

Public Law 95-123
95th Congress

An Act

To extend and revise the Library Services and Construction Act, and for other purposes.

Oct. 7, 1977

[S. 602]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Library Services and Construction Act Amendments of 1977".

SEC. 2. (a) Section 4(a)(1) of the Library Services and Construction Act (20 U.S.C. 351b(a)(1)) is amended by striking out "and" after "1975," and by inserting before the period at the end thereof the following: "\$110,000,000 for fiscal year 1978, \$140,000,000 for fiscal year 1979, and \$150,000,000 for fiscal year 1980 and each of the two succeeding fiscal years".

(b) Section 4(a)(2) of such Act (20 U.S.C. 351b(a)(2)) is amended by striking out "and" after "1975," and by inserting before the period at the end thereof the following: ", and such sums as may be necessary for fiscal year 1978 through fiscal year 1981, and \$97,000,000 for fiscal year 1982".

(c) Section 4(a)(3) of such Act (20 U.S.C. 351b(a)(3)) is amended by striking out "and" after "1975," and by inserting before the period at the end thereof the following: "\$15,000,000 for fiscal year 1978, and \$20,000,000 for fiscal year 1979 and each of the three succeeding fiscal years".

(d) Section 4(a)(4) of such Act (20 U.S.C. 351b(a)(4)) is amended by striking out "for the fiscal year" and all that follows through "June 30, 1976" and inserting in lieu thereof "for each fiscal year ending prior to October 1, 1982".

SEC. 3. (a) The Library Services and Construction Act (20 U.S.C. 351 et seq.) is amended by inserting after section 7 the following new section:

"ADMINISTRATIVE COSTS

"SEC. 8. The amount expended by any State, from an allotment received under this Act for any fiscal year, for administrative costs in connection with any program or activity carried out by such State under this Act shall be matched by such State from funds other than Federal funds."

(b) Section 102(b) of such Act (20 U.S.C. 353(b)) is amended by inserting after "Subject to" the following: "the provisions of section 8 and".

SEC. 4. (a) Section 2(a) of the Library Services and Construction Act (20 U.S.C. 351(a)) is amended by striking out "and in promoting" and by inserting in lieu thereof "in promoting", and by adding before the period at the end thereof a comma and the following: "and in strengthening major urban resource libraries".

(b) Section 3 of such Act (20 U.S.C. 351(a)) is amended by adding at the end thereof the following:

"(14) 'Major urban resource library' means any public library located in a city having a population of 100,000 or more individuals, as determined by the Commissioner."

Library Services
and Construction
Act Amendments
of 1977.

20 USC 351 note.
Appropriation
authorization.

20 USC 351f.

Federal funds,
use.

"Major urban
resource library."
20 USC 351a.

Grants to States.

(c) Section 101 of such Act (20 U.S.C. 352) is amended by striking out "and" the third place it appears in such section, and by inserting before the period a comma and the following: "and in strengthening major urban resource libraries".

State urban
resource
libraries.

(d) Section 102(a) of such Act (20 U.S.C. 353(a)) is amended—

(1) by striking out "and" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof a semicolon and "and";

(3) by adding at the end thereof the following new clause:

"(3) for supporting and expanding library services of major urban resource libraries which, because of the value of the collections of such libraries to individual users and to other libraries, need special assistance to furnish services at a level required to meet the demands made for such services."; and

(4) by adding at the end thereof the following new sentence: "No grant may be made under clause (3) of this subsection unless the major urban resource library provides services to users throughout the regional area in which such library is located.".

(e) Section 102 of such Act is amended by adding at the end thereof the following new subsection:

"(c) (1) Subject to such criteria as the Commissioner shall establish by regulation, in any fiscal year in which sums appropriated pursuant to paragraph (1) of section 4(a) exceed \$60,000,000, each State which is subject to the provisions of this subsection shall reserve that portion of the allotment of each State attributable to the amount in excess of \$60,000,000 in that fiscal year in the manner required in paragraph (2).

"(2) (A) In each State having one or more cities with a population of 100,000 or more individuals, as determined by the Commissioner, and in which the aggregate population of such cities does not exceed 50 percent of the total population of the State, the portion of the excess amount specified in paragraph (1) shall be reserved for the purposes described in subsection (a) (3) of this section in accordance with clause (2) of section 103 in an amount which bears the same ratio to the total of such excess amount as the aggregate population of such cities bears to the total population of such State.

"(B) In each State having one or more cities with a population of 100,000 or more individuals, as determined by the Commissioner, and in which the aggregate population of such cities exceeds 50 percent of the total population of the State, 50 percent of the excess amount specified in paragraph (1) shall be reserved for the purposes described in subsection (a) (3) in accordance with clause (2) of section 103.

"(C) Any State which does not include any city with a population of 100,000 or more individuals, as determined by the Commissioner, shall not be subject to the provisions of this subsection."

(f) (1) Section 103(1) of such Act (20 U.S.C. 354(1)) is amended by inserting "subject to clause (2) of this section," after "program" the first place it appears in such section.

(2) Section 103 of such Act (20 U.S.C. 354) is amended by redesignating clauses (2), (3), and (4) of such section as clauses (3), (4), and (5), respectively, and by inserting after clause (1) the following new clause:

"(2) set forth a program for the year submitted under which the amount reserved by the State under section 102(c), if applicable, will be used for the purposes set forth in clause (3) of section 102(a);".

20 USC 354.

(3) Section 103 of such Act (20 U.S.C. 354) is further amended by adding at the end thereof the following new sentence: "No State shall, in carrying out the provisions of clause (2) of this section, reduce the amount paid to an urban resource library below the amount that such library received in the year preceding the year for which the determination is made under such clause (2)."

Funds, reduction
limitation.

SEC. 5. Section 103(3) of the Library Services and Construction Act (as so redesignated by this Act) is amended by striking out "the fiscal year ending June 30, 1971" and inserting in lieu thereof the following: "the second fiscal year preceding the fiscal year for which the determination is made".

SEC. 6. The second sentence of section 202 of the Library Services and Construction Act (20 U.S.C. 355b) is amended by inserting after "libraries" a comma and the following: "for the remodeling of public libraries necessary to meet standards adopted pursuant to the Act of August 12, 1968, commonly known as the Architectural Barriers Act of 1968, and for remodeling designed to conserve energy in the operation of public libraries".

Library
remodeling.

42 USC 4151.

Approved October 7, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-97 accompanying H.R. 3712 (Comm. on Education and Labor) and No. 95-607 (Comm. of Conference).

SENATE REPORT No. 95-143 (Comm. on Human Resources).

CONGRESSIONAL RECORD, Vol. 123 (1977):

Mar. 21, H.R. 3712 considered and passed House.

May 20, considered and passed Senate.

June 2, considered and passed House, amended, in lieu of H.R. 3712.

Sept. 20, Senate agreed to conference report.

Sept. 23, House agreed to conference report.