

(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-

ments under such subparagraph shall be reduced ratably.

(C) Exception

(i) In general

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 exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2019—

(I) the minimum allotment for each State otherwise receiving a minimum allotment of \$680,000 under subparagraph (A) shall be increased to \$1,000,000; and

(II) the minimum allotment for each State otherwise receiving a minimum allotment of \$60,000 under subparagraph (A) shall be increased to \$100,000.

(ii) Insufficient funds to award alternative minimum

If the sum appropriated under the authority of section 9123 of this title and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2019, yet is insufficient to fully satisfy the requirement of clause (i), such excess amount shall first be allotted among the States described in clause (i)(I) so as to increase equally the minimum allotment for each such State above \$680,000. After the requirement of clause (i)(I) is fully satisfied for any fiscal year, any remainder of such excess amount shall be allotted among the States described in clause (i)(II) so as to increase equally the minimum allotment for each such State above \$60,000.

(4) Data

The population of each State and of all the States shall be determined by the Director on the basis of the most recent data available from the Bureau of the Census.

(Pub. L. 94-462, title II, §221, as added Pub. L. 104-208, div. A, title I, §101(e) [title VII, §702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-297; amended Pub. L. 105-128, §4, Dec. 1, 1997, 111 Stat. 2548; Pub. L. 108-81, title II, §204, Sept. 25, 2003, 117 Stat. 997; Pub. L. 111-340, title II, §203, Dec. 22, 2010, 124 Stat. 3600; Pub. L. 115-410, §10, Dec. 31, 2018, 132 Stat. 5416.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a)(1)(A). Pub. L. 115-410, §10(1), substituted “2.25 percent” for “1.75 percent”.

Subsec. (b)(3)(C). Pub. L. 115-410, §10(2), added subpar. (C) and struck out former subpar. (C) which related to special rule for grants to various United States territories.

2010—Subsec. (b)(3)(A). Pub. L. 111-340, §203(1), substituted “\$680,000” for “\$340,000” and “\$60,000” for “\$40,000”.

Subsec. (b)(3)(C), (D). Pub. L. 111-340, §203(2), (3), re-designated subpar. (D) as (C) and struck out former subpar. (C), which related to the minimum allotments for States when the appropriated sums exceed the aggregate of allotments for all States for fiscal year 2003.

2003—Subsec. (b)(3). Pub. L. 108-81 amended heading and text of par. (3) generally. Prior to amendment, text read as follows:

“(A) IN GENERAL.—For the purposes of this subsection, the minimum allotment for each State shall be \$340,000, except that the minimum allotment shall be \$40,000 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.—If the sum appropriated under the authority of section 9123 of this title and not reserved under subsection (a) of this section for any fiscal year is insufficient to fully satisfy the aggregate of the minimum allotments for all States for that purpose for such year, each of such minimum allotments shall be reduced ratably.

“(C) SPECIAL RULE.—

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection and using funds allotted for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under this subsection, the Director shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subchapter in accordance with the provisions of this subchapter that the Director determines are not inconsistent with this subparagraph.

“(ii) AWARD BASIS.—The Director shall award grants pursuant to clause (i) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

“(iii) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this subchapter for any fiscal year that begins after September 30, 2001.

“(iv) ADMINISTRATIVE COSTS.—The Director may provide not more than 5 percent of the funds made available for grants under this subparagraph to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subparagraph.”

1997—Subsec. (a)(1)(A). Pub. L. 105-128, §4(1), substituted “1.75 percent” for “1½ percent”.

Subsec. (a)(1)(B). Pub. L. 105-128, §4(2), substituted “3.75 percent” for “4 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.

§ 9132. Administration

(a) In general

Not more than 4 percent of the total amount of funds received under this subchapter for any fiscal year by a State may be used for administrative costs.

(b) Construction

Nothing in this section shall be construed to limit spending for evaluation costs under section 9134(c) of this title from sources other than this subchapter.

(Pub. L. 94-462, title II, §222, as added Pub. L. 104-208, div. A, title I, §101(e) [title VII, §702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-298.)