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- Attachments: 1) Status of Legislation Chart dated November 8, 1982
2) ALA News Release - "Librarians Warn of Mounting Threat to Access to Government Information."

Congressional Elections

Republicans lost 26 seats in the November 2 elections, more than they expected, and enough of a shift that President Reagan may have lost his effective working majority in the House. Democrats failed to regain the Senate, although several Republican incumbents were reelected only by the slimmest of margins. Reapportionment based on the 1980 census shifted 17 House seats from the Northeast and Midwest to the South and West. One redistricting loss was Rep. Peter Peyser, a Democrat forced to run against another incumbent in New York. Peyser was a library champion in the effort to release impounded LSCA funds.

A new Representative from New York's 12th district is librarian Major Owens. A Democrat and State Senator, Owens has an MLS from Atlanta University, worked at Brooklyn Public Library, and taught at Columbia University's School of Library Service. The most significant committee change affecting libraries is the defeat of Sen. Harrison Schmitt (R-NM), Chairman of the Senate Labor-HHS-Education Appropriations Subcommittee. It is not yet clear who will be appointed to replace him as Chair.

LSCA Funds Released

The Education Department's Office of Libraries and Learning Technologies has begun releasing Library Services and Construction Act funds to the state library agencies. As states update their state plans and complete their paperwork, they will receive 22 percent of their allotted funds based on that portion of FY 1983 covered by the continuing resolution through December 17 (PL 97-276). Because of the zero budget recommendation and the temporary nature of the funding measure, it had been thought the Administration might try to delay or defer funding for LSCA. (LSCA funds were impounded for six months last year and released only after a law suit was filed.) This year the Office of Management and Budget notified the Education Department promptly on October 13 that funds could be released.

Science and Math Education Bills

The 25th anniversary of Sputnik finds Congress once again concerned, along with educators, scientists, and business and industry leaders, about the state of math and science education. Numerous bills have been introduced to improve the teaching of math, science, engineering, computer science, and foreign languages. One measure, HR 5573, to provide a tax incentive for computer donations to schools and libraries (see October 6 Newsletter) has passed the House and may come up for a vote in the Senate during the lame-duck session. There have been hearings on other bills, resulting in a consensus that U.S. students take far less math and science than those in other countries, and that there is a growing shortage of teachers in technological fields because of better paying opportunities elsewhere. However, there is not yet a consensus on what role the federal government should play in solving the crisis.

Legislative proposals include low interest or forgiveness of student loans if graduates go into elementary/secondary math or science teaching, assistance for inservice training, for technician training, and tax breaks for high-technology companies which provide summer employment for math and science teachers. Some large-scale measures have library implications, such as the American Defense Education Act introduced by Rep. Carl Perkins (HR 6674) and Sen. Gary Hart (S. 2663). The ADEA would authorize assistance to local education agencies equal to 2 percent of average state per pupil expenditures for programs to improve instruction and achievement in math, science, communication skills, foreign languages, technology, and for guidance and counseling. Another bill introduced by Rep. Perkins, the National Education and Economic Development Act (HR 7135), would authorize \$1 billion in its first year to local education agencies for a variety of activities to improve math, science, technology, and foreign language programs. Eligible purposes include acquisition of technological equipment (defined to include printed materials) and software, inservice training of teachers and support personnel, and cooperative programs with community institutions and organizations including libraries.

Sens. Pell, Stafford and Cranston have introduced S. 2953, the Education for Economic Security Act, which would authorize \$400 million per year for math, science, foreign language and computer instruction in elementary, secondary and vocational schools (65 percent of the funds), and for teacher training, retraining, and employment-based programs in higher education institutions (35 percent). Instructional materials are eligible under S. 2953. Further interest in such measures can be expected in the new Congress, although the outcome is uncertain due to lack of support from the Administration.

Citizenship Education

Citizenship education had been added to the list of purposes for which education block grant funds may be spent. HR 5658, introduced by Rep. Charles Bennett (D-FL) as a separate categorical program, was revised in the Education and Labor Committee to become an amendment to the Special Projects portion of the Education Consolidation and Improvement Act Chapter 2 so that funds could also be used for "programs to teach the principles of citizenship." HR 5658 passed the House September 14, the Senate on October 1, and was signed into law October 14 as PL 97-313.

HEA II-A Grant Deadline

December 15 is the deadline for applications for College Library Resource Grants under the Higher Education Act title II-A program for FY 1983. Although the Administration requested no funds for II-A, the continuing resolution through December 17 provides \$1.9 million, the same amount which in FY 1982 provided average grants of \$840 to eligible institutions to be used for library resources or networking activities. Application forms were sent to the previous year's applicants. For more information, call Frank Stevens or Beth Phillips Fine at 202/245-9530.

Library Education Study

Under the Higher Education Act title II-B Research and Demonstrations Program, the Education Department has awarded a contract, "New Directions for Library and Information Science Education," to King Research, Inc., to determine the present and future competencies needed by library and information science professionals and to examine the educational requirements necessary to achieve those competencies. A planning process will be developed which can later be replicated as needed. The contractor has established an Advisory Group of consultants and experts, plans a quarterly project newsletter, and will make copies of working documents available for review. Comments and suggestions from interested parties are encouraged, particularly relating to job descriptions, career paths, education and training received and required, and to identify potential test sites. Those interested should contact the Project Director, Dr. Jose-Marie Griffiths at King Research, Inc., 6000 Executive Boulevard, Rockville, MD 20852 (301/881-6766).

Naval Academy Library To Be Contracted Out?

The Public Affairs Office at the U.S. Naval Academy has confirmed that year-long detailed studies have begun to determine whether a number of administrative support service personnel, including 35 of the 48 positions in the Academy's library, should be contracted out to the private sector. The Naval Academy issued a very general press release concerning the studies September 24, the same date the Navy transmitted its intentions to Congress. This is the latest and most extreme example of a trend to contracting out federal libraries, and the first, to our knowledge, involving an academic library.

The Navy's action seems to be part of the Reagan Administration's much more active implementation of Office of Management and Budget Circular A-76, "Policies for Acquiring Commercial or Industrial Products and Services Needed by the Government." The policy has been in effect for some time, but lately there has been a real push to turn over more areas of government activity to the private sector. A revised version of A-76 is expected before the end of the year.

Library associations, including ALA, have made inquiries as to the Navy's intentions, pointing out that the library is not an adjunct support function, but an integral part of the academic program. Contracting out could have unintended effects on the quality of that program and on accreditation. Other librarians, Naval Academy alumnae, and Members of Congress have also expressed concern. Rep. Marjorie Holt (R-MD) recently wrote to the Secretary of the Navy to protest this "ill-advised approach" and strongly urged him to suspend the cost comparison study for the Naval Academy Library. Holt is a member of the House Military Personnel and Compensation Subcommittee; the Naval Academy is located in her district. At this writing, Navy officials appeared to be aware of the repercussions and having second thoughts about the contracting out study.

Taxation - Thor Power Tool IRS Ruling

On the Senate floor October 1, Sen. David Durenberger (R-MN) brought up an amendment to postpone implementation until January 1, 1983 of the Thor Power Tool IRS ruling which affects publishers backlists. Durenberger felt postponement (which would apply only to small businesses) rather than a comprehensive solution was appropriate given the late date and the fact that the Treasury Department is required to submit an omnibus report on inventory accounting as of December 31, 1982. Knowing objection would be raised if he offered his amendment to any tax bill, Durenberger declined to offer it in return for a commitment from Senate Finance Committee Chairman Robert Dole (R-KS), who agreed the committee would examine problems with inventory accounting and the Thor Power decision in particular, probably early in the next Congress.

Job Training Partnership Act

Before adjourning October 1 for the election recess, Congress gave final approval to the Job Training Partnership Act (S. 2036) which the President signed October 13 (now PL 97-300). The measure is designed to replace the expiring Comprehensive Employment and Training Act (CETA), but the emphasis is on training rather than employment. Job training opportunities will be provided by the states and the private sector with the participation of education agencies and institutions. There is no provision for public service employment, although the various youth employment and training segments of the Act may include on-the-job training, summer employment, and part-time or temporary jobs. For the continuation of the Job Corps program \$618 million is authorized for FY 1983; for succeeding years and for other parts of the Act, "such sums" are authorized.

There are several references to libraries in PL 97-300, carried into the final version from the House-passed bill, HR 5320:

1) Under title I, Job Training Partnership, section 125, State Labor Market Information Programs - To be eligible for federal assistance for state labor market information programs, state occupational information coordinating committees or other units must be responsible for a statewide comprehensive labor market and occupational supply and demand information system. Among other things, these systems are to "publish and disseminate labor market and occupational supply and demand information and individualized career information to State agencies, area public agencies, libraries, and private not-for-profit users, and individuals who are in the process of making career decision choices."

2) Under title II, Training Services for the Disadvantaged, section 205, Exemplary Youth Programs - An eligible activity under Exemplary Youth Programs is an "education for employment program" which "may provide for the maintenance of a network of learning centers offering individualized or group instruction in convenient locations, such as schools, neighborhood organizations, libraries, and other sites, including mobile vans in rural areas."

3) Under title IV, Federally Administered Programs, part B, Job Corps, section 431, Community Participation - Job Corps centers are to promote "interchanges of information and techniques among, and cooperative projects involving, the center and community schools and libraries, educational institutions, agencies serving young people and recipients of funds under this Act."

4) Section 145, Prohibition Against Federal Control of Education - This section repeats the language of section 432 of the General Education Provisions Act which prohibits the federal government from exercising any control over educational institutions or schools, or "over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system."

Balanced Budget Amendment to Constitution

H.J.Res. 350, a constitutional amendment to balance the federal budget on an annual basis, was defeated in the House October 1 by a vote of 236 to 187, 46 votes short of the two-thirds needed to send it to the states for ratification. The vote was a major defeat for the Reagan Administration. With the help of Vice-President Bush, Republicans had gathered enough signatures on a discharge petition to force the amendment out of the Judiciary Committee for a floor vote. The House leadership then scheduled an immediate vote, catching supporters off guard.

Government Information Policies

On October 6, 1982, the Office of Management and Budget released a list of more than 2,000 government publications -- one out of every six -- targeted for termination or consolidation into other publications. This initiative, together with 4,500 other cost reductions proposed for an additional 2,300 publications, is expected to produce cost savings "of more than one-third of all federal publications." According to OMB 82-25, "Reform '88: Elimination, Consolidation and Cost Reduction of Government Publications," sixteen percent of all government publications will be discontinued. This amounts to 70 million copies, 1/12 of the 850 million copies printed, and is part of "...the Reagan Administration's continuing drive to eliminate costly, redundant and superfluous publications..." Each federal agency will be reviewing its publications for increased user fees.

At the same time, OMB 82-25 quotes OMB Deputy Director Joseph R. Wright, Jr. as emphasizing that "the cutback will not affect needed and necessary printed materials that should be available to the public. Use, not abuse, is the key phrase of this program as we evaluate the importance and use of each publication." Similar savings are expected during 1983 to 1985. The list of government publications terminated and consolidated by agency, a 1½ inch thick study of pamphlets and recurring periodicals, and OMB 82-25 can be obtained from the President's Task Force on Management Reform, OMB, Washington, D.C. 20503 (202/395-5017).

In response to a September 8 Federal Register (pp. 39515-39530) notice by OMB regarding proposed regulations for the information collection provisions of the Paperwork Reduction Act of 1980, Eileen Cooke sent OMB the resolution on federal government statistical activities passed by Council at the 1982 annual conference. Her letter sent with the resolution expressed ALA's concern with the assumption throughout the proposed regulations that federal government data collection is a burden on the public, with little recognition given to the benefits to the public which are derived from accurate, non-biased and timely statistics. She stressed that since one of ALA's highest priorities is access to information, the Association would like to see more safeguards for public access in the regulations.

Attached to this Newsletter is an October ALA news release which calls attention to the trend to restrict government publications and information dissemination activities. The resolution referred to in the news release was attached to the July 26 ALA Washington Newsletter along with a partial chronology titled, "Less Access to Less Information By and About the U.S. Government: II", which documents the shift toward curtailing government information available to the public.

FIPSE Grant Deadline

December 14 is the deadline for preapplications for new awards under the Comprehensive Program of the Fund for the Improvement of Postsecondary Education. For more information, call FIPSE at 202/245-8091.

FIRST DAY COVERS FOR "AMERICA'S LIBRARIES" STAMP STILL AVAILABLE!

Official ALA First Day Cover: \$2.00 each. Send check or money order for full amount plus 50¢ to First Day Cover, ALA, 50 East Huron St., Chicago, IL 60611. ALA Washington Office First Day Cover: Proceeds help defray expenses of ALA witnesses testifying at congressional hearings. 2 for \$5.00 (minimum order). Enclose stamped, self-addressed envelope (#10 size). For orders over \$10.00, add 50¢ to cover postage. Make checks payable to ALA Washington Office, at 110 Maryland Ave., N.E., Box 54, Washington, D.C. 20002.

STATUS OF LEGISLATION OF INTEREST TO LIBRARIANS 97th Congress, 2nd Session Convened January 25, 1982 Chart Date: November 8, 1982	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
Citizenship Education	HR 5658		798	X	HR 5658			X	none	X	PL 97-313
Congressional Budget Ceilings	HConRes 352	X	597	X	SConRes 92	X	385	X	614	X	
Constit. Amend. - Balanced Budget	HJRes 350	X			SJRes 58	X	151	X			
Copyright - home video taping	HR 5250,5705	X			S 1758	X					
Copyright manufacturing clause	HR 6198	X	575	X	S 1380		none	X	none	X	PL 97-215
Copyright Piracy Act	HR 3530		X 495	X	S 691		274	X	none	X	PL 97-180
ECIA Regs. - Res. of Disapproval	HConRes 388		701	X	SConRes 115			X			
Florence Protocol	HR 6093				HR 4566	X	564				
Foreign language program assistance	HR 3231	X	X 316		S 1817						
Freedom of Information Act Amendments	HR 4805	X			S 1730,2452	X	X				
Information Science & Technology Act	HR 3137	X									
Job Training Partnership Act	HR 5320	X	X 537	X	S 2036	X	469	X	839	X	PL 97-300
Medical Library Assistance Act	HR 6457	X	X 791	X	S 2311	X	461				
National Archives - Indep. Agency	HR 6894				S 1421	X					
NHPRC Extension					S 2501						
National Library & Info. Services Act					S 1431						
NTIS & NBS Authorization	HR 5726		501	X	S 2271		337	X	none	X	PL 97-286
Taxation - Indep. Research Libraries					S 696	X					
Taxation - Manuscript donations	HR 6662,etc.				HR 1524	X	643				
Taxation - Computer Equipment Contribution	HR 5573	X	X 836	X	S 2281	X	647				
Taxation - Thor Power Tool ruling	HR 1016,1936				S 578	X					
Telecommunications - Cable TV					S 2172	X	518				
Telecommunications Competition & Dereg.	HR 5158	X	X		S 898	X	170	X			
Appropriations											
Urgent Supplemental Approp. FY 1982	HR 6635		none	X	HR 5685		none	X	632	X	PL 97-216
Supplemental Approp. FY 1982	HR 6863		673	X	HR 6863		516	X	747	X	PL 97-257
Continuing Resolution, FY 1983 thru 12/17/82	HJRes 599		834	X	HJRes 599		581	X	914	X	PL 97-276
Agriculture, FY 1983	HR 7072		800	X	HR 7072		566	X			
Commerce, State Dept., FY 1983					S 2956		584				
HUD, Indep. Agencies, FY 1983	HR 6956			X	S 2880		549	X	891	X	PL 97-272
Labor-HHS-Education, FY 1983	HR 7205	X	X 894		S 2911		545				
Legislative, FY 1983	HR 7073		801		S 2939		573				
Treasury, Postal, FY 1983	HR 7158		854		S 2916	X	547				

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

News Release: American Library Association

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312 944-6780

From: Marcia Kuszmaul
Peggy Barber, Director
Public Information Office

FOR IMMEDIATE RELEASE

October 1982

LIBRARIANS WARN OF MOUNTING THREAT TO ACCESS TO GOVERNMENT INFORMATION

The American Library Association (ALA) says the federal government is continuing a series of actions begun in 1981 that reflects a trend to restrict government publications and information dissemination activities. The near 40,000-member library organization expressed its conviction that there is a "mounting threat to access to information needed for the fulfillment of the democratic process" in a resolution passed at its 1982 annual conference in Philadelphia.

The strongly worded resolution points out seven instances of specific policy decisions, executive interpretations and implementations of legislation or agency budget cuts that can be interpreted as a definite shift toward curtailing free and equal public access to the data collected, compiled and published by the federal government.

ALA cites the "massive curtailment" of executive agencies' publications and films that resulted from an Office of Management and Budget (OMB) directive; the difficulties in obtaining statistical information because of infrequent collection and publication, inaccessible formats and the abolition of the OMB Statistical Policy Board; and the limitations on the Freedom of Information Act imposed by

- more -

MOUNTING THREAT TO ACCESS TO GOVERNMENT INFORMATION--add one

an executive order that restricts the ability of the public to obtain improperly classified government information.

The current administration also came under fire for the "severe restrictions" it has placed on the rights of the news media and of former government employees to write or speak critically of government activities and for budget cuts for the National Archives and Records Service that have caused reduced reference service, a slowdown in processing the Nixon papers and elimination of interlibrary loan service by the Fort Worth Federal Archives Record Center, the main source of films of the census, diplomatic, pension and other records.

ALA notes the Public Printer has implemented a policy not to offer for public sale government documents that are not expected to earn at least \$1000 in twelve months and says "the present government is refusing to publish tax-financed studies whose conclusions it disagrees with and refusing permission to the researchers to publish elsewhere."

The American Library Association, the oldest and largest national library association in the world, concluded its resolution with the commitment to alert its members and the public "to this increasing danger."

Earlier this year, the threatened closing of 23 Government Printing Office bookstores was postponed because of public pressure.

In a similar resolution in 1981, ALA called for the underlying principle of the federal government's information dissemination policies and procedures to be free and equal public access. Recent developments, ALA observes, show little progress toward a coherent policy relating to the role and purpose of information in government.