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1ST SESSION

H. R. 13

IN THE SENATE OF THE UNITED STATES

MARCH 10, 2003

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Museum and Library
3 Services Act of 2003”.

4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. GENERAL DEFINITIONS.**

6 Section 202 of the Museum and Library Services Act
7 (20 U.S.C. 9101) is amended—

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

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

14 (2) by striking paragraph (4);

15 (3) by redesignating paragraph (3) as para-
16 graph (5);

17 (4) by inserting after paragraph (2) the fol-
18 lowing:

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

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

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

24 “(4) INDIAN TRIBE.—The term ‘Indian tribe’
25 means any tribe, band, nation, or other organized
26 group or community, including any Alaska native

1 village, regional corporation, or village corporation
2 (as defined in, or established pursuant to, the Alas-
3 ka Native Claims Settlement Act (43 U.S.C. 1601 et
4 seq.)), which is recognized by the Secretary of the
5 Interior as eligible for the special programs and
6 services provided by the United States to Indians be-
7 cause of their status as Indians.”; and

8 (5) by adding after paragraph (5) (as so reded-
9 icated) the following:

10 “(6) MUSEUM AND LIBRARY SERVICES
11 BOARD.—The term ‘Museum and Library Services
12 Board’ means the National Museum and Library
13 Services Board established under section 207.

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

16 “(A) the average person, applying contem-
17 porary community standards, would find that
18 such project, when taken as a whole, appeals to
19 the prurient interest;

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

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

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

2 Section 203 of the Museum and Library Services Act
3 (20 U.S.C. 9102) is amended—

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

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

7 “(c) MUSEUM AND LIBRARY SERVICES BOARD.—

8 There shall be a National Museum and Library Services
9 Board within the Institute, as provided under section
10 207.”.

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

12 (a) COORDINATION OF ACTIVITIES.—Section 204(e)
13 of the Museum and Library Services Act (20 U.S.C.
14 9103(e)) is amended by adding at the end the following:

15 “Where appropriate, the Director shall ensure that activi-
16 ties under subtitle B are coordinated with activities under
17 section 1251 of the Elementary and Secondary Education
18 Act of 1965 (20 U.S.C. 6383).”.

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

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

25 “(g) APPLICATION PROCEDURES.—

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

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

16 “(3) TREATMENT OF PROJECTS DETERMINED
17 TO BE OBSCENE.—

18 “(A) IN GENERAL.—The procedures de-
19 scribed in paragraph (2) shall include provisions
20 that clearly specify that obscenity is without lit-
21 erary, artistic, political, or scientific merit, and
22 is not protected speech.

23 “(B) PROHIBITION.—No financial assist-
24 ance may be provided under this title with re-

1 spect to any project that is determined to be
2 obscene.

3 “(C) TREATMENT OF APPLICATION DIS-
4 APPROVAL.—The disapproval of an application
5 by the Director shall not be construed to mean,
6 and shall not be considered as evidence that,
7 the project for which the applicant requested fi-
8 nancial assistance is or is not obscene.”.

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

10 **BOARD.**

11 The Museum and Library Services Act (20 U.S.C.
12 9101 et seq.) is amended—

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

14 and

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

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

17 **BOARD.**

18 “(a) ESTABLISHMENT.—There is established in the
19 Institute a board to be known as the ‘National Museum
20 and Library Services Board’.

21 “(b) MEMBERSHIP.—

22 “(1) NUMBER AND APPOINTMENT.—The Mu-
23 seum and Library Services Board shall be composed
24 of the following:

25 “(A) The Director.

1 “(B) The Deputy Director for the Office of
2 Library Services.

3 “(C) The Deputy Director for the Office of
4 Museum Services.

5 “(D) 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 library services by virtue
10 of their education, training, or experience.

11 “(E) 10 members appointed by the Presi-
12 dent, by and with the advice and consent of the
13 Senate, from among individuals who are citi-
14 zens of the United States and who are specially
15 qualified in the area of museum services by vir-
16 tue of their education, training, or experience.

17 “(2) SPECIAL QUALIFICATIONS.—

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

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

23 “(I) at least 1 shall be knowl-
24 edgeable about electronic information

1 and technical aspects of library and
2 information services and sciences; and

3 “(II) and at least 1 other shall be
4 knowledgeable about the library and
5 information service needs of under-
6 served communities; and

7 “(ii) the remainder shall have special
8 competence in, or knowledge of, the needs
9 for library and information services in the
10 United States.

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

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

16 “(I) resources that, collectively,
17 are broadly representative of the cura-
18 torial, conservation, educational, and
19 cultural resources of the United
20 States; or

21 “(II) museums that, collectively,
22 are broadly representative of various
23 types of museums, including museums
24 relating to science, history, tech-
25 nology, art, zoos, botanical gardens,

1 and museums designed for children;

2 and

3 “(ii) the remainder shall be individ-
4 uals recognized for their broad knowledge,
5 expertise, or experience in museums or
6 commitment to museums.

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

18 “(4) VOTING.—The Director, the Deputy Direc-
19 tor of the Office of Library Services, and the Deputy
20 Director of the Office of Museum Services shall be
21 nonvoting members of the Museum and Library
22 Services Board.

23 “(c) TERMS.—

24 “(1) IN GENERAL.—Except as otherwise pro-
25 vided in this subsection, each member of the Mu-

1 seum and Library Services Board appointed under
2 subparagraph (D) or (E) of subsection (b)(1) shall
3 serve for a term of 5 years.

4 “(2) INITIAL BOARD APPOINTMENTS.—

5 “(A) TREATMENT OF MEMBERS SERVING
6 ON EFFECTIVE DATE.—Notwithstanding sub-
7 section (b), each individual who is a member of
8 the National Museum Services Board on the
9 date of the enactment of the Museum and Li-
10 brary Services Act of 2003, may, at the individ-
11 ual’s election, complete the balance of the indi-
12 vidual’s term as a member of the Museum and
13 Library Services Board.

14 “(B) FIRST APPOINTMENTS.—Notwith-
15 standing subsection (b), any appointive vacancy
16 in the initial membership of the Museum and
17 Library Services Board existing after the appli-
18 cation of subparagraph (A), and any vacancy in
19 such membership subsequently created by rea-
20 son of the expiration of the term of an indi-
21 vidual described in subparagraph (A), shall be
22 filled by the appointment of a member de-
23 scribed in subsection (b)(1)(D). When the Mu-
24 seum and Library Services Board consists of an
25 equal number of individuals who are specially

1 qualified in the area of library services and in-
2 dividuals who are specially qualified in the area
3 of museum services, this subparagraph shall
4 cease to be effective and the board shall be ap-
5 pointed in accordance with subsection (b).

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

14 “(3) VACANCIES.—Any member appointed to
15 fill a vacancy shall serve for the remainder of the
16 term for which the predecessor of the member was
17 appointed.

18 “(4) REAPPOINTMENT.—No appointive member
19 of the Museum and Library Services Board who has
20 been a member for more than 7 consecutive years
21 shall be eligible for reappointment.

22 “(5) SERVICE UNTIL SUCCESSOR TAKES OF-
23 FICE.—Notwithstanding any other provision of this
24 subsection, an appointive member of the Museum
25 and Library Services Board shall serve after the ex-

1 piration of the term of the member until the suc-
2 cessor to the member takes office.

3 “(d) DUTIES AND POWERS.—

4 “(1) IN GENERAL.—The Museum and Library
5 Services Board shall advise the Director on general
6 policies with respect to the duties, powers, and au-
7 thority of the Institute relating to museum and li-
8 brary services, including financial assistance award-
9 ed under this title.

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

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

15 “(f) MEETINGS.—

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

19 “(2) VOTE.—All decisions by the Museum and
20 Library Services Board with respect to the exercise
21 of its duties and powers shall be made by a majority
22 vote of the members of the Board who are present
23 and authorized to vote.

24 “(g) QUORUM.—A majority of the voting members of
25 the Museum and Library Services Board shall constitute

1 a quorum for the conduct of business at official meetings,
2 but a lesser number of members may hold hearings.

3 “(h) COMPENSATION AND TRAVEL EXPENSES.—

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

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

1 “(i) COORDINATION.—The Director, with the advice
2 of the Museum and Library Services Board, shall take
3 steps to ensure that the policies and activities of the Insti-
4 tute are coordinated with other activities of the Federal
5 Government.”.

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

7 The Museum and Library Services Act (20 U.S.C.
8 9101 et seq.) is amended by inserting after section 208
9 (as redesignated by section 104 of this Act) the following:

10 **“SEC. 209. AWARDS.**

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

17 **“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY**
18 **SERVICES.**

19 “From amounts described in sections 214(c) and
20 275(b), the Director shall carry out and publish analyses
21 of the impact of museum and library services. Such anal-
22 yses—

23 “(1) shall be conducted in ongoing consultation
24 with—

25 “(A) State library administrative agencies;

1 “(B) State, regional, and national library
2 and museum organizations; and

3 “(C) other relevant agencies and organiza-
4 tions;

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

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

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

14 **TITLE II—LIBRARY SERVICES**
15 **AND TECHNOLOGY**

16 **SEC. 201. PURPOSE.**

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

20 “(2) to promote improvement in library services
21 in all types of libraries in order to better serve the
22 people of the United States;

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

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

5 **SEC. 202. DEFINITIONS.**

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

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

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

11 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

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

14 (1) by amending subsection (a) to read as fol-
15 lows:

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

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

22 **SEC. 204. RESERVATIONS AND ALLOTMENTS.**

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

1 “(3) MINIMUM ALLOTMENTS.—

2 “(A) IN GENERAL.—For purposes of this
3 subsection, the minimum allotment for each
4 State shall be \$340,000, except that the min-
5 imum allotment shall be \$40,000 in the case of
6 the United States Virgin Islands, Guam, Amer-
7 ican Samoa, the Commonwealth of the North-
8 ern Mariana Islands, the Republic of the Mar-
9 shall Islands, the Federated States of Micro-
10 nesia, and the Republic of Palau.

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

19 “(C) EXCEPTION.—

20 “(i) IN GENERAL.—Notwithstanding
21 subparagraph (A), if the sum appropriated
22 under the authority of section 214 and not
23 reserved under subsection (a) for any fiscal
24 year exceeds the aggregate of the allot-

1 ments for all States under this subsection
2 for fiscal year 2003—

3 “(I) the minimum allotment for
4 each State otherwise receiving a min-
5 imum allotment of \$340,000 under
6 subparagraph (A) shall be increased
7 to \$680,000; and

8 “(II) the minimum allotment for
9 each State otherwise receiving a min-
10 imum allotment of \$40,000 under
11 subparagraph (A) shall be increased
12 to \$60,000.

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

1 clause (i)(I) is fully satisfied for any fiscal
2 year, any remainder of such excess amount
3 shall be allotted among the States de-
4 scribed in clause (i)(II) so as to increase
5 equally the minimum allotment for each
6 such State above \$40,000.

7 “(D) SPECIAL RULE.—

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

24 “(ii) AWARD BASIS.—The Director
25 shall award grants pursuant to clause (i)

1 on a competitive basis and pursuant to rec-
2 ommendations from the Pacific Region
3 Educational Laboratory in Honolulu, Ha-
4 waii.

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

12 **SEC. 205. STATE PLANS.**

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

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

18 (2) in subsection (f)—

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

21 (B) in paragraph (1), by striking “1934,”
22 and all that follows through “Act, may” and in-
23 sserting “1934 (47 U.S.C. 254(h)(6)) may”; and

24 (C) in paragraph (7)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “section:” and in-
3 serting “subsection:”; and

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

6 **SEC. 206. GRANTS TO STATES.**

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

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

11 “(1) expanding services for learning and access
12 to information and educational resources in a variety
13 of formats, in all types of libraries, for individuals
14 of all ages;

15 “(2) developing library services that provide all
16 users access to information through local, State, re-
17 gional, national, and international electronic net-
18 works;

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

21 “(4) developing public and private partnerships
22 with other agencies and community-based organiza-
23 tions;

24 “(5) targeting library services to individuals of
25 diverse geographic, cultural, and socioeconomic back-

1 grounds, to individuals with disabilities, and to indi-
2 viduals with limited functional literacy or informa-
3 tion skills; and

4 “(6) targeting library and information services
5 to persons having difficulty using a library and to
6 underserved urban and rural communities, including
7 children (from birth through age 17) from families
8 with incomes below the poverty line (as defined by
9 the Office of Management and Budget and revised
10 annually in accordance with section 673(2) of the
11 Community Services Block Grant Act (42 U.S.C.
12 9902(2))) applicable to a family of the size in-
13 volved.”; and

14 (2) in subsection (b), by striking “between the
15 two purposes described in paragraphs (1) and (2) of
16 such subsection,” and inserting “among such pur-
17 poses,”.

18 **SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR**

19 **COOPERATIVE AGREEMENTS.**

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

1 **TITLE III—MUSEUM SERVICES**

2 **SEC. 301. PURPOSE.**

3 Section 271 of the Museum and Library Services Act
4 (20 U.S.C. 9171) is amended to read as follows:

5 **“SEC. 271. PURPOSE.**

6 “It is the purpose of this subtitle—

7 “(1) to encourage and support museums in car-
8 rying out their public service role of connecting the
9 whole of society to the cultural, artistic, historical,
10 natural, and scientific understandings that con-
11 stitute our heritage;

12 “(2) to encourage and support museums in car-
13 rying out their educational role, as core providers of
14 learning and in conjunction with schools, families,
15 and communities;

16 “(3) to encourage leadership, innovation, and
17 applications of the most current technologies and
18 practices to enhance museum services;

19 “(4) to assist, encourage, and support museums
20 in carrying out their stewardship responsibilities to
21 achieve the highest standards in conservation and
22 care of the cultural, historic, natural, and scientific
23 heritage of the United States to benefit future gen-
24 erations;

1 “(5) to assist, encourage, and support museums
2 in achieving the highest standards of management
3 and service to the public, and to ease the financial
4 burden borne by museums as a result of their in-
5 creasing use by the public; and

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

9 **SEC. 302. DEFINITIONS.**

10 Section 272(1) of the Museum and Library Services
11 Act (20 U.S.C. 9172(1)) is amended by adding at the end
12 the following: “Such term includes aquariums, arbore-
13 tums, botanical gardens, art museums, children’s muse-
14 ums, general museums, historic houses and sites, history
15 museums, nature centers, natural history and anthro-
16 pology museums, planetariums, science and technology
17 centers, specialized museums, and zoological parks.”.

18 **SEC. 303. MUSEUM SERVICES ACTIVITIES.**

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

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

22 “(a) IN GENERAL.—The Director, subject to the pol-
23 icy advice of the Museum and Library Services Board,
24 may enter into arrangements, including grants, contracts,
25 cooperative agreements, and other forms of assistance to

1 museums and other entities as the Director considers ap-
2 propriate, to pay for the Federal share of the cost—

3 “(1) to support museums in providing learning
4 and access to collections, information, and edu-
5 cational resources in a variety of formats (including
6 exhibitions, programs, publications, and websites)
7 for individuals of all ages;

8 “(2) to support museums in building learning
9 partnerships with the Nation’s schools and devel-
10 oping museum resources and programs in support of
11 State and local school curricula;

12 “(3) to support museums in assessing, con-
13 serving, researching, maintaining, and exhibiting
14 their collections, and in providing educational pro-
15 grams to the public through the use of their collec-
16 tions;

17 “(4) to stimulate greater collaboration among
18 museums, libraries, schools, and other community
19 organizations in order to share resources and
20 strengthen communities;

21 “(5) to encourage the use of new technologies
22 and broadcast media to enhance access to museum
23 collections, programs, and services;

24 “(6) to support museums in providing services
25 to people of diverse geographic, cultural, and socio-

1 economic backgrounds and to individuals with dis-
2 abilities;

3 “(7) to support museums in developing and car-
4 rying out specialized programs for specific segments
5 of the public, such as programs for urban neighbor-
6 hoods, rural areas, Indian reservations, and State
7 institutions;

8 “(8) to support professional development and
9 technical assistance programs to enhance museum
10 operations at all levels, in order to ensure the high-
11 est standards in all aspects of museum operations;

12 “(9) to support museums in research, program
13 evaluation, and the collection and dissemination of
14 information to museum professionals and the public;
15 and

16 “(10) to encourage, support, and disseminate
17 model programs of museum and library collabora-
18 tion.

19 “(b) FEDERAL SHARE.—

20 “(1) 50 PERCENT.—Except as provided in para-
21 graph (2), the Federal share described in subsection
22 (a) shall be not more than 50 percent.

23 “(2) GREATER THAN 50 PERCENT.—The Direc-
24 tor may use not more than 20 percent of the funds
25 made available under this subtitle for a fiscal year

1 to enter into arrangements under subsection (a) for
2 which the Federal share may be greater than 50
3 percent.

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

7 “(c) REVIEW AND EVALUATION.—

8 “(1) IN GENERAL.—The Director shall establish
9 procedures for reviewing and evaluating arrange-
10 ments described in subsection (a) entered into under
11 this subtitle.

12 “(2) APPLICATIONS FOR TECHNICAL ASSIST-
13 ANCE.—

14 “(A) IN GENERAL.—The Director may use
15 up to 10 percent of the funds appropriated to
16 carry out this subtitle for technical assistance
17 awards.

18 “(B) INDIVIDUAL MUSEUMS.—Individual
19 museums may receive not more than 3 technical
20 assistance awards under subparagraph (A), but
21 subsequent awards for technical assistance shall
22 be subject to review outside the Institute.

23 “(d) SERVICES FOR NATIVE AMERICANS.—From
24 amounts appropriated under section 275, the Director
25 shall reserve 1.75 percent to award grants to, or enter into

1 contracts or cooperative agreements with, Indian tribes
2 and organizations that primarily serve and represent Na-
3 tive Hawaiians (as defined in section 7207 of the Native
4 Hawaiian Education Act (20 U.S.C. 7517)), to enable
5 such tribes and organizations to carry out the activities
6 described in subsection (a).”.

7 **SEC. 304. REPEALS.**

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

10 **SEC. 305. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 276 of the Museum and Library Services Act
12 (20 U.S.C. 9176)—

13 (1) is redesignated as section 275 of such Act;

14 and

15 (2) is amended, in subsection (a), by striking
16 “\$28,700,000 for the fiscal year 1997, and such
17 sums as may be necessary for each of the fiscal
18 years 1998 through 2002.” and inserting
19 “\$35,000,000 for fiscal year 2004 and such sums as
20 may be necessary for fiscal years 2005 through
21 2009.”.

22 **SEC. 306. SHORT TITLE.**

23 Subtitle C of the Museum and Library Services Act
24 (20 U.S.C. 9171 et seq.) is amended—

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

3 (2) by inserting after the subtitle heading the
4 following:

5 **“SEC. 271. SHORT TITLE.**

6 “This subtitle may be cited as the ‘Museum Services
7 Act.’”.

8 **TITLE IV—TECHNICAL CORREC-**
9 **TIONS; REPEALS; EFFECTIVE**
10 **DATE**

11 **SEC. 401. TECHNICAL CORRECTIONS.**

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

15 **“TITLE II—MUSEUM AND**
16 **LIBRARY SERVICES”.**

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

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

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

1 **“Subtitle B—Library Services and**
2 **Technology”.**

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

6 **“Subtitle C—Museum Services”.**

7 (e) CONTRIBUTIONS.—Section 208 of the Museum
8 and Library Services Act (20 U.S.C. 9106) (as redesign-
9 nated by section 104 of this Act) is amended by striking
10 “property of services” and inserting “property or serv-
11 ices”.

12 (f) STATE PLAN CONTENTS.—Section 224(b)(5) of
13 the Library Services and Technology Act (20 U.S.C.
14 9134(b)(5)) is amended by striking “and” at the end.

15 (g) NATIONAL LEADERSHIP GRANTS, CONTRACTS,
16 OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of
17 the Library Services and Technology Act (20 U.S.C.
18 9162(b)(1)) is amended by striking “cooperative agree-
19 ments, with,” and inserting “cooperative agreements
20 with,”.

21 **SEC. 402. REPEALS.**

22 (a) NATIONAL COMMISSION ON LIBRARIES AND IN-
23 FORMATION SCIENCE ACT.—Section 5 of the National
24 Commission on Libraries and Information Science Act (20
25 U.S.C. 1504) is amended by striking subsections (b) and

1 (c) and redesignating subsections (d), (e), and (f) as sub-
2 sections (b), (c), and (d), respectively.

3 (b) MUSEUM AND LIBRARY SERVICES ACT OF
4 1996.—Sections 704 through 707 of the Museum and Li-
5 brary Services Act of 1996 (20 U.S.C. 9102 note, 9103
6 note, and 9105 note) are repealed.

7 **SEC. 403. EFFECTIVE DATE.**

8 The amendments made by this Act shall take effect
9 on the date of the enactment of this Act, except that the
10 amendments made by sections 203, 204, and 305 shall
11 take effect on October 1, 2003.

Passed the House of Representatives March 6,
2003.

Attest:

JEFF TRANDAHL,

Clerk.