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C O N T E N T S

New Library Legislation	p. 1	Title 44 Revision	p. 4
Higher Education Act Extension.	p. 1	Intn'l. Exchange of Govt. Publs	p. 4
Appropriations, FY '81, ACTION NEEDED	p. 2	National Archives	p. 4
HEA II-B Grants	p. 2	ESEA Title IV Regulations	p. 5
Communications Act Revision	p. 3		

- Attachments: Status of Legislation Chart
National Library Resources Sharing Act, HR 7602
National Library and Information Services Act, S. 2859

New Library Legislation

Two measures have just been introduced by New York legislators in response to the recommendations of the White House Conference on Library and Information Services. The first is HR 7602, the National Library Resources Sharing Act, introduced June 17 by Rep. Elizabeth Holtzman (D-NY). It has four provisions: 1) to amend the Library Services and Construction Act to provide assistance to state library agencies for long-range planning for **library** services, 2) to set aside 15 percent of LSCA III interlibrary cooperation funding for grants to regional and national library networks, 3) to allow libraries to receive preferential telecommunications rates, and 4) to establish an Assistant Secretary for Library and Information Services in the Department of Education.

The second is S. 2859, the National Library and Information Services Act, introduced June 20 by Sen. Jacob Javits (R-NY) with several cosponsors. The bill is a major revision of Javits' National Library Act (S. 1124), and is described as a replacement for the existing Library Services and Construction Act which expires in FY 1982. Congressional Record reprints, with introductory statements and the texts of both bills, are attached to this newsletter.

Higher Education Act Extension

By a vote of 92-4 the Senate passed a five-year extension of the Higher Education Act on June 24, substituting the Senate version for the text of the House-passed bill, HR 5192. Although numerous amendments were adopted on the Senate floor, none affects the substance of the title II college library, library training and demonstrations, research library, and national periodical system provisions. Differences in these and other areas of HEA with the House-passed bill must be resolved by a House-Senate conference committee which is not expected to meet until after Congress reconvenes on July 20 following the Republican National Convention.

One amendment adopted on the Senate floor is a study or trial version of the Domenici-Bellmon optional consolidation bill. The amendment proposed by Sen. Henry Bellmon (R-OK) and adopted by the Senate would allow four to ten states and selected school districts within those states to consolidate the administration and operation

of elementary and secondary education programs to reduce paperwork and improve administration. The programs involved are the Elementary and Secondary Education Act, the Vocational Education Act, and the Education for All Handicapped Children Act. The National Institute of Education would summarize and analyze the results, with a report from the Secretary of Education due to Congress by January 1, 1983. Senators Bellmon and Pete Domenici (R-NM) have been proposing an optional consolidation plan for the past few years, most recently as S. 2270 introduced February 6. The House-passed HEA bill does not include such a provision.

Senate conferees on HR 5192 are Sens. Pell (D-RI), Williams (D-NJ), Randolph (D-WV), Kennedy (D-MA), Eagleton (D-MO), Stafford (R-VT), Javits (R-NY), and Schweiker (R-PA). House conferees have not yet been officially named, but are expected to be Reps. Ford (D-MI), Perkins (D-KY), Brademas (D-IN), Thompson (D-NJ), Biaggi (D-NY), Simon (D-IL), Peyser (D-NY), Gaydos (D-PA), Murphy (D-PA), Weiss (D-NY), Ratchford (D-CT), Bailey (D-PA), Buchanan (R-AL), Ashbrook (R-OH), Jeffords (R-VT), Edwards (R-OK), Tauke (R-IA), and Petri (R-WI).

Appropriations, FY 1981

Surprisingly, there is no Congressional action to report on the FY 1981 Labor-HEW Appropriations bill. It looks like the House Labor-HEW Appropriations Subcommittee will not meet to make its recommendations on education and library programs until after the Republican convention, and possibly not until after the Democratic convention. This would push floor action very close to the due date of August 27 for the second budget resolution, and might improve the climate for funding of these programs. It also provides an excellent opportunity for supporters of the LSCA, ESEA, HEA and medical library programs to contact members of Congress while they are home. Congress will be out from July 3 through the 20th for the July 4th holiday and the Republican convention, and from August 2 (Aug. 7 for the Senate) through the 17th for the Democratic convention.

ACTION NEEDED: Most vulnerable are the Higher Education Act II-A college library resources program and the II-B library training and demonstration program. HEA II-A, at the current level of \$4.9 million provides only a \$1,900 grant to eligible college libraries. Some librarians are finding that this amount is not even enough to persuade their administrations to maintain effort. The II-B training program has only \$667,000 -- not enough to fund any institutes this year. The II-B demonstration program has only \$333,000 -- barely enough to fund a couple of contract projects, not enough to respond to any needs or proposals from the field. To make matters worse, the Senate-passed HEA extension pegs authorization levels for these programs very close to appropriations levels. In today's climate, inadequate funding levels could become tomorrow's ceilings on future funding.

Academic librarians, library school faculty, and others who have an interest in seeing these programs continue should contact their members of Congress while they are home. Invite them to your library to see what federal funds have accomplished. Tell them what you won't be able to do if funding declines. This alert is aimed especially at library supporters in the districts of House Labor-HEW Appropriations Subcommittee members: Reps. Natcher (D-KY), Chair; Smith (D-IA), Patten (D-NJ), Obey (D-WI), Roybal (D-CA), Stokes (D-OH), Early (D-MA), Michel (R-IL), Conte (R-MA), O'Brien (R-IL), and Pursell (R-MI).

Higher Education Act II-B Grants

Library training grants have been awarded to 32 institutions of higher education to provide 101 fellowships for members of minority and disadvantaged groups, according to a June 20 Education Department announcement. The fellowship awards will fund associate of arts, master's, doctoral, and post-doctoral programs under the FY 1980 funding of \$667,000 for the Higher Education Act II-B program. Because of the small amount of funds available, no institutes will be funded this year. Interested fellowship applicants apply directly to the grantee institutions, not to ED.

Communications Act Revision

House subcommittee bill. The House Subcommittee on Communications approved HR 6121, a bill to amend the Communications Act of 1934, on June 18. The Subcommittee had originally approved the bill in January, but subsequently found that some of the bill's provisions were in need of further clarification.

HR 6121 is intended to bring about an orderly transition from the current system of Federal Communications Commission regulated telephone service to one of services subject to competition in the open market. Much of the controversy surrounding previous attempts to modernize the Communications Act has subsided since current efforts by the House Subcommittee are limited to restructuring the so-called "common-carrier" (communications for hire) as opposed to the broadcast services (TV and radio) portions of the Act. The greatest remaining controversy has focused on the issue of how to substantially deregulate the telephone industry while trying to ensure that AT&T does not trample all others endeavoring to offer innovative telecommunications services during a transition period of up to ten years.

Under the provisions of the bill, the FCC would continue to regulate basic telephone services, but not services utilizing telephone lines. A safety clause is included to permit the FCC to reassert regulatory authority in instances where competition has ceased to exist.

Close scrutiny by all involved will be necessary in order to determine the impact of the bill's provisions on library networks utilizing telecommunications services. It is the expectation of the members of the Subcommittee that innovative communications services would burgeon under an open competitive market, thus giving everyone access to a greater variety of services via modern telecommunications devices.

Senate bill. A bipartisan compromise effort, the Communications Act Amendments of 1980 (S. 2827), was introduced June 13 by Sen. Ernest Hollings (D-SC), Chair of the Senate Communications Subcommittee. Cosponsors include Sen. Howard Cannon (D-NV), Chair of the full Senate Commerce, Science, and Transportation Committee; Bob Packwood (R-OR), ranking minority member of the full committee; Barry Goldwater (R-AZ), ranking minority member of the subcommittee; Harrison Schmitt (R-NM), also on the subcommittee; and Ted Stevens (R-AK).

Essentially a deregulation bill, S. 2827 nevertheless reaffirms the basic public service goals of the 1934 Communications Act and states that "basic telecommunications services must and can be provided and maintained at reasonable rates or prices in an environment of increased competition through appropriate financial and procedural safeguards incorporated into statutory and regulatory policies and industry relationships."

The legislation would have a significant deregulatory effect on the communications industry, including deregulation of customer premises equipment, resale of communications services, information services and other carriers who do not control essential transmission facilities. The Federal Communications Commission would have the authority to determine which services, in addition to basic telephone service, should be universally available and whether regulation is needed to ensure their universal availability.

The broadcast provisions of the bill would substantially deregulate licensees while maintaining the present public interest standard. License terms would be increased from three to five years and non-comparative methods of selection such as a lottery might be used to determine initial licensing. The bill would regulate cable television in the areas of ownership, retransmission of distant signals, and franchise fees; but there are no public access requirements, and states and the FCC would be precluded from requiring or prohibiting program origination, restricting rates for channel time on the cable system, and regulating rates charged to cable subscribers.

The full committee had scheduled markup for June 24, but postponed action after some members of the Senate expressed concerns similar to those voiced by members of the House about HR 6121. In the cast of the Senate bill, however, the matter goes beyond the question of how to control the enormous advantage AT&T would have in launching new telecommunications services in an unregulated environment. There is also controversy over a provision in the bill which would permit the FCC to have a hand in the restructuring of the Bell system.

Several provisions are designed to encourage telecommunications services at reasonable rates in rural areas. The Telecommunications Demonstration Program, presently in the Education Department, would be transferred to the Commerce Department and expanded from a \$1 million to a \$5 million authorization level. See the June 13 Congressional Record (pp. S7015-33, daily edition) for the text of S. 2827 and a useful summary of its provisions. A section-by-section analysis of the bill is in the June 20 Congressional Record (pp. S7662-7672).

Title 44 Revision

Movement of HR 5424 has slowed considerably since the winter months. Disagreement over the best way to update the existing law regarding public printing and documents has led to two Congressional committees reporting two divergent versions of the same bill.

On June 16, the House Rules Committee and the Government Operations Committee each ordered reported without recommendation the versions of the National Publications Act of 1980 passed by their respective subcommittees. In each case the committee chair was careful to point out that their changes were limited to those areas of the bill in which the committee had jurisdiction. The Government Operations Committee members, however, by accepting a substitute version, made it clear that they felt the new language offered by Chair Jack Brooks (D-TX) was an improvement over the bill as reported by the House Administration Committee. The reports to accompany the bill out of each committee are now available; H. Rept. 96-835, Part 2, contains the report from House Rules, and Part 3 is that of the Committee on Government Operations.

Although it is too early to be certain, the prospects for passage of any version of HR 5424 grow dimmer as the pace of election year activities quickens. Since nearly all concerned parties agree that some changes to the current law are overdue, it is possible that a compromise version of the current bills may make it through the House later this year. If not, it is almost certain that the issue will be picked up in early 1981.

International Exchange of Government Publications

What was to have been a simple transfer of responsibility for the international exchange of U.S. government publications from the Smithsonian Institution to the Government Printing Office (GPO) has developed into an inquiry into the contents of the documents being sent overseas. HR 7302, a bill to amend Section 1719 of Title 44 of the U.S. Code, is intended to place the distribution function with GPO as an efficiency move. According to the accompanying report (H. Rept. 96-1063) the Smithsonian has been paying the Superintendent of Documents for performing the shipping task since the end of 1977. The activity was easily absorbed alongside those already performed by the Superintendent. The Library of Congress is the recipient of foreign materials sent in return.

Passed on June 3, HR 7302 moved smoothly through the House in just four weeks. Once brought to the attention of Sen. James Sasser (D-TN), a member of the committee reviewing the proposed change in the program's status and the chair of the Subcommittee which would then review funding for the program as part of GPO, the intent of

the exchange itself came into question. In the Congressional Records for the dates of June 3 (daily ed., pp. S6198-9), June 11 (pp. S6695-6), and June 20 (p. S7673), Sen. Sasser expressed his concern regarding the wisdom of including certain materials as part of the exchange program. His concern centered primarily on the number of publications of a military and defense nature which are sent to hostile nations. Sen. Sasser asked that those responsible assure "...the appropriate balance...be struck between what we give and what we get." Sasser said he was not opposed to the concept of the exchange program, but believed "it ought to be cleaned up and left where it is in the executive branch."

The stability of the exchange program and the efficient distribution of materials as envisioned in the report are of concern to the Library of Congress as the recipient of materials from other governments. The Librarian of Congress has expressed his view that permanent placement of the program within GPO would be more beneficial to all in the long run.

National Archives and Records Service

Legislation which would increase the independence of the Archivist of the United States was introduced June 19, in the House (HR 7628) by Rep. Richardson Preyer (D-NC), Government Information and Individual Rights Subcommittee Chair, and in the Senate (S. 2852) by Sen. Robert Morgan (D-NC). No immediate action has been scheduled on either bill.

HR 7628 would elevate the Archivist to a Presidential appointee subject to Senate confirmation, and vest in the Archivist all title 44 USC records management authority. The bill is designed to insulate the position and place the Archivist in a better position to retrieve federal records retained by an individual such as former Secretary of State Henry Kissinger, according to a statement by Preyer in the June 19 Congressional Record (pp. H5430-31, daily edition). Preyer hopes the bill will also "serve to stimulate a thoughtful and serious discussion of the issues associated with a view espoused by many historians, genealogist and other scholars -- that the National Archives should be an independent entity, separate and apart from GSA."

The Senate bill would do just that -- establish an independent National Archives and Records Administration. The present National Archives and Records Service has been part of the General Services Administration since 1949, putting the nation's historical records in "the same category as toilet paper and brooms," according to Morgan's statement on S. 2852 (June 19 Congressional Record, pp. S7443-6, daily edition). Morgan's statement is useful for its historical background about the National Archives and previous attempts to gain independent status.

ESEA Title IV Regulations

Recent reports indicate the Department of Education plans to review the disputed Elementary and Secondary Education Act title IV regulations and three other sets of education regs recently vetoed by Congress. The Administration maintains that Congress' action was unconstitutional, but a legal battle may be avoided if ED issues revised regs which respond to the concerns of Congress. House Education and Labor Committee Chair Carl Perkins (D-KY) and most members of the committee wrote to Secretary of Education Shirley Hufstedler recently to object to reports that ED planned to ignore the disapprovals. Rep. Elliott Levitas (D-GA) has begun offering amendments to appropriations bills which if passed would not allow funds to be used to implement regulations vetoed by Congress.

STATUS OF LEGISLATION OF INTEREST TO LIBRARIANS 96th Congress, 2nd Session Convened January 22, 1980 Chart Date: June 26, 1980	HOUSE					SENATE					FINAL ACTION		
	Introduced	Hearings	Reported by Subcommittee	Committee Report	Floor Action	Introduced	Hearings	Reported by Subcommittee	Committee Report Number	Floor Action	Conference Report	Final Passage	Public Law
Arts & Humanities Endowments ext.	HR 7153	X		937		S 1386	X	X	557	X			
Asbestos School Hazard Detection	HR 3282	X	X	197	X	S 1658	X	X	710	X	none	X	PL 96-270
Communications Act Revision	HR 6121		X			S 2827							
Congressional Budget Targets - FY 1981	H Con Res 307	X		857	X	S Con Res 86	X		654	X	1051	X	
Criminal Code Revision	HR 6915	X				S 1722	X		553				
ESEA IV regs - disapproval resolution	S Con Res 91				X	S Con Res 91			769	X		X	
Higher Education Act extension	HR 5192	X	X	520	X	S 1839	X	X	733				
Internat'l. Exchange of Govt. Pubs.	HR 7302	X		1063	X								
LC - rename main, annex bldgs.	HR 6994	X			X	S 2517			686	X			PL 96-269
Literacy Commission	H J Res 316					S J Res 70							
LSCA - maintenance of effort	HR 4271												
National Archives - increase independence	HR 7628					S 2852							
Nat'l. Commission - Info. Tech. in Educ.	HR 4326	X											
National Library & Info. Services Act						S 2859							
Nat'l. Library Resources Sharing Act	HR 7602												
National Science Foundation authorization	HR 7115	X		999		S 568	X	X	713				
Paperwork Reduction Act	HR 6410	X	X	835	X	S 1411	X						
Postal Service Act	HR 79	X	X	126	X	S 2558	X		776				
Public Works & Econ. Dev. Amends.	HR 2063	X		180	X	S 914	X		270	X			
Revenue Sharing Extension	HR 7112	X	X			S 2574	X						
Small Community Lib. Services Asst. Act	HR 4234												
Tax Incentive - Manuscript Donations	HR 2498					S 1078	X						
Title 44 Revision	HR 5424	X	X	836		S 1436	X						
Youth Act	HR 6711	X	X	1034		S 2385	X						
<u>Appropriations</u>													
Supplemental & rescissions, FY 1980	HR 7542	X	X	1086	X	HR 7542	X	X	829				
Agriculture, FY 1981	HR 7591	X	X	1095		HR 7591	X						
HUD & Independent Agencies, FY 1981	HR 7631	X	X	1114			X						
Interior & Related Agencies, FY 1981	No number yet	X					X						
Labor-HEW FY 1981	No number yet	X					X						
Legislative Branch FY 1981	HR 7593	X	X	1098		HR 7593	X						
State, Justice, Commerce FY 1981	HR 7584	X	X	1091		HR 7584	X						
Treasury, Postal Service FY 1981	HR 7583	X	X	1090		HR 7583	X						

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



Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, TUESDAY, JUNE 17, 1980

No. 99

House of Representatives

HR 7602, The National Library Resources Sharing Act, was introduced June 17 by Rep. Elizabeth Holtzman (D-NY) in response to the recommendations of the White House Conference on Library and Information Services. The bill has four provisions: 1) to amend the Library Services and Construction Act to provide assistance to state library agencies for long-range planning for library services, 2) to set aside 15 percent of LSCA III interlibrary cooperation funding for grants to regional and national library networks, 3) to allow libraries to receive preferential telecommunications rates, and 4) to establish an Assistant Secretary for Library and Information Services in the Department of Education.

NATIONAL LIBRARY RESOURCES SHARING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Ms. HOLTZMAN) is recognized for 5 minutes.

● Ms. HOLTZMAN. Mr. Speaker, recently the first White House Conference on Library and Information Services was held, and over 900 delegates and alternates from every State and the U.S. territories attended. Today, I am introducing the National Library Resources Sharing Act of 1980 in an attempt to carry out some of the most important suggestions to be made by the White House conference delegates.

In these times of severe budget limitations, my bill seeks to assure the more efficient use of existing library facilities. The bill provides for the expanded use of telecommunications and new technologies to distribute information faster and more efficiently to library users as well as to persons with limited access to current library resources. It seeks to assure that libraries can receive preferential communication rates for these services thereby keeping down their costs. The bill calls on State library agencies to engage in long range planning for the best possible use of limited resources. Finally the bill provides for elevation of library responsibilities within the new Department of Education by providing for an Assistant Secretary for Library and Information Services.

Libraries today are facing severe budget cuts while at the same time demand for their services increases. In New York City, library hours have been cut in half since 1970 and currently 82 branches in New York City fall below the New York State standard of minimum weekly hours. Statewide the picture is only less bleak with 38 percent of the libraries failing to meet the minimum hours requirement.

If we are to make the most efficient use of library facilities we must increase the sharing of resources and the use of new telecommunication mechanisms which enable libraries in all parts of the country to share programs and services. New technologies are important tools for libraries today, in the dissemination of information. The explosive development of information and communication technologies, including cable television, mini- and micro-computers, videocassette technology, video discs and satellite communication will increasingly make possible heretofore unexplored possibilities for access to information by the public at low cost. Energy savings will be an important result of this ability of libraries to provide information directly to individuals who seek it.

Under my proposal, the Library Services and Construction Act (LSCA) title III, Inter-Library Cooperation, would be amended to establish a 15-percent set-aside of title III appropriations specifically for the development of regional and national library networks, which would

share resources and make efficient use of new technologies. My bill also provides for long planning by State library agencies which aims at improving the ability of the State agency to determine the needs of people of the States for all types of library and information services and to make better use of their present facilities. The planning should include consultations with citizens, local and State officials and others who can assist in the long-term development of public, school, and college library services within the State.

The legislation seeks to insure that such new telecommunication technologies can be inexpensively implemented by allowing these systems to receive preferential telecommunication rates.

I am also proposing a new position of Assistant Secretary for Libraries be established in the Department of Education because that given the importance of libraries in the educational process there should be an advocate at the highest level of that Department.

I want to commend the delegates to the White House Conference on Libraries for the fine work which they have done. I hope that my bill can begin the process of implementing many of their innovative and cost-saving recommendations.●

(Page H 5122)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That this Act may be cited as the "National Library Resources Sharing Act of 1980".

SEC. 2. (a) Section 102(b) of the Library Services and Construction Act is amended by striking out "and" before "(2)", and by inserting before the period at the end thereof the following: ", and (3) to make funds available to State Library administrative agencies for the purpose of developing long-range plans for library services of all types".

(b) Section 302 of the Library Services and Construction Act is amended--

(1) in subsection (a), by striking out "Funds" and inserting in lieu thereof "Subject to subsection (c), funds"; and

(2) by adding at the end the following new subsection:

"(c) Of the amounts appropriated under paragraph (3) of section 4(a), 15 percent shall be made available for grants to existing regional and national cooperative networks of libraries. Such grants shall be provided directly to library networks which have submitted applications therefor which have been approved by the Assistant Secretary for Library and Information Services. No such application shall be approved unless the application includes an endorsement of at least one State library agency."

(c) Title III of the Library Services and Construction Act is further amended by adding at the end the following section:

"AUTHORITY FOR PREFERENTIAL COMMUNICATION INTERCONNECTION SERVICES

"SEC. 304. Nothing contained in the Communication Act of 1934 or in any other law shall be construed to prevent United States communications common carriers from rendering, subject to such regulations as the Federal Communications Commission may prescribe, free or reduced rate communications interconnection services for interconnection systems for nonprofit library and educational activities."

SEC. 3. (a) Section 202(b)(1) of the Department of Education Organization Act is amended--

(1) in subparagraph (F) by striking out "and";

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following:

"(G) an Assistant Secretary for Library and Information Services; and"

(b) Title II of the Department of Education Organization Act is further amended by adding at the end thereof the following new section:

"OFFICE OF LIBRARY AND INFORMATION SERVICES

"SEC. 215. There shall be in the Department an Office of Library and Information Services, to be administered by the Assistant Secretary for Library and Information Services appointed under section 202(b). The Secretary shall delegate to the Assistant Secretary all functions administered before the effective date of this Act by the Office of Libraries and Learning Resources of the Department of Health, Education, and Welfare, and such other functions of the Department pertaining to library and information services as may be appropriate."



Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

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No. 102

Senate

NATIONAL LIBRARY AND INFORMATION SERVICES ACT, S. 2859, By Sen. Jacob K. Javits (R-NY), and Co-sponsors Edward M. Kennedy (D-MA), Jennings Randolph (D-WV), Claiborne Pell (D-RI), Robert T. Stafford (R-VT), and Harrison A. Williams, Jr. (D-NJ).

By Mr. JAVITS (for himself, Mr. KENNEDY, Mr. RANDOLPH, Mr. PELL, Mr. STAFFORD, and Mr. WILLIAMS):

S. 2859. A bill to promote the further development of public library services, and for other purposes; to the Committee on Labor and Human Resources.

NATIONAL LIBRARY AND INFORMATION SERVICES ACT

Mr. JAVITS. Mr. President, today I am introducing, joined by Senators KENNEDY, RANDOLPH, PELL, STAFFORD, and WILLIAMS, the National Library and Information Services Act, a comprehensive bill to provide for coordination of interlibrary resource sharing and to expand the Federal Government's support of public library services for all segments of the population. Our bill, which is based on legislation, S. 1124, which I introduced on May 14 of last year, with Senators KENNEDY and RANDOLPH, for the purposes of study by the delegates to the White House Conference on Library and Information Services, is the culmination of many months and years of work in preparation for the Conference, which was held in November 1979. It incorporates the principal legislative recommendations approved by the Conference delegates, and is intended to replace the existing mechanism of Federal support for public libraries, the Library Services and Construction Act, which expires in 1982.

The purpose of our initial legislation, S. 1124, was to provide a focus for debate of the key issues facing libraries in connection with the White House Conference, including relationships among the State, local, and the Federal governments in providing funding, interlibrary cooperation, planning, construction, and the methods of meeting special user needs. S. 1124 served that purpose as a fulcrum for consideration of these and

other critical issues at the Conference, and the current bill represents a broad consensus of all the major library and information organizations which so far addressed the issue of comprehensive legislation. With the recommendations of the White House Conference in hand, and the expiration of the Library Services and Construction Act shortly upon us, the time is now ripe for full congressional hearings and final amendment prior to enactment.

THE NEED FOR THIS LEGISLATION

The Nation's library system has not kept pace with the information needs of present-day America. We require a bold new initiative on both national and State

levels to make better use of existing resources and to develop new techniques for information access and sharing.

Many local public libraries across the country are in deep trouble. Sharp inflationary cost increases, combined with budget cuts, have forced staff layoffs, reduced hours, and lower purchasing of library materials, books and periodicals in many communities. Local taxpayer revolts against regressive property and sales taxes (like California's proposition 13) have increased the pressure to close branches and retrench generally.

Meanwhile the demand for library services has been surging. Older citizens are jamming reading rooms of public libraries as never before. People out of work have learned that libraries can help them with job information and career changes. Adult self-learners have joined college and high school students in using public libraries as study and research centers. The poor, the disabled, the illiterate, the non-English speaking, the institutionalized—all are hungering for the information and library services that are as rightfully theirs as they are of the affluent and middle income members of society.

Over 80 percent of the cost of the Nation's public libraries is borne by local government. The State and Federal Governments together pay less than 20 percent. Yet public libraries provide services which plainly should be available to all, regardless of race, creed, or economic status. Such services should be funded fairly with the goal of guaranteeing adequate library services for the residents of every city, town, village, hamlet, and farm of every State in the land.

GENERAL PROVISIONS OF THE BILL

The bill brings together in one comprehensive piece of legislation the principal suggestions made by various library groups over the course of several years. Most of the provisions are familiar to those who are active in the field. The major provisions of the bill will accomplish the following: First, expand the responsibilities of the U.S. Department of Education in providing support for coordinated library and information services nationally and internationally while preserving local control over State and local library services; second, provide funding for local, regional, national and international information networks linking all publicly funded libraries and all private libraries who wish to participate; third, authorize Federal matching funds to support public library services; fourth, provide matching funds to spur public library construction and renovation; fifth, specifically authorize Federal grants to meet the special needs of library users, such as rural residents, the functionally illiterate, handicapped, disadvantaged; and sixth, support State planning and public awareness programs and the training of local personnel in library skills.

BASIC PROVISIONS

The bill redefines the responsibilities of the Department of Education's Office of Library and Learning Technologies to coordinate research into innovative library techniques and to plan and coordinate sharing of information and re-

sources. The functions of the proposed agency incorporate many of the recommendations of the White House Conference as well as those of the American Library Association. The bill makes it clear that what is intended is a service agency with no direction or control over local library administration, selection of personnel, or the purchase of library books and materials. It is contemplated that the office will come under the jurisdiction of an Assistant Secretary for Library and Information Services when and if that post is established.

TITLE I. INTERLIBRARY COOPERATION

Federal funds appropriated under this title would be used for planning, development, and maintenance of cooperative library networks on local, State, regional, and national levels; pooling the resources of different kinds of libraries (including school, academic, public, and special) for joint access and exchange of materials; and providing financial aid for research libraries whose collections are used by the general public.

TITLE II. OPERATING FUNDS FOR PUBLIC LIBRARIES

The Federal share of matching funds would be based on the Hill-Burton formula, taking into account the economic resources of the various States. A maximum of 5 percent of the funds authorized by this title could be used to meet State administrative costs, and the balance would be distributed to local public libraries on the basis of population, with appropriate adjustments provided for by State regulation. The funds would be used for general library operating expenses, including acquisitions, staff, heat, light, and similar costs. This would be continuing year-to-year support, rather than short-term demonstration grants as under present limited LSCA funding.

TITLE III. PUBLIC LIBRARY CONSTRUCTION

There have been no Federal construction funds for libraries for the past several years, and the need for renewal of this assistance, particularly for unserved and underserved communities, is very real. All construction grants would be joint Federal-State matching funds, again based on the Hill-Burton formula, and would permit acquisition of existing structures and conversion for library purposes.

TITLE IV. PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

People who live in rural, sparsely populated, and impacted areas would be eligible for special library funds under this title, which is also intended to fund special services to meet problems not uniform in the general population—problems like illiteracy, high unemployment, inability to speak English, physical handicaps, people who are institutionalized, the economically and educationally disadvantaged, and other groups with special needs. These special library service grants would be financed entirely out of Federal funds allocated under State plans.

TITLE V. PLANNING AND DEVELOPMENT

Grants under this title are to be used for planning and strengthening of State library systems, public awareness programs, and training of library personnel

in the local communities, including trustees.

Mr. President, I ask unanimous consent that an index to the National Library Services and Information Services Act, and a cross-reference from the relevant resolutions adopted by the White House Conference to the sections of the act be printed in the RECORD. I also ask unanimous consent that the Senate submit portfolio, containing the signatures of delegates and alternates to the Conference petitioning the Congress and the President to enact a National Library Act, to be made part of the National Archives, and that the statement of purposes for this petitioning be made part of the RECORD.

I also ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material and bill were ordered to be printed in the RECORD, as follows:

NATIONAL LIBRARY AND INFORMATION SERVICES ACT INDEX AND CROSS-REFERENCE GUIDE

(The following is an index to the sections of the proposed National Library and Information Services Act, together with a cross reference to relevant resolutions adopted by the White House Conference on Libraries and Information Services, using the letter and numbering code employed in the final report on Conference Resolutions adopted by the Committee of the Conference in Chicago on January 5, 1980.)

DECLARATION OF POLICY AND PURPOSE

Section 2(a) Policy of U.S. to promote universal library and information services; provide all persons access to information on public programs; access to government information repositories on public issues; and free, equal and open access to all publicly funded library and information services.

(b) Purpose of act to promote and assist inter-library cooperation; public library services, construction, and special programs; and strengthen state library agencies and library personnel.

(c) Purpose to preserve the tradition of local control.

DEFINITIONS

Section 3. The following terms are defined: Agency; Administration of the Act; Annual Program; Basic State Plan; Criteria for determining adequacy of public library services; Construction; Director; Disadvantaged persons; Functionally illiterate; inter-library cooperation; Library; Library materials; Library service; Long-range program; Physically handicapped; Network; Public Library; Public library services; Research library; State; State Advisory Council on Libraries; State institutional library services; State library administrative agency; and Strengthening the State library administrative agency.

AUTHORIZATION OF APPROPRIATIONS

Section 4. (a) General authorization provisions for appropriations: "such sums as may be necessary" for titles II, IV and V; \$20,000,000 for title I; \$150,000,000 for Title III.

(b) Provision for forward funding of expenditures into following fiscal years.

ALLOTMENTS TO STATES

Section 5. (a) Procedure for allotting appropriation to states.

(b) Authorization for reallocation of unexpended funds.

PAYMENTS TO STATES

Section 6. (a) Requirements for States to ratify for funding: a basic State plan, an annual program, and a long-range plan, plus maintenance of local and State funding.

(b) Federal share of costs under titles I,

IV and V to be 100%; under titles II and III a sliding scale from 33% to 66%, based on each State's per capita income.

FUNCTIONS OF THE AGENCY

Section 7. Department of Education library agency to have responsibilities in these areas: (1) financial assistance programs under the Act; (2) network planning including a national periodical system and national lending library; (3) interlibrary cooperation; (4) information transmission for library users; (5) access to government information; (6) national standards; (7) hardware and software compatibility; (8) new technology; (9) exchange with foreign libraries; (10) preservation of special collections; (11) public awareness campaigns; (12) library-community interaction; (13) National Indian Library Center; (14) government publications; (15) statistical data; (16) National Clearinghouse on Library and Information Services; and (17) Federal institutional library services.

ADMINISTRATIVE PROVISIONS

Section 8. (a)(c) Technical provisions relating to administration of library agency, including provision for the appointment of advisory committee by Secretary of Education.

STATE PLANS AND PROGRAMS

Section 9. (a)-(b) Provisions relating to requirements for the basic State plan and long-range program to qualify for Federal funding.

TITLE I—INTERLIBRARY COOPERATION AND NETWORK SUPPORT

Section 101. Grants to be made to States based on annual program for interlibrary cooperation between school, public, academic, and special libraries and information centers.

Section 102. (a) Funds to be used for: (1) network planning; (2) establishing and operating networks; and (3) special financial assistance to resource libraries;

(b) Up to 15 percent of funds may be used for international, multistate etc. networks;

(c) Participating libraries must agree to share resources.

Section 103. Requirements for State annual program for funds under Title I.

TITLE II—PUBLIC LIBRARY SERVICES

Section 201. Grants to be made to States based on an annual program for the provision, extension and improvement of public library services.

Section 202. Funds to be used for distribution to public libraries for general support purposes.

Section 203. Requirements for State annual program for funding under Title II. Funds to be distributed on a population basis, subject to adjustment.

TITLE III—PUBLIC LIBRARY CONSTRUCTION

Section 301. Grants to be made to States for construction of public libraries.

Section 302. Funds to be used for new construction, acquisition and conversion of existing structures, and remodeling to conserve energy.

Section 303. Requirements for State Annual program for funding under Title III.

TITLE IV—PUBLIC LIBRARY PROGRAMS TO MEET SPECIAL USER NEEDS

Section 401. Grants to be made to States for public library programs to meet special user needs.

Section 402. Funds to be used for: (1) rural, sparsely populated, and impacted areas; (2) literacy training; (3) job information services; (4) English language instruction; (5) the aging, disabled and physically handicapped; (6) patients, residents and inmates of institutions; (7) outreach programs; (8) technical services for special groups; (9) information and referral centers; (10) Indian library assistance; and (11) joint library programs with public agencies and cultural organizations.

Section 403. Requirements for State annual program for funding under title IV.

TITLE V—PLANNING AND DEVELOPMENT

Section 501. Grants to be made to States for planning and development.

Section 502. Funds to be used for: (1) state agency costs for planning, research and coordination; (2) strengthening state agencies and staff; (3) public awareness programs; and (4) in-service training and community recruitment of library personnel.

Section 503. Requirements for State annual program for funding under Title IV.

CROSS REFERENCE OF W.H.C. RESOLUTIONS TO SECTIONS OF PROPOSED NATIONAL LIBRARY AND INFORMATION SERVICES ACT

A. GOALS AND OBJECTIVES—TITLE AND PAGE

Approved in General Session:

A-1 The First Amendment and Public Issues 2(a); 7(9); 7(11); 402(9); 502

A-2 National Information Policy 2(a); 2(b); 2(c); 7(3)

A-3 National Policy for Free Access 2(a)

A-4 Literacy 402(2); 402(11)

A-5 Access to Library and Information Services 2(a); 2(6); 7(5); 102(c); 202; 302; 402(6); 7(1)

A-6 Public Awareness 7(11); 7(12); 502(3); 512(4)

Approved by Paper Ballot:

A-7 Intellectual Freedom and Contemporary Writing

A-8 Intellectual Freedom and Censorship

A-9 Local Control 2(c)

A-10 Access to Information

A-11 Access to Public Agency Information 2(a); 402(3)

A-12 Basic Legal Information

A-13 Public Library Association Mission Statement 502(4)

B. ORGANIZATION AND FINANCE—TITLE AND PAGE

Approved in General Session:

B-1 Assistant Secretary for Library and Information Services See 7

B-2 A National Library Act 3; 6(b); 8(a); 5); 402(1)

B-3 Federal Resources for Library and Information Services 7(12); 6(b); 9; 102(a) (3); 203; 402(1)

B-4 Archives and Historical Records

B-5 Tax Incentives for Donations of Authors and Artists

B-6 Pricing of Basic Federal Government Publications See 7(14)

B-7 State and Local Funding for Library and Information Services

Approved by Paper Ballot:

B-8 National Clearinghouse in Department of Education See 7(16)

B-9 Federal Funding Formulas 402(1)

B-10 Training Research and Development 7(12); 7(16); 502(4)

B-11 Preservation and Use of Research Collections 7(10)

B-12 Institute for Scientific and Technological Cooperation

B-13 Tax Exempt Status for Independent Libraries

B-14 Postal Rates

B-15 Postal Privilege

B-16 Delivery of Library Materials

B-17 A Federal Relations Network

C. TECHNOLOGY, RESOURCE SHARING AND EDUCATION—TITLE AND PAGE

Approved in General Session:

C-1 Technology and Uniform Standards 7(6); 7(7); 7(8)

C-2 Networking 7(2); 7(3); 102

C-3 School Libraries

Approved by Paper Ballot:

C-4 Technology for the Promotion of the Common Good

C-5 How to Effectively Use Computer Technology

C-6 Technology Transfer § 402(8)

C-7 Technology and Federal Programs 7(5); 7(6); 7(7); 7(8)

C-8 Technological Standards Research

C-9 Preservation of Library and Information Resources/Materials

C-10 Interagency Cooperation 7(5)

C-11 Elimination of Duplication

C-12 Telecommunication Networks. See title I

C-13 Interlibrary Cooperation. See title I

C-14 Cooperative Standards and Networking

C-15 Continuing Education for Librarians

C-16 Library Skills Instruction

C-17 Specialist Staff for State Library Leadership and Development 502(a) (2)

C-18 Training and Continuing Education and Staff Development § 502(4)

D. SPECIAL CONSTITUENT CONCERNS—TITLE AND PAGE

Approved in General Session:

D-1 Special Constituencies: Library Services to the Disabled and Hearing Impaired 402(5)

D-2 National Indian Omnibus Library Bill Sec 7(13); 402(10)

D-3 Information Systems in U.S. Territories

Approved by Paper Ballot:

D-4 Minority Needs 402(4); 402(7); 502(4)

E. INTERNATIONAL ISSUES—TITLE AND PAGE

Approved in General Session:

E-1 International Information Exchanges 7(9); 102(6)

E-2 Federal International Communication and Accountability

Approved by Paper Ballot:

E-3 International Conference

E-4 Center for International Studies

E-5 Establish an International Youth Library

E-6 International Copyright Agreement (None under F "Conference Followup and Commendation")

NATIONAL LIBRARY ACT

This portfolio contains the signatures of Delegates and Alternates to the White House Conference on Library and Information Services, petitioning the President and Congress of the United States to enact a National Library Act to provide permanent funding for the nation's public libraries. The proposal, introduced in study bill form by Senator Jacob K. Javits of New York and Senator Edward M. Kennedy of Massachusetts in May 1979, marks a milestone in one of America's major free institutions.

The nation's first free public library was established in Salisbury, Connecticut, in 1803, and received its first support from town funds in 1810. For 175 years public libraries have operated as local institutions, receiving primary support from the taxpayers of the community. With the expansion of private and governmental information services, along with citizen information needs, and the increasing demands on local taxpayers to fund many essential services, the time finally has arrived when significant and continuing Federal-State financial support for public libraries has become essential to their survival.

The National Library Act is designed to guarantee equitable funding for all public libraries in communities large and small, rich and poor, while preserving the independence of library decisionmaking in the hands of local citizens, trustees and administrators.

The movement for a National Library Act was initiated by two non-profit citizens organizations, the Urban Libraries Council and the National Citizens Emergency Committee to Save Our Public Libraries, and many other citizens and citizen committees. These signatures reflect the exercise of one of the American citizens' most highly prized constitutional rights—the right to petition the government for redress.

WASHINGTON, D.C. November 1979.

S. 2859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Library and Information Service Act".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) (1) It is the policy of the United States to establish, support and expand educational opportunities for individuals of all ages and conditions through the promotion of universal library and information services; to provide all persons ready and convenient access to information relation to publicly supported programs designed to provide assistance to those in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly; to implement the constitutional guarantees of free speech and free press through public access to all Government repositories of nonclassified information, especially information about public processes and the various sides of public issues; and to provide to all persons, without regard to their educational attainment, individual ability or economic condition, free, equal and open access to all publicly funded library and information services.

(2) In order to achieve the policy set forth in subsection (a) of this section, it is essential that a national program be established to insure that an adequate level of library and information services is made available in all communities accessible to all residents thereof, and to encourage government agencies at all levels to work together toward the goal of library and information services for all.

(b) It is the purpose of this Act to assist the States (1) in promoting interlibrary cooperation among all types of libraries; (2) in the provision, extension and improvement of public library services; (3) in public library construction; (4) in the provision, extension and improvement of public library programs to meet special user needs, including library services for physically handicapped, institutionalized, functionally illiterate, unemployed, persons with limited English language skills, and economically and educationally disadvantaged individuals; and (5) in strengthening State library administrative agencies and library personnel.

(c) (1) It is further the purpose of this Act to preserve the tradition of local control over the selection and purchase of library materials and the furnishing of library and information services. The administration of libraries, the selection of personnel and library books and materials, and, insofar as consistent with the purposes of this Act, the determination of the best uses of the funds provided under this Act shall be reserved to the States and the units of local government of the States.

(2) Nothing in this Act shall be construed to interfere with State and local initiative and responsibility for the conduct of library services.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "Annual program" means the projects which are developed and submitted to describe the specific activities to be carried out annually toward achieving fulfillment of the long-range program. The annual programs shall be submitted in such detail as required by regulations promulgated by the Secretary.

(2) "Basic State plan" means the document which provides assurances—

(A) that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer all aspects of this Act; and

(B) that the policies, priorities, criteria, and procedures of the State necessary to the implementation of all programs under the provisions of this Act will be established and

implemented; and which is submitted for approval as required by regulations promulgated by the Secretary.

(3) "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term in of this paragraph, the term "equipment" includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.

(4) "Criteria for determining adequacy of public library services" means the standards adopted by the State and approved by the Secretary to determine services or resources of public libraries which are inadequate and for which funds under this Act may be expended.

(5) "Disadvantaged persons" means persons who have educational, socioeconomic, cultural, or similar disadvantages that prevent them from receiving the benefits of library services.

(6) "Functionally illiterate" means persons who do not possess the necessary skills to read, write and comprehend sufficiently to fulfill their own objectives as family and community members, citizens, consumers, job-holders, and members of social, religious, and other associations of their choosing.

(7) "Interlibrary cooperation" means the establishment, expansion and operation of local, regional, and interstate cooperative library networks.

(8) "Library" means any school, public, academic, or special library or information center which provides library services, whether publicly or privately funded.

(9) "Library materials" means books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microforms, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, and processed video and magnetic tapes; printed, published, audiovisual materials, and nonconventional library materials designed specifically for the handicapped, and materials of a similar nature.

(10) "Library service" means the performance of all activities of a library relating to the collection and organization of library materials and to making the materials and information of a library available to a clientele.

(11) "Long-range program" means the comprehensive five-year program which identifies the library needs of the State and sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this Act. Each long-range program shall be developed by the State library administrative agency and shall specify the policies, criteria, priorities, and procedures of the State consistent with this Act as required by the regulations promulgated by the Secretary. Each long-range program shall be updated as library progress requires.

(12) "Network" means a formal arrangement under which materials, information and services provided by a variety of types of libraries and other organizations are made available to all potential users and is designed to provide for the systematic and effective coordination of the resources of school, public, academic and special libraries and information centers to achieve improved service to the users thereof. A network may serve a community, metropolitan area, region covering portions of more than one State, or region within a State, or be statewide, multi-State, national or international in scope.

(13) "Office" means the Office of Libraries and Learning Resources in the Department of Education.

(14) "Physically handicapped" means persons who have restricted physical capabilities which impair their ability to use library materials, including the blind, visually handicapped, and hearing impaired persons.

(15) "Public library" means a library that serves free of charge all residents of a community, district, or region, and receives its financial support in whole or in part from public funds.

(16) "Public library services" means library services furnished by a public library free of charge.

(17) "Research library" means a public library which—

(A) makes its services available to the public free of charge;

(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through other public libraries;

(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

(D) is not an integral part of an institution of higher education.

A public library which is also a research library has the same basic entitlement to funds under this Act as any other public library.

(18) "Secretary" means the Secretary of Education.

(19) "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands or the Northern Mariana Islands.

(20) "State Advisory Council on Libraries" means an advisory council for the purposes of clause (3) of section 9(a) of this Act which shall—

(A) be broadly representative of the public, school, academic, and special libraries in the State, and of persons intended to be served by such libraries, including disadvantaged persons within the State;

(B) advise the State library administrative agency on the development of, and policy matters arising in the administration of, the State plan; and

(C) assist the State library administrative agency in the evaluation of activities assisted under this Act.

(21) "State institutional library services" means the providing of books and other library materials, and of library and information services, which would normally be provided by a public library, to (A) inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, or general or special institutions or hospitals operated or substantially supported by the State, or (B) students in residential schools for the physically handicapped (including mentally retarded, hearing impaired, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired individuals who by reason of such impairment require special education) operated or substantially supported by the State.

(22) "State library administrative agency" means the official agency of a State charged by law of that State with the extension and development of public library services throughout the State, and which has adequate authority under the laws of the State to administer State plans and annual programs in accordance with the provisions of this Act.

(23) "Strengthening the State library administrative agency" means improving the capacity of the agency in the administration of programs and projects assisted under this Act to meet Federal requirements.

AUTHORIZATION OF APPROPRIATIONS

Sec. 4. (a) (1) There are authorized to be appropriated for the purpose of making grants to States to carry out interlibrary cooperation programs under title I, \$20,000,000 for the fiscal year 1983 and for each of the succeeding fiscal years ending prior to October 1, 1987.

(2) There are authorized to be appropriated for the purpose of making grants to States for public library services under title II, such sums as may be necessary for the fiscal year 1983 and for each of the succeeding fiscal years ending prior to October 1, 1987.

(3) There are authorized to be appropriated for the purpose of making grants to States for public library construction under title III, \$150,000,000 for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(4) There are authorized to be appropriated for the purpose of making grants to States for public library programs to meet special user needs under title IV such sums as may be necessary for the fiscal year 1983 and for each of the succeeding fiscal years ending prior to October 1, 1987.

(5) There are authorized to be appropriated for the purpose of making grants to States to carry out planning and development, public awareness, and library personnel training programs under title V, such sums as may be necessary for the fiscal year 1983 and for each of the succeeding fiscal years ending prior to October 1, 1987.

(b) Notwithstanding any other provision of law, unless enacted in express limitation of the provisions of this subsection, any sums appropriated pursuant to subsection (a) shall—

(1) be included in the Act making appropriations for the fiscal year prior to the fiscal year in which such sums are obligated,

(2) be made available for expenditure prior to the beginning of such fiscal year, and

(3) subject to regulations of the Secretary promulgated in carrying out the provisions of section 5(b), remain available for obligation and expenditure for the year specified in the appropriation Act and until the close of the following fiscal year.

ALLOTMENTS TO STATES

Sec. 5. (a) (1) From the sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 4 (a) for any fiscal year the Secretary shall allot the minimum allotment as determined under paragraph (3) of this subsection to each State. Any sums remaining after minimum allotments have been made shall be allotted in the manner set forth in paragraph (2) of this subsection.

(2) From the remainder of any sums appropriated pursuant to paragraph (1), (2), (3) (4) or (5) of section 4(a) for any fiscal year, the Secretary shall allot to each State such part of such remainder as the population of the State bears to the population of all the States.

(3) For the purposes of this subsection, the "minimum allotment" shall be—

(A) with respect to appropriations for the purposes of title I, \$40,000 for each State, except that it shall be \$10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands;

(B) with respect to appropriations for the purposes of title II, \$200,000 for each State, except that it shall be \$40,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands;

(C) with respect to appropriations for the purposes of title III, \$100,000 for each State, except that it shall be \$20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands;

(D) with respect to appropriations for the purposes of title IV, \$100,000 for each State, except that it shall be \$20,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands; and

(F) with respect to appropriations for the purposes of title V, \$40,000 for each State, except that it shall be \$10,000 in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands.

If the sums appropriated pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a) for any fiscal year are insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such minimum allotments shall be ratably reduced.

(4) The population of each State and of all the States shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

(5) There is authorized for the purpose of evaluation (directly or by grants or contracts) of programs authorized by this Act, such sums as Congress deems necessary for the fiscal year 1983, and for each of the succeeding fiscal years ending prior to October 1, 1987.

(b) The amount of any State's allotment under subsection (a) for any fiscal year from any appropriation made pursuant to paragraph (1), (2), (3), (4), or (5) of section 4 (a) which the Secretary determines will not be required for the period and the purpose for which such allotment is available for carrying out the State's annual program shall be available for reallocation from time to time on such dates during such year as the Secretary shall fix. Such amount shall be available for reallocation to other States in proportion to the original allotments for such year to such States under subsection (a) but with such proportionate amount for any such other States being reduced to the extent that it exceeds the amount which the Secretary estimates the State needs and will be able to use for such period of time for which the original allotments were made. The total of such reductions shall be similarly reallocated among the States not suffering such a reduction. Any amount reallocated to a State under this subsection for any fiscal year shall be deemed to be a part of its allotment for such year pursuant to subsection (a).

PAYMENTS TO STATES

SEC. 6. (3) From the allotments available therefor under section 5 from appropriations pursuant to paragraph (1), (2), (3), (4), or (5) of section 4(a), the Secretary shall pay, to each State which has a basic State plan approved under section 9 (a) (1), an annual program and a long-range program, an amount equal to the Federal share of the total sums expended by the State and its political subdivisions in carrying out such plan, except that no payments shall be made from appropriations pursuant to such paragraph (2) for the purposes of title II to any State (other than the Trust Territory of the Pacific Islands and the Northern Mariana Islands) for any fiscal year unless the Secretary determines that—

(1) there will be available for expenditure under the programs from State and local sources during the fiscal year for which the allotment is made—

(A) sums sufficient to enable the State to receive for the purpose of carrying out the programs payments in an amount not less than the minimum allotment for that State for the purpose, and

(B) not less than the total amount actually expended, in the areas covered by the programs for such year, for the purposes

of such programs from such sources in the second preceding fiscal year; and

(2) there will be available for expenditure for the purposes of the programs from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for such purposes from such sources in the second preceding fiscal year.

(b) (1) For the purpose of this section, the Federal share for title I of this Act shall be 100 per centum of the cost of carrying out the State plan.

(2) (A) For the purpose of this section, the Federal share for title II and title III of this Act shall be 100 per centum less the State percentage, and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands and the Northern Mariana Islands), except that (i) the Federal share shall in no case be more than 66 per centum or less than 33 per centum, and (ii) the Federal share for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66 per centum and (iii) the Federal share for the Trust Territory of the Pacific Islands and the Northern Mariana Islands shall be 100 per centum.

(B) The Federal share for title II and title III for each State shall be promulgated by the Secretary within 60 days after the beginning of the fiscal year ending September 30, 1982, and of every second fiscal year thereafter, on the basis of the average per capita incomes of each of the States and of all the States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands and the Northern Mariana Islands), for the three most recent consecutive years for which satisfactory data are available to him from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years beginning after the promulgation.

(3) For the purpose of this section, the Federal share for title IV shall be 100 per centum of the cost of carrying out the State plan.

(4) For the purpose of this section, the Federal share for title V shall be 100 per centum of the cost of carrying out the State plan.

OFFICE OF LIBRARIES AND LEARNING TECHNOLOGIES

SEC. 7. (a) (1) There is established in the Department of Education an Office of Libraries and Learning Technologies.

(2) The Office shall be headed by a Deputy Assistant Secretary.

(b) In order to carry out the purposes of this Act, the Secretary, through the Office, shall—

(1) carry out financial assistance programs authorized by titles I, II, III, IV, and V of this Act;

(2) encourage and assist comprehensive planning, coordination and development of multitype library and information networks and exchange programs, including—

(A) both profit and not-for-profit libraries from the public and private sector,

(B) the Library of Congress,

(C) a national periodicals system, and

(D) a national lending library for print and nonprint materials.

in cooperation with State library agencies and such other agencies, organizations, or libraries as are involved in such networks and programs, except that the operation of such networks shall be controlled at the State or regional level and shall be accessible equally to benefit all individuals;

(3) (A) encourage and assist interlibrary

cooperation among libraries of all kinds, including national and regional library and information resource centers, State library agencies, creation of interinstitutional catalogues, exchange of library materials, transmission of bibliographic information, and joint operation of communications facilities, and

(B) encourage and support low rates for postal and telecommunication charges for such services;

(4) encourage and assist the transmission of information to public libraries for the benefit of individual users concerning Federal and State publicly supported programs designed to provide assistance to individuals in need, including particularly programs concerned with health, employment, social security, education, recreation, and the elderly;

(5) encourage and assist the development and implementation of procedures to insure convenient, speedy and free access to all non-classified information and materials in Government repositories, especially information about public processes and the various sides of public issues, including information and materials maintained by federally funded libraries and information services, whether operated by Federal agencies or established under Federal law;

(6) encourage and assist the development and implementation of procedures to facilitate participation by all federally supported libraries and information services and appropriate Federal agencies in the development, review, adoption and implementation of national and international standards for publishing, producing, organizing, storing, and transmitting information using established and recognized procedures and institutions;

(7) encourage and assist the establishment and implementation of standards which address hardware and software compatibility, computer and communications network protocols, and machine readable information;

(8) encourage and conduct research programs into development of new technologies to permit convenient and economic media conversion between conventional print and other formats for storage, retrieval, and transmission, including formats specially designed to serve hearing impaired, blind, and other physically handicapped persons;

(9) encourage and assist the establishment of cooperative library exchange programs with foreign libraries, including the translation and distribution of library materials and the international exchange of library and information services, including international networking;

(10) encourage and assist the development and improvement of the library resources of the United States, including acquisition of foreign materials, establishment of special collections to preserve local history and ethnic and cultural heritage, including American Indian culture, improved cataloguing procedures, conservation and archival preservation of library materials, and technological advances;

(11) plan and implement campaigns and programs to increase public awareness of library and information services on the national level in coordination with the States as appropriate;

(12) encourage and assist measures to improve library-community interaction, including community needs assessment projects, cultural awareness projects, age-level consultant projects, and youth incentive projects;

(13) cooperate with and assist the Bureau of Indian Affairs in their establishment and operation of a National Indian Library Center and, upon request of the Bureau, assist in—

(A) the preservation, production, collection and distribution of materials to Indian libraries;