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# ALA Washington Newsletter

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(4) Congr. Record reprint of 3/29 on LSCA bill, S. 2490

## LSCA Reauthorization

On March 29 Senate Education, Arts, and Humanities Subcommittee Chairman Robert Stafford (R-VT) (with cosponsors Pell, D-RI; Quayle, R-IN; Hawkins, R-FL; Kennedy, D-MA; Randolph, D-WV; Sarbanes, D-MD; and Eagleton, D-MO) introduced S. 2490, a five-year reauthorization and amendment of the Library Services and Construction Act. A Congressional Record reprint with introductory remarks, the text of S. 2490, and a summary of its provisions is attached to this newsletter.

The basis of S. 2490 is the House-passed HR 2878. However, the Senate bill differs in a few significant respects and in a number of minor technical respects from the House bill. Major differences include the following: S. 2490 adds an overall emphasis on "increasing the capacity of libraries to keep up with rapidly changing information technology," and specifies that "remodeling to accommodate new technologies" would be eligible under title II. The required federal share of title II construction grants would drop from 50 percent in the House bill to 33 percent. The Senate bill drops the new titles V and VI added by the House for literacy programs and foreign language materials, although such projects would be eligible under title I. Authorization levels would be marginally lower. The set-aside for title IV Indian library services would be reduced from 2 percent of appropriations for titles I, II and III to 1 percent. Unlike the House-passed bill, S. 2490 would make no change in the current administrative cost provisions. The specifics of the title III resource sharing plan would be optional rather than mandatory. The Senate bill would allow the National Commission on Libraries and Information Science to access the Library of Congress SCORPIO database.

The Senate Education Subcommittee is scheduled to markup S. 2490 on April 12. On March 23, the subcommittee held a hearing on LSCA reauthorization. Witnesses included Ann Richardson, Chairman of the Board of Reading Is Fundamental; Jean Fletcher, a lay delegate to the Florida Governor's Conference on Libraries; Mary



Kit Dunn, a member of the White House Conference on Library and Information Services Task Force from North Carolina; Alexander Nole, trustee, Walcott (CT) Public Library; Vermont State Librarian Patricia Klinck; Bruce Daniels, Dep. Dir., RI Dept. of State Library Services; Barbara Markuson, Indiana Cooperative Library Services Authority; Jane Heiser, Literacy Resource Libn., Enoch Pratt Free Library, Baltimore; and Edwin Holmgren, Director, Branch Libraries, NY Public Library.

### Telecommunications

Federal Communications Commission actions on March 20 and 28 delay higher phone charges and tariffs until June. The flat access charge of \$6 per line per month for multiline business customers, including many libraries, has been postponed until June 13. Changes in rates for OutWATS and 800 Service are also postponed until June 13. The new tariff for AT&T's interstate private line service (used by OCLC, RLIN and WLN for library data communications) has been suspended until June 1. Estimates of new rates for library use of private lines must await further actions by the carriers and the FCC.

The efforts of the library community have had an effect in these delays. In a February 17 Memorandum Opinion and Order (CC Docket No. 83-1145 Phase I), the FCC noted: "The American Library Association states that the cost of private lines used to access the largest bibliographic data base would be increased by 60 to 84% and that an increase of this magnitude could threaten the viability of many library data bank systems."

The Wall Street Journal reported on February 21 that "FCC officials said that the proposed tariffs would have had an uneven effect, leaving certain corporate users with practically no increases for private lines while libraries and other users might be subject to increases of 800% or more."

Again, in its March 28 Memorandum Opinion and Order (CC Docket No. 83-1145 Phase I and CC Docket No. 78-72 Phase I), the FCC noted that ALA was among the users expressing concern over the huge increases in Special Access (for private lines) rate levels under the October 3 tariffs. "Concerns that private line increases may drive these entities out of business, or at least make telecommunications so unaffordable as to alter their primary business, require this Commission to be diligent in reviewing the cost information submitted in justifying any rate increases. These concerns have not abated with the filing of new tariffs."

### Higher Education Act Reauthorization

House Postsecondary Education Subcommittee Chairman Paul Simon (D-IL) introduced on March 22 a 356-page extension and amendment of the Higher Education Act (HR 5240). The ranking subcommittee Republican, Rep. Tom Coleman (R-MO) made lengthy remarks at the first hearing on the bill on March 27 in which he expressed regret that, contrary to his usual custom, Rep. Simon had not developed a bill which the minority members of the subcommittee could support -- mainly because of its increased cost -- and which had divided the higher education community because of its controversial revision of student aid programs.

A day earlier, Reps. Bill Ford (D-MI) and Tom Coleman (R-MO) introduced on March 21 a separate extension and amendment of HEA title II library programs (HR 5210). Both bills would keep all parts of title II together; both, although in different fashion, would target II-A college library grants to needier institutions. The Ford/Coleman measure includes a new part D which would authorize grants for academic library technological equipment, for joint-use library projects, and for demonstration projects utilizing new technology. Title II changes proposed in both bills are detailed in an attachment to this newsletter.



Rep. Ford's introductory statement further explains his intent, includes a summary of HR 5210, and notes that he and Rep. Coleman have worked closely with the library community and the American Council on Education to develop the needs test for college library grants. See the March 21 Congressional Record, pp. E1158-9.

HR 5210 covers only HEA II. Among the provisions of interest in other titles of HR 5240 are the following: Title I, Continuing and Community Postsecondary Education, would include assistance for training literacy tutors, and assistance for correctional education including library development and services. Title III assistance for developing institutions could include library expenditures. Title VI, International Education, would authorize \$1 million per year for a foreign language periodical center. Academic libraries would be eligible for assistance under title VII, Construction, Reconstruction, and Renovation of Academic Facilities. The bill would establish a National Advisory Commission on Postsecondary Education to advise the Secretary of Education on matters affecting higher education, including college libraries.

#### UNESCO

On March 15, Thomas Galvin, Dean of the University of Pittsburgh's School of Library and Information Science, testified on behalf of ALA before two subcommittees of the House Committee on Science, Research and Technology about the impact of the proposed withdrawal of the U.S. from UNESCO on U.S. scientific and technological cooperative efforts. The hearing was chaired by Rep. Doug Walgren (D-PA). Galvin, a member of the U.S. National Commission for UNESCO, stated the Association's concern at the prospect of the withdrawal which the Secretary of State announced in late 1983 would be effective on December 31, 1984. Galvin included a copy of the resolution on the continued U.S. membership in UNESCO which ALA Council passed at Midwinter in January 1984. He stressed ALA's recommendation that the Secretary of State and the Director General of UNESCO initiate discussions that will lead to resolution of outstanding differences before the announced U.S. withdrawal date, and said that the Association remains "...deeply troubled that no process yet appears to have been initiated by the State Department to pursue such negotiations."

Galvin recognized that there are serious problems with UNESCO that need to be resolved, but that at the operational level in the information field, UNESCO has developed and implemented successful, non-politicized, practical programs of cooperation and development that are vital to U.S. interests and for which no workable alternatives exist. He pointed out that "experience makes it abundantly clear that international copyright cannot be effectively negotiated on a bilateral basis," and that in 1982, U.S. book exports in the scientific and technical and professional category alone, represented a dollar value of over \$118,000,000.

Rep. George Brown (D-CA) asked whether withdrawal from UNESCO would place at risk any of the U.S. share of the \$60 billion world market in communications equipment, the U.S. share of which he said was \$49 billion. Galvin stated that it would, because normative standards could be introduced by UNESCO bodies at which the U.S. would not be represented, and competing countries such as France and Japan could thereby secure significant advantages. Asked by Rep. Brown whether the total volume of U.S. exports placed at risk could exceed the total present U.S. contribution to UNESCO (\$50 million), Galvin replied that it certainly could.

\* \* \* \*

URGE YOUR REPRESENTATIVES TO MAKE ONE-MINUTE NATIONAL LIBRARY WEEK  
SPEECHES UNDER SPECIAL ORDER REQUESTED BY REP. MAJOR OWENS FOR  
APR. 11. THEY ARE LIKELY TO SAY YES IF YOU DRAFT A FEW PARAGRAPHS  
FOR THEM TO CONSIDER.



The Senate passed by voice vote on March 30, 1984 a resolution, S. Res. 359, paying tribute to the Depository Library System. The resolution was introduced March 23 by Sen. Charles Mathias (R-MD) with cosponsors Sen. William Warner, and Sen. Dan Rostenkowski. The text of the resolution is as follows:

THE WHITE HOUSE

WASHINGTON

S. Res. 359

**NATIONAL LIBRARY WEEK**

**April 8-14, 1984**

National Library Week reminds us of our inalienable rights as free explorers in the unbounded universe of the human mind.

All the world's treasures of thought, imagination, scholarship, experience, and patient investigation are accessible to Americans in our libraries. The more these treasures are mined, the richer the store becomes. Each generation adds new knowledge, and each reading gives new life to ancient wisdom.

I offer my warmest commendation to the American Library Association and to its members, the devoted librarians who guard this inexhaustible resource, for making us aware once again of the vast potential for learning our libraries have to offer and of the freedom Americans enjoy to search the limitless reaches of human thought.

*Ronald Reagan*

SENATE PAYS TRIBUTE TO DEPOSITORY LIBRARY SYSTEM

The Senate passed by voice vote on March 30, 1984 a resolution, S. Res. 359, paying tribute to the Depository Library System. The resolution was introduced March 28 by Sen. Charles Mathias (R-MD) with cosponsors Sens. Baker, Pell, Hatfield, Inouye, Warner, and DeConcini. The text of the resolution is as follows:

S. Res. 359

To pay tribute to the Depository Library System.

Whereas the United States Senate has recognized that citizens of America should have effective access to Government information throughout the country; and

Whereas the Congress of the United States has provided its citizens with free and open access to Government information through a Depository Library System that includes at least one depository library in each Congressional District; and

Whereas depository libraries in a variety of categories, including public, academic, land grant, State, law school and Federal libraries, have enthusiastically provided service and access to information to citizens across the country; and

Whereas the Nation celebrates National Library Week each year in the month of April to honor and recognize the fine public service that has always been characteristic of the libraries of America; now, therefore be it

Resolved, That the Senate pay tribute to depository libraries throughout the land and commend the many dedicated people associated with the depository library program for their significant contribution in furthering the cause of free and open public access to Government information.

SEC. 2. The Secretary of the Senate shall transmit copies of this resolution to the Public Printer of the United States, the president of the American Library Association and the president of the American Association of Law Libraries.

# AMENDMENTS PROPOSED TO HIGHER EDUCATION ACT TITLE II LIBRARY PROGRAMS

HR 5240, HEA reauthorization introduced March 22, 1984 by House Postsec. Educ. Subcom. Chair Paul Simon (D-IL), subcom. members Ackerman, Williams of MT, Kogovsek, Owens, Harrison, and 19 other cosponsors.

Authorizations	FY '86	FY '87	FY '88	FY '89	FY '90
II-A	\$40,000,000	\$50,000,000	\$60,000,000	\$70,000,000	\$80,000,000
II-B	40,000,000	50,000,000	60,000,000	70,000,000	80,000,000
II-C	15,000,000	25,000,000	35,000,000	45,000,000	60,000,000

For need criteria purposes in II-A college library grants, a numerical index would be established based on the following factors weighed (sic) according to the order in which they are listed:

- 1) The extent to which the institution is in the lowest quartile of applicant institutions with respect to its library resource holdings, as measured by using standards established by the Association of College and Research Libraries for determining critical needs for library resources.
- 2) The extent to which the institution's own effort in support of its library (excluding capital and physical maintenance expenses) exceeds a minimum of 3 percent of the institution's operational budget.
- 3) The number and percentage of low-income students enrolled in the institution, determined on the basis of the number of the institution's full-time equivalent students who receive Pell Grants.
- 4) Whether the institution is an eligible institution under HEA III (which in HR 5240 means developing institutions, historically Black institutions, and Hispanic institutions).
- 5) Other relevant and useful factors determined by the Secretary of Education (up to 10 percent of the points awarded on the index).

The National Institute of Education would be required to evaluate the need criteria and report to Congress by May 30, 1989.

"Expanding the study of the uses of information transfer and communications technology in libraries" would be made a priority of the HEA II-B library research and demonstration program.

A library unit to administer and coordinate all ED library programs would be established within the Office of Postsecondary Education of the Education Department.

HR 5210, HEA II amendments introduced March 21, 1984 by House Postsec. Educ. Subcom. member Bill Ford (D-MI), ranking minority member Tom Coleman (R-MO), and subcom. members Owens, Perkins, Penny, Williams of MT, Harrison, Ackerman, Gunderson, Jeffords, Kogovsek, and Reps. Kildee and Murphy. HR 5210 would rename HEA II "Academic Library and Information Technology Enhancement."

Authorizations	FY '85	FY '86	FY '87	FY '88	FY '89
II-A	\$12,500,000	\$13,750,000	\$15,125,000	\$16,637,500	\$18,301,250
II-B	5,000,000	5,500,000	6,050,000	6,655,000	7,320,500
II-C	12,500,000	13,750,000	15,125,000	16,637,500	18,301,250
II-D (new)	5,000,000	5,500,000	6,050,000	6,655,000	7,320,500



To be eligible for a II-A college library grant, academic libraries would have to provide satisfactory assurances that they are participating in one or more agreements with other institutions for library resource sharing, and that they will maintain or develop access for students to academically oriented data bases.

An applicant must be dependent on the grant for improving the quality of its programs or maintaining accreditation and provide assurances that:

- 1) The institution has low general expenditures per student compared to other institutions of comparable size and program.
- 2) The percentage of institutional budget used for student aid is high compared to other institutions of comparable size and program.
- 3) The growth of the library budget compared to changes in student enrollment over the preceding three years is low compared to other institutions of comparable size and program.
- 4) The institution's library evidences need in one or more of the following:
  - A) The acquisitions budget for periodical subscriptions is low compared to other institutions of comparable size and program.
  - B) The number of hours the library is open with professionally trained staff available to assist students is low compared to other institutions of comparable size and program.
  - C) There exists a serious deficiency in basic reference materials as defined by the Secretary of Education and certified by the library director.
  - D) A library deficiency has been cited in an accreditation evaluation or review.

The amount of the award would reflect both relative need based on the criteria and the number of students who would benefit.

The National Commission on Libraries and Information Science would be required to study the effectiveness of the criteria and report to Congress by September 30, 1988, with \$75,000 authorized for this purpose.

The current part D, the unfunded national periodical system, would be replaced with a new program of College Library Technology and Cooperation Grants for the following purposes:

- 1) The acquisition, installation, maintenance, or replacement of technological equipment (including computer hardware and software) necessary to participate in library resource sharing networks if the institution demonstrates need.
- 2) The establishment and strengthening of joint-use library facilities, resources, or equipment for consortia which demonstrate need.
- 3) Allowing public and private nonprofit institutions to provide library services to higher education institutions.
- 4) Research and demonstration grants to meet special national or regional needs in utilizing technology to enhance library or information sciences.

Awards would be made in each of the categories. Institutions could use up to three years to expend the funds. The minimum grant would be \$15,000 with a one-third matching requirement.

# Congressional Record

## Senate

S. 2490, a five-year extension and amendment of the Library Services and Construction Act, was introduced March 29 by Sen. Robert Stafford (R-VT), Chairman of the Senate Education, Arts, and Humanities Subcommittee, with the cosponsors listed below. This reprint includes the text of the bill, a summary of its provisions, and introductory remarks. S. 2490 is similar to, but not identical with, HR 2878 as passed by the House on January 31, 1984.

(Pages S3427-S3432)

By Mr. STAFFORD (for himself, Mr. PELL, Mr. QUAYLE, Mrs. HAWKINS, Mr. KENNEDY, Mr. RANDOLPH, Mr. SARBANES, and Mr. EAGLETON):

S. 2490. A bill to amend and extend the Library Services Construction Act; to the Committee on Labor and Human Resources.

#### LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1984

● Mr. STAFFORD. Mr. President, today, on behalf of myself and Senators PELL, QUAYLE, HAWKINS, KENNEDY, RANDOLPH, SARBANES, and EAGLETON, I am pleased to introduce the Library Services and Construction Act Amendments of 1985.

These amendments are the product of hearings held by the Subcommittee on Education, Arts and Humanities and reflect the input of many citizens interested in the expansion and improvement of library services.

Two goals lie at the heart of this legislation: First, to expand access to library services for those populations who have experienced barriers to access in the past; and second, to assist libraries in coping with the revolution in information technology.

Mr. President, when President Eisenhower signed the Library Services and Construction Act in 1956, 960 counties in this country were without public libraries. Furthermore, only six States offered grants to aid local libraries, and only one in six Americans had ready access to a public library.

The Library Services and Construction Act, responding to the need to establish library services in unserved areas, has succeeded remarkably, in contrast to 1956, roughly 95 percent of the population has access to local library services. Book mobiles and mail services have extended the reach of local libraries, and various transportation services have opened up library doors to those who were isolated from libraries either by geographic location or physical handicap. Additionally, library services are no longer confined to the traditional structure; programs have been developed in such diverse sites as nursing homes, prisons, State hospitals and other facilities.

These accomplishments are the product of a cooperative partnership involving Federal, State, and local efforts. The Federal share represents a small portion of the total national expenditure on libraries, estimated at between 5 and 8 percent.

The history of this legislation reflects a growing understanding that underserved populations can be as difficult to reach in urban as in rural areas. As Edwin Holmgren of New York Public Library has aptly stated:

In a big city like New York, the barriers to access tend not to be those of distance, as in rural areas, but rather poverty, illiteracy, age and lack of a common language or culture.

Amendments to this legislation over the past 20 years have tried to address urban isolation and the needs of multilingual, illiterate, and elderly populations. This has been accomplished while preserving much of the rural

emphasis that characterized LSCA from the beginning. The amendments require equal consideration of large urban areas and small towns. They serve to insure the maximization of existing resources, by requiring that scarce and expensive resources be shared.

Still another challenge is emerging, one that this legislation seeks to meet head on. That challenge is the explosive growth in information technologies. Libraries are natural consumers of these new technologies, but as is the case with all of us, they will need to proceed thoughtfully in making investments in these expensive services. These amendments seek to assist in that endeavor.

Included in this reauthorization is a new title that will make grants available to Indian tribes living on or near reservations.

Mr. President, the bill that I am introducing today with Senators PELL, QUAYLE, HAWKINS, KENNEDY, RANDOLPH, SARBANES, and EAGLETON, preserves the flexibility that has made this program popular with State and local governments. The Library Services and Construction Act has been and continues to be a productive Federal investment in our Nation's libraries. It has been a catalyst for expansion and improvement and it will continue to promote these goals as we approach the 21st century.

Public libraries are charged with the responsibility of preserving our Nation's history and making it readily available to all of our citizens. It is a

(over)



vital task in a nation founded on individual freedoms, that places a premium on education for all Americans.

I commend these amendments to the attention of my colleagues and ask unanimous consent that this legislation and a section-by-section analysis be printed in the CONGRESSIONAL RECORD.

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

S. 2490

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

#### SHORT TITLE; FINDINGS

SECTION 1. (a) This Act may be cited as the "Library Services and Construction Act Amendments of 1984".

(b) The Congress finds that—

(1) the role of libraries has expanded to include (A) providing programs to meet the needs of special segments of the population, including librarian training and outreach programs, and (B) sharing resources and materials among a wide variety of libraries;

(2) it has become necessary to expand the role of libraries as information centers for their communities, utilizing improved and new technologies and resources to meet the increasing need for information services and educational resources of Americans in a rapidly changing economy;

(3) funding for construction of new libraries and renovation of existing libraries is essential to ensure continuation of library services for the public;

(4) attention should be paid to the needs of small and rural community libraries and information centers because these facilities are often underfunded and understaffed and as a consequence cannot adequately serve the needs of the community; and

(5) the scope and purpose of the Library Services and Construction Act should therefore be revised to include a more comprehensive range of programs which may receive funds thereunder and to ensure the extension of services to minorities and other populations that would otherwise be unable to use regular library facilities.

#### DECLARATION OF PURPOSE

SEC. 2. (a) Section 2(a) of the Library Services and Construction Act (hereafter in this Act referred to as "the Act") is amended to read as follows:

"Sec. 2. (a) It is the purpose of this Act to assist the States in the extension and improvement of public library services to areas and populations of the States which are without such services or to which such services are inadequate. It is the further purpose of this Act to assist with (1) public library construction and renovation; (2) improving State and local public library services for older Americans and Indian tribes, handicapped, institutionalized, and other disadvantaged individuals; (3) strengthening State library administrative agencies; (4) promoting interlibrary cooperation and resource sharing among all types of libraries; (5) strengthening major urban resource libraries; and (6) increasing the capacity of libraries to keep up with rapidly changing information technology."

(b) Section 2(b) of the Act is amended by inserting "and Indian tribes" before the period at the end of the second sentence.

#### DEFINITIONS; ADMINISTRATIVE AMENDMENT

SEC. 3. (a) Section 3 of the Act is amended—

(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) 'Secretary' means the Secretary of Education";

(2) by inserting after the first sentence in paragraph (2) the following new sentence: "Such term includes remodeling to meet

standards under the Act of August 12, 1968, commonly known as the 'Architectural Barriers Act of 1968', remodeling designed to conserve energy and renovation or remodeling to accommodate new technologies."

(3) by inserting "the Northern Mariana Islands," after "the Virgin Islands," in paragraph (7);

(4) by striking out the parenthetical in paragraph (9) and inserting in lieu thereof the following: "(including mentally retarded, hearing impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired persons who by reason thereof require special education)"; and

(5) by adding at the end thereof the following new paragraph:

"(15) 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as determined by the Secretary after consultation with the Secretary of the Interior."

(b) The Act is amended—

(1) by striking out "Commissioner" each place it appears and inserting in lieu thereof "Secretary"; and

(2) by striking out "Commissioner's" each place it appears and inserting in lieu thereof "Secretary's".

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 4. (a) Section 4(a) of the Act is amended to read as follows:

"Sec. 4. (a) There are authorized to be appropriated—

"(1) for the purpose of making grants as provided in title I, \$75,000,000 for fiscal year 1985, \$80,000,000 for fiscal year 1986, \$85,000,000 for fiscal year 1987, \$90,000,000 for fiscal year 1988, and \$95,000,000 for fiscal year 1989;

"(2) for the purpose of making grants as provided in title II, \$50,000,000 for each of the fiscal years 1985, 1986, 1987, 1988, and 1989; and

"(3) for the purpose of making grants as provided in title III, \$18,000,000 for fiscal year 1985, \$21,000,000 for fiscal year 1986, \$24,000,000 for fiscal year 1987, \$27,000,000 for fiscal year 1988, and \$30,000,000 for fiscal year 1989.

There shall be available for the purpose of making grants under title IV for each of the fiscal years 1985, 1986, 1987, 1988 and 1989, 1 per centum of the amount appropriated pursuant to each of paragraphs (1), (2), and (3) for each such fiscal year."

(b) Section 4 of the Act is further amended by adding at the end thereof the following new subsection:

"(d)(1) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which they are first available for obligation.

"(2) In order to effect a transition to the advance funding method of timing appropriation action, the provisions of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year."

#### ALLOTMENTS TO STATES AND INDIAN TRIBES

SEC. 5. Section 5 of the Act is amended—

(1) by inserting "and Indian tribes" after "states" in the heading of such section;

(2) by striking out "paragraph (1), (2), (3), or (4)" each place it appears in subsection (a) and inserting in lieu thereof "paragraph (1), (2), or (3)";

(3) by inserting "the Northern Mariana Islands," after "the Virgin Islands," each place it appears in subsection (a)(3);

(4) in subsection (a)(3), by inserting "and" at the end of subparagraph (B), by striking out "and" at the end of subparagraph (C), and inserting in lieu thereof a period, and by striking out subparagraph (D); and

(5) by adding at the end thereof the following new subsection:

"(c)(1) From the sums available pursuant to the last sentence of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indian tribe. Grants from such allotted amounts shall be made to Indian tribes which have submitted approved applications under section 403.

"(2) Any allotted funds for which an Indian tribe does not apply, or applies but does not qualify, shall be reallocated by the Secretary among Indian tribes which have submitted approved plans under section 404. In making such allocations (A) no funds shall be allocated to an Indian tribe unless such funds will be administered by a librarian, and (B) the Secretary shall take into account the needs of Indian tribes for such allocations to carry out the activities described in section 402(b)."

#### PLANS AND PROGRAMS

SEC. 6. Section 6 of the Act is amended—

(1) by striking out "STATE" in the heading of such section;

(2) by striking out "titles I, II, III, and IV" in subsection (a) and inserting in lieu thereof "titles I, II, and III";

(3) by striking out clause (4) of subsection (b) and inserting in lieu thereof the following:

"(4) provide that priority will be given to programs and projects—

"(A) that improve access to public library resources and services for the least served populations in the State, including programs for individuals with limited English-speaking proficiency, handicapping conditions and programs and projects in urban and rural areas;

"(B) that serve the elderly; .

"(C) that are designed to combat illiteracy; and

"(D) that increase services and access to services through effective use of technology."

(4) by adding at the end thereof the following new subsection:

"(g)(1) Any Indian tribe desiring to receive its allotment under section 5(c)(1) shall submit an application to the Secretary in accordance with section 403.

"(2) Any Indian tribe desiring to receive an additional allocation under section 5(c)(2) shall submit a plan in accordance with section 404."

#### PAYMENTS

SEC. 7. Section 7 of the Act is amended—

(1) by striking out "TO STATES" in the heading of such section;

(2) by striking out "paragraph (1), (2), (3), or (4)" in subsection (a) and inserting in lieu thereof "paragraph (1), (2), or (3)";

(3) by striking out "and title IV" in subsection (b)(1);

(4) by inserting "and the Northern Mariana Islands" after "American Samoa," in subsection (b)(1);

(5) by inserting "the Northern Mariana Islands," after "the Virgin Islands," in subsection (b)(2); and

(6) by adding at the end thereof the following new subsection:

"(C) From the sums available pursuant to the first sentence of section 4(a), the Secretary shall pay to each Indian tribe which has an approved application under section 403 an amount equal to such tribe's allotment under section 5(c)(1) and shall pay to each Indian tribe which has an approved plan under section 404 an amount equal to such tribe's additional allocation under section 6(g)(2), except that such additional allocation shall not exceed 80 percent of the cost of carrying out such plan."



#### GRANTS FOR LIBRARY SERVICES

SEC. 8. Section 101 of the Act is amended to read as follows:

##### "GRANTS TO STATES FOR LIBRARY SERVICES

"Sec. 101. The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(1) to States which have had approved basic State plans under section 6 and have submitted annual programs under section 103—

"(1) for the extension of public library services to areas and populations without such services and the improvement of such services to areas and populations to ensure that such services are adequate to meet user needs and to make library services accessible to individuals who, by reason of distance, residence, handicap, age, literacy level, or other disadvantage, are unable to receive the benefits of public library services regularly made available to the public;

"(2) for adapting public library services to meet particular needs of individuals within the States;

"(3) for assisting libraries to serve as community information referral centers;

"(4) for assisting libraries in providing literacy programs for adults and school drop-outs in cooperation with other agencies and organizations, if appropriate;

"(5) for strengthening State library administrative agencies; and

"(6) for strengthening major urban resource libraries."

##### USES OF FEDERAL FUNDS

SEC. 9. Section 102(a)(1) of the Act is amended by inserting "assist libraries to serve as community information referral centers and to" after "designed to".

##### STATE LIBRARY SERVICE PROGRAM

SEC. 10. Section 103 of the Act is amended—

(1) by inserting after "handicapped" in clause (3) the following: "and institutionalized individuals";

(2) by redesignating clauses (4) and (5) as clauses (5) and (6), respectively, and inserting after clause (3) the following:

"(4) describe the uses of funds for programs for the elderly, including (A) the training of librarians to work with the elderly; (B) the conduct of special library programs for the elderly, particularly for the elderly who are handicapped; (C) the purchase of special library materials for use by the elderly; (D) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (E) the provision of in-home visits by librarians and other library personnel to the elderly; (F) the establishment of outreach programs to notify the elderly of library services available to them; and (G) the furnishing of transportation to enable the elderly to have access to library services;" and

(3) by adding at the end thereof the following new sentence: "The amount which a State is required to expend pursuant to clause (3) of this section shall be ratably reduced to the extent that Federal allocations to the State are reduced."

##### CONSTRUCTION: USE OF FUNDS

SEC. 11. (a) Section 202 of the Act is amended by striking out the second sentence and inserting in lieu thereof the following: "Such grants shall be used for the construction (as defined in section 3(2)) of public libraries."

(b)(1) Section 202 of the Act is further amended by inserting "(a)" after "Sec. 202." and by adding at the end thereof the following new subsections:

"(b) For the purposes of subsection (a), the Federal share of the cost of construction of any project assisted under this title shall not exceed one-third of the total cost of such project.

"(c) If, within 20 years after completion of construction of any library facility which has been constructed in part with funds made available under this title—

"(1) the recipient (or its successor in title or possession) ceases or fails to be a public or nonprofit institution, or

"(2) the facility ceases to be used as a library facility, unless the Secretary determines that there is good cause for releasing the institution from its obligation.

the United States shall be entitled to recover from such recipient (or successor) an amount which bears the same ratio to the value of the facility at that time (or part thereof constituting an approved project or projects) as the amount of the Federal grant bore to the cost of such facility (or part thereof). The value shall be determined by the parties or by action brought in the United States district court for the district in which the facility is located."

(2) Subsection (c) of section 202 of the Act as added by the amendment made by paragraph (1) shall apply to any facility constructed prior to or after the date of enactment of this Act with funds made available under title II of the Act.

##### INTERLIBRARY COOPERATION AND RESOURCE SHARING

SEC. 12. (a) The heading of title III of the Act is amended by inserting "AND RESOURCE SHARING" after "INTERLIBRARY COOPERATION".

(b) Section 301 of the Act is amended—

(1) by striking out "section 6 and" and inserting in lieu thereof "section 6," and

(2) by inserting before the period at the end thereof a comma and the following: "and have submitted long-range and annual programs which are directed toward eventual compliance with the requirements of section 304".

(c) Section 303 of the Act is amended by inserting "shall comply with the requirements of section 304," after "by regulation and" in the second sentence.

(d) Title III of the Act is further amended by adding at the end thereof the following new section:

##### "RESOURCE SHARING

"Sec. 304. (a) The long-range program and annual program of each State shall include a statewide resource sharing plan.

"(b) In developing the State basic and long-range programs, the State Library agency with the assistance of the State advisory council on libraries shall consider recommendations from current and potential participating institutions in the interlibrary and resource sharing programs authorized by this title.

"(c) The State's long-range program shall identify interlibrary and resource sharing objectives to be achieved during the period covered by the basic and long-range plans required by section 6. The long-range program may include—

"(1) criteria for participation in statewide resource sharing to ensure equitable participation by libraries of all types that agree to meet requirements for resource sharing;

"(2) an analysis of the needs for development and maintenance of bibliographic access, including data bases for monographs, serials, and audiovisual materials;

"(3) an analysis of the needs for development and maintenance of communications systems for information exchange among participating libraries;

"(4) an analysis of the needs for development and maintenance of delivery systems for exchanging library materials among participating libraries;

"(5) a projection of the computer and other technological needs for resource sharing;

"(6) an identification of means which will be required to provide users access to library resources, including collection development and maintenance in major public, academic, school, and private libraries serving as resource centers;

"(7) a proposal, where appropriate, for the development, establishment, demonstration, and maintenance of intrastate multitype library systems;

"(8) an analysis of the State's needs for development and maintenance of links with State and national resource sharing systems; and

"(9) a description of how the evaluations required by section 8(d) will be conducted.

"(d) Libraries participating in resource sharing activities under this section may be reimbursed for their expenses in loaning materials to public libraries."

##### LIBRARY SERVICES FOR INDIAN TRIBES

SEC. 13. Title IV of the Act is amended to read as follows:

##### "TITLE IV—LIBRARY SERVICES FOR INDIAN TRIBES

##### "FINDINGS AND PURPOSE; AUTHORIZATION OF GRANTS

"Sec. 401. (a) The Congress finds that—

"(1) most Indian tribes receive little or no funds under titles I, II, and III of this Act;

"(2) Indian tribes and reservations are generally considered to be separate nations and seldom are eligible for direct library allocations from States;

"(3) the vast majority of Indians living on or near reservations do not have access to adequate libraries or have access to no libraries at all; and

"(4) this title is therefor required specifically to promote special efforts to provide Indian tribes with library services.

"(b) It is therefor the purpose of this title (1) to promote the extension of public library services to Indian people living on or near reservations; (2) to provide incentives for the establishment and expansion of tribal library programs; and (3) to improve the administration and implementation of library services for Indians by providing funds to establish and support ongoing library programs.

"(c) The Secretary shall carry out a program of making grants from allotments under section 5(c)(1) to Indian tribes that have submitted an approved application under section 403 for library services to Indians on or near reservations.

"(d) The Secretary shall carry out a program of making special project grants from funds available under section 5(c)(2) to Indian tribes that have submitted approved plans for the provision of library services as described in section 404.

##### "USE OF FUNDS

"Sec. 402. (a) Funds made available by grant under subsection (c) or (d) of section 401 may be used for—

"(1) inservice or preservice training of Indians as library personnel;

"(2) purchase of library materials;

"(3) conduct of special library programs for Indians;

"(4) salaries of library personnel;

"(5) construction, purchase, renovation, or remodeling of library buildings and facilities;

"(6) transportation to enable Indians to have access to library services;

"(7) dissemination of information about library services;

"(8) assessment of tribal library needs; and

"(9) contracts to provide public library services to Indians living on or near reservations or to accomplish any of the activities described in paragraphs (1) through (8).



"(b) Any tribe that supports a public library system, shall continue to expend from Federal, State, and local sources an amount not less than the amount expended by the tribe from such sources for public library services during the second fiscal year preceding the fiscal year for which the determination is made.

"(c) Nothing in this Act shall be construed to prohibit restricted collections of tribal cultural materials with funds made available under this Act.

#### "APPLICATIONS FOR LIBRARY SERVICES TO INDIANS

"Sec. 403. Any Indian tribe which desires to receive its allotment under section 5(c)(1) shall submit an application which contains such information as the Secretary may require by regulation.

#### "PLANS FOR LIBRARY SERVICES TO INDIANS

"Sec. 404. Any Indian tribe which desires to receive a special project grant from funds available under section 5(c)(2) shall submit a plan for library services on or near an Indian reservation. Such plans shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation and shall set forth a program for the year under which funds paid to the Indian tribe will be used, consistent with—

- "(1) a long-range program, and
- "(2) the purposes set forth in section 402(a).

#### COORDINATION WITH PROGRAMS FOR INDIANS

"Sec. 405. The Secretary shall coordinate with the Secretary of the Interior programs under this title with the programs assisted under the various Acts and programs administered by the Department of the Interior that pertain to Indians."

#### SCORPIO

SEC. 14. Section 5(d) of the National Commission on Libraries and Information Science Act is amended by inserting "(1)" after the subsection designation and by adding at the end thereof the following new paragraph:

"(2) The Librarian of Congress shall permit the Commission to access the Subject Content Oriented Retriever for Processing Information On-Line (SCORPIO)."

#### SECTION-BY-SECTION ANALYSIS OF THE LIBRARY SERVICES AND CONSTRUCTION ACT REAUTHORIZATION

##### SECTION 1

This section gives the title of the Act "Library Services and Construction Act Amendments of 1984" and gives the Congressional findings relative to the Act. Those findings are as follows: The role of libraries has expanded to include providing programs to meet the needs of special populations, to help establish networks and share resource materials among a wide variety of libraries; the role of libraries as information centers should be expanded to meet the increasing needs of their communities for informational and educational resources, and the scope and purpose of the Library Services and Construction Act (LSCA) should be expanded to include a broader range of programs which may receive funds and to ensure services to populations which might otherwise be without library services.

##### SECTION 2

This section amends the declaration of policy to state that it is the purpose of the Act: to assist the states in extending services to areas and populations without such services, including the elderly and Indian tribes; to assist with library construction and renovation; to improve library services for special populations such as the handicapped and institutionalized; to assist in strengthening state library administrative agencies; to promote interlibrary cooperation and resource-sharing; and to strengthen major urban resource libraries.

##### SECTION 3

This section amends the definitions section to include the Northern Mariana Islands; to change Commissioner to Secretary of Education; to add to the definition of construction "remodeling to meet the standards under the Architectural Barriers Act of 1968, remodeling designed to conserve energy, and renovation or remodeling to accommodate new technologies". It also amends the definitions to include "Indian tribe" which is defined as "any Indian tribe, band, nation, or organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as determined by the Secretary of the Interior."

##### SECTION 4

This section authorizes the following appropriations: For Title I, \$75 million for fiscal year 1985, \$80 million for fiscal year 1986, \$85 million for fiscal year 1987, \$90 million for fiscal year 1988, and \$95 million for fiscal year 1989; or Title II, \$50 million for fiscal years 1985-1989; for Title III, \$18 million for fiscal year 1985, \$21 million for fiscal year 1986, \$24 million for fiscal year 1987, \$27 million for fiscal year 1988, and \$30 million for fiscal year 1989. For Title IV, a set-aside equal to 1 percent of that appropriated for Titles I, II, and III is authorized. This section also adds a provision to place the LSCA program on a forward funded basis beginning in fiscal year 1985.

##### SECTION 5

This section amends the allotments to include allotments for Indian tribes. Each tribe is entitled to receive an equal amount of money based on the total appropriations for any fiscal year. If an Indian tribe does not apply for its allotment, that money will be retained by the Secretary and used to make discretionary grants on a competitive basis. Competitive grants require that the funds be administered by a librarian.

##### SECTION 6

This section amends requirements for state plans and programs to include priority for projects that improve access to library facilities for the least served populations in the state (including those of limited English speaking ability and programs and projects in both urban and rural areas) and for programs that serve the elderly, combat illiteracy, and that increase user access through effective use of technology. The section further specifies that any Indian tribe wishing to receive an allotment must submit an application to the Secretary of Education. In order to receive a discretionary grant, an Indian tribe must submit a long-range plan.

##### SECTION 7

This section mandates that the Secretary pay each Indian tribe which has an approved application an amount equal to that tribe's allotment. If an Indian tribe receives an additional discretionary grant, Federal monies shall not exceed 80 percent of the cost of carrying out this plan.

##### SECTION 8

This section amends Section 101 of LSCA, "Grants to States for Library Services." Grants to states may be used for extending library services to meet special needs of individuals in the state, to assist libraries to serve as community information referral centers, to provide literacy training for the public, and to improve and strengthen library administrative agencies and major urban resource libraries.

##### SECTION 9

This section amends Section 102 of LSCA to include using Federal funds to assist libraries in serving as community information referral centers.

##### SECTION 10

This section amends Section 103 of LSCA, "State Library Service Programs." The allowable uses of Federal funds to provide programs for the elderly are outlined in this section. Legitimate expenses include: training librarians to work with the elderly; conducting special library programs for the elderly; purchasing special library materials; paying salaries for elderly people to work in libraries in programs for the elderly; providing in-home visits by librarians; establishing outreach programs to notify the elderly of library services available to them; and furnishing transportation to enable the elderly to have access to library services.

The section also ratably reduces the amount of money the State must expend for handicapped and institutionalized persons if Federal allocations to the state are reduced.

##### SECTION 11

This section amends the use of library funds for the purposes of construction as defined in Section 3. The Federal share of the cost of construction shall not exceed one-third of the total cost of the construction project. If within twenty years after the completion of construction of a library facility which has been constructed with funds from LSCA, the facility is no longer used as a library, the U.S. government is entitled to recover an amount which bears the same ratio to the value of the facility at that time as the amount of Federal grant was to the cost of the facility. The value of the building shall be determined by the parties involved or by the appropriate United States District Court. This amendment applies to any facility constructed with funds from Title II prior to or after the date of enactment of this bill.

##### SECTION 12

This section amends the resource sharing title of LSCA. The new name of the title is "Interlibrary Cooperation and Resource Sharing". The annual and long-range state plans will need to identify interlibrary and resource sharing objectives to be achieved during the period covered by the plans and may include the following: criteria for participation in statewide resource sharing to ensure inclusion of libraries of all types; analysis of the needs for the development and maintenance of bibliographic access; analysis of the needs for the development and maintenance of communications systems for information exchange among participants; analysis of the needs of the development and maintenance of delivery systems for exchanging library materials; a projection of hardware and software needs for the operation of the resource sharing system; a mechanism to identify users and help provide them access to library resources; a proposal for the development, establishment and maintenance of intrastate multitype library systems; analysis of the needs for the development and maintenance of multistate and national resource sharing systems; and a description of the methods for periodic evaluations of the state's success in meeting the requirements listed.

Non-profit and academic libraries participating in resource-sharing activities may be reimbursed for their expenses in loaning materials to public libraries.

##### SECTION 13

This section amends Title IV of LSCA to read "Title IV—Library Services for Indian Tribes." The Congress finds that this title is needed because most Indian tribes receive little or no funds under other titles of the Act, Indian tribes are generally considered to be separate nations and are seldom eligible for direct allocations from states, and the majority of Indians living on or near reservations have little or no access to libraries at all.



The purpose of this title is to promote the extension of library services to Indian peoples living on or near reservations; to provide incentives for encouraging the establishment of tribal library programs; and to improve the administration and implementation of library services of Indian tribes by providing funds to establish and support ongoing library programs.

Funds may be used for: inservice or pre-service training of Indians as library workers; purchase of library materials; conduct of special library programs for Indians; salaries of library workers; construction, purchase, renovation, or remodeling of library buildings and facilities; transportation to enable Indians to have access to library services; dissemination of information about library services; assessment of tribal library needs; and contracts to provide public library services to Indians living on or near reservations or to accomplish any of the activities described above.

If tribes currently support public library systems, they must continue to expend the same amount of money in support of those services. Special collections of tribal cultural materials may be established and restricted.

Plans for discretionary grants must contain whatever information the Secretary of Education requires by regulation and shall also set forth a program for one year under which funds will be used consistent with a long-range program as well as the allowable expenditures.

The Secretary of Education shall consult with the Secretary of the Interior for the purposes of coordinating programs under this title with the programs assisted under the various Acts and programs administered by the Department of the Interior that pertain to Indians.

#### SECTION 14

This section allows the National Commission on Libraries and Information Science to access the Library of Congress's computerized SCORPIO.●

● Mr. PELL. Mr. President, I want to take this occasion to express my very strong support for the legislation which is being introduced today to reauthorize the Library Services and Construction Act (LSCA). The measure will extend the important grant programs that serve our Nation's public libraries for another 5 years through fiscal year 1989.

The Library Services and Construction Act, which I have been proud to support throughout four Senate terms, is without doubt the single most important source of Federal assistance for our public libraries. It has successfully provided this support to the States through a system of formula grants and, though this adds up to only a small percentage of all library aid, moneys have been targeted toward particularly critical areas. These areas have traditionally included underserved groups such as the handicapped, the disadvantaged and those people who speak English as a second language. Federal funds for strengthening these services are authorized through title I of the LSCA and a sum of \$75 million is being recommended. It is important that we continue this Federal responsibility because local jurisdictions alone cannot finance programs which will insure access to library services for these special population groups.

Libraries in major metropolitan areas have also benefited from LSCA funds. These urban libraries have been particularly hard hit by inflation resulting in reduced open hours and severe restrictions on the ability to purchase new books. Urban library services have also been cut back by municipalities as residents have fled to the suburbs and the local tax base has subsequently eroded.

Title II of the LSCA authorizes grants for the construction and renovation of library buildings. Regrettably, no funds have been appropriated under this title since 1973, save for a one-time appropriation of \$50 million in 1983 as part of the emergency jobs bill. I am especially hopeful that the funds for title II that are authorized in this bill will be appropriated this year. The need for financial assistance for public library construction and renovation is acute. The funds appropriated for this purpose in 1983 were a beginning, but only a fraction of the potential projects could be carried out with those funds. It is my understanding that over \$400 million is the investment needed today to alleviate overcrowding and bring existing library facilities up to date. I am prepared to support a renewed effort in this area, and am delighted that \$50 million is authorized in this legislation specifically for library construction projects for each year that this legislation covers.

Funds for Interlibrary Cooperation, under title III, have become especially critical as libraries convert their record systems over to computer-based technology. These funds allow libraries to share information throughout their nationwide network. Libraries are our most important resource for the dispersal of public information, and it is title III that helps insure the most efficient distribution of this information to the broadest population. The amount of \$18 million is being authorized for title III in fiscal year 1985—a sum that will help bring interlibrary cooperation fully into the computer age.

This bill will renew our Government's commitment to a healthy, vital, and accessible public library system across the country. Libraries have been described as our most important education resource in the Nation—second only to the classroom. For this reason alone, this bill deserves our support. I am delighted to join with my colleague from Vermont, Senator STAFFORD, in cosponsoring this legislation.●

● Mr. SARBANES. Mr. President, I am pleased to be a sponsor of this legislation reauthorizing the Library Services and Construction Act for fiscal years 1985 through 1989. The local library provides a unique and vital service to many communities in Maryland and throughout the Nation by providing a multitude of resources and programs to all citizens, usually at no cost. The American public library was created and nourished by such

basic ideas as the rights of individuals to think, to believe, to strive for intellectual development, to participate in the political process and to improve job capabilities. Senator Jacob Javits, a historic friend of libraries, said that "our libraries are cathedrals of the mind which we can afford to ignore only at the peril of losing our intellectual and creative identity." I am proud to join in reaffirming our Federal commitment to libraries today.

We in Maryland are fortunate to have some of the best libraries in the country. The branch library system established in Baltimore, home of the Enoch Pratt Free Library, one of the most renowned public municipal libraries in the world, served as an important model to Andrew Carnegie in his philanthropic efforts to establish branch libraries in many areas of the Nation. Carnegie later funded a system of small, horse-drawn book wagons based in Hagerstown that served many parts of western Maryland; and we have had a strong library outreach system throughout the State since these early beginnings. Some of the innovative adult education and literacy programs which serve the people of Baltimore were highlighted by Ms. Jane Heiser, a librarian at the Enoch Pratt Library, when she testified before the Senate Subcommittee on Education, Arts, and the Humanities last week; and I am proud to note the leadership that Maryland has provided in these and other areas of library service.

The Library Services and Construction Act reauthorization which I have joined in sponsoring today would increase funding for library services, library construction, and interlibrary cooperation during the next 4 years. Title I, Library services, would be strengthened to meet the increasing demand for literacy programs, language services, rural outreach program, and resources geared to the handicapped and elderly. Title II would provide for library construction funds, and title III would increase funding for interlibrary loan programs by about 20 percent. This additional funding for title III is crucial for our smaller towns and cities, which often depend on State and regional interlibrary cooperation to fill particular readers' request.

I strongly support our Federal commitment to libraries, which is so important in initiating innovative programs and in providing the incentive for many additional State and private contributions to our public libraries. The amount of money provided by the Federal Government represents a small but important percentage of library budgets, and we must maintain this Federal involvement. In Maryland, Federal funds have provided library services to the blind and physically handicapped, persons who are homebound, to those in hospitals and prisons, and residents of rural areas; and I urge my colleagues to support this important legislation.●