

108TH CONGRESS
1ST SESSION

S. 888

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

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2003

Mr. GREGG (for himself, Mr. REED, Mr. FRIST, Mr. KENNEDY, Mr. ENZI, Mr. JEFFORDS, Mr. ALEXANDER, Mr. EDWARDS, Mr. DEWINE, Mrs. CLINTON, Ms. COLLINS, Mr. COCHRAN, Mr. SMITH, Mr. DODD, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

- Sec. 101. General definitions.
- Sec. 102. Institute of Museum and Library Services.
- Sec. 103. Director of the Institute.
- Sec. 104. National Museum and Library Services Board.
- Sec. 105. Awards; analysis of impact of services.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

- Sec. 201. Purpose.
- Sec. 202. Definitions.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Reservations and allotments.
- Sec. 205. State plans.
- Sec. 206. Grants to States.
- Sec. 207. National leadership grants, contracts, or cooperative agreements.

TITLE III—MUSEUM SERVICES

- Sec. 301. Purpose.
- Sec. 302. Definitions.
- Sec. 303. Museum services activities.
- Sec. 304. Repeals.
- Sec. 305. Authorization of appropriations.
- Sec. 306. Short title.

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

- Sec. 401. Amendment to contributions.
- Sec. 402. Amendment to membership.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Amendments to Arts and Artifacts Indemnity Act.
- Sec. 502. National children’s museum.
- Sec. 503. Conforming amendment.
- Sec. 504. Technical corrections.
- Sec. 505. Repeals.
- Sec. 506. Effective date.

1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. GENERAL DEFINITIONS.**

3 Section 202 of the Museum and Library Services Act
4 (20 U.S.C. 9101) is amended—

5 (1) by striking paragraph (1) and inserting the
6 following:

7 “(1) DETERMINED TO BE OBSCENE.—The term
8 ‘determined to be obscene’ means determined, in a

1 final judgment of a court of record and of competent
2 jurisdiction in the United States, to be obscene.”;

3 (2) by striking paragraph (4);

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

6 (4) by inserting after paragraph (2) the fol-
7 lowing:

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

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

12 “(B) not reviewable by any other court.

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

23 (5) by adding at the end the following:

24 “(6) MUSEUM AND LIBRARY SERVICES
25 BOARD.—The term ‘Museum and Library Services

1 Board' means the National Museum and Library
2 Services Board established under section 207.

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

5 “(A) the average person, applying contem-
6 porary community standards, would find that
7 such project, when taken as a whole, appeals to
8 the prurient interest;

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

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

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

15 Section 203 of the Museum and Library Services Act
16 (20 U.S.C. 9102) is amended—

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

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

20 “(c) MUSEUM AND LIBRARY SERVICES BOARD.—
21 There shall be a National Museum and Library Services
22 Board within the Institute, as provided under section
23 207.”.

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

2 Section 204 of the Museum and Library Services Act
3 (20 U.S.C. 9103) is amended—

4 (1) in subsection (e), by adding at the end the
5 following: “Where appropriate, the Director shall en-
6 sure that activities under subtitle B are coordinated
7 with activities under section 1251 of the Elementary
8 and Secondary Education Act of 1965 (20 U.S.C.
9 6383).”; and

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

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

14 “(g) APPLICATION PROCEDURES.—

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

20 “(2) REVIEW AND EVALUATION.—The Director
21 shall establish procedures for reviewing and evalu-
22 ating applications submitted under this title. Actions
23 of the Institute and the Director in the establish-
24 ment, modification, and revocation of such proce-
25 dures under this Act are vested in the discretion of
26 the Institute and the Director. In establishing such

1 procedures, the Director shall ensure that the cri-
2 teria by which applications are evaluated are con-
3 sistent with the purposes of this title, taking into
4 consideration general standards of decency and re-
5 spect for the diverse beliefs and values of the Amer-
6 ican public.

7 “(3) TREATMENT OF PROJECTS DETERMINED
8 TO BE OBSCENE.—

9 “(A) IN GENERAL.—The procedures de-
10 scribed in paragraph (2) shall include provisions
11 that clearly specify that obscenity is without se-
12 rious literary, artistic, political, or scientific
13 merit, and is not protected speech.

14 “(B) PROHIBITION.—No financial assist-
15 ance may be provided under this title with re-
16 spect to any project that is determined to be
17 obscene.

18 “(C) TREATMENT OF APPLICATION DIS-
19 APPROVAL.—The disapproval of an application
20 by the Director shall not be construed to mean,
21 and shall not be considered as evidence that,
22 the project for which the applicant requested fi-
23 nancial assistance is or is not obscene.”.

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

2 **BOARD.**

3 The Museum and Library Services Act (20 U.S.C.
4 9101 et seq.) is amended—

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

6 and

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

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

9 **BOARD.**

10 “(a) ESTABLISHMENT.—There is established within
11 the Institute a board to be known as the ‘National Mu-
12 seum and Library Services Board’.

13 “(b) MEMBERSHIP.—

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

17 “(A) The Director.

18 “(B) The Deputy Director for the Office of
19 Library Services.

20 “(C) The Deputy Director for the Office of
21 Museum Services.

22 “(D) The Chairman of the National Com-
23 mission on Libraries and Information Science.

24 “(E) 10 members appointed by the Presi-
25 dent, by and with the advice and consent of the
26 Senate, from among individuals who are citi-

1 zens of the United States and who are specially
2 qualified by virtue of their education, training,
3 or experience in the area of library services, or
4 their commitment to libraries.

5 “(F) 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 by virtue of their education, training,
10 or experience in the area of museum services, or
11 their commitment to museums.

12 “(2) SPECIAL QUALIFICATIONS.—

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

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

18 “(I) not less than 1 shall be
19 knowledgeable about electronic infor-
20 mation and technical aspects of li-
21 brary and information services and
22 sciences; and

23 “(II) not less than 1 other shall
24 be knowledgeable about the library

1 and information service needs of un-
2 derserved communities; and

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

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

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

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

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

24 “(ii) the remainder shall be individ-
25 uals recognized for their broad knowledge,

1 expertise, or experience in museums or
2 commitment to museums.

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

14 “(4) VOTING.—The Director, the Deputy Direc-
15 tor of the Office of Library Services, the Deputy Di-
16 rector of the Office of Museum Services, and the
17 Chairman of the National Commission on Library
18 and Information Science shall be nonvoting members
19 of the Museum and Library Services Board.

20 “(c) TERMS.—

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

1 “(2) INITIAL BOARD APPOINTMENTS.—

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

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

1 cease to be effective and the board shall be ap-
2 pointed in accordance with subsection (b).

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

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

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

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

25 “(d) DUTIES AND POWERS.—

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

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

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

12 “(f) MEETINGS.—

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

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

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

25 “(h) COMPENSATION AND TRAVEL EXPENSES.—

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

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

23 “(i) COORDINATION.—The Director, with the advice
24 of the Museum and Library Services Board, shall take
25 steps to ensure that the policies and activities of the Insti-

1 tute are coordinated with other activities of the Federal
2 Government.”.

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

4 The Museum and Library Services Act (20 U.S.C.
5 9101 et seq.) is amended by inserting after section 208
6 (as redesignated by section 104 of this Act) the following:

7 **“SEC. 209. AWARDS.**

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

14 **“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY**
15 **SERVICES.**

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

20 “(1) shall be conducted in ongoing consultation
21 with—

22 “(A) State library administrative agencies;

23 “(B) State, regional, and national library
24 and museum organizations; and

1 “(C) other relevant agencies and organiza-
2 tions;

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

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

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

12 **“SEC. 210A. PROHIBITION ON USE OF FUNDS FOR CON-**
13 **STRUCTION.**

14 “No funds appropriated to carry out the Museum and
15 Library Services Act, the Library Services and Technology
16 Act, or the Museum Services Act may be used for con-
17 struction expenses.”.

18 **TITLE II—LIBRARY SERVICES**
19 **AND TECHNOLOGY**

20 **SEC. 201. PURPOSE.**

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

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

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

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

11 **SEC. 202. DEFINITIONS.**

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

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

15 (2) by redesignating paragraphs (2), (3), (4),
16 (5), and (6) as paragraphs (1), (2), (3), (4), and
17 (5), respectively.

18 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

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

21 (1) by striking subsection (a) and inserting the
22 following:

23 “(a) IN GENERAL.—There are authorized to be ap-
24 propriated to carry out this subtitle \$250,000,000 for fis-

1 cal year 2004 and such sums as may be necessary for fis-
 2 cal years 2005 through 2009.”; and

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

5 **SEC. 204. RESERVATIONS AND ALLOTMENTS.**

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

9 “(3) **MINIMUM ALLOTMENTS.**—

10 “(A) **IN GENERAL.**—For purposes of this
 11 subsection, the minimum allotment for each
 12 State shall be \$340,000, except that the min-
 13 imum allotment shall be \$40,000 in the case of
 14 the United States Virgin Islands, Guam, Amer-
 15 ican Samoa, the Commonwealth of the North-
 16 ern Mariana Islands, the Republic of the Mar-
 17 shall Islands, the Federated States of Micro-
 18 nesia, and the Republic of Palau.

19 “(B) **RATABLE REDUCTIONS.**—Notwith-
 20 standing subparagraph (A), if the sum appro-
 21 priated under the authority of section 214 and
 22 not reserved under subsection (a) for any fiscal
 23 year is insufficient to fully satisfy the require-
 24 ment of subparagraph (A), each of the min-

1 imum allotments under such subparagraph shall
2 be reduced ratably.

3 “(C) EXCEPTION.—

4 “(i) IN GENERAL.—Notwithstanding
5 subparagraph (A), if the sum appropriated
6 under the authority of section 214 and not
7 reserved under subsection (a) for any fiscal
8 year exceeds the aggregate of the allot-
9 ments for all States under this subsection
10 for fiscal year 2003—

11 “(I) the minimum allotment for
12 each State otherwise receiving a min-
13 imum allotment of \$340,000 under
14 subparagraph (A) shall be increased
15 to \$680,000; and

16 “(II) the minimum allotment for
17 each State otherwise receiving a min-
18 imum allotment of \$40,000 under
19 subparagraph (A) shall be increased
20 to \$60,000.

21 “(ii) INSUFFICIENT FUNDS TO AWARD
22 ALTERNATIVE MINIMUM.—If the sum ap-
23 propriated under the authority of section
24 214 and not reserved under subsection (a)
25 for any fiscal year exceeds the aggregate of

1 the allotments for all States under this
2 subsection for fiscal year 2003 yet is insuf-
3 ficient to fully satisfy the requirement of
4 clause (i), such excess amount shall first
5 be allotted among the States described in
6 clause (i)(I) so as to increase equally the
7 minimum allotment for each such State
8 above \$340,000. After the requirement of
9 clause (i)(I) is fully satisfied for any fiscal
10 year, any remainder of such excess amount
11 shall be allotted among the States de-
12 scribed in clause (i)(II) so as to increase
13 equally the minimum allotment for each
14 such State above \$40,000.

15 “(D) SPECIAL RULE.—

16 “(i) IN GENERAL.—Notwithstanding
17 any other provision of this subsection and
18 using funds allotted for the Republic of the
19 Marshall Islands, the Federated States of
20 Micronesia, and the Republic of Palau
21 under this subsection, the Director shall
22 award grants to the United States Virgin
23 Islands, Guam, American Samoa, the Com-
24 monwealth of the Northern Mariana Is-
25 lands, the Republic of the Marshall Is-

1 lands, the Federated States of Micronesia,
 2 or the Republic of Palau to carry out ac-
 3 tivities described in this subtitle in accord-
 4 ance with the provisions of this subtitle
 5 that the Director determines are not incon-
 6 sistent with this subparagraph.

7 “(ii) AWARD BASIS.—The Director
 8 shall award grants pursuant to clause (i)
 9 on a competitive basis and after taking
 10 into consideration available recommenda-
 11 tions from the Pacific Region Educational
 12 Laboratory in Honolulu, Hawaii.

13 “(iii) ADMINISTRATIVE COSTS.—The
 14 Director may provide not more than 5 per-
 15 cent of the funds made available for grants
 16 under this subparagraph to pay the admin-
 17 istrative costs of the Pacific Region Edu-
 18 cational Laboratory regarding activities as-
 19 sisted under this subparagraph.”.

20 **SEC. 205. STATE PLANS.**

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

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

1 (2) in subsection (f)—

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

4 (B) in paragraph (1)—

5 (i) by striking “section 213(2)(A) or
6 (B)” and inserting “section 213(1)(A) or
7 (B)”; and

8 (ii) by striking “1934,” and all that
9 follows through “Act, may” and inserting
10 “1934 (47 U.S.C. 254(h)(6)) may”; and

11 (C) in paragraph (7)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “section:” and in-
14 serting “subsection:”; and

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

17 **SEC. 206. GRANTS TO STATES.**

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

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

22 “(1) expanding services for learning and access
23 to information and educational resources in a variety
24 of formats, in all types of libraries, for individuals
25 of all ages;

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

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

7 “(4) developing public and private partnerships
8 with other agencies and community-based organiza-
9 tions;

10 “(5) targeting library services to individuals of
11 diverse geographic, cultural, and socioeconomic back-
12 grounds, to individuals with disabilities, and to indi-
13 viduals with limited functional literacy or informa-
14 tion skills; and

15 “(6) targeting library and information services
16 to persons having difficulty using a library and to
17 underserved urban and rural communities, including
18 children (from birth through age 17) from families
19 with incomes below the poverty line (as defined by
20 the Office of Management and Budget and revised
21 annually in accordance with section 673(2) of the
22 Community Services Block Grant Act (42 U.S.C.
23 9902(2))) applicable to a family of the size in-
24 volved.”; and

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

5 **SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR**
6 **COOPERATIVE AGREEMENTS.**

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

11 **TITLE III—MUSEUM SERVICES**

12 **SEC. 301. PURPOSE.**

13 Section 271 of the Museum and Library Services Act
14 (20 U.S.C. 9171) is amended to read as follows:

15 **“SEC. 271. PURPOSE.**

16 “It is the purpose of this subtitle—

17 “(1) to encourage and support museums in car-
18 rying out their public service role of connecting the
19 whole of society to the cultural, artistic, historical,
20 natural, and scientific understandings that con-
21 stitute our heritage;

22 “(2) to encourage and support museums in car-
23 rying out their educational role, as core providers of
24 learning and in conjunction with schools, families,
25 and communities;

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

4 “(4) to assist, encourage, and support museums
5 in carrying out their stewardship responsibilities to
6 achieve the highest standards in conservation and
7 care of the cultural, historic, natural, and scientific
8 heritage of the United States to benefit future gen-
9 erations;

10 “(5) to assist, encourage, and support museums
11 in achieving the highest standards of management
12 and service to the public, and to ease the financial
13 burden borne by museums as a result of their in-
14 creasing use by the public; and

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

18 **SEC. 302. DEFINITIONS.**

19 Section 272(1) of the Museum and Library Services
20 Act (20 U.S.C. 9172(1)) is amended by adding at the end
21 the following: “Such term includes aquariums, arbore-
22 tums, botanical gardens, art museums, children’s muse-
23 ums, general museums, historic houses and sites, history
24 museums, nature centers, natural history and anthro-

1 pology museums, planetariums, science and technology
2 centers, specialized museums, and zoological parks.”.

3 **SEC. 303. MUSEUM SERVICES ACTIVITIES.**

4 Section 273 of the Museum and Library Services Act
5 (20 U.S.C. 9173) is amended to read as follows:

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

7 “(a) IN GENERAL.—The Director, after considering
8 available policy advice of the Museum and Library Serv-
9 ices Board, may enter into arrangements, including
10 grants, contracts, cooperative agreements, and other
11 forms of assistance, with museums and other entities as
12 the Director considers appropriate, to pay the Federal
13 share of the cost of—

14 “(1) supporting museums in providing learning
15 and access to collections, information, and edu-
16 cational resources in a variety of formats (including
17 exhibitions, programs, publications, and websites)
18 for individuals of all ages;

19 “(2) supporting museums in building learning
20 partnerships with the Nation’s schools and devel-
21 oping museum resources and programs in support of
22 State and local school curricula;

23 “(3) supporting museums in assessing, con-
24 serving, researching, maintaining, and exhibiting
25 their collections, and in providing educational pro-

1 grams to the public through the use of their collec-
2 tions;

3 “(4) stimulating greater collaboration among
4 museums, libraries, schools, and other community
5 organizations in order to share resources and
6 strengthen communities;

7 “(5) encouraging the use of new technologies
8 and broadcast media to enhance access to museum
9 collections, programs, and services;

10 “(6) supporting museums in providing services
11 to people of diverse geographic, cultural, and socio-
12 economic backgrounds and to individuals with dis-
13 abilities;

14 “(7) supporting museums in developing and
15 carrying out specialized programs for specific seg-
16 ments of the public, such as programs for urban
17 neighborhoods, rural areas, Indian reservations, and
18 State institutions;

19 “(8) supporting professional development and
20 technical assistance programs to enhance museum
21 operations at all levels, in order to ensure the high-
22 est standards in all aspects of museum operations;

23 “(9) supporting museums in research, program
24 evaluation, and the collection and dissemination of

1 information to museum professionals and the public;
2 and

3 “(10) encouraging, supporting, and dissemi-
4 nating model programs of museum and library col-
5 laboration.

6 “(b) FEDERAL SHARE.—

7 “(1) 50 PERCENT.—Except as provided in para-
8 graph (2), the Federal share described in subsection
9 (a) shall be not more than 50 percent.

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

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

19 “(c) REVIEW AND EVALUATION.—

20 “(1) IN GENERAL.—The Director shall establish
21 procedures for reviewing and evaluating arrange-
22 ments described in subsection (a) entered into under
23 this subtitle.

24 “(2) APPLICATIONS FOR TECHNICAL ASSIST-
25 ANCE.—

1 “(A) IN GENERAL.—The Director may use
2 not more than 10 percent of the funds appro-
3 priated to carry out this subtitle for technical
4 assistance awards.

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

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

19 **SEC. 304. REPEALS.**

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

22 **SEC. 305. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 276 of the Museum and Library Services Act
24 (20 U.S.C. 9176) is amended—

1 (1) in subsection (a), by striking “\$28,700,000
2 for the fiscal year 1997, and such sums as may be
3 necessary for each of the fiscal years 1998 through
4 2002.” and inserting “\$41,500,000 for fiscal year
5 2004 and such sums as may be necessary for fiscal
6 years 2005 through 2009.”; and

7 (2) by redesignating such section as section 275
8 of such Act.

9 **SEC. 306. SHORT TITLE.**

10 Subtitle C of the Museum and Library Services Act
11 (20 U.S.C. 9171 et seq.) is amended—

12 (1) by redesignating sections 271, 272, and 273
13 as sections 272, 273, and 274, respectively; and

14 (2) by inserting after the subtitle heading the
15 following:

16 **“SEC. 271. SHORT TITLE.**

17 “‘This subtitle may be cited as the ‘Museum Services
18 Act’.”.

19 **TITLE IV—NATIONAL COMMIS-**
20 **SION ON LIBRARIES AND IN-**
21 **FORMATION SCIENCE ACT**

22 **SEC. 401. AMENDMENT TO CONTRIBUTIONS.**

23 Section 4 of the National Commission on Libraries
24 and Information Science Act (20 U.S.C. 1503) is amended
25 by striking “accept, hold, administer, and utilize gifts, be-

1 quests, and devises of property,” and inserting “solicit, ac-
2 cept, hold, administer, invest in the name of the United
3 States, and utilize gifts, bequests, and devises of services
4 or property,”.

5 **SEC. 402. AMENDMENT TO MEMBERSHIP.**

6 Section 6(a) of the National Commission on Libraries
7 and Information Science Act (20 U.S.C. 1505(a)) is
8 amended—

9 (1) in the second sentence, by striking “and at
10 least one other of whom shall be knowledgeable with
11 respect to the library and information service and
12 science needs of the elderly”;

13 (2) by striking the fourth sentence and insert-
14 ing the following: “A majority of members of the
15 Commission who have taken office and are serving
16 on the Commission shall constitute a quorum for
17 conduct of business at official meetings of the Com-
18 mission”; and

19 (3) in the fifth sentence, by striking “five years,
20 except that” and all that follows through the period
21 and inserting “five years, except that—

22 “(1) a member of the Commission appointed to
23 fill a vacancy occurring prior to the expiration of the
24 term for which the member’s predecessor was ap-

1 pointed, shall be appointed only for the remainder of
2 such term; and

3 “(2) any member of the Commission may con-
4 tinue to serve after an expiration of the member’s
5 term of office until such member’s successor is ap-
6 pointed, has taken office, and is serving on the Com-
7 mission.”.

8 **TITLE V—MISCELLANEOUS**
9 **PROVISIONS**

10 **SEC. 501. AMENDMENTS TO ARTS AND ARTIFACTS INDEM-**
11 **NITY ACT.**

12 Section 5 of the Arts and Artifacts Indemnity Act
13 (20 U.S.C. 974) is amended—

14 (1) in subsection (b), by striking
15 “\$5,000,000,000” and inserting “\$8,000,000,000”;

16 (2) in subsection (c), by striking
17 “\$500,000,000” and inserting “\$600,000,000”; and

18 (3) in subsection (d)—

19 (A) in paragraph (6), by striking “or”
20 after the semicolon;

21 (B) by striking paragraph (7) and insert-
22 ing the following:

23 “(7) not less than \$400,000,000 but less than
24 \$500,000,000, then coverage under this chapter
25 shall extend only to loss or damage in excess of the

1 first \$400,000 of loss or damage to items covered;
2 or

3 “(8) \$500,000,000 or more, then coverage
4 under this chapter shall extend only to loss or dam-
5 age in excess of the first \$500,000 of loss or damage
6 to items covered.”.

7 **SEC. 502. NATIONAL CHILDREN’S MUSEUM.**

8 (a) DESIGNATION.—The Capital Children’s Museum
9 located at 800 Third Street, NE, Washington, D.C. (or
10 any successor location), organized under the laws of the
11 District of Columbia, is designated as the “National Chil-
12 dren’s Museum”.

13 (b) REFERENCES.—Any reference in a law, map, reg-
14 ulation, document, paper, or other record of the United
15 States to the Capital Children’s Museum referred to in
16 subsection (a) shall be deemed to be a reference to the
17 National Children’s Museum.

18 **SEC. 503. CONFORMING AMENDMENT.**

19 Section 170(e)(6)(B)(i)(III) of the Internal Revenue
20 Code of 1986 (relating to the special rule for contributions
21 of computer technology and equipment for educational
22 purposes) is amended by striking “section 213(2)(A) of
23 the Library Services and Technology Act (20 U.S.C.
24 9122(2)(A)” and inserting “section 213(1)(A) of the Li-

1 brary Services and Technology Act (20 U.S.C.
2 9122(1)(A))”.

3 **SEC. 504. TECHNICAL CORRECTIONS.**

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

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

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

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

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

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

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

21 **“Subtitle C—Museum Services”.**

22 (e) CONTRIBUTIONS.—Section 208 of the Museum
23 and Library Services Act (20 U.S.C. 9106) (as redesign-
24 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. 505. 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—

17 (1) by striking subsections (b) and (c); and

18 (2) by redesignating subsections (d), (e), and

19 (f) as subsections (b), (c), and (d), respectively.

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

1 **SEC. 506. EFFECTIVE DATE.**

2 The amendments made by this Act shall take effect
3 on the date of enactment of this Act, except that the
4 amendments made by sections 203, 204, and 305 of this
5 Act shall take effect on October 1, 2003.

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