



ALA Washington Newsletter

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Bush FY 1990 Budget Revisions

Libraries. What President Bush intends for federal library programs, or whether the new Administration has any specific intentions for libraries, is unclear as yet. "Building a Better America," the 193-page FY 1990 budget document issued by the Bush Administration on February 9, is specific only on new initiatives (libraries are not mentioned), but very vague on how they are to be paid for. Although further details were promised, the only additional information has come as Office of Management and Budget Director Richard Darman has testified before congressional budget committees.

Of a total of \$14.3 billion in proposed new initiatives, only \$441 million would go to education, with seven or eight of ten education initiatives requiring passage of new legislation before any funding could be provided. The existing McKinney Act adult education program for the homeless would be expanded to provide

\$3 million for literacy programs for homeless adults. In a best case scenario, added to the Reagan budget freeze for Education Department programs would be President Bush's \$441 million in new funding, providing a total less than required to maintain current services.

OMB Director Darman has indicated that a long list of domestic programs are available for cuts to pay for Bush initiatives or congressional priorities. This category, totaling \$136 billion, has been dubbed the "black box" by Chairman Jim Sasser (D-TN) of the Senate Budget Committee. All Education Department discretionary programs, including libraries, fall in this category which, according to Darman at budget hearings, "is by definition a category that, from our perspective, is not as important." A minimum of \$10 billion must be cut from this category to reach the Gramm-Rudman-Hollings deficit reduction target.

The confusion has frustrated congressional budget analysts, because after a couple of weeks of analysis, the numbers do not add up and the budget picture for most federal agencies is still fuzzy. The testimony of cabinet secretaries such as Education Secretary Lauro Cavazos is necessarily vague, and even so, often inconsistent with Darman's statements.

Adding to the congressional disenchantment with a budget well received at first is the varying definition of a "freeze." For defense, it means an increase for inflation. For "black box" domestic programs, it means not only no inflationary adjustment to maintain current services, but a freeze at FY '89 "outlay" levels, or the amount actually paid out during the fiscal year. An outlay freeze would require severe cuts in appropriations, especially for slow-spend-rate programs, such as Chapter 2 and LSCA II.

Where does this leave the Reagan budget's Library Improvement Act proposal? Obviously, the Bush Administration's commitment to current funding levels of \$137.2 million as proposed by Reagan for the replacement legislation is not firm, since libraries are in the "black box" category to be negotiated with Congress for possible cuts. In addition, all new legislative proposals are on hold pending review by the Bush Administration.

ACTION NEEDED: From the information available, one must continue to assume that no funds have been recommended for FY 1990 for the existing LSCA and HEA II library programs. Urge your congressional delegation, in letters and on Legislative Day, to provide funding at a level which will allow current services assisted by federal library programs to continue. Explain why such support is needed and the impact of no funding.

Postal. Postal revenue forgone, the appropriation which subsidizes nonprofit and preferred rates, is also in the "black box" referred to above, and thus a candidate for cuts. Presumably, the legislative proposal anticipated by the Reagan budget (to eliminate all revenue forgone funding except free mail for the blind) is under review.

ACTION NEEDED: Assume appropriations for the 4th-class library rate, 3rd-class nonprofit, and other preferred rates are in jeopardy. Educate your congressional delegation about library reliance on such rates with specific examples and data, and urge that \$459,755,000 be appropriated. This is the amount the U. S. Postal Service estimates is needed to maintain these rates at current levels. (Share blind copies of all letters to Congress with the ALA Washington Office, so that we can make use of your examples.)

LSCA Reauthorization

Hearing on Legislative Day. The House Postsecondary Education Subcommittee and the Senate Education, Arts, and Humanities Subcommittee have scheduled (on Legislative Day, April 11, at 9:30 a.m. in Room 2175 of the Rayburn Building) a joint hearing on reauthorization of the Library Services and Construction Act, focusing on the accomplishments of the program. Legislative Day participants are encouraged to attend; the subcommittees chose the date knowing there would be a large audience.

Latchkey and Child Care Amendments. Three bills have been introduced recently which would amend LSCA. Rep. Olympia Snowe (R-ME) introduced on February 9 a revised version of the Intergenerational Library Literacy Act (HR 957). Last year's HR 5486 would have taken funding from LSCA II carryover construction funds. HR 957 would instead amend LSCA VI, Library Literacy Programs, to provide intergenerational library literacy demonstration grants. No additional authorization of funds is proposed, but the added purpose would give interested public libraries a choice of applying for up to \$25,000 for an adult literacy library project (as title VI now provides), or up to \$40,000 for projects involving the use of older adult volunteers to provide programs for school children in libraries during after-school hours.

HR 957 also would amend the Domestic Service Volunteer Act to establish intergenerational library literacy programs as "programs of national significance." The intent of this amendment to the existing Retired Service Volunteer Program under ACTION is to better provide a core of volunteers upon which libraries could draw. Rep. Snowe's introductory statement again refers to the problem of latchkey children in libraries, and the May 1988 paper "Latchkey Children in the Public Library," published by ALA's Public Library Association and Association for Library Service to Children. A companion bill, S. 399, was introduced on February 9 by Sen. John Glenn (D-OH), with cosponsors David Pryor (D-AR) and Donald Riegle (D-MI). See the February 9 Congressional Record for the texts of the bills and the introductory statements by Rep. Snowe (pp. E374-5) and Sen. Glenn (pp. S1419-20).

Sen. Rudy Boschwitz (R-MN) introduced on February 9 the Child Care Assistance and Resources Expansion Act (S. 409). One of many bills introduced this session aimed at making child care more available and affordable, S. 409 also would amend the Library Services and Construction Act to provide grants for libraries to purchase and deliver children's books, videos, tapes, and toys to licensed or certified family-based or group child-care providers. Under a new LSCA title VII, Child Care Provider Library Program, \$12.5 million would be authorized for FY 1990 through 1992 for competitive grants to state and local public libraries. The text of the bill and Sen. Boschwitz's introductory statement appear in the February 9 Congressional Record, pp. S1443-48.

Appropriations, FY 1990

LC. The House Legislative Appropriations Subcommittee held hearings February 1 on the Library of Congress budget request for FY 1990 of \$292,612,000. Librarian James Billington said he sees a radically new structure for LC as necessary and hopes to have it in place by the end of the current fiscal year. He noted erosion in the last few years; one in ten allocated positions is vacant for lack of funding. New subcommittee member Rep. Sidney Yates (D-IL) asked numerous questions about preservation issues and processing backlogs, which are accelerating, especially in special collections and foreign language materials.

LC officials described procurement procedures worked out with the General Accounting Office concerning a mass deacidification facility. Interested firms

would be required to submit both business and technical proposals which would be reviewed by outside panels. Chairman Vic Fazio (D-CA) said he was impressed with the spirit of the contracting process, which followed subcommittee directions. A preview demonstration of the "American Memory" project was well received; it would package appropriate LC collections on CD-ROM and other formats for distribution to libraries and schools. The Chairman encouraged the Librarian in his exploration of fees for this and other LC products and services.

ALA President F. William Summers testified February 7 before the subcommittee in support of LC's budget request, praising Dr. Billington for accessibility during the review process, urging continued consultation with the library community during the implementation phase, supporting "American Memory" (an idea which jelled during discussions with ALA unit officers in New Orleans last July), supporting LC's intention to refer appropriate public inquiries back to state and local libraries, and expressing concern about the fee for service approach. Also testifying on LC was Marilyn Sharrow, University Librarian, University of California-Davis, for the Association of Research Libraries; and Louis Harlan, President of the American Historical Association, for the National Humanities Alliance.

GPO. Acting Public Printer Joseph Jenifer appeared before the House Legislative Appropriations Subcommittee on February 2 with a budget request for Superintendent of Documents operations of \$25,500,000. The FY 1990 budget includes a request for one additional cataloger to reduce the backlog, but no specific funds for electronic dissemination pilot projects. However, Jenifer said he strongly supported electronic dissemination to depository libraries. Chairman Vic Fazio (D-CA) said the subcommittee would watch this development carefully; he would like to see it grow slowly through the vehicle of pilot projects. The Chairman also urged more communication with the private sector, and expressed concern about the conflicting interpretations of the Office of Management and Budget and the congressional Joint Committee on Printing on whether Title 44 of the U. S. Code applied to electronic formats. Mr. Fazio and the ranking minority member, Rep. Jerry Lewis (R-CA), urged GPO to be a leader and market force in the use of permanent paper, and Mr. Jenifer was supportive. The Chairman asked for a game plan and expressed willingness to provide funds if that's what it takes to get permanent paper in use.

D. Kaye Gapen, Dean of Libraries, University of Wisconsin-Madison, testified on GPO before the subcommittee February 7 for the Association of Research Libraries and ALA. Her testimony discussed GPO's role in the dissemination of government information and the economic viability of the agency, and GPO's role in the promotion and use of permanent paper. Chairman Fazio said he was optimistic that a consensus was beginning to emerge on electronic dissemination, and he asked her help in getting the interested parties together.

Permanent Paper

Sen. Claiborne Pell (D-RI) introduced S.J.Res. 57 on February 8 to establish a national policy to promote and encourage the printing of books and other publications of enduring value on alkaline, permanent papers. Sen. Pell was joined by 19 cosponsors: Sens. Moynihan, Murkowski, Sarbanes, Grassley, McCain, DeConcini, Ford, Kennedy, Exon, Sanford, Heflin, Lieberman, Stevens, Simon, Dodd, Warner, Chafee, Hatch, and Graham. Since then, Sens. Boren, Hatfield, and Sasser also have become cosponsors. The measure, except for a few minor, non-substantive changes, is identical to S.J.Res. 394 introduced late in the last Congress.

In his introductory remarks, Sen. Pell noted that the technology exists to implement this national policy. More than 30 U. S. paper mills already produce

alkaline papers, and incentives for others to convert include potentially lowered manufacturing costs and substantially reduced environmental pollution. In addition, prices for alkaline papers are now comparable. The measure should impose no significant costs on the federal government, and should reduce future preservation costs. Sen. Pell appended to his statement the resolution of support by ALA (CD #37, 1988-89, adopted January 11, attached to the January 27 ALA Washington Newsletter) as well as expressions of support from the Association of Research Libraries, the Medical Library Association, and the Special Libraries Association.

ACTION NEEDED: Additional cosponsors are needed to move the legislation through the process this year. Especially important are members of the Governmental Affairs Committee, to which S.J.Res. 57 has been referred. Urge your Senators to sign on as cosponsors of S.J.Res. 57. Thank those who have already done so.

WHCLIS II

On February 2, the remaining Senate appointments were made to the Advisory Committee of the White House Conference on Library and Information Services: William Asp, Director, Minnesota Library Development and Services; and Carol L. Wohlford, librarian, teacher, and the principal and founder of Paideia Academy in Wichita, Kansas. Attached to this newsletter is a list of all WHCLIS Advisory Committee appointments to date. Two remaining appointments are yet to be named by President Bush.

OMB Information Policy

The ALA Washington Office is joining the Association of Research Libraries in urging members of both organizations to make every effort to get opposition to OMB privatization policies for government information heard at OMB and within Congress. The OMB deadline for public comment is March 6, although OMB official Tim Sprehe stated in a public forum on February 24 that comments would be accepted for an additional 30 days. ARL has sent a letter to OMB recommending that a proposed policy statement on dissemination of government information be put on hold until a full-scale public review of OMB Circular A-130, Management of Federal Information Resources, is initiated and completed. The pending reauthorization of the Paperwork Reduction Act (PL 96-511, as amended by PL 99-500) provides an ideal opportunity for beginning this review. A letter from ALA to OMB will make a similar recommendation.

The ALA Washington Office and ARL believe that OMB's proposed policy concerning the dissemination, particularly electronic dissemination, of information by executive branch agencies will further restrict public access to government information and limit those materials available to libraries. If the proposed supplement is promulgated, and A-130 allowed to stand, the result will be significant additional costs to users, including libraries. Libraries will pay the government for raw data, and then pay a private-sector enterprise for software that enables access. ARL and ALA support private-sector entrepreneurship in the delivery of information products and services, including government information. However, we argue that OMB's policies for maximum private-sector roles have led to excessive support for the private sector at the expense of the public and to the detriment of equitable access to public information.

A copy of the OMB proposal published in the January 4 Federal Register, pp. 214-220, was attached to the January 27 ALA Washington Newsletter. Articles about the policies appeared February 21 in The New York Times, "Librarians Fight Government Plan," and in the January 23 Federal Computer Week.

ACTION NEEDED: Send brief, but strongly stated, letters before the March 6 deadline to J. Timothy Sprehe, Office of Information and Regulatory Affairs, Room 3235, New Executive Office Building, Office of Management and Budget, Washington, DC, 20503. (Sprehe said commentators can have an extra 30 days.)

Send copies of your letter to the chairmen of the congressional subcommittees with oversight responsibilities for the Paperwork Reduction Act: The Honorable Bob Wise, Chairman, House Subcommittee on Government Information, Justice, and Agriculture, B-349-C Rayburn House Office Building, Washington, DC, 20515; and The Honorable Jeff Bingaman, Chairman, Senate Subcommittee on Government Information and Regulation, 605 Senate Hart Office Building, Washington, DC, 20510. It also would be helpful to send copies of your correspondence to your congressional delegation, and to send blind copies to the ALA Washington Office so that we can use your examples.

Freedom of Information Day, March 16

On January 31, Sen. Bob Packwood (R-OR) introduced S.J.Res. 42 to designate March 16, 1989, as Freedom of Information Day, but no action has been taken on the bill. A companion house measure has not been introduced yet. At the Midwinter meeting in 1988, ALA Council passed a Resolution on Freedom of Information Day calling on libraries to mount appropriate information programs on March 16. A "tip sheet" on Freedom of Information Day is available from the ALA Public Information Office, 50 East Huron, Chicago, IL, 60611.

ACTION NEEDED: Ask your senators to sign on to S.J.Res. 42 immediately; time is short. As soon as a House bill is introduced, House cosponsors will be needed also.

Government Information

Rep. Walter Jones (D-NC) chaired a hearing of the House Merchant Marine Subcommittee on February 9 to consider whether the Federal Maritime Commission should provide public online remote access to shipping rates. The FMC is developing an automated tariff filing and information system (ATFI) to reduce the handling of paper. Tariffs, as currently filed at the Commission in paper format, generate thousands of pages of information that must be accessible to the general public. The FMC wants to allow the public to dial for access to an individual tariff through computer and telephone hook-ups. As proposed, the retrieval service will be simple, allowing access to only one filed tariff at a time and will perform no analysis or processing of the basic tariff data.

Ken Allen, senior vice president of the Information Industry Association, testified in support of eliminating the proposed "dial-up" feature that would permit the general public online access to the system. Allen said that the proposed dial-up service is inconsistent with federal information policy as established in OMB Circular A-130 and also cited OMB's January proposed policy on electronic information dissemination (see January 27 ALA Washington Newsletter, p. 4). Members of the information industry were split on the project. The testimony of Robert Ryan, president of DXI, Inc., stated: "Complaints regarding remote access, from certain information industry participants are, I believe, attempts to protect existing special interests, and act to prevent true productivity enhancement in the international sector."

In a letter for the hearing record, Jaia Barrett, assistant executive director of the Association of Research Libraries, wrote:

It is important that the Committee recognize that opposition to remote access to ATFI is part of a larger, government-wide crisis generated by pressure from OMB and a relatively small but vocal segment of the information industry. The research library community is all too familiar with the information policies derived from this pressure. These policies have had a chilling effect on efforts to improve information management practices throughout government to the detriment of public availability of government information.

Intellectual Freedom

At a press conference at the National Press Club on February 23, ALA president-elect Patricia Berger read the statement of the newly formed International Committee for Free Expression protesting the threat to assassinate author Salman Rushdie for his ideas, or others for disseminating those ideas, and responded to reporters' questions. ALA joined 26 organizations and about 70 individuals who had signed the statement. On February 22, ALA joined with the Association of American Publishers and the American Booksellers Association to take out a full-page advertisement in The New York Times proclaiming the right of free people to write, publish, sell, buy, and read books.

Drug-Free Workplace Requirements

Government-wide proposed regulations to implement the Drug-Free Workplace Act of 1988 (PL 100-690) were published in the January 31 Federal Register, pp. 4946-71 (see also correction notices, February 9 FR, pp. 6363-64 and February 15 FR, p. 6931). The new law applies both to grantees and contractors. Comments are due to OMB by April 3, but the new rule is effective March 18. Further information from the Dept. of Education: Mary Jane Kane, 202/732-7400.

Under the new rule, recipients of federal grants must certify that their workplaces are free of illegal drugs and individual recipients must certify that they do not use such drugs. In addition, grantees must notify employees through a published statement that they have a drug-free workplace policy, must take appropriate action against employees convicted of an on-the-job drug offense and inform the grant-making agency; and must launch "awareness programs" to inform employees of the dangers of drugs in the workplace, the employer's policy, and the available treatment programs. The penalty for violating the regulations could be suspension of a grant or placement on a list of people and organizations ineligible for federal aid.

In the rule, the term "grant" has been defined as assistance from a federal agency directly to a grantee. So, for example, a state educational agency receiving federal funds under Chapter 1 would be covered by the new requirements, but the local educational agencies receiving the money from the state would not need to comply. The rule applies only to new grants; grantees are not required to make certification to continue receiving payments under existing grants.

Grant Deadlines and Regulations

Japanese Scientific and Technical Resources Directory, NTIS, request for information. NTIS is updating this annual directory of programs and services in the U. S. which collect, abstract, translate, and distribute Japanese sci/tech information. Organizations omitted from the 1988 directory should contact Janet Geffner, 703/487-4819, by March 30. See the February 13 Federal Register, p. 6564.

U. S. Information Agency, grant announcement. Partial funding of projects by non-profit organizations to promote mutual understanding between the people of the U. S. and other countries. Projects must include an international people-to-people component, have an educational or cultural focus, and be consistent with USIA themes. Priority status will be awarded to worldwide projects involving leaders or potential leaders in the chosen field. Proposals will be accepted from March 1 through May 30. See the February 9 Federal Register, pp. 6359-60. Further information: Dr. Raymond Harvey, 202/485-7348.

Lobbying Regulations for Nonprofit Organizations, Internal Revenue Service, minor corrections in February 7 Federal Register, p. 6060, to proposed rule published in the December 23 FR, pp. 51826-45.

U. S. Institute of Peace, grant announcement. Grants to libraries and other institutions promote scholarship, education, training, and the dissemination of information on international peace and conflict management. One special interest is the development of library programs, databases, and bibliographies and the implementation of collection development. Deadlines for unsolicited grants are June 1, October 1, and February 1. See the February 7 Federal Register, pp. 6055-57. Further information: Dr. Hrach Gregorian, 202/457-1700.

Federal Information Resources Management Regulation (FIRMR), GSA, two proposed regs. The first makes changes that include clarifying security provisions and updating planning provisions. The second consolidates all policies and procedures unique to contracting for federal automatic data processing and telecommunications resources. Comments due March 8. See the February 6 Federal Register, pp. 5904-06. Further information: William R. Loy or Margaret Truntich, 202/566-0194 (first proposed reg); Patricia Phillips or David Mullins, 202/535-7462 (second).

Strengthening Institutions Grants, Dept. of Education, invitation to apply. These HEA III grants assist institutions of higher education in improving their academic quality, institutional management, and fiscal stability. As a tie-breaker, additional points are awarded to applications from institutions which have either library expenditures or an endowment fund, per FTE student, less than the average at similar types of institutions. Deadline April 17. See the February 2 Federal Register, pp. 5264-65. Further information: Dr. Louis J. Venuto, 202/732-3314.

Computer Use in Acquiring and Releasing Federal Information. The Administrative Conference of the U. S. has issued recommendations to guide agencies in making decisions on the acquisition or release of information in electronic form. The recommendations address electronic information and the FOIA, determination of costs and benefits, and the appropriate roles of the public and private sectors. The Conference notes the necessity of ensuring that electronic acquisition and release of information does not disadvantage major segments of the population, and suggests that a government-wide policy on electronic information is desirable and Congress should formulate the larger value judgments necessary for such a policy. See the February 2 Federal Register, pp. 5207-14. Further information: Jeffrey Lubbers, 202/254-7065.

Informational Material Import/Export, Dept. of the Treasury. These final regulations, effective February 2, terminate restrictions on the importation and exportation of publications and other tangible informational materials, as required by the Omnibus Trade and Competitiveness Act (PL 100-418). See the February 2 Federal Register, pp. 5229-5235. Further information: William B. Hoffman, 202/376-0408.

Women's Educational Equity Act, Dept. of Education. Proposed regulations implementing statutory changes, introducing new priorities, and providing for projects of local significance. Comments due March 16. See the January 30 Federal Register, pp. 4742-48. Further information: Mrs. Alice T. Ford, 202/732-4351.

Migrant Education, Dept. of Education, proposed rulemaking which implements changes made by the School Improvement Act (PL 100-297). This program is part of Chapter 1, so the annual needs assessment includes library resource needs, and funds may be used for the acquisition of books and school library resources. Comments are due by March 27. See the January 26 Federal Register, pp. 3924-36. Further information: Joseph Bertoglio, 202/732-4758.

McAuliffe Fellowships, Dept. of Education, invitation to apply. Deadline March 10. See the January 18 Federal Register, pp. 1981-83. These fellowships allow outstanding teachers, including librarians with teacher certification, to continue their education or develop educational projects and programs. Further information: Ramon Ruiz, 202/732-4059.

ADVISORY COMMITTEE
of the
WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

Appointments made as of February 16, 1989

PL 100-382, signed August 8, 1988, authorizes the President to call a White House Conference on Library and Information Services no later than September 30, 1991. The law established a 30-member Advisory Committee to be broadly representative of all areas of the U.S. The Advisory Committee's function is to assist and advise NCLIS in planning and conducting the Conference. The NCLIS Chair serves as Vice Chair of the Advisory Committee. The Advisory Committee elects its Chair from among its non-federal members, and selects the Chair of the Conference. All but two members have been appointed; they are listed below under the categories specified in the law.

Eight individuals designated by the Chair of the National Commission on Libraries and Information Science:

Daniel Carter, member of NCLIS and President of Daniel Carter Consulting, Houston, Texas

Daniel Casey, member of NCLIS, ALA Councilor, and board member of New York State Association of Library Boards, Syracuse, New York

Margaret Chisholm, ALA Immediate Past President and Director of the Graduate School of Library and Information Science, University of Washington, Seattle, Washington

Joseph Fitzsimmons, Vice President, Bell & Howell, Ann Arbor, Michigan

Carmencita Leon, member of the WHCLIS Taskforce, librarian, and former president of the School Library Association of Puerto Rico, San Juan, Puerto Rico

Hugh Mahoney, Assistant to the County Executive and library trustee, Nassau County, New York

Jerald C. Newman, NCLIS Chair and Transnational Commerce Corporation, North Woodmere, New York

Kenneth Y. Tomlinson, former NCLIS Chair and Executive Editor of Reader's Digest, New York, New York

Five individuals designated by the Speaker of the House of Representatives:

Rep. William Ford (D-MI), ALA Honorary Member

Rep. Major Owens (D-NY), ALA Honorary Member

Nelwyn Murphy, Mayor of Booneville, Mississippi, and library trustee

Five individuals designated by the Speaker of the House of Representatives (cont'd):

Rep. Pat Williams (D-MT)

Virginia Young, ALA Honorary Member, library trustee, and member of the ALA
Legislation Committee, Columbia, Missouri

Five individuals designated by the President pro tempore of the Senate:

Richard G. Akeroyd, Jr., Connecticut State Librarian, Hartford, Connecticut

William Asp, Director, Minnesota Library Development and Services, and WHCLIS
Taskforce Chair Emeritus, St. Paul, Minnesota

Rebecca Ann Floyd, lawyer and advocate for the blind, Jackson, Mississippi

Joan R. Reeves, WHCLIS Taskforce Chair and library trustee, Providence, Rhode Island

Carol L. Wohlford, librarian, teacher, and principal and founder of Paideia Academy,
Wichita, Kansas

Ten individuals appointed by the President:

Louis W. Barnett, Political Director, Citizens for the Republic, Santa Monica, Calif.

William C. Cassell, President, Heidelberg College, Tiffin, Ohio

Stuart Forth, Dean Emeritus, University Libraries, Pennsylvania State University,
University Park, Pennsylvania

Gloria S. Hom, Chair, Economic Department, Mission College, Santa Clara, California

Mary Jane Martinez, First Lady of Florida and school media specialist, Tallahassee,
Florida

Jerry S. Parr, president of a private security consulting firm (and former Secret
Service agent), Washington, D. C.

James C. Roberts of Virginia, President, American Studies Center, Washington, D. C.

Eileen C. Schouweiler, Republican National Committeewoman for Nevada, Reno, Nevada

(The eight members above were appointed by former President Reagan. Two White House
appointments remain to be named by President Bush.)

The Secretary of Education: Lauro Cavazos or his designee

The Librarian of Congress: James Billington or his designee

RESOLUTION ON LIBRARY FEE WAIVERS
UNDER THE FREEDOM OF INFORMATION ACT

- WHEREAS, The American Library Association has vigorously supported the Freedom of Information Act (FOIA) as a guarantor of principles fundamental to a democratic society: "the people's right to know," the free flow of ideas, and public access to government information; and
- WHEREAS, The charging of fees under the FOIA represents such a substantial barrier to requesters that Congress amended the FOIA in 1986 to limit fees to only those requesters who sought information for private commercial uses, such as bidding on contracts or researching competitors; and
- WHEREAS, Congress intended to provide favorable treatment to any disseminators of information, clearly defined the dissemination of information to the public as a protected use of the FOIA, not a commercial use, and clearly recognized libraries and depositories of public records as active disseminators of information: "[T]hat of course is the primary function of libraries and repositories of public documents," stated the chief Senate sponsor of the 1986 amendments; and
- WHEREAS, In the modern information age, libraries serve the public by actively acquiring and disseminating information, linking the public to electronic databases, and creating public access to otherwise unavailable sources of information; and
- WHEREAS, The Department of State, in particular, and other Executive Branch agencies such as the Office of Management and Budget and the Department of Justice, have interpreted the 1986 FOIA amendments exclude libraries from waivers of fees, by using excessively narrow definitions of "information dissemination" and of "educational institutions" that would allow preschools to qualify, but not major public research libraries; and
- WHEREAS, Executive agencies' denial of fee waivers to libraries has a chilling effect on the likelihood of libraries using the FOIA for the benefit of the public; and
- WHEREAS, Executive agencies have denigrated the very function of libraries in our democratic society by describing the role of libraries as "passive dissemination," and have further declared, in a letter from the State Department to an ALA member library, the National Security Archive: "Merely making records available to those who may request them (much the same type of dissemination that government agencies provide through the FOIA) will not itself contribute significantly to the public's understanding of the operations of government;" now, therefore, be it
- RESOLVED, That the American Library Association urge federal executive agencies to follow the clear intent of Congress, to recognize libraries as educational institutions and information disseminators under the Freedom of Information Act, and to waive FOIA fees to libraries open to the public; and, be it further

RESOLVED, That the American Library Association recommend congressional action to correct this egregious misinterpretation of congressional intent, if the agencies involved do not make the necessary changes in their fee waiver practices; and communicate these concerns over the status of libraries under the FOIA to all appropriate federal agencies and congressional committees.

Adopted by the Council of the
American Library Association
Washington, D. C.
January 11, 1989
(Council Document #38)

RESOLUTION ON FEDERAL LIBRARIES AND INFORMATION CENTERS
AS GOVERNMENTAL ACTIVITIES

- WHEREAS, Federal libraries and information centers provide vital mission support to key agency officials, policy makers, and program staff and contribute to the productivity of the Nation as a whole; and
- WHEREAS, The American Library Association since 1984 has repeatedly opposed the view that Federal libraries are commercial activities; and
- WHEREAS, The American Library Association has opposed the continuing attempts to contract out Federal libraries; and
- WHEREAS, The Congress, in Section 107 of Public Law 100-519, has designated the National Institute of Standards and Technology Research Information Center a governmental activity; now, therefore, be it
- RESOLVED, That the American Library Association commend Congress as a whole and Rep. Doug Walgren, who was instrumental in the passage of this legislation, for this action; and, be it further
- RESOLVED, That the American Library Association urge Congress to similarly designate Federal libraries and information centers as inherently governmental functions, not subject to contracting out; and, be it further
- RESOLVED, That copies of this resolution be transmitted to the President of the Senate, the Speaker of the House of Representatives, Rep. Walgren, and the Chairs of the appropriate House and Senate Committees.

Adopted by the Council of the
American Library Association
Washington, D. C.
January 11, 1989
(Council Document #39)

RESOLUTION ON DEPOSITORY DISTRIBUTION OF PUBLICATIONS
EXEMPTED FROM TITLE 44 REQUIREMENTS

- WHEREAS, The Depository Library Program is the major component in the dissemination of government information as established in Title 44 USC 1903; and
- WHEREAS, The 100th Congress passed several acts exempting specific executive agencies from the provisions of Title 44 USC 501 with regard to the printing of their publications by the Government Printing Office; and
- WHEREAS, Other agencies have received similar exemptions in the past; and
- WHEREAS, Publications which bypass the Government Printing Office often are not included in the Depository Library Program and are not listed in the Monthly Catalog of United States Government Publications as required by law; and
- WHEREAS, Such exemptions have the effect of restricting the public's access to these publications and diminishing their distribution and bibliographic control; now, therefore, be it
- RESOLVED, That the American Library Association urge Congress not to grant agencies exemptions from requirements of title 44 USC 501 without due consideration; and, be it further
- RESOLVED, That when exemptions are granted, the legislative history include specific instructions regarding the depository distribution provisions of Title 44 USC that require sufficient copies of said publications be made available for distribution to libraries through the Depository Library Program and that these publications be listed in the Monthly Catalog of United States Government Publications; and, be it further
- RESOLVED, That copies of this resolution be transmitted to the President of the Senate, Speaker of the House of Representatives, and the Chairperson and ranking minority member of each congressional committee.

Adopted by the Council of the
American Library Association
Washington, D. C.
January 11, 1989
(Council Document #41)

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101st Congress, 1st Session

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[Under Committee Rules, the chairman is a member of each subcommittee and the ranking minority member is an ex officio member of each subcommittee.]

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101st Congress, 1st Session

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[Messrs. Byrd and Hatfield are ex officio members of all subcommittees of which they are not regular members.]

(Over for Appropriations Subcommittees on Labor, Health and Human Services, Education, and Related Agencies; Legislative Branch; and Treasury, Postal Service, and General Government.)

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101st Congress, 1st Session

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101st Congress, 1st Session

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