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# WASHINGTON NEWSLETTER



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### Carter Budget, FY 1981

Congress returned for the second session of the 96th Congress on January 22, and President Carter transmitted his FY 1981 budget on January 28, characterizing it as "prudent and responsible." For fiscal year 1981 (October 1, 1980-September 30, 1981) the Carter budget totals \$615.8 billion. The new Department of Education, although not in operation until later this spring, has a separate budget (instead of being included with HEW) of \$15.5 billion for an increase for education of \$1 billion or 7 per cent. According to Secretary of Education Shirley Hufstедler, programs which upgrade educational quality, such as library support, "represent some of the best bargains in government for American taxpayers. Costs are usually small and results are often spectacular."

Thanks to the efforts of delegates to the White House Conference on Library and Information Services, and to the intervention of the new Secretary of Education, this year's "prudent and responsible" budget is considerably more favorable to libraries than last year's "lean and austere" budget. Attached to this newsletter is a table listing the proposed figures for library and related programs. Recommended amounts for the major library programs are shown below:

	Carter FY '80 Budget	FY 1980 Appropriation	Carter FY '81 Budget
<u>Elementary &amp; Secondary Educ. Act</u>			
Title IV-B, School libraries	\$149,000,000*	\$171,000,000*	\$171,000,000*
<u>Higher Education Act</u>			
Title II-A, College libraries	-0-	4,988,000	4,988,000
II-B, Training	-0-	667,000	500,000
II-B, Demonstrations	-0-	333,000	500,000
II-C, Research libraries	6,000,000	6,000,000	7,000,000
<u>Library Services &amp; Construction Act</u>			
Title I, Library Services	56,900,000	62,500,000	62,500,000
III, Interlibrary Coop.	3,337,000	5,000,000	12,000,000
<u>Medical Library Assistance Act</u>	8,625,000	9,925,000	9,831,000
<u>NCLIS</u>	668,000	686,000	699,000

\*Advance funded program

Bright spots in the budget are the increases recommended for interlibrary cooperation (LSCA III) and research libraries (HEA II-C). Under Interlibrary Cooperation, budget documents note:

The 1981 budget proposes a significant shift in emphasis of its support for libraries--from the acquisition of library resources and materials to cooperation between libraries for the sharing of these resources. The very high inflation rate for printed materials makes sharing a vital concept.

Areas of particular concern in the budget include college libraries (HEA II-A) and library training and demonstrations (HEA II-B)--better than last year's budget, but needing extra effort from the library community to persuade Congress to raise the current inadequate levels of funding. Also of concern is the Medical Library Assistance Act, where the recommendation is a reduction from the current amount.

#### Department of Education

Secretary of Education Shirley Hufstедler held a series of briefings January 9-11 for the education community on the transition planning for the new department. Richard Beattie, former HEW General Counsel, is Director of Implementation for Organization for the new department, and Richard Gilman, President of Occidental College, heads the Program Organization and Implementation Group. Numerous transition task forces have been established, including 14 program task forces corresponding to the organizational units mandated by the law establishing the Department of Education (PL 96-88). Each program task force held a separate session during the January meetings.

Library programs are being reviewed by the Educational Research/Improvement Task Force headed by Art Wise of the Rand Corporation. The law calls for an Assistant Secretary for Educational Research and Improvement heading an office which is expected to include the National Institute of Education, the National Center for Education Statistics and various small discretionary grant programs. It was explained at the briefing that the options for placement of library programs are still wide open, including the possibility of an Assistant Secretary for Library and Information Services as recommended by WHCLIS delegates. The ALA Council passed a resolution endorsing the WHCLIS recommendation for an Assistant Secretary on January 24 during its Midwinter Meeting. See the attachment for the texts of both the ALA and the WHCLIS resolutions.

The task forces are to provide the Secretary with options and recommendations concerning the placement of programs by early February. The Department of Education must be in operation by May 29, 1980 (180 days after Hufstедler's confirmation). However, Secretary Hufstедler hopes to have the department in place by early April. She was confirmed by the Senate on November 30 by a vote of 81 to 2 and sworn into office on December 6.

In a related development, President Carter named William L. Smith, director of the Teacher Corps, as the 24th and final U.S. Commissioner of Education. Smith was sworn in on January 9, and will approve regulations and oversee USOE during the transition. The 113-year-old Office of Education is scheduled to be phased out this spring when the Department of Education becomes effective as the 13th cabinet agency. Smith took office during the Congressional recess, but was later confirmed by the Senate on January 29.

## Title 44 Revision

The House Committee on Administration met January 22nd and 23rd to markup H.R. 5424, the National Publications Act of 1980. The bill revises Title 44 of the U.S. Code covering government printing and document distribution. H.R. 5424 was reported out of Committee on the 23rd with the recommendation that it be passed by the full House. As reported, the bill retains the National Publications Agency (now the Government Printing Office) in the Legislative Branch rather than moving it to the Executive Branch as originally intended.

Among the many changes in the bill are the addition of nonprofit libraries among those eligible for the 25% dealer discount on government publications and the authorization of additional support for depository libraries. Such support could come in the form of cataloging support, direct grants, training, toll-free telephone access to the NPA, etc. One potentially significant problem with the amendments adopted is the definition of the term "government publication." The scope of publications included under the definition, and therefore available through the sales and depository library programs, will be determined in large part by the explanation in the report which will accompany the bill. Also likely to be addressed in the report is the status of the current system of regional and selective depository libraries. The report will be issued sometime in early February, with floor action in the House planned before the Washington birthday recess beginning February 14.

## Copyright

The Copyright Office held the first of a series of regional hearings leading up to the first five-year review required by section 108(i) of the Copyright Act of 1976 immediately prior to the ALA Midwinter Meeting on January 19 at the Palmer House in Chicago. The hearing was designed to elicit comments on the extent to which section 108 (reproduction by libraries and archives) has achieved the intended balance between the rights of creators and the needs of users of copyrighted works which are reproduced by certain libraries and archives.

A panel of Copyright Office officials, headed by General Counsel Dorothy Schrader, heard testimony from fourteen witnesses, including representatives of the Association of American Publishers, American Association of University Professors, Special Libraries Association, the Chicago Public Library, and individual libraries in the Chicago metropolitan area. The American Library Association was represented by Nancy Marshall, Ad Hoc Copyright Subcommittee Chair, plus Meredith Butler for ACRL, Alice Wilcox, Mary Hardin and Joseph Boisse.

ALA testimony indicated that librarians are living with the law fairly well, which was attributed to the substantial educational process undertaken by ALA and other library associations. Difficulties have arisen, however, in areas such as academic library reserve collections, interpreting the guidelines for classroom copying, music and interlibrary arrangements, obtaining publisher permissions, and a general belief that the copyright law is having the effect of decreasing library service to users, as well as having a negative impact in some libraries on staff time and budgets.

A major concern of ALA is that, in order for the Copyright Office to determine in the five-year review whether balance has been achieved, copyright proprietors must show by valid statistical data their continued assumption that library photocopying is having a negative economic effect on their marketplace. Statistics on library photocopying will not answer this question. Following up on this testimony, ALA

Council adopted January 24 a Resolution on Data Needed for the Copyright Five-Year Review urging the Register of Copyrights to gather valid data from copyright proprietors for the five-year review, the first of which is due to Congress on January 1, 1983. The text of the resolution is attached to this newsletter.

Supplemental statements may be submitted to the Copyright Office until February 19. See the December 17 Federal Register ((pp. 73163-70) or the December 31 ALA Washington Newsletter for the specific questions on which the Copyright Office is particularly interested in receiving comments. Librarians or library users interested in commenting are urged to support the ALA-passed resolution, and to include a copy of the text. Supplemental statements should be sent by February 19 to: Office of the General Counsel, U.S. Copyright Office, Library of Congress, Caller No. 2999, Arlington, VA 22202 (703/557-8731).

### Telecommunications

The Telecommunications Act of 1979 (HR 6121), a major revision of the common carrier portion of the Communications Act of 1934, was approved by the House Communications Subcommittee on January 29. HR 6121 would deregulate much of the telecommunications industry and would alter considerably the structure of AT&T's Bell Telephone System. The bill would rely on "competition and the private sector...to determine the availability, variety, quality, and cost of telecommunications services, facilities, and products."

The measure would lift the 1956 consent decree which prohibited AT&T from participating in unregulated activities, but would require AT&T to set up separate subsidiaries in order to offer unregulated telecommunications services. A variety of services would be deregulated, and federal and state regulation of data processing and data transmission would be prohibited.

While AT&T officials seemed pleased with the bill, consumer activist groups felt it lacked adequate consumer safeguards. Subcommittee amendments, however, included protection for rural telephone service at affordable rates, and authorization of funds for public participation in FCC common carrier proceedings.

The bill, which had been introduced by subcommittee chair Lionel Van Deerlin (D-CA) on December 13, now goes to the full House Interstate and Foreign Commerce Committee. The Senate Communications Subcommittee Chair, Ernest Hollings (D-SC), expects to introduce a new Senate communications bill shortly.

### Federal Register Items

Intergovernmental Advisory Council on Education authorized by the Dept. of Ed. Organization Act. Request for nomination of members. Jan. 8 FR, pp. 1777-8.

National Science Foundation. Statement of organization; info for guidance of the public. Jan. 17 FR, pp. 3405-10.

Contract Cost Principles applicable to research and development, training, and other sponsored work performed by colleges and universities (amendment). Jan. 17 FR, pp. 3296-311.

Equal Employment Opportunity Commission. Public hearing Feb. 28 & 29 in Washington, D.C. on job segregation and wage discrimination. Jan. 17 FR, p. 3383.

White House Conference on Library and Information Services - Implementation

The resolutions adopted by the delegates to the White House Conference on Library and Information Services, held November 15-19, 1979 in Washington, D.C., prompted the development of a Proposed ALA Legislative Program. The proposed program is attached, as adopted by the Council of the American Library Association on January 24 at its Midwinter Meeting in Chicago.

Point E of the proposed program calls for enactment of a National Library and Information Services Act, and refers to the attachment headed "Suggested Modifications to the Proposed National Library Act (S. 1124)." The attachment is not a part of the program passed by Council, but is an elucidation of point E, and represents the modifications to S. 1124 suggested by the ALA Legislation Committee and the Legislation Assembly. The Legislation Assembly is composed of representatives of all ALA divisions.

The first suggested modification to S. 1124 would change the name of the bill to the National Library and Information Services Act. This name change reflects the fact that the delegates to the WHCLIS did not endorse the National Library Act, per se, but opted instead for development of a national library act. The National Library and Information Services Act is named after WHCLIS itself as a working title to avoid confusion with S. 1124 which was introduced as a study bill May 14, 1979, by Senators Javits (R-NY) and Kennedy (D-MA). The attachment headed "Proposed National Library Act (S. 1124), Comparison with Existing Programs" is a background piece prepared for Midwinter which explains the major differences between S. 1124 and existing programs such as the Library Services and Construction Act.

The genesis of the proposed program was the ALA Legislation Committee's determination to identify the WHCLIS recommendations involving federal legislation and to enable ALA to take an immediate, although preliminary, step toward implementation. The first version of the proposed program was prepared by an ad hoc subcommittee of the Legislation Committee. It was sent to Legislation Committee and Legislation Assembly members just before Midwinter, discussed at a joint Legislation Committee/Legislation Assembly meeting early in Midwinter week, and was the subject of a program during the Legislation Committee's Information Update meeting. Legislation Assembly representatives were asked to react to the proposal by January 23.

The program went through two or three revisions during the Midwinter Meeting as suggestions and reactions were received. Although adopted by ALA Council on January 24, it is still very much an evolving document in which the various elements, as they reach the legislative arena, will require fleshing out and further input from interested constituencies. Additional comments on the Proposed ALA Legislative Program are welcome at any time and should be directed to the ALA Washington Office, 110 Maryland Avenue, N.E., Box 54, Washington, D.C. 20002 (202/547-4440).

## PROPOSED ALA LEGISLATIVE PROGRAM

The following program is based on the resolutions adopted by the White House Conference on Library and Information Services, the proposed National Library Act (S. 1124) and testimony and discussion on that bill at the conference, the COSLA legislative proposal, the WHCLIS testimony of ALA President Galvin, and the ALA Federal Legislative Policy statement. This legislative program is based on the right of all individuals regardless of age to equal opportunity to access all publicly-held information. THE ELEMENTS OF THIS PROGRAM ARE NOT RANKED IN ANY SIGNIFICANT ORDER.

- A. Full funding of the Library Services and Construction Act, and Higher Education Act and Elementary and Secondary Education Act library programs until such time as they may be amended or replaced, with ESEA title IV-B designated as categorical aid for school libraries. Full funding for national library programs including the National Commission on Libraries and Information Science, the Library of Congress, the National Agricultural Library (now USDA SEA Technical Information Systems), and the National Library of Medicine.
- B. Establishment of a national periodicals system with funding to establish services and facilities promoting efficient access to periodical and journal resources.
- C. Enactment of federal postal and telecommunications rates which will facilitate the sharing of resources and information between libraries, educational institutions and nonprofit information agencies.
- D. Establishment of the position of Assistant Secretary for Library and Information Services within the Department of Education.
- E. Enactment of a National Library and Information Services Act which would provide for increased funds for interlibrary cooperation, new funds for literacy, increased federal support for maintenance of public libraries with special emphasis upon aid for rural, urban and economically depressed areas, restored funding for public library construction, increased funds for outreach and meeting the needs of special clients such as the blind, handicapped, and institutionalized, support for information and referral services, and adequate support to state agencies to permit the administration of these programs and for strengthening the capability of state agencies to meet the needs of the people of the states. (See attached document on the National Library Act.)
- F. Enactment of new legislation which will set guidelines for the establishment of a school library media center in each school and that states set standards for school library media centers in all schools and that local school districts plan and implement an appropriate program for their community which fits within the federal and state guidelines. Enactment of new legislation which will increase the number of certified school library media personnel in school library media centers, and authorize innovative demonstration projects and require library media instruction for all students.
- G. Enactment of new or amended legislation which will authorize increased support for academic and research libraries, provide support for academic library facilities, facilitate research collection development and expand materials preservation and personnel development programs.
- H. Establishment of a National Library Service for the Deaf as a new unit of the Library of Congress with appropriate additional funding.

- I. Enactment of a National Indian Omnibus Library Bill.
- J. Progress toward an equitable and reasonable pricing structure for federal documents to ensure their availability to all libraries not part of the federal depository system. Strengthen and expand the system of federal depository libraries, including regional depositories.
- K. Support increased funding for the National Endowment for the Arts and the National Endowment for the Humanities.
- L. Support reauthorization of the National Historical Publications and Records Commission with sufficient funding to permit it to implement needed programs.
- M. Enactment of legislation restoring tax incentives for authors and artists to encourage the donation of their manuscripts and original works in all formats to libraries and museums.
- N. Enactment of federal programs eliminating international barriers to the exchange of library materials and information to encourage transnational data flow and providing support for the development and adoption of national and international standards.
- O. Appointment of at least one youth representative to the National Commission on Libraries and Information Science.
- P. Safeguard the public interest and ensure public access to information in legislative developments dealing with such areas as copyright, telecommunications, off-air taping, electronic data flow, and revision of the Communications Act of 1934.
- Q. Support efforts toward: National information policies that facilitate access to information about federal government activities and programs and to information generated by the government; national information policies that encourage presentation of government information in clear style and convenient formats; development of policies concerning ownership of information that ensure development incentives while ensuring maximum citizen access.
- R. Enactment of legislation which will: provide adequate funding to promote and encourage research and development of new information technologies and information delivery systems, provide adequate funding for direct support for development of computer-based network services to promote delivery of information to all citizens

Adopted by the Council of the  
American Library Association  
January 24, 1980

SUGGESTED MODIFICATIONS TO THE PROPOSED NATIONAL LIBRARY ACT (S. 1124)

1. Change the title of the bill to the National Library and Information Services Act.
2. Delete in its entirety any and all references to an independent National Library Agency, including Title I, and vest responsibility for the administration of this act with the Assistant Secretary for Libraries and Information Services in the Department of Education, and the appropriate state library agency. Substitute "Assistant Secretary" for "Director" throughout this bill.
3. Change Title V (Interlibrary Cooperation) to Title I (Interlibrary Cooperation and Network Support) in the text of this bill. Add a new section which would set aside 15 percent of the funds for federal discretionary grants to networks.
4. Delete in Title II, Sec. 204(3), which pertains to the "national standard of per capita support" and (4) B and C which pertain to percentile formulae for local, state and federal support for public libraries. Within the states, funds would be distributed according to state plans, conforming to the factors specified in the legislation such as population, with special emphasis upon taxable valuation, population distribution, local effort, and rural, urban and economically depressed areas.
5. Under Title IV (Special User Needs), change Sec. 402(4) to read "library services to the aging, the developmentally disabled, those with learning disabilities and the handicapped." Add to this section a new paragraph (8) "establishment of information and referral centers in cooperation with other community and educational institutions."
6. Under Title II, Sec. 202(b), change the language to read "Subject to such limitations and criteria as the Assistant Secretary shall establish by regulation, grants to States under this title may be used (1) to pay for planning and evaluation, studies and research, coordination with other federal library grant programs, planning for state network development and coordination with regional and/or national networks, continuing education and staff development of personnel crucial to the effective implementation of this Act, and administration of federal grant funds available under this Act, and (2) for strengthening the capacity of State library agencies for meeting the needs of the people of the States." Add paragraph (c) "Any state library agency matching funds required under the provisions of this title shall be in the same ratio (federal-state) as other titles in this Act. Further, funds received from this title are supplemental and are not intended to replace state funds needed for state library agency operation or use federal funds to carry out the state responsibilities."
7. Allow training under other titles as appropriate, but delete Title VI (Library Personnel Development) with transfer of the funding component to HEA for the establishment of training and developmental programs for all types of librarians.
8. Substitute for Title V a new title directed toward the establishment of national and statewide programs designed to inform the public of services and resources available from all types of libraries.
9. In the funding elements of the bill, substitute specific authorization levels in all titles, and make necessary changes as a result of these proposed modifications.

## PROPOSED NATIONAL LIBRARY ACT (S. 1124)

### COMPARISON WITH EXISTING PROGRAMS

For the most part, this background piece highlights the major differences between S. 1124 and the Library Services and Construction Act. It also notes overlap between the provisions of S. 1124 and other existing programs or agencies. It should be used in conjunction with the text of S. 1124.

Title I, National Library Agency, Nothing comparable in LSCA. S. 1124 would establish an independent National Library Agency in the executive branch, with a Director, Deputy Director, and Board of Governors appointed by the President with the advice and consent of the Senate.

Functions of the agency would be as follows:

- 1) Administer S. 1124. (LSCA is administered by the Office of Libraries and Learning Resources in the U.S. Office of Education.)
- 2) Plan and coordinate a national library and information network. (National network planning now done by NCLIS.)
- 3) Plan and coordinate interlibrary cooperation (now partially under LSCA III, NCLIS), including national and regional library and information resource centers (LSCA I & HEA II-C), aid to state library agencies (LSCA), creation of inter-institutional catalogs, transmission of bibliographic information, and joint operation of communications facilities. (The latter three are possible under Higher Education Act II-B demonstration and II-C research library programs.)
- 4) Plan and coordinate transmission of information to public libraries concerning federal and state programs. (Some piecemeal authority exists.)
- 5) Plan and coordinate a network of federal libraries and agency information services. (Overlaps to a considerable extent with programs of national libraries--LC, NAL, NLM--and Federal Library Committee.)
- 6) Conduct research programs. (HEA II-B, NCLIS, national libraries.)
- 7) Establish cooperative library exchange programs with foreign libraries, including translation and distribution of library materials and where appropriate establish and maintain American information libraries abroad. (International Communications Agency libraries abroad, Library of Congress and other exchange programs.)
- 8) Assist in development of library resources of U.S., including acquisition of foreign materials, improved cataloging procedures, preservation of library materials and encouragement of technological advances. (Partially under LC foreign acquisition, cataloging and preservation programs, HEA II-B and C.)
- 9) Plan and implement a national plan for distribution of government publications. (Government Printing Office depository library and sales programs.)
- 10) Plan and coordinate collection and dissemination of statistical data relating to library services. (National Center for Education Statistics library surveys and publications.)
- 11) Sponsor cultural services for use by libraries with limited resources. (Some National Endowment for Arts, National Endowment for Humanities programs.)

Title II, Library Services. S. 1124 authorizes such sums rather than \$150 million as in LSCA. It transfers the priority under LSCA I for services to special user groups to a new title IV.

Under LSCA I the federal share ranges from 33 to 66 percent based on a ratio of the state's per capita income to the average U.S. per capita income. Under S. 1124 the federal share would drop from 30 to 20 percent over 5 years; the state share

must rise from 20 to 50 percent, and the local share drops from 50 to 30 percent. At the end of 5 years states must provide \$2.50 for every federal dollar; localities must provide \$1.50 for every federal dollar. However, the amount spent to carry out the state plan could not exceed the national minimum standard of per capita expenditures for library services. States would distribute federal funds among public libraries on a per capita basis to the extent practicable.

While many of the priority uses of LSCA I funds are dropped or transferred, new language is added: equitable service to all citizens "including children, students, adult learners, and older readers;" statewide services to be performed or furnished on a per capita basis to the extent practicable; and "such dissemination projects as may be necessary." To receive funds, public libraries would be required to share resources on an exchange basis with other public libraries in the state, and the annual program plan must set forth procedures for the establishment of a statewide library network based upon shared resources.

Title III, Public Library Construction. Generally comparable to LSCA II. S. 1124 authorizes \$150 million per year; LSCA II authorizes \$97 million in FY 1982. However, Congress has not appropriated funds for LSCA II since FY 1973.

Title IV, Public Library Programs to Meet Special User Needs. "Such sums" would be authorized in S. 1124 for this new title, although many of its functions can be carried out under the current LSCA I. The federal share would be 100 percent, with a \$40,000 state allotment. Specific uses of funds for which nothing comparable exists in the LSCA statute include: adult literacy training programs, job information services and career counseling in high unemployment areas, English language instruction, and special technical or other reference services to serve business, employee, scientific, or other special groups.

Title V, Interlibrary Cooperation. Similar to LSCA III with some expansion of the uses of funds to include maintenance as well as planning and development of cooperative library networks "on an intrastate, statewide, regional, and national basis," and to include "bibliographic access, communications and delivery systems."

The "major urban resource library" concept of LSCA I seems to have been expanded and transferred to title V. Funds could be used "for financial assistance for collection maintenance or development in major resource libraries identified in the State plan, including major urban resource libraries, major academic libraries, and where appropriate, privately funded library collections which are heavily used as library resources by public libraries in the State."

Title VI, Library Personnel Development. Nothing comparable in LSCA although some training activities have been funded under LSCA I. Considerable overlap with HEA II-B training programs. "Such sums" would be authorized, with a \$40,000 state allotment. The federal share would be 100 percent. Funds could be used "for scholarships and fellowships within the State for library personnel, and for training and in-service training for information specialists, community liaison library personnel, community advisors for learners, and other library personnel necessary to meet special library user needs." Funds could be transferred to higher education institutions for these purposes.

Title VII, Miscellaneous Provisions. Nothing comparable in LSCA. Would repeal LSCA and provide for transfer of personnel and property.

American Library Association  
Washington Office  
January 1980

RESOLUTION ON AN ASSISTANT SECRETARY FOR LIBRARY AND INFORMATION SERVICES

WHEREAS, the American Library Association has consistently supported the establishment of a separate Department of Education with a concomitant elevation of the status and level of support of library and related programs, and

WHEREAS, the recently-established Department of Education will be in operation no later than May 29, 1980;

THEREFORE BE IT RESOLVED, that the American Library Association reaffirms its January 1979 resolution of support for the Department of Education, and further supports the resolution adopted November 19, 1979 by the White House Conference on Library and Information Services\* which recommends an Office of Library and Information Services directed by an Assistant Secretary of Education, and

BE IT FURTHER RESOLVED, that the American Library Association make every effort to secure the establishment of such an Office to include all functions currently encompassed in the Office of Libraries and Learning Resources and such other functions as may be appropriate.

Adopted by the Council of the  
American Library Association  
January 24, 1980

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\* Resolution adopted by the White House Conference on Library and Information Services  
November 19, 1979

ASSISTANT SECRETARY FOR LIBRARY AND INFORMATION SERVICES

WHEREAS, libraries are a vital element in the process of lifelong learning and education, and

WHEREAS, a national focus and a national priority for libraries as centers for information, education and lifelong learning are needed to provide national coordination for all types of libraries, and

WHEREAS, the new Department of Education has not provided for or recognized the need for a separate and distinct administrative office within this department.

THEREFORE BE IT RESOLVED, that an Office of Library and Information Services be established within the Department of Education directed by an Assistant Secretary of Education, and

BE IT FURTHER RESOLVED, that this Secretary shall administer all grants and programs currently administered by the Office of Libraries and Learning Resources and shall establish communications with all Federal programs related to library and information services, and

BE IT FURTHER RESOLVED, that a representative from the White House Conference on Library and Information Services testify on this resolution before the Congressional hearing on Monday, November 19, 1979.

RESOLUTION ON DATA NEEDED FOR THE COPYRIGHT FIVE-YEAR REVIEW

WHEREAS section 108(1) of the Copyright Act of 1976 mandates a five-year review to determine to what degree the Act has balanced the rights of users to access with the rights of proprietors of copyrighted material, and

WHEREAS the National Commission on New Technological Uses of Copyrighted Works noted in its Final Report of July 31, 1978, that: "Many assertions were made concerning the economic impact of photocopying on journal publishing during the debates in the twenty-year effort of Congress to revise the copyright law, but little statistical or other factual evidence to substantiate these assertions was presented," and

WHEREAS only statistical data can measure economic impact, and

WHEREAS the American Library Association, in a resolution adopted by its Council on June 29, 1978, offered "its support to the Register of Copyrights including advice, resources, and research capability in developing some of the data needed for the five-year review," and will do so in matters relative to user access to copyrighted material, and

WHEREAS statistical data describing the economic impact of photocopying on journal publishing can be provided only by copyright proprietors;

THEREFORE BE IT RESOLVED that the American Library Association urge the Copyright Office to request that copyright proprietors provide statistical data describing the economic impact on authors and proprietors of the library reproduction provisions of the Copyright Act of 1976.

Adopted by the Council of the  
American Library Association  
January 24, 1980

FUNDS FOR LIBRARY AND RELATED PROGRAMS

<u>LIBRARY PROGRAMS</u>	<u>FY 1980</u> <u>Appropriation</u>	<u>FY 1981</u> <u>Authorization</u>	<u>Carter</u> <u>FY '81 Budget</u>
ESEA Title IV-B - School Libraries	\$171,000,000 <sup>1</sup>	Necessary Sums	\$171,000,000 <sup>1</sup>
GPO Superintendent of Documents	23,000,000	44 USC 301	26,200,000
HEA Title VI-A - Undergrad. Equipment	-0-	70,000,000	-0-
Higher Education Act - title II	11,987,500	140,000,000	12,988,000
Title II-A - College Lib. Resources	4,988,000	84,000,000	4,988,000
II-B - Training	667,000	23,976,000	500,000
II-B - Demonstrations	333,000	12,024,000	500,000
II-C - Research Libraries	6,000,000	20,000,000	7,000,000
Library of Congress	177,491,000	2 USC 131-170	196,526,000
Library Services & Construction Act	67,500,000	170,000,000	74,500,000
Title I - Library Services	62,500,000	150,000,000	62,500,000
II - Pub. Lib. Construction	-0-	Necessary Sums	-0-
III - Interlibrary Cooperation	5,000,000	20,000,000	12,000,000
Medical Library Assistance Act	9,925,000	18,500,000	9,831,000
Nat'l. Commis. Lib. & Info. Science	668,000	750,000	699,000
National Library of Medicine	34,732,000	40 USC 275	34,899,000
USDA SEA Technical Information Systems <sup>2</sup>	7,835,000	7 USC 2204	8,789,000
<u>LIBRARY-RELATED PROGRAMS</u>			
Adult Education Act	100,000,000 <sup>1</sup>	270,000,000	120,000,000 <sup>1</sup>
Community Schools	3,138,000	55,000,000	3,138,000
Consumers Education	3,617,000 <sup>3</sup>	5,000,000	3,617,000 <sup>3</sup>
Corporation for Public Broadcasting	172,000,000 <sup>1</sup>	Formula Based	182,000,000 <sup>1</sup>
Educ. Handicap. Children (state grants)	874,500,000 <sup>1</sup>	Formula Based	922,000,000 <sup>1</sup>
Education Information Centers	3,000,000	40,000,000	-0-
Education TV Programming	6,000,000 <sup>1</sup>	Necessary Sums	6,000,000
ESEA Title I-Educ. Disadv. Children	3,115,593,000 <sup>1</sup>	Formula Based	3,369,772 <sup>1</sup>
II-Basic Skills Improvement	35,000,000 <sup>1</sup>	30,000,000	40,000,000 <sup>1</sup>
IV-C-Educ. Innov. & Support	146,400,000 <sup>1</sup>	Necessary Sums	146,400,000 <sup>1</sup>
VII-Bilingual Education	166,963,000	999,000,000	192,000,000
IX-Ethnic Heritage Studies	3,000,000	15,000,000	3,000,000
Gifted & Talented Children	6,280,000	35,000,000	6,280,000
HEA Title I-A-Community Service	10,000,000	40,000,000	-0-
I-B-Lifelong Learning	-0-	40,000,000	-0-
III-Developing Institutions	110,000,000	120,000,000	120,000,000
VII-Construction & Renovation	54,000,000	580,000,000	26,000,000
IX-A&B Grad/prof. Ed. Opport.	8,850,000	Necessary Sums	13,000,000
Indian Education Act	75,900,000	Necessary Sums	100,950,000
Metric Education	1,840,000	20,000,000	1,840,000
Nat'l. Center for Educ. Statistics	9,947,000	30,000,000	11,793,000
National Endowment for the Arts	154,400,000	Needs new auth.	167,960,000
National Endowment for the Humanities	150,100,000	Needs new auth.	164,325,000
Nat'l. Historical Publ. & Rec. Comm.	4,000,000	4,000,000	4,000,000
National Institute of Education	77,100,000	125,000,000	88,100,000
NDEA Title VI-Foreign Language Devel.	17,000,000	75,000,000	23,000,000
Postsecondary Educ. Improvement Fund	13,500,000	75,000,000	17,000,000
Public Telecommunications Facilities	23,705,000	40,000,000	23,705,000
Teacher Centers	13,000,000	100,000,000	14,300,000
Telecommunications Demonstrations	1,000,000	1,000,000	1,000,000
Women's Education Equity	10,000,000	80,000,000	20,000,000

<sup>1</sup>Advance funded program.

<sup>2</sup>Formerly National Agricultural Library.

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