

108TH CONGRESS
1ST SESSION

H. R. 13

To reauthorize the Museum and Library Services Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. HOEKSTRA (for himself, Mr. BOEHNER, Mr. CASTLE, Mr. GREENWOOD, Mr. SOUDER, Mr. EHLERS, Mr. ISAKSON, Mrs. BIGGERT, Mr. OSBORNE, Mr. WILSON of South Carolina, and Mr. ENGLISH) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To reauthorize the Museum and Library Services 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 “Museum and Library
5 Services Act of 2003”.

6 **TITLE I—GENERAL PROVISIONS**

7 **SEC. 101. GENERAL DEFINITIONS.**

8 Section 202 of the Museum and Library Services Act
9 (20 U.S.C. 9101) is amended—

1 (1) by amending paragraph (1) to read as fol-
2 lows:

3 “(1) DETERMINED TO BE OBSCENE.—The term
4 ‘determined to be obscene’ means determined, in a
5 final judgment of a court of record and of competent
6 jurisdiction in the United States, to be obscene.”;

7 (2) by striking paragraph (4);

8 (3) by redesignating paragraph (3) as para-
9 graph (5);

10 (4) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) FINAL JUDGMENT.—The term ‘final judg-
13 ment’ means a judgment that is—

14 “(A) not reviewed by any other court that
15 has authority to review such judgment; or

16 “(B) is not reviewable by any other court.

17 “(4) INDIAN TRIBE.—The term ‘Indian tribe’
18 means any tribe, band, nation, or other organized
19 group or community, including any Alaska native
20 village, regional corporation, or village corporation
21 (as defined in, or established pursuant to, the Alas-
22 ka Native Claims Settlement Act (43 U.S.C. 1601 et
23 seq.)), which is recognized by the Secretary of the
24 Interior as eligible for the special programs and

1 services provided by the United States to Indians be-
2 cause of their status as Indians.”; and

3 (5) by adding after paragraph (5) (as so reded-
4 ignated) the following:

5 “(6) MUSEUM AND LIBRARY SERVICES
6 BOARD.—The term ‘Museum and Library Services
7 Board’ means the National Museum and Library
8 Services Board established under section 207.

9 “(7) OBSCENE.—The term ‘obscene’ means,
10 with respect to a project, that—

11 “(A) the average person, applying contem-
12 porary community standards, would find that
13 such project, when taken as a whole, appeals to
14 the prurient interest;

15 “(B) such project depicts or describes sex-
16 ual conduct in a patently offensive way; and

17 “(C) such project, when taken as a whole,
18 lacks serious literary, artistic, political, or sci-
19 entific value.”.

20 **SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.**

21 Section 203 of the Museum and Library Services Act
22 (20 U.S.C. 9102) is amended—

23 (1) in subsection (b), by striking the last sen-
24 tence; and

25 (2) by adding at the end the following:

1 “(c) MUSEUM AND LIBRARY SERVICES BOARD.—
2 There shall be a National Museum and Library Services
3 Board within the Institute, as provided under section
4 207.”.

5 **SEC. 103. DIRECTOR OF THE INSTITUTE.**

6 (a) COORDINATION OF ACTIVITIES.—Section 204(e)
7 of the Museum and Library Services Act (20 U.S.C.
8 9103(e)) is amended by adding at the end the following:
9 “Where appropriate, the Director shall ensure that activi-
10 ties under subtitle B are coordinated with activities under
11 section 1251 of the Elementary and Secondary Education
12 Act of 1965 (20 U.S.C. 6383).”.

13 (b) REGULATORY AUTHORITY.—Section 204 of such
14 Act (20 U.S.C. 9103) is amended by adding at the end
15 the following:

16 “(f) REGULATORY AUTHORITY.—The Director may
17 promulgate such rules and regulations as are necessary
18 and appropriate to implement the provisions of this title.

19 “(g) APPLICATION PROCEDURES.—

20 “(1) IN GENERAL.—In order to be eligible to
21 receive financial assistance under this title, a person
22 or agency shall submit an application in accordance
23 with procedures established by the Director by regu-
24 lation.

1 “(2) REVIEW AND EVALUATION.—The Director
2 shall establish procedures for reviewing and evalu-
3 ating such applications. Such procedures shall not be
4 subject to any review outside of the Institute. In es-
5 tablishing such procedures, the Director shall ensure
6 that the criteria by which applications are evaluated
7 are consistent with the purposes of this title, taking
8 into consideration general standards of decency and
9 respect for the diverse beliefs and values of the
10 American public.

11 “(3) TREATMENT OF PROJECTS DETERMINED
12 TO BE OBSCENE.—

13 “(A) IN GENERAL.—The procedures de-
14 scribed in paragraph (2) shall include provisions
15 that clearly specify that obscenity is without lit-
16 erary, artistic, political, or scientific merit, and
17 is not protected speech.

18 “(B) PROHIBITION.—No financial assist-
19 ance may be provided under this title with re-
20 spect to any project that is determined to be
21 obscene.

22 “(C) TREATMENT OF APPLICATION DIS-
23 APPROVAL.—The disapproval of an application
24 by the Director shall not be construed to mean,
25 and shall not be considered as evidence that,

1 the project for which the applicant requested fi-
2 nancial assistance is or is not obscene.”.

3 **SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES**

4 **BOARD.**

5 The Museum and Library Services Act (20 U.S.C.
6 9101 et seq.) is amended—

7 (1) by redesignating section 207 as section 208;

8 and

9 (2) by inserting after section 206 the following:

10 **“SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES**

11 **BOARD.**

12 “(a) **ESTABLISHMENT.**—There is established in the
13 Institute a board to be known as the ‘National Museum
14 and Library Services Board’.

15 “(b) **MEMBERSHIP.**—

16 “(1) **NUMBER AND APPOINTMENT.**—The Mu-
17 seum and Library Services Board shall be composed
18 of the following:

19 “(A) The Director.

20 “(B) The Deputy Director for the Office of
21 Library Services.

22 “(C) The Deputy Director for the Office of
23 Museum Services.

24 “(D) 10 members appointed by the Presi-
25 dent, by and with the advice and consent of the

1 Senate, from among individuals who are citi-
2 zens of the United States and who are specially
3 qualified in the area of library services by virtue
4 of their education, training, or experience.

5 “(E) 10 members appointed by the Presi-
6 dent, by and with the advice and consent of the
7 Senate, from among individuals who are citi-
8 zens of the United States and who are specially
9 qualified in the area of museum services by vir-
10 tue of their education, training, or experience.

11 “(2) SPECIAL QUALIFICATIONS.—

12 “(A) LIBRARY MEMBERS.—Of the mem-
13 bers of the Museum and Library Services
14 Board appointed under paragraph (1)(D)—

15 “(i) 5 shall be professional librarians
16 or information specialists, of whom—

17 “(I) at least 1 shall be knowl-
18 edgeable about electronic information
19 and technical aspects of library and
20 information services and sciences; and

21 “(II) and at least 1 other shall be
22 knowledgeable about the library and
23 information service needs of under-
24 served communities; and

1 “(ii) the remainder shall have special
2 competence in, or knowledge of, the needs
3 for library and information services in the
4 United States.

5 “(B) MUSEUM MEMBERS.—Of the mem-
6 bers of the Museum and Library Services
7 Board appointed under paragraph (1)(E)—

8 “(i) 5 shall be museum professionals
9 who are or have been affiliated with—

10 “(I) resources that, collectively,
11 are broadly representative of the cura-
12 torial, conservation, educational, and
13 cultural resources of the United
14 States; or

15 “(II) museums that, collectively,
16 are broadly representative of various
17 types of museums, including museums
18 relating to science, history, tech-
19 nology, art, zoos, botanical gardens,
20 and museums designed for children;
21 and

22 “(ii) the remainder shall be individ-
23 uals recognized for their broad knowledge,
24 expertise, or experience in museums or
25 commitment to museums.

1 “(3) GEOGRAPHIC AND OTHER REPRESENTA-
2 TION.—Members of the Museum and Library Serv-
3 ices Board shall be appointed to reflect persons from
4 various geographic regions of the United States. The
5 Museum and Library Services Board may not in-
6 clude, at any time, more than 3 appointive members
7 from a single State. In making such appointments,
8 the President shall give due regard to equitable rep-
9 resentation of women, minorities, and persons with
10 disabilities who are involved with museums and li-
11 braries.

12 “(4) VOTING.—The Director, the Deputy Direc-
13 tor of the Office of Library Services, and the Deputy
14 Director of the Office of Museum Services shall be
15 nonvoting members of the Museum and Library
16 Services Board.

17 “(c) TERMS.—

18 “(1) IN GENERAL.—Except as otherwise pro-
19 vided in this subsection, each member of the Mu-
20 seum and Library Services Board appointed under
21 subparagraph (D) or (E) of subsection (b)(1) shall
22 serve for a term of 5 years.

23 “(2) INITIAL BOARD APPOINTMENTS.—

24 “(A) TREATMENT OF MEMBERS SERVING
25 ON EFFECTIVE DATE.—Notwithstanding sub-

1 section (b), each individual who is a member of
2 the National Museum Services Board on the
3 date of the enactment of the Museum and Li-
4 brary Services Act of 2003, may, at the individ-
5 ual's election, complete the balance of the indi-
6 vidual's term as a member of the Museum and
7 Library Services Board.

8 “(B) FIRST APPOINTMENTS.—Notwith-
9 standing subsection (b), any appointive vacancy
10 in the initial membership of the Museum and
11 Library Services Board existing after the appli-
12 cation of subparagraph (A), and any vacancy in
13 such membership subsequently created by rea-
14 son of the expiration of the term of an indi-
15 vidual described in subparagraph (A), shall be
16 filled by the appointment of a member de-
17 scribed in subsection (b)(1)(D). When the Mu-
18 seum and Library Services Board consists of an
19 equal number of individuals who are specially
20 qualified in the area of library services and in-
21 dividuals who are specially qualified in the area
22 of museum services, this subparagraph shall
23 cease to be effective and the board shall be ap-
24 pointed in accordance with subsection (b).

1 “(C) AUTHORITY TO ADJUST TERMS.—The
2 terms of the first members appointed to the
3 Museum and Library Service Board shall be ad-
4 justed by the President as necessary to ensure
5 that the terms of not more than 4 members ex-
6 pire in the same year. Such adjustments shall
7 be carried out through designation of the ad-
8 justed term at the time of appointment.

9 “(3) VACANCIES.—Any member appointed to
10 fill a vacancy shall serve for the remainder of the
11 term for which the predecessor of the member was
12 appointed.

13 “(4) REAPPOINTMENT.—No appointive member
14 of the Museum and Library Services Board who has
15 been a member for more than 7 consecutive years
16 shall be eligible for reappointment.

17 “(5) SERVICE UNTIL SUCCESSOR TAKES OF-
18 FICE.—Notwithstanding any other provision of this
19 subsection, an appointive member of the Museum
20 and Library Services Board shall serve after the ex-
21 piration of the term of the member until the suc-
22 cessor to the member takes office.

23 “(d) DUTIES AND POWERS.—

24 “(1) IN GENERAL.—The Museum and Library
25 Services Board shall advise the Director on general

1 policies with respect to the duties, powers, and au-
2 thority of the Institute relating to museum and li-
3 brary services, including financial assistance award-
4 ed under this title.

5 “(2) NATIONAL AWARDS.—The Museum and
6 Library Services Board shall assist the Director in
7 making awards under section 209.

8 “(e) CHAIRPERSON.—The Director shall serve as
9 Chairperson of the Museum and Library Services Board.

10 “(f) MEETINGS.—

11 “(1) IN GENERAL.—The Museum and Library
12 Services Board shall meet not less than 2 times each
13 year and at the call of the Director.

14 “(2) VOTE.—All decisions by the Museum and
15 Library Services Board with respect to the exercise
16 of its duties and powers shall be made by a majority
17 vote of the members of the Board who are present
18 and authorized to vote.

19 “(g) QUORUM.—A majority of the voting members of
20 the Museum and Library Services Board shall constitute
21 a quorum for the conduct of business at official meetings,
22 but a lesser number of members may hold hearings.

23 “(h) COMPENSATION AND TRAVEL EXPENSES.—

24 “(1) COMPENSATION.—Each member of the
25 Museum and Library Services Board who is not an

1 officer or employee of the Federal Government may
2 be compensated at a rate to be fixed by the Presi-
3 dent, but not to exceed the daily equivalent of the
4 maximum annual rate of pay authorized for a posi-
5 tion above grade GS-15 of the General Schedule
6 under section 5108 of title 5, United States Code,
7 for each day (including travel time) during which
8 such member is engaged in the performance of the
9 duties of the Museum and Library Services Board.
10 Members of the Museum and Libraries Services
11 Board who are full-time officers or employees of the
12 Federal Government may not receive additional pay,
13 allowances, or benefits by reason of their service on
14 the Board.

15 “(2) TRAVEL EXPENSES.—Each member of the
16 Museum and Library Services Board shall receive
17 travel expenses, including per diem in lieu of subsist-
18 ence, in accordance with applicable provisions under
19 subchapter I of chapter 57 of title 5, United States
20 Code.

21 “(i) COORDINATION.—The Director, with the advice
22 of the Museum and Library Services Board, shall take
23 steps to ensure that the policies and activities of the Insti-
24 tute are coordinated with other activities of the Federal
25 Government.”.

1 **SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.**

2 The Museum and Library Services Act (20 U.S.C.
3 9101 et seq.) is amended by inserting after section 208
4 (as redesignated by section 104 of this Act) the following:

5 **“SEC. 209. AWARDS.**

6 “The Director, with the advice of the Museum and
7 Library Services Board, may annually award National
8 Awards for Library Service and National Awards for Mu-
9 seum Service to outstanding libraries and outstanding mu-
10 seums, respectively, that have made significant contribu-
11 tions in service to their communities.

12 **“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY**
13 **SERVICES.**

14 “From amounts described in sections 214(c) and
15 275(b), the Director shall carry out and publish analyses
16 of the impact of museum and library services. Such anal-
17 yses—

18 “(1) shall be conducted in ongoing consultation
19 with—

20 “(A) State library administrative agencies;

21 “(B) State, regional, and national library
22 and museum organizations; and

23 “(C) other relevant agencies and organiza-
24 tions;

1 “(2) shall identify national needs for, and
2 trends of, museum and library services provided with
3 funds made available under subtitles B and C;

4 “(3) shall report on the impact and effective-
5 ness of programs conducted with funds made avail-
6 able by the Institute in addressing such needs; and

7 “(4) shall identify, and disseminate information
8 on, the best practices of such programs to the agen-
9 cies and entities described in paragraph (1).”.

10 **TITLE II—LIBRARY SERVICES** 11 **AND TECHNOLOGY**

12 **SEC. 201. PURPOSE.**

13 Section 212 of the Library Services and Technology
14 Act (20 U.S.C. 9121) is amended by striking paragraphs
15 (2) through (5) and inserting the following:

16 “(2) to promote improvement in library services
17 in all types of libraries in order to better serve the
18 people of the United States;

19 “(3) to facilitate access to resources in all types
20 of libraries for the purpose of cultivating an edu-
21 cated and informed citizenry; and

22 “(4) to encourage resource sharing among all
23 types of libraries for the purpose of achieving eco-
24 nomical and efficient delivery of library services to
25 the public.”.

1 **SEC. 202. DEFINITIONS.**

2 Section 213 of the Library Services and Technology
3 Act (20 U.S.C. 9122) is amended—

4 (1) by striking paragraph (1); and

5 (2) by redesignating paragraphs (2) through
6 (6) as paragraphs (1) through (5), respectively.

7 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 214 of the Library Services and Technology
9 Act (20 U.S.C. 9123) is amended—

10 (1) by amending subsection (a) to read as fol-
11 lows:

12 “(a) IN GENERAL.—There are authorized to be ap-
13 propriated to carry out this subtitle \$210,000,000 for fis-
14 cal year 2004 and such sums as may be necessary for fis-
15 cal years 2005 through 2009.”; and

16 (2) in subsection (c), by striking “3 percent”
17 and inserting “3.5 percent”.

18 **SEC. 204. RESERVATIONS AND ALLOTMENTS.**

19 Section 221(b)(3) of the Library Services and Tech-
20 nology Act (20 U.S.C. 9131(b)(3)) is amended to read as
21 follows:

22 “(3) MINIMUM ALLOTMENTS.—

23 “(A) IN GENERAL.—For purposes of this
24 subsection, the minimum allotment for each
25 State shall be \$340,000, except that the min-
26 imum allotment shall be \$40,000 in the case of

1 the United States Virgin Islands, Guam, Amer-
2 ican Samoa, the Commonwealth of the North-
3 ern Mariana Islands, the Republic of the Mar-
4 shall Islands, the Federated States of Micro-
5 nesia, and the Republic of Palau.

6 “(B) RATABLE REDUCTIONS.—Notwith-
7 standing subparagraph (A), if the sum appro-
8 priated under the authority of section 214 and
9 not reserved under subsection (a) for any fiscal
10 year is insufficient to fully satisfy the require-
11 ment of subparagraph (A), each of the min-
12 imum allotments under such subparagraph shall
13 be reduced ratably.

14 “(C) EXCEPTION.—

15 “(i) IN GENERAL.—Notwithstanding
16 subparagraph (A), if the sum appropriated
17 under the authority of section 214 and not
18 reserved under subsection (a) for any fiscal
19 year exceeds the aggregate of the allot-
20 ments for all States under this subsection
21 for fiscal year 2003—

22 “(I) the minimum allotment for
23 each State otherwise receiving a min-
24 imum allotment of \$340,000 under

1 subparagraph (A) shall be increased
2 to \$680,000; and

3 “(II) the minimum allotment for
4 each State otherwise receiving a min-
5 imum allotment of \$40,000 under
6 subparagraph (A) shall be increased
7 to \$60,000.

8 “(ii) INSUFFICIENT FUNDS TO AWARD
9 ALTERNATIVE MINIMUM.—If the sum ap-
10 propriated under the authority of section
11 214 and not reserved under subsection (a)
12 for any fiscal year exceeds the aggregate of
13 the allotments for all States under this
14 subsection for fiscal year 2003 yet is insuf-
15 ficient to fully satisfy the requirement of
16 clause (i), such excess amount shall first
17 be allotted among the States described in
18 clause (i)(I) so as to increase equally the
19 minimum allotment for each such State
20 above \$340,000. After the requirement of
21 clause (i)(I) is fully satisfied for any fiscal
22 year, any remainder of such excess amount
23 shall be allotted among the States de-
24 scribed in clause (i)(II) so as to increase

1 equally the minimum allotment for each
2 such State above \$40,000.

3 “(D) SPECIAL RULE.—

4 “(i) IN GENERAL.—Notwithstanding
5 any other provision of this subsection and
6 using funds allotted for the Republic of the
7 Marshall Islands, the Federated States of
8 Micronesia, and the Republic of Palau
9 under this subsection, the Director shall
10 award grants to the United States Virgin
11 Islands, Guam, American Samoa, the Com-
12 monwealth of the Northern Mariana Is-
13 lands, the Republic of the Marshall Is-
14 lands, the Federated States of Micronesia,
15 or the Republic of Palau to carry out ac-
16 tivities described in this subtitle in accord-
17 ance with the provisions of this subtitle
18 that the Director determines are not incon-
19 sistent with this subparagraph.

20 “(ii) AWARD BASIS.—The Director
21 shall award grants pursuant to clause (i)
22 on a competitive basis and pursuant to rec-
23 ommendations from the Pacific Region
24 Educational Laboratory in Honolulu, Ha-
25 waii.

1 “(iii) ADMINISTRATIVE COSTS.—The
2 Director may provide not more than 5 per-
3 cent of the funds made available for grants
4 under this subparagraph to pay the admin-
5 istrative costs of the Pacific Region Edu-
6 cational Laboratory regarding activities as-
7 sisted under this subparagraph.”.

8 **SEC. 205. STATE PLANS.**

9 Section 224 of the Library Services and Technology
10 Act (20 U.S.C. 9134) is amended—

11 (1) in subsection (a)(1), by striking “not later
12 than April 1, 1997.” and inserting “once every 5
13 years, as determined by the Director.”; and

14 (2) in subsection (f)—

15 (A) by striking “this Act” each place such
16 term appears and inserting “this subtitle”;

17 (B) in paragraph (1), by striking “1934,”
18 and all that follows through “Act, may” and in-
19 serting “1934 (47 U.S.C. 254(h)(6)) may”; and

20 (C) in paragraph (7)—

21 (i) in the matter preceding subpara-
22 graph (A), by striking “section:” and in-
23 serting “subsection:”; and

24 (ii) in subparagraph (D), by striking
25 “given” and inserting “applicable to”.

1 **SEC. 206. GRANTS TO STATES.**

2 Section 231 of the Library Services and Technology
3 Act (20 U.S.C. 9141) is amended—

4 (1) in subsection (a), by striking paragraphs
5 (1) and (2) and inserting the following:

6 “(1) expanding services for learning and access
7 to information and educational resources in a variety
8 of formats, in all types of libraries, for individuals
9 of all ages;

10 “(2) developing library services that provide all
11 users access to information through local, State, re-
12 gional, national, and international electronic net-
13 works;

14 “(3) providing electronic and other linkages
15 among and between all types of libraries;

16 “(4) developing public and private partnerships
17 with other agencies and community-based organiza-
18 tions;

19 “(5) targeting library services to individuals of
20 diverse geographic, cultural, and socioeconomic back-
21 grounds, to individuals with disabilities, and to indi-
22 viduals with limited functional literacy or informa-
23 tion skills; and

24 “(6) targeting library and information services
25 to persons having difficulty using a library and to
26 underserved urban and rural communities, including

1 children (from birth through age 17) from families
 2 with incomes below the poverty line (as defined by
 3 the Office of Management and Budget and revised
 4 annually in accordance with section 673(2) of the
 5 Community Services Block Grant Act (42 U.S.C.
 6 9902(2))) applicable to a family of the size in-
 7 volved.”; and

8 (2) in subsection (b), by striking “between the
 9 two purposes described in paragraphs (1) and (2) of
 10 such subsection,” and inserting “among such pur-
 11 poses,”.

12 **SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR**
 13 **COOPERATIVE AGREEMENTS.**

14 Section 262(a)(1) of the Library Services and Tech-
 15 nology Act (20 U.S.C. 9162(a)(1)) is amended by striking
 16 “education and training” and inserting “education, re-
 17 cruitment, and training”.

18 **TITLE III—MUSEUM SERVICES**

19 **SEC. 301. PURPOSE.**

20 Section 271 of the Museum and Library Services Act
 21 (20 U.S.C. 9171) is amended to read as follows:

22 **“SEC. 271. PURPOSE.**

23 “It is the purpose of this subtitle—

24 “(1) to encourage and support museums in car-
 25 rying out their public service role of connecting the

1 whole of society to the cultural, artistic, historical,
2 natural, and scientific understandings that con-
3 stitute our heritage;

4 “(2) to encourage and support museums in car-
5 rying out their educational role, as core providers of
6 learning and in conjunction with schools, families,
7 and communities;

8 “(3) to encourage leadership, innovation, and
9 applications of the most current technologies and
10 practices to enhance museum services;

11 “(4) to assist, encourage, and support museums
12 in carrying out their stewardship responsibilities to
13 achieve the highest standards in conservation and
14 care of the cultural, historic, natural, and scientific
15 heritage of the United States to benefit future gen-
16 erations;

17 “(5) to assist, encourage, and support museums
18 in achieving the highest standards of management
19 and service to the public, and to ease the financial
20 burden borne by museums as a result of their in-
21 creasing use by the public; and

22 “(6) to support resource sharing and partner-
23 ships among museums, libraries, schools, and other
24 community organizations.”.

1 **SEC. 302. DEFINITIONS.**

2 Section 272(1) of the Museum and Library Services
3 Act (20 U.S.C. 9172(1)) is amended by adding at the end
4 the following: “Such term includes aquariums, arbore-
5 tums, botanical gardens, art museums, children’s muse-
6 ums, general museums, historic houses and sites, history
7 museums, nature centers, natural history and anthro-
8 pology museums, planetariums, science and technology
9 centers, specialized museums, and zoological parks.”.

10 **SEC. 303. MUSEUM SERVICES ACTIVITIES.**

11 Section 273 of the Museum and Library Services Act
12 (20 U.S.C. 9173) is amended to read as follows:

13 **“SEC. 273. MUSEUM SERVICES ACTIVITIES.**

14 “(a) IN GENERAL.—The Director, subject to the pol-
15 icy advice of the Museum and Library Services Board,
16 may enter into arrangements, including grants, contracts,
17 cooperative agreements, and other forms of assistance to
18 museums and other entities as the Director considers ap-
19 propriate, to pay for the Federal share of the cost—

20 “(1) to support museums in providing learning
21 and access to collections, information, and edu-
22 cational resources in a variety of formats (including
23 exhibitions, programs, publications, and websites)
24 for individuals of all ages;

25 “(2) to support museums in building learning
26 partnerships with the Nation’s schools and devel-

1 opening museum resources and programs in support of
2 State and local school curricula;

3 “(3) to support museums in assessing, con-
4 serving, researching, maintaining, and exhibiting
5 their collections, and in providing educational pro-
6 grams to the public through the use of their collec-
7 tions;

8 “(4) to stimulate greater collaboration among
9 museums, libraries, schools, and other community
10 organizations in order to share resources and
11 strengthen communities;

12 “(5) to encourage the use of new technologies
13 and broadcast media to enhance access to museum
14 collections, programs, and services;

15 “(6) to support museums in providing services
16 to people of diverse geographic, cultural, and socio-
17 economic backgrounds and to individuals with dis-
18 abilities;

19 “(7) to support museums in developing and car-
20 rying out specialized programs for specific segments
21 of the public, such as programs for urban neighbor-
22 hoods, rural areas, Indian reservations, and State
23 institutions;

24 “(8) to support professional development and
25 technical assistance programs to enhance museum

1 operations at all levels, in order to ensure the high-
2 est standards in all aspects of museum operations;

3 “(9) to support museums in research, program
4 evaluation, and the collection and dissemination of
5 information to museum professionals and the public;
6 and

7 “(10) to encourage, support, and disseminate
8 model programs of museum and library collabora-
9 tion.

10 “(b) FEDERAL SHARE.—

11 “(1) 50 PERCENT.—Except as provided in para-
12 graph (2), the Federal share described in subsection
13 (a) shall be not more than 50 percent.

14 “(2) GREATER THAN 50 PERCENT.—The Direc-
15 tor may use not more than 20 percent of the funds
16 made available under this subtitle for a fiscal year
17 to enter into arrangements under subsection (a) for
18 which the Federal share may be greater than 50
19 percent.

20 “(3) OPERATIONAL EXPENSES.—No funds for
21 operational expenses may be provided under this sec-
22 tion to any entity that is not a museum.

23 “(c) REVIEW AND EVALUATION.—

24 “(1) IN GENERAL.—The Director shall establish
25 procedures for reviewing and evaluating arrange-

1 ments described in subsection (a) entered into under
2 this subtitle.

3 “(2) APPLICATIONS FOR TECHNICAL ASSIST-
4 ANCE.—

5 “(A) IN GENERAL.—The Director may use
6 up to 10 percent of the funds appropriated to
7 carry out this subtitle for technical assistance
8 awards.

9 “(B) INDIVIDUAL MUSEUMS.—Individual
10 museums may receive not more than 3 technical
11 assistance awards under subparagraph (A), but
12 subsequent awards for technical assistance shall
13 be subject to review outside the Institute.

14 “(d) SERVICES FOR NATIVE AMERICANS.—From
15 amounts appropriated under section 275, the Director
16 shall reserve 1.75 percent to award grants to, or enter into
17 contracts or cooperative agreements with, Indian tribes
18 and organizations that primarily serve and represent Na-
19 tive Hawaiians (as defined in section 7207 of the Native
20 Hawaiian Education Act (20 U.S.C. 7517)), to enable
21 such tribes and organizations to carry out the activities
22 described in subsection (a).”.

23 **SEC. 304. REPEALS.**

24 Sections 274 and 275 of the Museum and Library
25 Services Act (20 U.S.C. 9174 and 9175) are repealed.

1 **SEC. 305. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 276 of the Museum and Library Services Act
3 (20 U.S.C. 9176)—

4 (1) is redesignated as section 275 of such Act;
5 and

6 (2) is amended, in subsection (a), by striking
7 “\$28,700,000 for the fiscal year 1997, and such
8 sums as may be necessary for each of the fiscal
9 years 1998 through 2002.” and inserting
10 “\$35,000,000 for fiscal year 2004 and such sums as
11 may be necessary for fiscal years 2005 through
12 2009.”.

13 **SEC. 306. SHORT TITLE.**

14 Subtitle C of the Museum and Library Services Act
15 (20 U.S.C. 9171 et seq.) is amended—

16 (1) by redesignating sections 271 through 273
17 as sections 272 through 274, respectively; and

18 (2) by inserting after the subtitle heading the
19 following:

20 **“SEC. 271. SHORT TITLE.**

21 “This subtitle may be cited as the ‘Museum Services
22 Act’.”.

1 **TITLE IV—TECHNICAL CORREC-**
2 **TIONS; REPEALS; EFFECTIVE**
3 **DATE**

4 **SEC. 401. TECHNICAL CORRECTIONS.**

5 (a) TITLE HEADING.—The title heading for the Mu-
6 seum and Library Services Act (20 U.S.C. 9101 et seq.)
7 is amended to read as follows:

8 **“TITLE II—MUSEUM AND**
9 **LIBRARY SERVICES”.**

10 (b) SUBTITLE A HEADING.—The subtitle heading for
11 subtitle A of the Museum and Library Services Act (20
12 U.S.C. 9101 et seq.) is amended to read as follows:

13 **“Subtitle A—General Provisions”.**

14 (c) SUBTITLE B HEADING.—The subtitle heading for
15 subtitle B of the Museum and Library Services Act (20
16 U.S.C. 9121 et seq.) is amended to read as follows:

17 **“Subtitle B—Library Services and**
18 **Technology”.**

19 (d) SUBTITLE C HEADING.—The subtitle heading for
20 subtitle C of the Museum and Library Services Act (20
21 U.S.C. 9171 et seq.) is amended to read as follows:

22 **“Subtitle C—Museum Services”.**

23 (e) CONTRIBUTIONS.—Section 208 of the Museum
24 and Library Services Act (20 U.S.C. 9106) (as redesign-
25 nated by section 104 of this Act) is amended by striking

1 “property of services” and inserting “property or serv-
2 ices”.

3 (f) STATE PLAN CONTENTS.—Section 224(b)(5) of
4 the Library Services and Technology Act (20 U.S.C.
5 9134(b)(5)) is amended by striking “and” at the end.

6 (g) NATIONAL LEADERSHIP GRANTS, CONTRACTS,
7 OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of
8 the Library Services and Technology Act (20 U.S.C.
9 9162(b)(1)) is amended by striking “cooperative agree-
10 ments, with,” and inserting “cooperative agreements
11 with,”.

12 **SEC. 402. REPEALS.**

13 (a) NATIONAL COMMISSION ON LIBRARIES AND IN-
14 FORMATION SCIENCE ACT.—Section 5 of the National
15 Commission on Libraries and Information Science Act (20
16 U.S.C. 1504) is amended by striking subsections (b) and
17 (c) and redesignating subsections (d), (e), and (f) as sub-
18 sections (b), (c), and (d), respectively.

19 (b) MUSEUM AND LIBRARY SERVICES ACT OF
20 1996.—Sections 704 through 707 of the Museum and Li-
21 brary Services Act of 1996 (20 U.S.C. 9102 note, 9103
22 note, and 9105 note) are repealed.

23 **SEC. 403. EFFECTIVE DATE.**

24 The amendments made by this Act shall take effect
25 on the date of the enactment of this Act, except that the

- 1 amendments made by sections 203, 204, and 305 shall
- 2 take effect on October 1, 2003.

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