

107TH CONGRESS
1ST SESSION

S. 671

To provide for public library construction and technology enhancement.

IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, MARCH 30), 2001

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for public library construction and technology enhancement.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Andrew Carnegie Li-
5 braries for Lifelong Learning Act”.

6 **SEC. 2. PUBLIC LIBRARY CONSTRUCTION AND TECH-**
7 **NOLOGY ENHANCEMENT.**

8 The Library Services and Technology Act (20 U.S.C.
9 9121 et seq.) is amended—

10 (1) by redesignating chapter 3 as chapter 4;

11 and

1 (2) by inserting after chapter 2 the following:

2 **“CHAPTER 3—PUBLIC LIBRARY CON-**
 3 **STRUCTION AND TECHNOLOGY EN-**
 4 **HANCEMENT**

5 **“SEC. 241. GRANTS TO STATES FOR PUBLIC LIBRARY CON-**
 6 **STRUCTION AND TECHNOLOGY ENHANCE-**
 7 **MENT.**

8 “(a) IN GENERAL.—From amounts appropriated
 9 under section 244, the Director shall carry out a program
 10 of awarding grants to States, that have an amendment
 11 to a State plan or a State plan approved under section
 12 243, for the construction or technology enhancement of
 13 public libraries.

14 “(b) DEFINITIONS.—In this chapter:

15 “(1) CONSTRUCTION.—

16 “(A) IN GENERAL.—The term ‘construc-
 17 tion’ means—

18 “(i) construction of new buildings;

19 “(ii) the acquisition, expansion, re-
 20 modeling, and alteration of existing build-
 21 ings;

22 “(iii) the purchase, lease, and installa-
 23 tion of equipment for any new or existing
 24 buildings; or

1 “(iv) any combination of the activities
 2 described in clauses (i) through (iii), in-
 3 cluding architect fees and the cost of ac-
 4 quisition of land.

5 “(B) SPECIAL RULE.—Such term
 6 includes—

7 “(i) remodeling to meet standards
 8 under the Act entitled ‘An Act to insure
 9 that certain buildings financed with Fed-
 10 eral funds are so designed and constructed
 11 as to be accessible to the physically handi-
 12 capped’, approved August 12, 1968 (42
 13 U.S.C. 4151 et seq.), commonly known as
 14 the ‘Architectural Barriers Act of 1968’;

15 “(ii) remodeling designed to ensure
 16 safe working environments and to conserve
 17 energy;

18 “(iii) renovation or remodeling to ac-
 19 commodate new technologies; and

20 “(iv) the purchase of historic build-
 21 ings for conversion to public libraries.

22 “(2) EQUIPMENT.—The term ‘equipment’
 23 means—

24 “(A) information and building tech-
 25 nologies, video and telecommunications equip-

ment, machinery, utilities, built-in equipment,
and any necessary enclosures or structures to
house the technologies, equipment, machinery
or utilities; and

“(B) all other items necessary for the
functioning of a particular facility as a facility
for the provision of library services.

“(3) PUBLIC LIBRARY.—

“(A) IN GENERAL.—The term ‘public li-
brary’ means a library that serves free of
charge all residents of a community, district, or
region, and receives its financial support in
whole or in part from public funds.

“(B) RESEARCH LIBRARY INCLUDED.—
Such term also includes a research library,
which, for the purposes of this sentence, means
a library, that—

“(i) makes its services available to the
public free of charge;

“(ii) has extensive collections of
books, manuscripts, and other materials
suitable for scholarly research that are not
otherwise available to the public;

“(iii) engages in the dissemination of
humanistic knowledge through services to

1 readers, fellowships, educational and cul-
2 tural programs, publication of significant
3 research, and other activities; and

4 “(iv) is not an integral part of an in-
5 stitution of higher education.

6 “(4) TECHNOLOGY ENHANCEMENT.—The term
7 ‘technology enhancement’ means the acquisition, in-
8 stallation, maintenance, or replacement, of substan-
9 tial technological equipment (including library biblio-
10 graphic automation equipment) necessary to provide
11 access to information in electronic and other formats
12 made possible by new information and communica-
13 tions technologies.

14 “(c) APPLICABILITY.—Except as provided in section
15 243, the provisions of this subtitle (other than this chap-
16 ter) shall not apply to this chapter.

17 **“SEC. 242. USE OF FEDERAL FUNDS.**

18 “(a) IN GENERAL.—A State receiving a grant under
19 this chapter shall use the grant funds to pay the Federal
20 share of the cost of construction or technology enhance-
21 ment of public libraries.

22 “(b) FEDERAL SHARE.—

23 “(1) IN GENERAL.—For the purposes of sub-
24 section (a), the Federal share of the cost of con-
25 struction or technology enhancement of any project

1 assisted under this chapter shall not exceed one-half
 2 of the total cost of the project.

3 “(2) NON-FEDERAL SHARE.—The non-Federal
 4 share of the cost of construction or technology en-
 5 hancement of any project assisted under this chapter
 6 may be provided from State, local, or private
 7 sources, including for-profit and nonprofit organiza-
 8 tions.

9 “(c) SPECIAL RULE.—

10 “(1) IN GENERAL.—The United States shall be
 11 entitled to recover the amount described in para-
 12 graph (2) if, within 20 years after completion of
 13 construction of any public library facility that has
 14 been constructed in part with grant funds made
 15 available under this chapter—

16 “(A) the recipient of the grant funds (or
 17 its successor in title or possession) ceases or
 18 fails to be a public or nonprofit institution; or

19 “(B) the facility ceases to be used as a li-
 20 brary facility, unless the Director determines
 21 that there is good cause for releasing the insti-
 22 tution from its obligation.

23 “(2) AMOUNT.—

24 “(A) IN GENERAL.—For purposes of para-
 25 graph (1), the United States shall be entitled to

1 recover from such grant recipient (or successor)
 2 an amount that bears the same ratio to the
 3 value of the facility (or part thereof constituting
 4 an approved project or projects), at the time of
 5 the cessation or failure, as the amount of the
 6 Federal grant bore to the cost of such facility
 7 (or part thereof).

8 “(B) VALUE.—The value of the facility
 9 shall be determined by the parties or by action
 10 brought in the United States district court for
 11 the district in which the facility is located.

12 **“SEC. 243. STATE PLAN.**

13 “(a) STATE WITHOUT APPROVED PLAN IN PLACE.—

14 “(1) SUBMISSION OF PLAN.—Each State li-
 15 brary administrative agency serving a State that
 16 does not have a plan approved under section 224
 17 and that desires a grant under this chapter shall
 18 submit to the Director a State plan that meets the
 19 following requirements:

20 “(A) PERIOD.—The State plan shall cover
 21 a period of 5 fiscal years.

22 “(B) CONTENTS.—The State plan shall in-
 23 clude a description of the public library con-
 24 struction or technology enhancement activities
 25 to be assisted under this chapter.

1 “(C) ASSURANCES.—The State plan shall
2 contain satisfactory assurances that the provi-
3 sions of the State plan will be carried out.

4 “(2) PUBLIC AVAILABILITY.—Each State li-
5 brary administrative agency submitting a State plan
6 under this subsection shall make the State plan
7 available to the public.

8 “(3) PLAN APPROVAL.—The Director shall ap-
9 prove a State plan submitted under paragraph (1)
10 that meets the requirements of such paragraph.

11 “(4) ADMINISTRATION.—If the Director deter-
12 mines that the State plan does not meet the require-
13 ments of paragraph (1), the Director shall—

14 “(A) immediately notify the State library
15 administrative agency of such determination
16 and the reasons for such determination;

17 “(B) offer the State library administrative
18 agency the opportunity to revise its State plan;

19 “(C) provide technical assistance in order
20 to assist the State library administrative agency
21 in meeting the requirements of paragraph (1);
22 and

23 “(D) provide the State library administra-
24 tive agency the opportunity for a hearing.

1 “(b) STATE WITH PLAN APPROVED.—Each State li-
2 brary administrative agency serving a State that has a
3 State plan approved under section 224 and that desires
4 a grant under this chapter shall submit to the Director
5 an amendment to the State plan that contains a descrip-
6 tion of the public library construction or technology en-
7 hancement activities to be assisted under this chapter.

8 **“SEC. 244. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
10 this chapter \$200,000,000 for fiscal year 2002 and for
11 each of the 4 succeeding fiscal years.”.

○