

(R.S. § 84.)

Editorial Notes

CODIFICATION

R.S. § 84 derived from act July 14, 1832, ch. 221, § 4, 4 Stat. 579.

§ 135a. National library service for the blind and print disabled**(a) Accessible materials and reproducers****(1) In general**

The Librarian of Congress is authorized to provide to eligible persons who are residents of the United States (including residents of the several States, insular possessions, and the District of Columbia) and to eligible persons who are United States citizens residing outside the United States the following items:

(A) Literary works published in raised characters, on sound-reproduction recordings, or in any other accessible format.

(B) Musical scores, instructional texts, and other specialized materials used in furthering educational, vocational, and cultural opportunities in the field of music published in any accessible format.

(C) Reproducers for such formats.

(2) Ownership

Any item provided under paragraph (1) shall be provided on a loan basis and shall remain the property of the Library of Congress.

(b) Lending preference

In the lending of items under subsection (a), the Librarian shall at all times give preference to—

(1) the needs of the blind and visually disabled; and

(2) the needs of eligible persons who have been honorably discharged from the Armed Forces of the United States.

(c) Network

The Librarian of Congress may contract or otherwise arrange with such public or other non-profit libraries, agencies, or organizations as the Librarian may determine appropriate to serve as local or regional centers for the circulation of items described in subsection (a)(1).

(d) International service

The Librarian of Congress is authorized to provide items described in subparagraphs (A) and (B) of subsection (a)(1) to authorized entities located in a country that is a party to the Marrakesh Treaty, if any such items are delivered to authorized entities through online, not physical, means. The Librarian may contract or otherwise arrange with such authorized entities to deliver such items to eligible persons located in their countries in any accessible format and consistent with section 121A of title 17.

(e) Contracting preference

In the purchase and maintenance of items described in subsection (a), the Librarian of Congress, without regard to section 6101 of title 41, shall give preference to nonprofit institutions or agencies whose activities are primarily concerned with the blind and with other physically

disabled persons, in all cases where, considering all the circumstances and needs involved, the Librarian determines that the prices submitted are fair and reasonable.

(f) Regulations

The Librarian of Congress shall prescribe regulations for services under this section, in consultation with eligible persons and authorized entities. Such regulations shall include procedures that shall be used by an individual to establish that the individual is an eligible person.

(g) Definitions

In this section—

(1) the terms “accessible format”, “authorized entity”, and “eligible person” have the meanings given those terms in section 121 of title 17; and

(2) the term “Marrakesh Treaty” has the meaning given in section 121A of such title 17.

(h) Authorization of appropriations

There are authorized to be appropriated to carry out this section such sums as may be necessary.

(Mar. 3, 1931, ch. 400, § 1, 46 Stat. 1487; Mar. 4, 1933, ch. 279, 47 Stat. 1570; June 14, 1935, ch. 242, § 1, 49 Stat. 374; Apr. 23, 1937, ch. 125, § 1, 50 Stat. 72; June 7, 1939, ch. 191, 53 Stat. 812; June 6, 1940, ch. 255, 54 Stat. 245; Oct. 1, 1942, ch. 575, § 1, 56 Stat. 764; June 13, 1944, ch. 246, § 1, 58 Stat. 276; Aug. 8, 1946, ch. 868, § 1, 60 Stat. 908; July 3, 1952, ch. 566, 66 Stat. 326; Pub. L. 85-308, § 1, Sept. 7, 1957, 71 Stat. 630; Pub. L. 89-522, § 1, July 30, 1966, 80 Stat. 330; Pub. L. 114-219, § 1, July 29, 2016, 130 Stat. 845; Pub. L. 116-94, div. P, title XIV, § 1403(a), Dec. 20, 2019, 133 Stat. 3206.)

Editorial Notes

AMENDMENTS

2019—Pub. L. 116-94 amended section generally. Prior to amendment, text read as follows: “There is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for any such forms, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 6101 of title 41, shall give preference to nonprofit-making institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.”

2016—Pub. L. 114-219 substituted “and for purchase, maintenance, and replacement of reproducers for any

such forms" for "and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings" in first sentence.

1966—Pub. L. 89-522 amended section generally, extending availability of books and materials under this section by authorizing their loan to other physically handicapped residents, in addition to blind persons, certified by competent authority as unable to read normal printed material as a result of physical limitations.

1957—Pub. L. 85-308 authorized annual appropriation of necessary sums in lieu of provisions which limited annual appropriation to \$1,125,000, and struck out limitation of \$200,000 on amount of appropriated funds to be expended annually for books in raised characters.

1952—Act July 3, 1952, included children within its provisions as well as adults.

1946—Act Aug. 8, 1946, increased annual appropriation from \$500,000 to \$1,125,000.

1944—Act June 13, 1944, increased annual appropriation from \$370,000 to \$500,000, the amount allocated to sound-reproduction records from \$250,000 to \$400,000, and struck out provision allocating \$20,000 to maintenance and replacement of Government-owned reproducers.

1942—Act Oct. 1, 1942, substituted "\$370,000" for "\$350,000", and inserted clause at end of first sentence relating to expenditure of not exceeding \$20,000 for maintenance and replacement of reproducers for sound-reproduction records.

1940—Act June 6, 1940, substituted "\$350,000" for "\$275,000" and "\$250,000" for "\$175,000".

1939—Act June 7, 1939, inserted last sentence.

1937—Act Apr. 23, 1937, substituted "\$275,000" for "\$175,000" in two places and "\$175,000" for "\$75,000".

1935—Act June 14, 1935, substituted "\$175,000" for "\$100,000" and inserted provision that \$100,000 of the \$175,000 annual appropriation be expended for books in raised characters and the balance for sound-reproduction records.

1933—Act Mar. 4, 1933, inserted "published either in raised characters, on sound-reproduction records, or in any other form".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1957 AMENDMENT

Pub. L. 85-308, § 2, Sept. 7, 1957, 71 Stat. 630, provided that: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1958, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1946 AMENDMENT

Act Aug. 8, 1946, ch. 868, § 2, 60 Stat. 908, provided: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1944 AMENDMENT

Act June 13, 1944, ch. 246, § 2, 58 Stat. 276, provided: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1945, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1942 AMENDMENT

Act Oct. 1, 1942, ch. 575, § 2, 56 Stat. 764, provided: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1943, and for each fiscal year thereafter."

EFFECTIVE DATE OF 1937 AMENDMENT

Act Apr. 23, 1937, ch. 125, § 2, 50 Stat. 72, provided that: "This Act [amending this section] shall be applicable with respect to the fiscal year ending June 30, 1938, and for each fiscal year thereafter."

§ 135a-1. Repealed. Pub. L. 116-94, div. P, title XIV, § 1403(b), Dec. 20, 2019, 133 Stat. 3207

Section, Pub. L. 87-765, Oct. 9, 1962, 76 Stat. 763; Pub. L. 89-522, § 2, July 30, 1966, 80 Stat. 331, related to li-

brary of musical scores, instructional texts, and other specialized materials for use of blind persons or other physically disabled residents. See section 135a of this title.

§ 135b. Local and regional centers; preference to blind and other physically handicapped veterans; rules and regulations; authorization of appropriations

(a) The Librarian of Congress may contract or otherwise arrange with such public or other non-profit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in section 135a of this title, and (2) musical scores, instructional texts, and other specialized materials referred to in section 135a-1¹ of this title, under such conditions and regulations as he may prescribe. In the lending of such books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

(Mar. 3, 1931, ch. 400, § 2, 46 Stat. 1487; Pub. L. 89-522, § 1, July 30, 1966, 80 Stat. 330.)

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REFERENCES IN TEXT

Section 135a-1 of this title, referred to in subsec. (a), was repealed by Pub. L. 116-94, div. P, title XIV, § 1403(b), Dec. 20, 2019, 133 Stat. 3207. See section 135a of this title.

AMENDMENTS

1966—Pub. L. 89-522 extended Librarian's authority to arrange for local and regional centers by authorizing him to contract with public or other nonprofit libraries, agencies, or organizations, extended field to include recordings, reproducers, musical scores, instructional texts, and other materials, substituted "Armed Forces of the United States" for "United States military or naval service", and extended veteran preference to include other physically handicapped individuals in addition to blind persons.

§ 136. Librarian of Congress; rules and regulations

The Librarian of Congress shall make rules and regulations for the government of the Library.

(Feb. 19, 1897, ch. 265, § 1, 29 Stat. 544, 546; Pub. L. 92-310, title II, § 220(f), June 6, 1972, 86 Stat. 204; Pub. L. 114-86, § 3, Nov. 5, 2015, 129 Stat. 675.)

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PRIOR PROVISIONS

R.S. §§ 88, 89, 4950, which were repealed by acts Feb. 28, 1933, ch. 131, § 1, 47 Stat. 1349; Mar. 3, 1933, ch. 202, § 1, 47 Stat. 1428, 1431.

AMENDMENTS

2015—Pub. L. 114-86 struck out provisions relating to appointment of Librarian of Congress.

¹ See References in Text note below.