

108TH CONGRESS
2D SESSION

H. R. 4286

To provide for public library construction and technology enhancement.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2004

Mr. HINCHEY introduced the following bill; which was referred to the
Committee on Education and the Workforce

A BILL

To provide for public library construction and technology
enhancement.

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 “Andrew Carnegie Li-
5 braries for Lifelong Learning Act”.

6 **SEC. 2. PUBLIC LIBRARY CONSTRUCTION AND TECH-**
7 **NOLOGY ENHANCEMENT.**

8 The Library Services and Technology Act (20 U.S.C.
9 9121 et seq.) is amended—

10 (1) by redesignating chapter 3 as chapter 4;

11 and

1 (2) by inserting after chapter 2 the following:

2 **“CHAPTER 3—PUBLIC LIBRARY CON-**
3 **STRUCTION AND TECHNOLOGY EN-**
4 **HANCEMENT**

5 **“SEC. 241. GRANTS TO STATES FOR PUBLIC LIBRARY CON-**
6 **STRUCTION AND TECHNOLOGY ENHANCE-**
7 **MENT.**

8 “(a) IN GENERAL.—From amounts appropriated
9 under section 244 the Director shall carry out a program
10 of awarding grants to States that have a State plan ap-
11 proved under section 224 for the construction or tech-
12 nology enhancement of public libraries.

13 “(b) DEFINITIONS.—In this chapter:

14 “(1) CONSTRUCTION.—

15 “(A) IN GENERAL.—The term ‘construc-
16 tion’ means—

17 “(i) construction of new buildings;

18 “(ii) the acquisition, expansion, re-
19 modeling, and alteration of existing build-
20 ings;

21 “(iii) the purchase, lease, and installa-
22 tion of equipment for any new or existing
23 buildings; or

24 “(iv) any combination of the activities
25 described in clauses (i) through (iii), in-

1 cluding architect' fees and the cost of ac-
2 quisition of land.

3 “(B) SPECIAL RULE.—Such term includes
4 remodeling to meet standards under the Act en-
5 titled ‘An Act to insure that certain buildings
6 financed with Federal funds are so designed
7 and constructed as to be accessible to the phys-
8 ically handicapped’, approved August 12, 1968
9 (42 U.S.C. 4151 et seq.), commonly known as
10 the ‘Architectural Barriers Act of 1968’, remod-
11 eling designed to ensure safe working environ-
12 ments and to conserve energy, renovation or re-
13 modeling to accommodate new technologies, and
14 the purchase of historic buildings for conversion
15 to public libraries.

16 “(2) EQUIPMENT.—The term ‘equipment’
17 means—

18 “(A) information and building tech-
19 nologies, video and telecommunications equip-
20 ment, machinery, utilities, built-in equipment,
21 and any necessary enclosures or structures to
22 house the technologies, equipment, machinery
23 or utilities; and

1 “(B) all other items necessary for the
2 functioning of a particular facility as a facility
3 for the provision of library services.

4 “(3) PUBLIC LIBRARY.—The term ‘public li-
5 brary’ means a library that serves free of charge all
6 residents of a community, district, or region, and re-
7 ceives its financial support in whole or in part from
8 public funds. Such term also includes a research li-
9 brary, which, for the purposes of this sentence,
10 means a library, which—

11 “(A) makes its services available to the
12 public free of charge;

13 “(B) has extensive collections of books,
14 manuscripts, and other materials suitable for
15 scholarly research which are not available to the
16 public through public libraries;

17 “(C) engages in the dissemination of hu-
18 manistic knowledge through services to readers,
19 fellowships, educational and cultural programs,
20 publication of significant research, and other
21 activities; and

22 “(D) is not an integral part of an institu-
23 tion of higher education.

24 “(4) TECHNOLOGY ENHANCEMENT.—The term
25 ‘technology enhancement’ means the acquisition, in-

1 stallation, maintenance, or replacement, of substan-
2 tial technological equipment (including library biblio-
3 graphic automation equipment) necessary to provide
4 access to information in electronic and other formats
5 made possible by new information and communica-
6 tions technologies.

7 “(c) APPLICABILITY.—Except as provided in section
8 243, the provisions of this subtitle (other than this chap-
9 ter) shall not apply to this chapter.

10 **“SEC. 242. USES OF FEDERAL FUNDS.**

11 “(a) IN GENERAL.—A State shall use funds appro-
12 priated under section 244 to pay the Federal share of the
13 cost of construction or technology enhancement of public
14 libraries.

15 “(b) FEDERAL SHARE.—

16 “(1) IN GENERAL.—For the purposes of sub-
17 section (a), the Federal share of the cost of con-
18 struction or technology enhancement of any project
19 assisted under this chapter shall not exceed one-half
20 of the total cost of the project.

21 “(2) NON-FEDERAL SHARE.—The non-Federal
22 share of the cost of construction or technology en-
23 hancement of any project assisted under this chapter
24 may be provided from State, local or private sources,
25 including for-profit and nonprofit organizations.

1 “(c) SPECIAL RULE.—If, within 20 years after com-
2 pletion of construction of any public library facility that
3 has been constructed in part with grant funds made avail-
4 able under this chapter—

5 “(1) the recipient of the grant funds (or its suc-
6 cessor in title or possession) ceases or fails to be a
7 public or nonprofit institution, or

8 “(2) the facility ceases to be used as a library
9 facility, unless the Director 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.

20 **“SEC. 243. DESCRIPTION INCLUDED IN STATE PLAN.**

21 “Any State desiring to receive a grant under this
22 chapter for any fiscal year shall submit, as a part of the
23 State plan under section 224, a description of the public
24 library construction or technology enhancement activities
25 to be assisted under this chapter.

1 **“SEC. 244. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this chapter \$200,000,000 for fiscal year 2005 and each
4 of the 4 succeeding fiscal years.”.

○