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- Attachments: 1) Senate Finance Committee, House Ways and Means Committee
2) President Reagan's 1982 National Library Week Statement
Enclosure : ALA Response to Proposed Federal Standards - Executive Summary

Appropriations FY 1982 - Continuing Resolution

Without changing any of the funding levels, Congress approved and the President signed on March 31 a continuing resolution extending funding for library and education programs as well as several Cabinet departments through September 30, the end of the 1982 fiscal year. The resolution (H.J.Res. 409, now PL 97-161) was passed by the House on March 24 and by the Senate on March 31, the day the previous resolution expired. Amounts provided for Education Department library grant programs are shown below. Congress could still act on the rescission requests shown below, but has so far shown no inclination to do so. If Congress does not act on a rescission within 45 working days, the funds must be released. That period is expected to expire about April 22.

	FY 1982 Cont. Res. (PL 97-161)	Reagan Budget FY '82 after Rescission	FY 1983 Request	FY '83 ALA Recommendation (Recon. Levels)
Lib. Services & Const. Act				
Title I, pub. lib. services	\$ 60,000,000	\$ 41,250,000	-0-	\$ 65,000,000
III, interlib. coop.	11,520,000	10,560,000	-0-	15,000,000
Higher Education Act				
Title II-A, college libs.	1,920,000	-0-	-0-	5,000,000
II-B, training, research	880,000	880,000	-0-	1,200,000
II-C, research libraries	5,760,000	5,280,000	-0-	6,000,000
Educ. Consolidation & Improvement				
Ch. 2 state block grant	483,840,000	470,400,000	433,000,000	589,368,000

Appropriations FY 1983

Eileen Cooke, ALA Washington Office Director, testified April 1 before the House Labor-HHS-Education Appropriations Subcommittee on FY 1983 funding for library and related programs, recommending the authorized amounts set by last year's reconciliation measure for library grant programs, as shown above. ALA recommendations also includes authorized amounts for the National Commission on Libraries and Information

Science (\$750,000), the National Library of Medicine including the Medical Library Assistance Act (\$46,043,000), and the National Center for Education Statistics (\$8,947,000). Cooke's testimony, which will be repeated before the Senate subcommittee in May, also recommends that Congress reject the FY 1982 rescission proposals, and urged that the impounded LSCA funds be released.

On March 16, Education Department officials testified before both House and Senate Labor-HHS-Education Appropriations Subcommittees. Both Rep. William Natcher (D-KY), chairing the House subcommittee, and Sen. Mark Hatfield (R-OR), chairing the Senate subcommittee, expressed disbelief at the proposed FY 1983 budget for libraries. Both were persistent in their questions as the witnesses attempted to defend the elimination of federal support for libraries. Questions were also asked about LSCA impoundment, an action Hatfield felt undermined the credibility of the President and his "new federalism." Sen. Hatfield could not resist ending the Senate hearing with "just a little comparison -- an M-I tank takes 4 gallons per mile while a bookmobile gives 4 miles to the gallon!"

Education Secretary Terrel Bell, testifying before the Senate Labor-HHS-ED Appropriations Subcommittee April 15, said that the "proposed elimination of library programs reflects the success of this Federal effort over the past 25 years in stimulating State and local support to expand library access to all segments of our population." Elaborating on his written testimony Bell said: "We don't consider libraries a low priority by any means, but we had to look for areas to make savings." In response to a question from Sen. Hatfield, Bell indicated the FY 1982 LSCA funds being withheld would be released if Congress did not agree to the requested rescission.

ACTION STILL NEEDED: The annual National Library Week Legislative Day of lobbying in Washington, D.C. on April 20 could not come at a better time. If you were unable to be in Washington, visit your legislators at home or write to them immediately on the impact of the budget proposals. Remember, the President proposes, but Congress disposes! It is up to Congress now, and in the upcoming horse trading on budget compromises, programs about which Members have heard little will be at a disadvantage. See the February 9 Newsletter for suggestions on your letters, and be sure to send a blind copy to the ALA Washington Office.

LSCA Impoundment

The Administration is continuing to withhold those LSCA funds the President has asked Congress to rescind. In response to a letter to the President from Rep. Peter Peyser (D-NY), presidential assistant Kenneth Duberstein wrote on March 16: "The Department of Education is withholding those funds pending action by the Congress on the rescission request. If the Congress fails to approve that proposal, then the library funds will be released and spent. We believe the opinion of the Comptroller General about the applicability of the Impoundment Control Act is in error..."

With the extension of the continuing resolution through the second half of the 1982 fiscal year, the Administration should be releasing at least the remaining 49 percent of the rescission request level of funding. States which made early inquiries were told that only 25 percent of the rescission level would be released, then that all remaining funds would be held until after April 22. At this writing, grant awards for 49 percent of the lower level had just been put in the mail by ED.

The lawsuit to recover the LSCA funds being withheld filed March 5 by New York, California, Florida, Kentucky, Maryland, Ohio and Oklahoma has been joined by three additional states -- Maine on March 22, Alabama on March 31, and Connecticut on April 9. What happens with the lawsuit depends on the Administration's response after April 22. If Congress has not approved the rescission by that time, the Impoundment Control Act requires that the funds be obligated.

The LSCA impoundment issue received considerable attention at a March 29 hearing of the House Budget Committee Task Force on Enforcement, Credit and Multiyear Budgeting on the impoundment process. Chairman Norman Mineta (D-CA) summarized the Committee's concern:

Through a series of mechanisms, such as failure to report impoundments, reprogramming funds without congressional action, and misclassification of impoundments, the Administration has been able to pursue its own objectives. Very broadly, the Office of Management and Budget may be changing the balance of budgetary authority between Congress and the President by impounding virtually every add-on over the President's budget.

Three witnesses testified specifically on the LSCA impoundment: Rep. Peter Peyser, New York Attorney General Robert Abrams, and New York Commissioner of Education Gordon Ambach. OMB Director David Stockman was invited to testify but declined to appear or to send an OMB representative. The testimony of Milton Socolar (the GAO official who signed the two opinions on LSCA impoundment) indicated that GAO has no system for seeking out cases of unreported impoundments in order to inform Congress.

Addressing Socolar, Rep. Mike Lowry (D-WA) protested that "when librarians are being laid off and libraries are in trouble because of an illegal action in October and we in April are still saying we can't do anything, the intent of Congress can be significantly subverted." Rep. Mineta concurred that "a lot of people across this country are being hurt unnecessarily" because of these illegal actions. The task force will consider possible remedies for the future. Rep. Paul Simon (D-IL), a Budget Committee member as well as Chairman of the LSCA authorizing subcommittee (Postsecondary Education Subcommittee) submitted a statement deploring the illegal withholding of LSCA funds.

Taxation - Manuscript Donations

Based on last November's Senate hearings and comments from numerous organizations including ALA and the Association of Research Libraries, Sen. Max Baucus (D-MT) introduced March 17 a revised bill (S. 2225) to restore a full fair market value tax deduction for donations of literary, musical or artistic compositions by their creators to charitable institutions such as libraries. Papers of public officials would not be eligible. The earlier Baucus bill (S. 649) included some estate tax provisions, but these have been dropped in the new bill because estate tax changes enacted last year largely resolved the inequity of estate tax treatment of artistic gifts.

Sen. Daniel Moynihan (D-NY), who last year introduced separate legislation (S. 851, a partial tax deduction, and S. 852, a partial tax credit), is a cosponsor of S. 2225, along with Sens. Patrick Leahy (D-VT), Robert Kasten (R-WI), Richard Lugar (R-IN), and Steven Symms (R-ID). S. 2225 thus represents a consensus among interested Senators and supportive organizations. The text of the bill and an introductory statement were published in the March 17 Congressional Record, pp. §2307-8 (daily edition). Since the 1969 Tax Reform Act which removed the deduction, donations of contemporary literary and musical manuscripts to academic and research libraries have declined markedly.

ACTION NEEDED: If there appears to be support among Senate Finance Committee members, Sen. Baucus may soon offer his bill as an amendment in committee to an as yet unnamed and unnumbered tax measure. Librarians and researchers who are constituents of Senate Finance Committee members are urged to contact them immediately to ask their support of S. 2225. Sen. Baucus and all cosponsors should be thanked by their constituents. A list of Senate Finance Committee members is attached.

Medical Library Assistance Act

The Medical Library Assistance Act would be extended for three years under health research bills pending in both House (HR 5919) and Senate (S. 2311). HR 5919 was introduced March 22 by Rep. Henry Waxman (D-CA), Chairman of the Health and the Environment Subcommittee. S. 2311 was introduced March 30 by Sen. Orrin Hatch (R-UT), Chairman of the Labor and Human Resources Committee, which held a hearing on the bill the following day. Both bills would provide authorization levels of \$8 million for FY 1983, \$8.5 million for FY 1984, and \$9 million for FY 1985. The FY 1982 funding level is \$7.5 million, the full authorization set by last year's reconciliation process. The FY 1981 funding level was \$9,831,000.

Neither bill includes the "full cost recovery" amendment proposed by Sen. Hatch to last year's MLAA reauthorization bill, S. 800. That amendment would have required the National Library of Medicine to charge fees for the information products and services it supplies to commercial organizations at rates designed to recover the full developmental costs. S. 800 got tied up in committee, and Congress used the Omnibus Budget Reconciliation Act (PL 97-35) as a vehicle to extend the expiring MLAA for one year only, so action is needed on S. 2311 and HR 5919.

CETA

Amanda Rudd, Chicago Public Library Director, was among those testifying March 17 before the House Employment and Productivity Subcommittee on several bills providing for State and local employment and training assistance to replace the expiring Comprehensive Employment and Training Act. Rudd described Chicago PL's heavy use of and success with workers under the no longer funded CETA public service jobs program.

Telecommunications

HR 5158, the Telecommunications Act of 1981, was approved unanimously March 25 by the House Subcommittee on Telecommunications, Consumer Protection, and Finance. The revisions the subcommittee made in light of the AT&T antitrust settlement agreement have caused AT&T to mount a massive campaign in opposition to the bill. Nevertheless, markup of the bill by the full House Energy and Commerce Committee is scheduled for early May.

Florence Protocol

Legislation (HR 6093) to implement the Protocol to the Florence Agreement on the Importation of Educational, Scientific and Cultural Materials (Treaty Doc. 97-2) was introduced April 6 by Rep. Sam Gibbons (D-FL). The Protocol would extend duty-free status to audio, visual and microform materials whether educational or not, and to products for the blind and other handicapped persons. The Senate Foreign Relations Committee will shortly take up the Protocol for approval as a treaty. After Senate passage, implementing legislation must be approved.

Proposed Standards for Federal Librarians

On April 2, ALA transmitted a lengthy 95-page response to the proposed standards for library and information services positions issued by the U.S. Office of Personnel Management. ALA's primary recommendations include integration of the 1409/10 series, retention of MLS holders at the GS-9 level, and the rewriting of factor level descriptions to correspond accurately to the Primary Standard and comparable series. ALA also requested involvement of the library and information community in improving the proposed standards. Almost 140 individuals and groups sent written comments; many thanks to all who contributed to ALA's response. The executive summary is enclosed with this Newsletter. Copies of the full response are available for \$2.50 from the Office for Library Personnel Resources, ALA, 50 E. Huron St., Chicago, Illinois 60611.

National Commission on Excellence in Education

Last August Education Secretary Terrel Bell established a National Commission on Excellence in Education in response to the perceived decline in the quality of American education. At the end of its 18-month lifespan, members are to recommend ways to improve the achievement of students in schools and colleges. The commission is chaired by David Gardner, President of the University of Utah, who was Chairman of the NEH (and ALA supported) First National Board for Courses by Newspaper. The 18-member commission also includes William Baker, retired chair of Bell Telephone Labs, a Council on Library Resources board member and former member of NCLIS; and Annette Kirk, a public library founder and former board member, Morton Township, MI.

The need for library resources and the role of library skills in improving the quality of education would be appropriate points for librarians to make at the commission's public hearings or in written testimony. Hearings are as follows:

- March 11, Palo Alto on education in science, math and technology
- April 16, Houston, on language, literacy and foreign language instruction
- May 12, Atlanta, teaching, teacher education (contact Cheryl Chase, 202/254-5500)
- June 23, Chicago, college admissions standards (contact Cliff Adelman, 202/254-5555)
- Sept. 16, Denver, education & work (contact Jim Harvey, 202/254-7920)
- Oct. 7, Boston, ed. for gifted & talented (contact Jean Narayanan, 202/653-5839)

Taxation - Technology Education

Legislation to stimulate the donation of computers and similar technological equipment to U.S. primary and secondary schools has been introduced by Rep. Fortney (Pete) Stark (D-CA) on February 23 and Sen. John Danforth (R-MO) on March 25. The identical bills (HR 5573 and S. 2281) would amend the Internal Revenue Code to allow corporate contributions of computers or similar technological equipment to schools to be treated, for a one year period, the same as contributions of scientific equipment to institutions of higher education. Current tax law allows companies to take a deduction for donations of carefully defined scientific equipment to colleges and universities strictly for research purposes. The bills would also provide for a temporary lifting of the maximum allowable charitable contribution from 10 to 30 percent of a corporation's taxable income.

According to news accounts, the House bill resulted from a chance encounter on an airplane between Rep. Stark and Steven Jobs, chairman of Apple Computer, who both agreed the U.S. needs new ideas on how to improve high technology education. Apple has offered a computer to each of the nation's 75,000 elementary and secondary schools, a gift worth about \$200 million, if Congress enacts the tax break, estimated at about \$20 million. Other companies would also be eligible for the tax deduction. HR 5573 has so far attracted 47 cosponsors.

HEA II-B RFP - Library Education

The Education Department issued April 15 Request for Proposal (RFP) No. 82-24, "New Directions in Library and Information Science Education." For a copy of the RFP, write ED, Assistance Management & Procurement Services, Application Control Center, GSA Bldg., 7th & D Sts., S.W., Rm. 5673, Washington, D.C. 20202, or call Mrs. Marie Beale, 202/245-2957. In requesting, please refer to the RFP number and title. Closing date for proposals is June 15. The purpose of the project, which is to be completed in 18 months and be equivalent to 4.0 person years, is "to identify the present and future competencies needed by library and information science professionals" and to "examine the education requirements necessary to achieve these competencies." The RFP is being funded under the Higher Education Act II-B research program.

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National Library Week
April 18 - 24, 1982

This year's National Library Week theme, "A Word to the Wise -- Libraries," serves to remind Americans of the great resources available to us in our nation's libraries.

Today, more than ever, libraries enrich our lives and bring countless benefits to our communities. They are repositories of our history and heritage and wellsprings for education and self-improvement. Furthermore, citizens from every walk of life can fully avail themselves of the great wealth of information resources and literature contained in our libraries.

During National Library Week it is fitting that we pause to recognize the vital role of our libraries in American life and their contribution to the growth and development of this nation.

Ronald Reagan