

2010, 124 Stat. 3599; Pub. L. 115-410, §7, Dec. 31, 2018, 132 Stat. 5415.)

Editorial Notes

AMENDMENTS

2018—Par. (1). Pub. L. 115-410, §7(1), inserted “, education,” after “library”.

Par. (5). Pub. L. 115-410, §7(2), added par. (5) and struck out former par. (5) which read as follows: “to promote literacy, education, and lifelong learning and to enhance and expand the services and resources provided by libraries, including those services and resources relating to workforce development, 21st century skills, and digital literacy skills;”.

Pars. (6), (7). Pub. L. 115-410, §7(4), added pars. (6) and (7). Former pars. (6) and (7) redesignated (8) and (9), respectively.

Par. (8). Pub. L. 115-410, §7(3), (5), redesignated par. (6) as (8) and inserted “, including those from diverse and underrepresented backgrounds,” after “professionals”.

Pars. (9) to (11). Pub. L. 115-410, §7(3), redesignated pars. (7) to (9) as (9) to (11), respectively.

Par. (12). Pub. L. 115-410, §7(6)–(8), added par. (12).

2010—Par. (1). Pub. L. 111-340, §201(1), added par. (1) and struck out former par. (1) which read as follows: “to consolidate Federal library service programs;”.

Par. (2). Pub. L. 111-340, §201(2), inserted “continuous” after “promote”.

Pars. (5) to (9). Pub. L. 111-340, §201(3)–(5), added pars. (5) to (9).

2003—Pars. (2) to (5). Pub. L. 108-81 added pars. (2) to (4) and struck out former pars. (2) to (5) which read as follows:

“(2) to stimulate excellence and promote access to learning and information resources in all types of libraries for individuals of all ages;

“(3) to promote library services that provide all users access to information through State, regional, national and international electronic networks;

“(4) to provide linkages among and between libraries; and

“(5) to promote targeted library services to people of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to people with limited functional literacy or information skills.”

§ 9122. Definitions

As used in this subchapter:

(1) Library

The term “library” includes—

- (A) a public library;
- (B) a public elementary school or secondary school library;
- (C) a tribal library;
- (D) an academic library;
- (E) a research library, which for the purposes of this subchapter means a library that—

- (i) makes publicly available library services and materials suitable for scholarly research and not otherwise available to the public; and
- (ii) is not an integral part of an institution of higher education; and

(F) a private library or other special library, but only if the State in which such private or special library is located determines that the library should be considered a library for purposes of this subchapter.

(2) Library consortium

The term “library consortium” means any local, statewide, regional, interstate, or inter-

national cooperative association of library entities which provides for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers, for improved services for the clientele of such library entities.

(3) State

The term “State”, unless otherwise specified, includes each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(4) State library administrative agency

The term “State library administrative agency” means the official agency of a State charged by the law of the State with the extension and development of public library services throughout the State.

(5) State plan

The term “State plan” means the document which gives assurances that the officially designated State library administrative agency has the fiscal and legal authority and capability to administer all aspects of this subchapter, provides assurances for establishing the State’s policies, priorities, criteria, and procedures necessary to the implementation of all programs under this subchapter, submits copies for approval as required by regulations promulgated by the Director, identifies a State’s library needs, and sets forth the activities to be taken toward meeting the identified needs supported with the assistance of Federal funds made available under this subchapter.

(Pub. L. 94-462, title II, §213, as added Pub. L. 104-208, div. A, title I, §101(e) [title VII, §702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-296; amended Pub. L. 105-128, §3, Dec. 1, 1997, 111 Stat. 2548; Pub. L. 108-81, title II, §202, Sept. 25, 2003, 117 Stat. 997; Pub. L. 115-410, §8, Dec. 31, 2018, 132 Stat. 5416.)

Editorial Notes

AMENDMENTS

2018—Par. (1)(C) to (F). Pub. L. 115-410 added subpar. (C) and redesignated former subpars. (C) to (E) as (D) to (F), respectively.

2003—Pars. (1) to (6). Pub. L. 108-81 redesignated pars. (2) to (6) as (1) to (5), respectively, and struck out heading and text of former par. (1). Text read as follows: “The term ‘Indian tribe’ means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”

1997—Par. (2)(E). Pub. L. 105-128 inserted “or other special library” after “a private library” and “or special” after “such private”.

§ 9123. Authorization of appropriations

(a) In general

There are authorized to be appropriated—

(1) to carry out parts 1, 2, and 3, \$232,000,000 for each of the fiscal years 2020 through 2025; and

(2) to carry out part 4, \$24,500,000 for each of the fiscal years 2020 through 2025.

(b) Forward funding

(1) In general

To the end of affording the responsible Federal, State, and local officers adequate notice of available Federal financial assistance for carrying out ongoing library activities and projects, appropriations for grants, contracts, or other payments under any program under this subchapter are authorized to be included in the appropriations Act for the fiscal year preceding the fiscal year during which such activities and projects shall be carried out.

(2) Additional authorization of appropriations

In order to effect a transition to the timing of appropriation action authorized by subsection (a), the application of this section may result in the enactment, in a fiscal year, of separate appropriations for a program under this subchapter (whether in the same appropriations Act or otherwise) for two consecutive fiscal years.

(Pub. L. 94-462, title II, §214, as added Pub. L. 104-208, div. A, title I, §101(e) [title VII, §702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-296; amended Pub. L. 108-81, title II, §203, Sept. 25, 2003, 117 Stat. 997; Pub. L. 111-340, title II, §202, Dec. 22, 2010, 124 Stat. 3599; Pub. L. 115-410, §9, Dec. 31, 2018, 132 Stat. 5416.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-410 substituted “each of the fiscal years 2020 through 2025” for “fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016” in pars. (1) and (2).

2010—Subsec. (a). Pub. L. 111-340, §202(a), added subsec. (a) and struck out heading and text of former subsec. (a). Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this subchapter \$232,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”

Subsec. (c). Pub. L. 111-340, §202(b), struck out heading and text of subsec. (c). Text read as follows: “Not more than 3.5 percent of the funds appropriated under this section for a fiscal year may be used to pay for the Federal administrative costs of carrying out this subchapter.”

2003—Subsec. (a). Pub. L. 108-81, §203(1), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated \$150,000,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2002 to carry out this subchapter.

“(2) TRANSFER.—The Secretary of Education shall—

“(A) transfer promptly to the Director any funds appropriated under the authority of paragraph (1), to enable the Director to carry out this subchapter; and

“(B) not exercise any authority concerning the administration of this chapter other than the transfer described in subparagraph (A).”

Subsec. (c). Pub. L. 108-81, §203(2), substituted “3.5 percent” for “3 percent”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-81 effective Oct. 1, 2003, see section 506 of Pub. L. 108-81, set out as a note under section 9101 of this title.

PART 1—BASIC PROGRAM REQUIREMENTS

§ 9131. Reservations and allotments

(a) Reservations

(1) In general

From the amount appropriated under the authority of section 9123 of this title for any fiscal year, the Director—

(A) shall reserve 2.25 percent to award grants in accordance with section 9161 of this title; and

(B) shall reserve 3.75 percent to award national leadership grants or contracts in accordance with section 9162 of this title.

(2) Special rule

If the funds reserved pursuant to paragraph (1)(B) for a fiscal year have not been obligated by the end of such fiscal year, then such funds shall be allotted in accordance with subsection (b) for the fiscal year succeeding the fiscal year for which the funds were so reserved.

(b) Allotments

(1) In general

From the sums appropriated under the authority of section 9123 of this title and not reserved under subsection (a) for any fiscal year, the Director shall award grants from minimum allotments, as determined under paragraph (3), to each State. Any sums remaining after minimum allotments are made for such year shall be allotted in the manner set forth in paragraph (2).

(2) Remainder

From the remainder of any sums appropriated under the authority of section 9123 of this title that are not reserved under subsection (a) and not allotted under paragraph (1) for any fiscal year, the Director shall award grants to each State in an amount that bears the same relation to such remainder as the population of the State bears to the population of all States.

(3) Minimum allotments

(A) In general

For purposes of this subsection, the minimum allotment for each State shall be \$680,000, except that the minimum allotment shall be \$60,000 in the case of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(B) Ratable reductions

Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 9123 of this title and not reserved under subsection (a) for any fiscal year is insufficient to fully satisfy the requirement of subparagraph (A), each of the minimum allot-