

107TH CONGRESS
1ST SESSION

H. R. 1525

To increase the authorization of funds under the Library Services and Technology Act, to provide funds for construction of libraries under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. THOMPSON of California (for himself, Mr. FRANK, Mr. FILNER, Mrs. TAUSCHER, Mr. BALDACCI, Mr. BROWN of Ohio, Mr. FROST, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To increase the authorization of funds under the Library Services and Technology Act, to provide funds for construction of libraries under such Act, and for other purposes.

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 “Public Libraries En-
5 hancement Act of 2001.”

1 **SEC. 2. DEFINITIONS.**

2 Section 213 of the Library Services and Technology
3 Act (20 U.S.C. 9122) is amended by adding at the end
4 the following new paragraphs:

5 “(7) CONSTRUCTION.—The term ‘construction’
6 includes construction of new buildings and acquisi-
7 tion, expansion, remodeling, and alteration of exist-
8 ing buildings, and for the purchase, lease, and in-
9 stallation of equipment of any such buildings, or any
10 combination of such activities (including architects’
11 fees and the cost of acquisition of land). Such term
12 includes remodeling to meet standards under the Act
13 of August 12, 1968, commonly known as the ‘Archi-
14 tectural Barriers Act of 1968 (42 U.S.C. 4151 et
15 seq.), remodeling designed to ensure safe working
16 environments and to conserve energy, renovation or
17 remodeling to accommodate new technologies, and
18 the purchase of existing historic buildings for con-
19 version to public libraries. For the purposes of this
20 paragraph, the term “equipment” includes informa-
21 tion and building technologies, video and tele-
22 communications equipment, machinery, utilities, and
23 built-in equipment and any necessary enclosures or
24 structures to house them; and such term includes all
25 other items necessary for the functioning of a par-

1 ticular facility as a facility for the provision of li-
2 brary services.

3 “(8) REFERENCE MATERIALS.—The term ‘ref-
4 erence materials’ includes any books, videotapes and
5 audiotapes, magazines, newspapers, software, and
6 other library and media materials, regardless of for-
7 mat, that are made available for public reference.

8 “(9) RURAL AREA.—The term ‘rural area’ when
9 used with respect to the location of any library
10 means that the library is located in a non-metropoli-
11 tan county, as designated by the Bureau of the Cen-
12 sus using the metropolitan statistical area method,
13 except that a portion of an urban metropolitan coun-
14 ty may be classified as rural area for such purpose
15 if its census block or tract number is identified by
16 the ‘Goldsmith Modification’ methodology as a rural
17 ‘pocket’ areas within a larger urban metropolitan
18 county.”.

19 **SEC. 3. INCREASE IN AUTHORIZATION OF APPROPRIA-**
20 **TIONS.**

21 Section 214(a) of the Library Services and Tech-
22 nology Act (20 U.S.C. 9123(a)) is amended—

23 (1) in paragraph (2)(A), by inserting “or (2)”
24 after “paragraph (1)”;

1 (2) by redesignating paragraph (2) as para-
2 graph (3); and

3 (3) by inserting after paragraph (1) the fol-
4 lowing new paragraph:

5 “(2) CONSTRUCTION; ACQUISITION; OPER-
6 ATIONS.—In addition to the amounts authorized to
7 be appropriated by paragraph (1), there are author-
8 ized to be appropriated \$300,000,000 for fiscal year
9 2002 and such sums as may be necessary for each
10 of the fiscal years 2003 through 2006 to carry out
11 section 232 of this subtitle.”.

12 **SEC. 3. AUTHORITY TO USE FUNDS FOR CONSTRUCTION,**
13 **ACQUISITION, AND OPERATION.**

14 Chapter 2 of the Library Services and Technology
15 Act is amended—

16 (1) in section 231(a) (20 U.S.C. 9141(a))—

17 (A) by striking “and” at the end of para-
18 graph (1);

19 (B) by striking the period at the end of
20 paragraph (2) and inserting a semicolon; and

21 (C) by adding at the end the following new
22 paragraph:

23 “(3) conducting library construction, acquiring
24 reference materials, and operating public libraries

1 during hours of library service to the public, in ac-
2 cordance with section 232.”;

3 (2) in section 231(b)—

4 (A) by striking “(1) and (2)” and inserting
5 “(1), (2) and (3)”;

6 (B) by inserting before the period at the
7 end the following: “, subject to the limitations
8 in section 232(a)”;

9 (2) by adding at the end the following new sec-
10 tion:

11 **“SEC. 232. USE OF FUNDS FOR CONSTRUCTION, ACQUISI-**
12 **TION, AND OPERATION.**

13 “(a) IDENTIFICATION OF AMOUNTS AVAILABLE FOR
14 CONSTRUCTION.—From the amount allotted to any State
15 under section 221, the Secretary shall identify the portion
16 of the allotment that is attributable to appropriations pur-
17 suant to section 214(a)(2). A State may, in accordance
18 with this section, use not more than that portion of such
19 allotment for the Federal share of the cost of any one or
20 more of the following purposes:

21 “(1) library construction;

22 “(2) acquisition of reference materials; and

23 “(3) operation of public libraries during hours
24 of library service to the public.

1 Any amounts of that portion that are not used for such
2 purposes shall be used for purposes described in para-
3 graph (1) or (2) of section 231(a).

4 “(b) MATCHING REQUIREMENT.—For the purposes
5 of subsection (a), the Federal share of the cost of any ac-
6 tivity under subsection (a) shall not exceed, as a percent-
7 age the total cost of the activity, the percentage specified
8 in section 223(b)(1).

9 “(c) REQUIREMENTS FOR USE OF FUNDS FOR CON-
10 STRUCTION.—Any State that intends to use a portion of
11 its allotment for the purposes of construction shall revise
12 its State plan under section 224—

13 “(1) to revise the goals and priorities specified
14 pursuant to section 224(b)(1) consistent with the
15 purposes of this section;

16 “(2) to describe, consistent with the require-
17 ments of section 224(b)(2), the activities that the
18 agency will carry out under this section; and

19 “(3) to specify the procedures by which the
20 State library administrative agency will competitively
21 award grants for library construction under this sec-
22 tion.

23 Such revisions shall be subject to approval or disapproval
24 by the Director.

1 “(d) MINIMUM AND MAXIMUM AWARDS.—Of the
2 amount of funds provided under this section that are used
3 by any State for library construction, acquisition of ref-
4 erence materials, or library operation in any fiscal year—

5 “(1) not less than 35 percent shall be used in
6 rural areas; and

7 “(2) not more than \$1,000,000 may be used for
8 the construction or benefit of any single library facil-
9 ity.

10 “(e) LABOR STANDARDS.—It shall be a condition of
11 the receipt of any grant under this section that the State
12 library administrative agency and any recipient of any
13 grant under this section for purposes of construction fur-
14 nish adequate assurances to the Secretary of Labor that
15 all laborers and mechanics employed by contractors or
16 subcontractors on construction projects assisted under
17 this section shall be paid wages at rates not less than those
18 prevailing on similar construction in the locality as deter-
19 mined by the Secretary of Labor in accordance with the
20 Davis-Bacon Act, as amended (40 U.S.C. 276a et seq.).
21 The Secretary of Labor shall have with respect to the
22 labor standards specified in this subsection the authority
23 and functions set forth in Reorganization Plan Numbered
24 14 of 1950 and section 2 of the Davis-Bacon Act (40
25 U.S.C. 276c).

1 “(f) CONTINUED USE FOR LIBRARY PURPOSES.—If,
2 within 20 years after completion of construction of any
3 library facility which has been constructed in part with
4 funds made available under this title—

5 “(1) the recipient (or its successor in title or
6 possession) ceases or fails to be a public or nonprofit
7 institution, or

8 “(2) the facility ceases to be used as a library
9 facility, unless the Secretary determines that there is
10 good cause for releasing the institution from its obli-
11 gation,

12 the United States shall be entitled to recover from such
13 recipient (or successor) an amount which bears the same
14 ratio to the value of the facility at that time (or part there-
15 of constituting an approved project or projects) as the
16 amount of the Federal grant bore to the cost of such facil-
17 ity (or part thereof). The value shall be determined by the
18 parties or by action brought in the United States district
19 court for the district in which the facility is located.”.

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