standards and provide technical assistance to "the extent practicable" to public and private activities, persons or entities with respect to overcoming architectural, transportation and communication barriers to the handicapped. The board is also to report within a year on the costs required by states and their subdivisions to provide handicapped individuals full access to all programs and activities receiving federal aid. The board may make grants to state units to conduct studies to provide such cost assessments.

### State Reappropriation of Federal Funds

ALA is one of 32 national organizations which have asked the Supreme Court to review a Pennsylvania law requiring federal funds awarded to the state's executive agencies to be reappropriated by the state legislature. Governor Milton Shapp initiated a suit against the law. After both the Commonwealth Court and the Pennsylvania Supreme Court ruled in favor of the law, Shapp appealed the case to the Supreme Court. In November the 32 organizations filed an amicus brief in behalf of Shapp's position. Enacted in 1976 over Shapp's veto, the Pennsylvania law has resulted in long delays in appropriation of federal education funds, and has caused problems when the state legislature is not in session. Similar legislation has been introduced but not passed in a number of other states.

### Postal Regulations

A Postal Service final rule governing the mailing of books by publishers and distributors at the library rate was published in the December 1 Federal Register (pp. 56224-5). The rule clarifies that books may not be returned to publishers and distributors at the library rate, noting that persons who have made such mailings in the past have done so improperly. The ruling continues to limit eligible recipients of books mailed at the library rate to "public" libraries (excluding business, commercial, industrial and private libraries). The Postal Service is considering the publication in the near future of a proposed definition of "public library."

Postal legislation (HR 7700) passed by the House in April would have allowed libraries to return books at the library rate, but the Senate did not act on the measure before adjournment.

### Educational Information Centers

Final regulations governing the Educational Information Centers Program established by the Education Amendments of 1976 (PL 94-482) were published in the November 28 Federal Register (pp. 55404-09). The program provides funds to the states on a per capita basis to pay up to two-thirds of the cost of planning, establishing and operating centers to provide educational information, guidance, and counseling and referral services to persons residing in the center's service area.

Eligible applicants are institutions or combinations of institutions of higher education, public and private agencies, and local educational agencies acting in combination with a higher education institution. To participate, states must involve individuals, public and private agencies, organizations and institutions in the development of a state plan, and survey existing organizations providing comparable services. The regulations take effect 45 days after transmittal to Congress, or approximately January 20. The centers received \$2 million in funding for FY 1978 and \$3 million for FY 1979.

### Grant Opportunities

A most useful publication, Federal Programs for Libraries: A Directory, has been issued by the U.S. Office of Education. Compiled by Lawrence Leonard and Ann Erteschik of the Office of Libraries and Learning Resources, the booklet acknowledges its dependence on several sources, including publications of ALA Washington Office. All the information has been updated and is very thorough.

The most valuable section is a listing of 72 federal programs for which libraries are eligible, but must meet the purpose, scope and program priorities in order to be considered for funding. Also included is an annotated listing of library funding sources, a grantsmanship bibliography, and information about the major ESEA, HEA and LSCA federal library programs. Several indexes increase the usefulness of the publication, including an applicant eligibility index and a subject index. Single copies are available free from Dr. Leonard at USOE/OLLR, ROB #3, Rm. 3319B, 7th & D Streets, S.W., Washington, D.C. 20202 (202/472-5150).

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 \* ALA MIDWINTER MEETING, WASHINGTON, D.C. \*  
 \* January 7-12, 1979, Shoreham, Sheraton-Park & Washington Hilton Hotels \*  
 \*  
 \* Legislative Workshop aimed at state legislative activity. Sunday, January 7, \*  
 \* 2:00-5:30 p.m., Shoreham Palladian Room. Invitational. (Observers \*  
 \* welcome but may not be assured of prepared materials or small group \*  
 \* participation.) \*  
 \*  
 \* Legislative Information Meeting. Legislative update, grant opportunities. \*  
 \* Monday, January 8, 2:00-4:00 p.m., Shoreham Blue Room. Guest speakers \*  
 \* invited include Dick Hays of OLLR, Postmaster General William Bolger, \*  
 \* Howard Resnikoff of the National Science Foundation, Larry Hackman of \*  
 \* the National Historical Publications & Records Commission, and \*  
 \* Margaret Child of the National Endowment for the Humanities. (The \*  
 \* latter two will discuss preservation project grant opportunities for \*  
 \* small as well as larger libraries.) \*  
 \*  
 \* Copyright meeting with Copyright Office representatives to obtain input \*  
 \* from you for use in five-year review. Tuesday, January 9, 8:00-10:00 \*  
 \* p.m., Shoreham Blue Room. \*  
 \*  
 \* President's Program. Wednesday, January 10, 8:00-10:00 p.m., Sheraton-Park, \*  
 \* Sheraton Hall. ALA President Shank feels librarians should focus on \*  
 \* three critical issues as we move toward the White House Conference: \*  
 \* 1) telecommunications and information policy, 2) literacy, and \*  
 \* 3) economics and intergovernmental relations. Speakers: \*  
 \* Henry Geller, Commerce Department Assistant Secretary and \*  
 \* Director, National Telecommunications and Information \*  
 \* Administration \*  
 \* Mrs. Robert S. McNamara, Chairman, Board of Directors, Reading \*  
 \* Is Fundamental, Inc. (RIF) \*  
 \* John Shannon, Assistant Director, Advisory Commission on \*  
 \* Intergovernmental Relations \*  
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