



# WASHINGTON NEWSLETTER



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## C O N T E N T S

Approps. & Cont. Res., FY 1982 . . .	p. 1	Postal Rates & Regulations	
ED Library Programs . . . . .	p. 1	ACTION NEEDED . . . . .	p. 2
LSCA Funds - ACTION NEEDED . . . . .	p. 1	Copyright . . . . .	p. 4
State Block Grant . . . . .	p. 1	Grad. & Prof. Study Fellowships	p. 4
Medical Libraries . . . . .	p. 2	Minority Science Improve-	
NEH and NEA . . . . .	p. 2	ment Program . . . . .	p. 5
NARS & NHPRC - ACTION NEEDED . . . . .	p. 2	National Endowment for Humanities	p. 5

Attachments: 1) FY 1982 Appropriations for Library and Related Programs;  
2) Educ. Consolid. & Improvement Act Chapter 2 Funding for  
FY 1982; 3) Status of Legislation Chart dated Dec. 31, 1981

### Appropriations and Continuing Resolution, FY 1982

ED Library Grant Programs. The funding table attached to this Newsletter gives figures for library and related programs from the various FY 1982 appropriations bills and continuing resolutions. Final funding levels for most major library grant programs in the Education Department are still up in the air. A further continuing resolution (PL 97-92) carries funding (with a four percent cut) only through March 31, 1982. When the second session of the 97th Congress convenes on January 25, the first order of business will be resumption of FY 1982 spending decisions. These decisions are expected to be influenced by Administration recommendations to rescind some of the funds already appropriated. Congress will then take up the President's FY 1983 budget, due to be submitted in the first few weeks after Congress returns.

Release of LSCA Funds - ACTION NEEDED. Since the latest continuing resolution covers half the fiscal year, at least half the amounts listed in the attached table should be released. However, for programs for which rescissions are planned (see Dec. 21 Newsletter), the Education Department has not received clearance from OMB to release any funds. This is particularly critical for programs such as the Library Services and Construction Act which are not advance funded. State library agencies have received little or no funds yet, over three months into the 1982 fiscal year. If, upon receipt of this Newsletter, ED's Office of Libraries and Learning Technologies still has no word on release of 50 percent of LSCA funds, state agencies are urged to have their Members of Congress contact the Secretary of Education to protest this subversion of congressional intent.

State Block Grant. Also attached to this Newsletter is a table showing the previous funding for programs combined in the state block grant for elementary and secondary education (Education Consolidation and Improvement Act, Chapter 2) compared with the amount in the latest continuing resolution. If an expected rescission request should be approved by Congress, funding for the block grant in FY 1982 could wind up at half the level provided for the predecessor programs in FY 1980.

Medical Libraries. In the continuing resolution through March 31 (PL 97-92), the National Library of Medicine received, for all its programs (including the Medical Library Assistance Act), \$44,402,000. This is less than the FY 1981 total of \$44,730,000 and much less than the requested \$47,677,000. The House reduced MLAA below the budget request to \$7.5 million, the newly reduced authorization level, but did not raise the NLM total. Then the 4 percent cut in the continuing resolution was applied against the lower of the House or Senate amounts. NLM intends to maintain MLAA at the \$7.5 million level, but the library's operating funds will be cut. A much deeper cut is anticipated in the FY 1983 budget.

NEH and NEA. The Interior Appropriations Bill (HR 4035) was one of the few on which Congress completed action this year. Now PL 97-100, it provides \$130,560,000 for the National Endowment for the Humanities and \$143,040,000 for the National Endowment for the Arts. These figures represent about a 14 percent reduction for NEH and 10 percent for NEA -- considerably less than the 50 percent cuts requested by the Administration. Thanks are due Rep. Sidney Yates (D-IL), Chairman of the House Interior Appropriations Subcommittee, who succeeded in getting figures higher than the new authorizations set by the reconciliation measure (PL 97-35), a technicality against which no point of order was raised. However, Sen. James McClure (R-ID), Chairman of the Senate Interior and Related Agencies Appropriations Subcommittee, offered an amendment to the final conference report (H. Rept. 97-315) to cut most programs by 4 percent which was agreed to by both Senate and House. The resulting amounts are shown in the attached funding table.

NARS and NHPRC - ACTION NEEDED. The National Archives and Records Service suffered a double whammy in the continuing resolution through March 31 (PL 97-92). The President's March budget request for NARS was \$90.1 million; the House provided \$89.9 million, and the Senate Appropriations Committee \$91 million, in HR 4121, the FY 1982 Treasury, Postal Service, and General Government Appropriation Bill. Then in September the President revised his request downward to \$79,294,000, and the Senate committee adjusted its bill to follow suit. Attempts to bring HR 4121 to a vote on the Senate floor late in the year ultimately failed. Therefore, NARS was included in the continuing resolution and subject to a 4 percent cut on the lower of the House or Senate figures. The result is \$75,138,000, a 16 percent cut from the FY 1981 level of \$88,941,000. Out of the NARS budget, the National Historical Publications and Records Commission would receive \$1 million in the House-passed bill, \$3 million in the Senate committee version, and up to \$1 million in the continuing resolution -- compared with \$4 million in FY 1981. Users and supporters of NARS services and NHPRC projects should urge their Senators to bring HR 4121 to a Senate floor vote as soon as possible to repair some of the damage. NARS will be severely hampered by cuts of this magnitude -- far more than a "fair share" reduction.

### Postal Rates and Regulations

Postal Rate Increase. After a brief period of a reduction in the fourth-class library rate (see October 6 Newsletter article, p. 3), the U.S. Postal Service announced that postage rates for preferred-rate mailers will increase effective January 10, 1982 (December 30 Federal Register, pp. 63159-63160). The fourth-class library rate will jump from 24 to 32 cents for the first pound. The increase accelerates the library rate from current step 10 to former step 13 of the phased (which means a gradual phasing in of the full costs attributable to a particular class of mail) rate schedule.

In their December 23 decision, the USPS Board of Governors said the increased postage rates are required to make up the difference between the amount of revenue foregone subsidy appropriated by Congress in the recent Continuing Resolution for FY 1982. By the time the four percent cut required by PL 97-92 was applied to the postal subsidies, revenue foregone was reduced to \$615 million and public service to \$221 million. As a result, all preferred rate categories except for certain second-class and fourth-class library rate will be increased to the maximum level of the phased rate schedule. The third-class nonprofit bulk rate will go from 3.8 to 5.9 cents per piece, with the per pound rate increasing from 15.8 to 27 cents. The book rate will stay at the current 63 cents for the first unsorted pound.

The new phased rate schedule for the fourth-class library postage is shown below:

Permanent Phased Rate Increases in Cents  
(Each step begins on July 6 of the indicated year unless otherwise indicated)

	<u>Step and Year</u>							
	<u>9</u> <u>'80</u>	<u>9</u> <u>as of</u> 3/22/81	<u>10</u> <u>'81</u>	<u>10</u> <u>as of</u> 11/1/81	<u>10</u> <u>as of</u> 1/10/82	<u>11</u> <u>'82</u>	<u>12</u> <u>'83</u>	<u>13</u> <u>'84</u>
<u>Library Rate</u>								
First pound	19	21	25	24	32	35	38	41
Each addit. lb.								
thru 7 lbs.	7	8	9	9	11	12	13	14
Each addit. lb.	5	5	6	6	7	7	7	7.5

ACTION NEEDED: The increase in the library rate most likely would have been even higher if \$20 million had not been transferred from the public service subsidy to the revenue foregone subsidy. In a floor speech, Sen. Alfonse D'Amato (R-NY) and Sen. James Abdnor (R-SD) (December 4 Congressional Record, p. S15195) confirmed that the \$20 million transfer was earmarked for certain second and fourth class mailers, including the library rate, to help offset rate increases. Sens. Stevens, Kasten, D'Amato and Abdnor should be thanked for their efforts to hold down the level of increase for the fourth-class library rate. Library supporters should urge their Senators to complete action on the regular Treasury, Postal Service, and General Government Appropriations Bill, HR 4121, which is likely to come closer to authorized subsidy levels and thus mitigate future increases.

Change in Attached Mail Provisions. The U.S. Postal Service announced changes effective December 6, 1981 in the mail classification schedule provisions for attached mail in the December 8 Federal Register, pp. 60079-60080. Implementing regulations, published in the December 9 Federal Register, pp. 60200-60201, provide that incidental (closely associated or related) pieces of first-class mail may be attached to or enclosed with second class mail, third-class merchandise (including books but excluding merchandise samples), and fourth-class mail, with postage paid on the combined piece at the applicable rate of the host piece. For example, first-class mail may now be attached or enclosed with fourth-class mail, with postage paid on the combined piece at the applicable fourth-class rate. Under current regulations, although an incidental piece of first-class mail attached to or enclosed with second-, third-, or fourth-class mail travels as part of the host piece, the mailer pays not only the rate applicable for the host piece, but also the applicable first-class rate on the attachment or enclosure, as if it had been mailed separately. For further information contact: Ernest J. Collins, 202/245-4749.



## Copyright

Off-Air Recording. The Senate Judiciary Committee held a hearing November 30 on S. 1758, introduced by Sens. Pete Domenici (R-NM) and Alfonse D'Amato (R-NY) to exempt private noncommercial recordings of copyrighted works on video recorders from copyright infringement. S. 1758 is similar to several bills introduced in the House (HR 4783, 4794, 4808, and 5250) to exempt home taping following the October 19 Betamax case ruling by the 9th U.S. Circuit Court of Appeals that taping a television show in the home violates a producer's copyright.

On December 16, Sen. Charles Mathias (R-MD), along with cosponsors Baker, Robert Byrd, and Cranston, introduced an amendment to S. 1758 which would direct the Copyright Royalty Tribunal to devise the best way to compensate copyright owners for use of copyrighted material. The tribunal would determine the level of royalty and the basis on which it would be calculated based on evidence produced in a formal hearing where all parties would be given an opportunity to be heard. The amendment would also make clear that copyright protection covers rentals of audiovisual works and sound recordings. Aimed at stores which rent video cassettes, tapes or phonograph records, the amendment bears watching so that legitimate library activities are not restricted. There will be further hearings on S. 1758, but no dates have been set.

Manufacturing Clause. On December 2 the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice, chaired by Rep. Robert Kastenmeir (D-WI), held a hearing on HR 3940, to retain the manufacturing clause of the copyright law. The manufacturing clause is essentially a non-tariff protective device for the U.S. printing industry which provides that certain nondramatic literary materials in the English language must be manufactured either in the U.S. or Canada in order to enjoy full U.S. copyright protection. ALA and publisher groups have been on record in opposition to the clause and in favor of current law which would eliminate the clause on July 1, 1982. The Copyright Office, after a lengthy study completed last July, concluded that the manufacturing clause should expire on schedule, and testified to that effect. However, labor groups testified strongly in favor of retaining the clause. There will probably be another hearing in early 1982. HR 3940 was introduced by Rep. John Ashbrook (R-OH); a companion bill in the Senate was introduced by Sen. Strom Thurmond (R-SC).

## Graduate and Professional Study Fellowship Grants

February 8 is the deadline for applications from institutions of higher education for grants to make fellowship awards under the Higher Education Act title IX-B Graduate and Professional Study Fellowship Program. According to the notice in the December 22 Federal Register (pp. 62133-4), the program provides grants to support fellowships for graduate and professional study to students who demonstrate financial need and who are from groups which are underrepresented in graduate and professional study areas of importance to the national interest. Grants have occasionally been made for library science study. The amount available so far for FY 1982 is \$8,640,000 under the temporary continuing resolution (PL 97-92) through March 31. For program packages and application forms, contact: Graduate Programs Branch, Education Department, (Rm. 3060, ROB-3), 400 Maryland Ave., S.W., Washington, D.C. 20202-3366, or contact Dr. Donald N. Bigelow, 202/245-2347.

Minority Institutions Science Improvement Program

A December 18 Federal Register (pp. 61695-6) notice invites applications for grants under the Minority Institutions Science Improvement Program administered by ED's Fund for the Improvement of Postsecondary Education. Eligible applicants include public and private nonprofit predominantly minority institutions, nonprofit science-oriented organizations, professional scientific societies, or nonprofit accredited colleges and universities which render a needed service to a group of eligible minority institutions, or which provide in-service training to those from eligible institutions. The deadline for institutional design and cooperative project grants is January 29; for special project grants, March 5. Application forms and information are available from USED, Office of Postsecondary Education, FIPSE, Attn: 84.120A, Minority Institutions Science Improvement Program, Rm. 3100, ROB-3, 7th & D Sts., S.W., Washington, D.C. 20202-3328, (202/245-8091).

National Endowment for the Humanities

A brochure describing Division of Education Programs is available from the Public Affairs Office, National Endowment for the Humanities, MS 351, Washington, D.C. 20506.

April 15 is the deadline for applications to NEH Youth Projects for Planning and Pilot Awards. These grants provide support for community groups, educational institutions and cultural organizations interested in developing out-of-school humanities programs for children and youth under the age of 21. For applications and guidelines, write National Endowment for the Humanities, MS 351-C, NEH Youth Projects Guidelines, 806 15th St., N.W., Washington, D.C., 20506.

FISCAL YEAR 1982 APPROPRIATIONS FOR LIBRARY AND RELATED PROGRAMS

(Figures in thousands)	FY '81	FY 1982	Sept. FY '82	FY '82	FY '82	FY 1982
LIBRARY PROGRAMS	Approps.	Authorization	Reagan Budget	House Bill	Senate Bill	Approps. or Cont. Res.
Educ. Consolidation & Improvement Chapter 2 (incl. school libs.)	\$ 535,485	\$ 589,368	\$ 518,643	\$ 535,485	\$ 350,000	\$ 493,840*
GPO Superintendent of Documents	23,800	44 USC 301	29,279	27,120	-	27,120
Higher Education Act title II	9,905	12,200	6,307	9,167	6,000	8,560*
Title II-A, College Libraries	2,988	5,000	-0-	2,000	-0-	1,920*
II-B, Training & Research	917	1,200	1,027	1,167	-0-	880*
II-C, Research Libraries	6,000	6,000	5,280	6,000	6,000	5,760*
Library of Congress	184,872	2 USC 131	197,611	192,585	188,327	189,827
Library Services & Construction Act	74,500	80,000	51,810	74,500	74,500	71,520*
Title I, Public Lib. Services	62,500	65,000	41,250	62,500	62,500	60,000*
III, Interlibrary Cooperation	12,000	15,000	10,560	12,000	12,000	11,520*
Medical Library Assistance Act	9,831	7,500	8,925	7,500	8,925	7,500*
National Agricultural Library	8,822	7 USC 2204	8,158	9,271	8,500	8,750
Nat'l. Commis. Libs. & Info. Science	691	700	618	702	702	674*
National Library of Medicine	34,899	40 USC 275	38,752	38,752	33,752	36,902*
<b>LIBRARY RELATED PROGRAMS</b>						
Adult Education Act	100,000	100,000	84,480	100,000	90,000	86,400*
Bilingual Education	161,427	143,310	126,553	143,810	143,310	138,057*
Corporation for Public Broadcasting	137,000	130,000	93,500	110,000	130,000	105,600*
ECIA Ch. 1 (ESEA I Disadv. Children)	2,965,614	Formula based	2,363,564	3,164,387	2,966,287	2,347,636*
Educ. Handicap. Child. (state grants)	874,500	969,850	649,088	914,500	900,000	931,008*
NEA title I-B, Education Outreach	2,200	8,000	-0-	-0-	-0-	-0-
III, Developing Institutions	120,000	129,600	129,600	129,600	129,600	124,416*
IV-C, College Work Study	550,000	550,000	484,000	550,000	550,000	528,000*
VI, International Educ.	21,800	30,600	14,960	21,800	20,000	19,200*
Indian Education Act	81,680	81,700	71,364	82,096	81,096	77,853
Nat'l. Center for Educ. Statistics	8,947	8,947	8,747	8,947	8,947	8,589*
National Endowment for the Arts	158,795	119,300	77,440	157,500	119,300	143,040
National Endowment for the Humanities	151,299	113,700	74,800	144,061	113,700	130,560
National Institute of Education	65,614	55,614	53,645	55,614	55,614	53,389*
Postsecondary Educ. Improvement Fund	13,500	13,500	11,880	13,500	12,000	11,520*
Public Telecommunications Facilities	19,717	20,000	-0-	16,000	20,000	18,000*
Women's Education Equity	8,125	6,000	-0-	6,000	6,000	5,760*
National Archives & Records Service	84,941	44 USC 21-33	79,294	83,999	76,294	74,138*
Nat'l. Historical Publ. & Rec. Comm.	4,000	Needs new auth.	-0-	1,000	3,000	1,000*

\* Funded only through 3/31/82 by a further continuing resolution, PL 97-92.

**EDUCATION CONSOLIDATION & IMPROVEMENT ACT CHAPTER 2 FUNDING FOR FY 1982 (1982/83 SCHOOL YEAR)**  
 (State block grant for elementary & secondary education, est., by Omnibus Budget Reconciliation Act (PL 97-35))

(Figures in thousands)	FY 1980 Approp.	FY 1981 Approp.	Sept. FY 82	HR 4560, FY '82		PL 97-92
			Reagan Budget	House-passed bill	Senate Committee	Cont. Res. thru 3/31/82
Programs combined in ECIA Ch. 2						
State block grants:	-	-	\$ 487,525	\$ 490,195	\$ 329,000	\$ 442,175
School libs. (ESEA IV-B)	171,000	161,000	-	-	-	-
Emergency school aid (ESAA)						
Basic grants to schools	107,800	33,400	-	-	-	-
Special programs & projects	92,019	75,859	-	-	-	-
Magnet schools, etc.	36,302	30,000	-	-	-	-
Grants to nonprofit orgs.	5,000	5,000	-	-	-	-
Educational TV & radio	6,450	4,450	-	-	-	-
Evaluation	1,000	500	-	-	-	-
Educ. innov. & support (ESEA IV-C)	146,400	66,130	-	-	-	-
Guidance, couns. (ESEA IV-D)	-0-	-0-	-	-	-	-
State educ. agency mgt. (ESEA V-B)	51,000	42,075	-	-	-	-
Basic skills (ESEA II)	28,500	25,650	-	-	-	-
Community schools (ESEA VIII)	3,133	3,138	-	-	-	-
Consumers educ. (ESIA III-E)	3,617	1,356	-	-	-	-
Gifted & talented (ESEA IX-A)	6,280	5,652	-	-	-	-
Metric educ. (ESEA III-B)	1,840	1,380	-	-	-	-
Ethnic heritage (ESIA IX)	3,000	2,250	-	-	-	-
Law-related educ. (ESEA III-G)	1,000	1,000	-	1,000	-	960
Cities in schools (ESEA III-A 303)	3,050	2,745	-	-	-	-
PUSH for excellence (ESEA III-A 303)	1,000	825	-	-	-	-
Teacher corps (HEA V-A)	30,000	22,500	-	-	-	-
Teacher centers (HEA V-B 532)	13,000	9,100	-	-	-	-
Pre-college science teacher training (NSF Act)	2,500	1,875	-	-	-	-
Biomed. sci. (ESEA III-L)	3,000	3,000	-	3,000	-	2,830
Career educ. incentive	15,000	10,000	-	10,000	-	9,600
<b>SUBTOTAL TO STATES</b>	<b>731,896</b>	<b>508,385</b>	<b>487,525</b>	<b>504,195</b>	<b>329,000</b>	<b>455,615</b>
Secretary's discretionary fund						
Inexpensive book distrib. (RIF)	6,500	5,850	5,850	5,850	-	-
Arts in educ. (ESEA III-C)	3,500	3,150	2,025	3,150	-	-
Alcohol & drug abuse educ.	3,000	2,850	2,850	2,850	-	-
Nat'l. diffusion program	10,000	8,750	-	10,750	-	-
Educ. TV programming	6,000	6,000	-	6,000	-	-
Special initiatives	-	-	20,393	2,600	-	-
<b>SUBTOTAL FOR SECRETARY</b>	<b>29,000</b>	<b>26,600</b>	<b>31,118</b>	<b>31,290</b>	<b>21,000</b>	<b>28,224</b>
<b>TOTAL, BLOCK GRANT</b>	<b>\$ 760,896</b>	<b>\$ 535,485</b>	<b>\$ 518,643</b>	<b>\$ 535,485</b>	<b>\$ 350,000</b>	<b>\$ 483,840</b>

STATUS OF LEGISLATION OF INTEREST TO LIBRARIANS  97th Congress, 1st Session Convened January 5, 1981 Adjourned December 16, 1981 Chart Date: December 31, 1981	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	
Copyright - home video taping	HR 4783, etc.					S 1753	X						
Copyright manufacturing clause	HR 3940	X				S 1880							
Copyright Piracy Act						S 691		274	X				
Dept. of Education termination						S 1821							
Economic Recovery Tax Act	HR 4242	X	201	X	HJRes 266	X	144	X	215	X	PL 97-34		
Elementary & Secondary Educ. Consolidation	HR 3645,3941	X			S 1103	X					(PL 97-35)		
Foreign Language program assistance	HR 3231	X	X		S 1817								
Freedom of Information Act Amendments	HR 4805				S 1730	X	X						
Information Science & Technology Act	HR 3137	X											
International Communications Reorg.	HR 1957	X	X	100	(S 821)		73						
Medical Library Assistance Act	HR 2562	X			S 300	X					(PL 97-35)		
National Archives - Indep. Agency					S 1421	X							
NHPRC Extension	HR 2979		39	X	S 1050	X	85	X					
National Library & Info. Services Act					S 1431								
Older Americans Act extension	HR 3046	X	X	70	X	S 1086		159	X	386	X	PL 97-115	
Omnibus Budget Reconciliation Act	HR 3982		158	X	S 1377		139	X	208	X	PL 97-35		
Taxation - Indep. Research Libraries					S 696	X							
Taxation - Manuscript donations	HR 2823,2835,etc.				S 649,351-2	X							
Taxation - Thor Power Tool ruling	HR 1016,1936				S 578	X							
Telecommunications Competition & Dereg.	HR 5158				S 898	X	170	X					
<u>Appropriations</u>													
Continuing Resolution, FY 1982	HJRes 325		223	X	HJRes 325		none	X	260	X	PL 97-51		
Further Continuing Resolution, FY 1982	HJRes 357		319	X	HJRes 357		none	X	352	X	Vetoed		
Further Cont. Res., FY 1982 thru 3/31/82	HJRes 370		372	X				X		X	PL 97-92		
Agriculture, FY 1982	HR 4119	X	X	172	X	HR 4119	X	X	248	X	313	X	PL 97-103
HUD & Independent Agencies, FY 1982	HR 4034	X	X	162	X	HR 4034	X	X	163	X	222	X	PL 97-101
Interior & Related Agencies, FY 1982	HR 4035	X	X	163	X	HR 4035	X	X	166	X	315	X	PL 97-100
Labor-HHS-Education, FY 1982	HR 4560	X	X	251	X	HR 4560	X	X	268				
Legislative Branch, FY 1982	HR 4120	X	X	170		HR 4120	X	X					
State, Justice, Commerce, FY 1982	HR 4169	X	X	180		HR 4169	X	X	265				
Treasury, Postal Service, FY 1982	HR 4121	X	X	171	X	HR 4121	X	X	192				

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



ALA Midwinter Meeting, Denver, Colorado, January 23-28, 1982

MIDWINTER ALERT TO MEETINGS WITH FEDERAL POLICY IMPLICATIONS

Sunday, January 24  
2-4 p.m.  
Holiday Inn (downtown)  
Silver Heels  
Cripple Creek Rms.

Legislation Committee's Information Update  
Brief updates on legislation, copyright, and  
the 1982 National Library Week Legislative  
Day.

Major presentations:

GPO Depository Library & Sales Programs  
Danford L. Sawyer, Jr., Public Printer  
William J. Barrett, Superintendent of  
Documents. Mr. Barrett will speak;  
both officials will answer questions  
from the audience.

Proposed Federal Standards for Library/  
Information Positions

Speaker on U.S. Office of Personnel  
Management's new standards which have  
implications for all types of li-  
braries. Question & answer session.

Monday, January 25  
2-4 p.m.  
Executive Tower Inn  
Brahms Room

Ad Hoc Copyright Subcommittee Meeting  
with liaisons to ALA units and chapters.

Off-Air Recording Guidelines  
Sony Betamax case ramifications  
Draft College & Univ. Policy Statement  
Other copyright business

Tuesday, January 26  
9-11 a.m.  
Denver Hilton Hotel  
Grand Ballroom

President's Program

"Marketing Library and Information Services"  
Not only will Denver attendees participate,  
but satellite transmission will extend the  
program to 52 interactive viewing stations  
nationwide. ALA President Betty Stone will  
introduce the program; Assn. of Research  
Libraries Ex. Dir. Shirley Echelman will  
moderate. Speakers:

Daniel Carroll, President, Hoover Universal  
Philip Kotler, Northwestern Univ. professor  
of marketing  
Danford L. Sawyer, Jr., U.S. Public Printer

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