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The Museum and Library Services Act of 2003: Overview and Reauthorization Issues

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Summary

The authorization of the Museum and Library Services Act expired with FY2009. Its reauthorization may be considered by the 111th Congress. It was last reauthorized by P.L. 108-81, the Museum and Library Services Act of 2003 (MLSA), signed into law on September 25, 2003. MLSA authorizes funding for Library Services and Technology (LST) and for Museum Services. MLSA is administered by the Institute of Museum and Library Services (IMLS). P.L. 108-81 authorized \$232 million for LST in FY2004, and such sums as may be necessary for FY2005-FY2009. It authorized \$38.6 million for Museum Services in FY2004, and such sums as may be necessary for FY2005-FY2009.

The bulk of LST funding is distributed to states via formula grants. Funding is also provided for library services for Native Americans and for national activities. Participating states are required to develop five-year plans that set goals and priorities consistent with LST purposes (i.e., to enhance information-sharing networks and target library services to disadvantaged populations). The plans must provide for independent evaluations of federally assisted library services. A wide variety of types of libraries—public, public school, college or university, research (if they provide public access to their collections), and (at state discretion) private libraries—may receive LST aid.

P.L. 108-81 provided for an increase in initial state grants for LST from \$340,000 to \$680,000 if the amount appropriated for a year, and available for state grants, exceeds the amount of grants to all states in FY2003. In addition, initial grants for outlying areas were increased to \$60,000 if appropriations in a given year are sufficient to meet the higher initial state grant of \$680,000. FY2009 was the first year appropriations were sufficient to trigger the higher initial state grant amounts authorized by P.L. 108-81.

Funding for Museum Services is administered by IMLS, Office of Museum Services (OMS), through competitive grant programs and cooperative agreements. Funding is used by museums to pay the federal share of the cost of museum services (i.e., not more than 50%). Under Museum Services, the OMS currently administers five grant programs (Museums for America, Museum Professionals for the 21st Century, Conservation Project Support, Native American and Native Hawaiian Museum Services, and National Leadership Grants for Museums) and two cooperative agreements (Museum Assessment Program and Conservation Assessment Program). The OMS also administers a related program, the African American Museum Services program, authorized separately through the African American History and Culture Act (P.L. 108-184).

This report will be updated in response to legislative developments.

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Introduction

The authorization of the Museum and Library Services Act (MLSA) expired with FY2009. Its reauthorization may be considered by the 111th Congress. One issue that may arise during reauthorization is the current status of conservation and preservation of museum and library collections. Other issues that may arise include general issues of funding across museum and library services, the changing role of libraries in communities, and alternative funding models for museum services. This report describes the background, history, and current policy and programs of both library services and museum services. In addition, it discusses major changes related to the 2003 reauthorization of MLSA and issues for Congress to consider in the next reauthorization.

Library Services and Technology

Background

In FY2007, the United States had 9,214 public libraries serving areas that encompassed 97% of the total U. S. population. In the same year, nationwide circulation of public library materials was 2.2 billion, or 7.4 per capita. Library funds are provided through a mixture of local, state, federal, and other sources. Funding for public libraries by each of these sources in FY2007 equaled 84.1%, 6.7%, 0.4%, and 8.7%, respectively.

The federal government has provided direct aid for public libraries since 1956, the year the Library Services and Construction Act (LSCA) was enacted. This act and its successors represent the largest federal investment in public libraries; although, as the above data show, the federal contribution represents a small percentage of public libraries' total expenditures. In addition to its support of public libraries, the federal government also supports a variety of other libraries. Among other things, it funds the Library of Congress and executive agency libraries; it provides assistance to research libraries and school libraries; and it supports the collection of statistics on libraries.

In 1996, the Library Services and Technology Act (LSTA) was enacted, replacing the LSCA, through Title VII, Subtitle B, of the FY1997 Labor, Health and Human Services, Education, and Related Agencies Appropriations Act (P.L. 104-208). In addition to the LSCA, the LSTA consolidated and replaced a number of other programs, including library assistance programs formerly authorized by Title II of the Higher Education Act (HEA), and Title III, Part F, of the Elementary and Secondary Education Act (ESEA)¹.

A wide variety of libraries—public, public school, college or university, research (if they provide public access to their collections), and (at state discretion) private libraries—may receive aid under the Library Services and Technology Act, not just the public and research libraries eligible for aid under the predecessor legislation, the Library Services and Construction Act (LSCA).²

¹ The LSTA repealed not only the LSCA but also aid to college/university libraries under HEA Title II, and an unfunded authorization of aid to elementary and secondary school libraries under ESEA Title III, Part F. This program was added to the ESEA by the Improving America's Schools Act of 1994 (P.L. 103-382), but was repealed without ever being funded. The ESEA contained earlier authorities for aid specifically to school libraries under Titles II (1965-1974) and IV (1974-1981). In addition, P.L. 107-110 amended the ESEA to authorize a new program of aid to school libraries, under ESEA Title I, Part B, Subpart 4.

² The provisions of the LSCA were modified (and continued in P.L. 108-81) by the Museum and Library Services Technical and Conforming Amendments of 1997, P.L. 105-128. The amendments (1) made "special libraries" (i.e., (continued...))

History

LSTA was most recently reauthorized as Title II, Library Services and Technology (LST), of the Museum and Library Services Act of 2003 (MLSA). The major changes adopted through this reauthorization are discussed later in this report. These changes include, among other things, prohibiting the funding of projects deemed obscene, increasing the amount of initial LST state grants, expanding IMLS responsibility for advisory functions and data collection, and requiring the director of IMLS to carry out and publish analyses of the impact of museum and library services.

While states have had a large degree of discretion in selecting grantees and deciding how funds could be used under both the former LSCA and the current LST, overall state discretion was increased under the current program. At the same time, some funds—particularly aid for construction under the former LSCA Title II—were intended for specific purposes that are *not* authorized for LST grants. In fact, P.L. 108-81 includes a provision explicitly prohibiting the use of funds for construction. The library services and technology provisions of P.L. 108-81 also focused more thoroughly on relatively new forms of information sharing and networking, such as the internet, than the LSCA did.

Current Policy and Programs

LST programs are currently authorized through FY2009 as Title II of the Museum and Library Services Act of 2003 (P.L. 108-81). P.L. 108-81 authorized \$232 million for LST in FY2004, and such sums as may be necessary for FY2005-FY2009.

The bulk of LST funding is distributed to states via formula grants. Funding is also provided for Native Americans and for national leadership projects. LST grants to the states are allocated to state library administrative agencies (SLAAs), and may be used for the following basic purposes:

- expanding services for learning and access to information in a variety of formats in all type of libraries, developing and improving electronic or other linkages and networks connecting providers and consumers of library services and resources; and/or
- targeting library services to underserved or disadvantaged populations, such as persons with disabilities, those with limited literacy skills, or children from poor families.³

Although the bulk of funds appropriated for LST are used for *state grants*, a percentage of total funds is reserved for *national activities*, *Native Americans*, and *federal administration*. Of the total LST appropriations for a given year, 3.75% must be reserved for *national activities*.⁴ These funds support competitively awarded grants or contracts for research, demonstration programs, the preservation of collections, and the conversion of materials to digital form, as well as

(...continued)

libraries other than public, school, college, or research libraries—these are frequently part of museums, corporations, or government agencies) eligible for aid under the LSTA; (2) expanded the funds reservation for Native Americans from 1.5% to 1.75%, adding Native Hawaiians to the eligible recipients of these funds; (3) reduced the maximum reservation for national programs from 4% to 3.75%; (4) clarified requirements of the LSTA regarding state maintenance of effort; and (5) authorized cooperative agreements, along with grants or contracts, under national programs.

³ 20 USC Section 9141.

⁴ The actual percentage varies due to the addition of congressionally directed grants.

education and training for librarians. In addition, 1.75% of appropriations is reserved for services to *Native Americans* (including Indian tribes, Alaskan Natives, and Native Hawaiians), and up to 3.5% of appropriations may be used for *federal administration* of LST programs. Of the total funding reserved for state grants, each state receives a “flat grant” (an initial amount that is the same for each state) of \$680,000 (\$60,000 in the case of outlying areas).

P.L. 108-81 provided for an increase in initial state grants for library services and technology to \$680,000 (from \$340,000)⁵ in years in which the amount appropriated for the year, and available for state grants, exceeds the amount of grants to all states in FY2003. In addition, initial state grants for outlying areas were increased to \$60,000 (from \$40,000) if appropriations in a given year are sufficient to meet the higher initial state grant amount of \$680,000.⁶ FY2009 was the first year in which appropriations for the IMLS were sufficient to trigger the higher state grant amounts authorized by P.L. 108-81.

Participating states are required to develop five-year plans that set goals and priorities consistent with the purposes of LST (i.e., to enhance information-sharing networks and target library services to disadvantaged populations). The plans must provide for independent evaluations of federally assisted library services. The federal share of the total costs of assisted activities is 66% in all cases. If there is no year-to-year decline in federal funding for LST, states must maintain levels of spending for library programs or their LST grants will be reduced in proportion to the reduction in state funding. No more than 4% of each state’s grant may be used for administration; however, there is no limit on the share of funds that can be used at the state level to provide services, as opposed to being allocated to local libraries. LST grants are intended to provide states with considerable latitude in the use of funds. LST funds are allocated within states on a competitive basis by the SLAAs.

LST is administered by the Institute of Museum and Library Services (IMLS). The IMLS was created through expansion of the pre-existing Institute of Museum Services (IMS). The IMLS contains an Office of Museum Services (OMS) and an Office of Library Services and Technology. The IMLS directorship alternates between persons with “special competence” in library and information services or in museum services. The current IMLS director is Anne-Imelda Radice, who previously served as the acting assistant chairwoman for programs at the National Endowment for the Humanities. An Office of Library Services and Technology within the IMLS is directed by a deputy director who is required to have a graduate degree in library science and expertise in library and information services.

The FY2008 Administration budget proposed centralizing more federal library functions within the IMLS. In FY2008, IMLS was given responsibility for two library surveys previously conducted by the Department of Education’s National Center for Education Statistics (NCES), namely the Public Library Survey and the State Library Agency Survey. NCES continues to be responsible for the Academic Libraries Survey and the School Library Media Center Survey. In the same year, IMLS was made responsible for functions previously performed by the National Commission on Library and Information Science (NCLIS). These functions include advising the President and Congress on library and information policies; conducting surveys and studies on library and information needs; recommending plans to ensure the American people have adequate

⁵ This initial state grant level had been in effect since 1971.

⁶ The share of LST funds allocated to the “Freely Associated States” (Palau, the Republic of Marshall Islands, and the Federated States of Micronesia) under this formula are reserved and allocated among these areas plus the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, on a competitive basis, via the Pacific Regional Educational Laboratory in Hawaii.

library and information services; and advising federal, state, local, and private agencies on library and information science.⁷

The most recent reauthorization of MLSA (via P.L. 108-81) included new provisions requiring IMLS to carry out and publish analyses of the impact of museum and library services, and to increase from 3% to 3.5% the amount available for federal administrative costs, to provide funding for this new function. Recent IMLS-commissioned research issued in response to this new charge includes the following studies: *Interconnections: The IMLS National Study on the Use of Libraries, Museums and the Internet* (February 2008); *Nine to Nineteen: Youth in Museums and Libraries: A Practitioner's Guide* (April 2008); and *A Catalyst for Change: LSTA Grants to States Program Activities and the Transformation of Library Services to the Public* (June 2009).

The June 2009 report on LST state grant programs found that libraries are expanding “their traditional mission of collecting and circulating physical holdings to one that also provides access to computers, software, a host of new services and an ever increasing pool of digital information resources.”⁸ The report found that library services fall into three broad categories: information infrastructure projects, human capital projects, and library service expansion. These three broad categories represented 59%, 29%, and 12%, respectively, of identified projects between FY2003 and FY2006. Between FY1998 and FY2007, the report found a growing trend toward using program funds for statewide initiatives rather than for specific library projects. According to the report, this shift may be attributable to changes in technology that make technology-related services more cost effective when purchased and administered at the state level.

Museum Services

Background

Museums serve multiple functions in our society. They provide opportunities for lifelong learning and enhance communities throughout the nation. Museums also serve an educational role, often partnering with educational institutions and engaging with public schools. Because of the broad mission of many museums, multiple stakeholders from various levels of government, charitable foundations, and the public take an interest in museums and their operations.

Museums receive funding from multiple sources. The main sources of federal funding for museums are the IMLS, the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), the National Science Foundation (NSF), and congressionally directed grants. IMLS published a study of federal sources of museum funding for FY2000 through FY2006, which reports funding levels for museums across four federal agencies (IMLS, NEA, NEH, and NSF) by state. In addition, IMLS reports on congressionally directed grants distributed to museums during this time period. Across the five sources of federal support to museums between FY2001 and FY2006, direct support to museums averaged approximately \$200 million per year.⁹

⁷ NCLIS closed its offices in March 2008. It received \$400,000 in funding in FY2008 for close-out activities.

⁸ Data based on annual state program reports and on annual surveys of State Library Agencies. Institute of Museum and Library Services, *A Catalyst for Change: LSTA Grants to States Program Activities and the Transformation of Library Services to the Public*, Washington, DC, June 2009.

⁹ For more information on funding for museums, see Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, Washington, DC, December 2008, pp. 52-64, (continued...)

Museums are also supported by state and local sources of funding. Collecting data on state and local levels of support for museums is challenging, however, due to the disparate nature of the types of museums that comprise the sector. States vary in terms of the level and type of investment in museums, the level of integration in the state's cultural sector, and the perceptions about the public character and role of museums. Local support for museums is also difficult to quantify due to the disparate nature of the museum sector. Some localities report consistent funding through property taxes and sales taxes, but the specific amount of support provided to museums is unclear.¹⁰

History

The federal government has provided aid for museums through the MSA since the initial adoption of the Arts, Humanities, and Cultural Affairs Act in 1976 (P.L. 94-462); however, the authority to administer museum services has changed frequently over time. With the initial adoption of P.L. 94-462, federal aid for museums was administered by the Institute of Museum Services (IMS) as part of the Department of Health, Education, and Welfare. In 1979, Congress transferred IMS to the Department of Education (ED) as part of the Department of Education Organization Act (P.L. 96-88). In 1980, Congress amended the MSA through the Arts and Humanities Act of 1980 (P.L. 96-496) and it remained under the administration of ED. Shortly thereafter, in 1981, Congress transferred IMS from ED to the National Foundation on the Arts and Humanities (NFAH) through an Interior and Related Agencies Appropriation Act (P.L. 97-100). At that time, IMS was administered under the same general authority as the NEA and NEH (i.e., the NFAH).

Congress made technical amendments to MSA through P.L. 98-306 and P.L. 99-194; however, the administration of museum services remained under the authority of NFAH until the establishment of IMLS by the Museum and Library Services Act, part of the Omnibus Appropriations Act for FY1997 (P.L. 104-208). The act that established the IMLS combined OMS and LST into one agency, though the appropriations for the two divisions remained separate; OMS was funded through Interior and Related Agencies appropriations and LST was funded through the Labor, Health and Human Services, Education, and Related Agencies appropriations (L-HHS-ED).

Most recently, the museum services program was reauthorized by P.L. 108-81, the Museum and Library Services Act of 2003 (MLSA) as Title III, Museum Services of the MLSA. The latest reauthorization transferred OMS to be under the jurisdiction of the L-HHS-ED appropriations. Currently, both OMS and LST are under the jurisdiction of the L-HHS-ED appropriations.

Current Policy and Programs

The Museum Services program is currently authorized by P.L. 108-81, the Museum and Library Services Act of 2003 (MLSA) as Title III, Museum Services of the MLSA. P.L. 108-81 authorized \$38.6 million for Museum Services in FY2004, and such sums as may be necessary for FY2005-FY2009.

A "museum" is defined in the MLSA as a public or private nonprofit agency or institution organized on a permanent basis for essentially educational or aesthetic purposes that utilizes a professional staff, owns or utilizes tangible objects, cares for the tangible objects, and exhibits the

(...continued)

<http://www.imls.gov/pdf/MuseumPublicFinance.pdf>.

¹⁰ See footnote 9.

tangible objects to the public on a regular basis. The definition includes aquariums, arboretums, botanical gardens, art museums, children's museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoological parks.

The MLSA authorizes the director, subject to the policy advice of the Museum and Library and Services Board, to enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance, with museums and other entities to pay the federal share of support for museums. The federal share of support for museums is an amount provided by the federal government that represents a proportion of the overall cost of museum services. The federal share of museum services is defined in legislation, and it is not more than 50% of a broad range of museum services.¹¹ The federal share is designed to incentivize museums to leverage other sources of financial support (e.g., state and local support, private grants, endowments, etc.) to pay the non-federal share of museum services.

From the amount appropriated for Museum Services, the director must reserve 1.75% to award grants to, or enter into contracts or cooperative agreements with, Indian tribes and organizations that primarily serve and represent Native Hawaiians. From the remaining amount, the director may enter into arrangements to pay the federal share of support for museums. Again, the federal share of support to museums is defined in legislation as not more than 50%. The director may, however, use up to 20% of funds for museum services to enter into arrangements in which the federal share exceeds 50%. The federal share of support for museums may be used to pay the cost of a broad range of services, including providing access to collections, building partnerships with schools, conserving and maintaining collections, supporting professional development, supporting research and program evaluation, and encouraging the dissemination of model programs of museum and library collaboration.¹²

The Museum Services program is administered by OMS within IMLS. Currently, OMS administers five competitive grant programs (Museums for America, Museum Professionals for the 21st Century, Conservation Project Support, Native American and Native Hawaiian Museum Services, and National Leadership Grants for Museums) and two cooperative agreements (Museum Assessment Program and Conservation Assessment Program). The OMS also administers a related program, the African American Museum Services program, authorized separately through the African American History and Culture Act (P.L. 108-184).¹³

Each IMLS grant program has unique priorities and requirements. The largest grant program is Museums for America, which was designed to meet the full range of statutory purposes of Museum Services. Projects under this program can be designed to build institutional capacity, enhance collections stewardship, and engage communities. Other IMLS grant programs are much more targeted. For example, the Museum Professionals for the 21st Century specifically supports professional training and leadership development for museum staff. The Conservation Project Support program provides funding to help museums identify their conservation needs and conduct activities to ensure the safekeeping of their collections. There are also two programs that support museums that primarily serve certain populations. For example, the Native

¹¹ P.L. 108-81, § 273(a).

¹² The federal share of support for museums may also pay the cost of services not mentioned in this report. For a more complete list of services, see P.L. 108-81, § 273(a).

¹³ For more information on the grant programs and cooperative agreements administered by OMS, see Institute of Museum and Library Services, *FY2010 Appropriations Request to the United States Congress*, May 2009, http://www.imls.gov/pdf/FY10_CJ_Web.pdf.

American/Native Hawaiian Museum Services Grants provide grants for museums that serve Native populations with the goal of furthering professional development and enhancing museum services in general. Similarly, the Museum Grants for African American History and Culture program provides funding for the staffs of African American museums to gain knowledge in the areas of management, operations, programming, collections care, etc.

The Museum Assessment Program (MAP) and Conservation Assessment Program (CAP) are cooperative agreements administered by IMLS. MAP is a cooperative agreement with the American Association of Museums that provides technical assistance to help institutions assess their strengths and weaknesses and plan for the future. Similarly, the CAP is a cooperative agreement with Heritage Preservation that provides professional assistance in analyzing all aspects of care, assessing current practices, and recommending actions that need to be taken. These programs are particularly popular with small and midsized museums that may not have the institutional capacity to conduct these activities without assistance.

The National Leadership Grants are provided for both museum and library services. These grants are provided to support innovative projects to develop new tools, research, models, services, practices, or alliances that will influence the library and museum sectors. National Leadership Grants are offered in the following areas: Library and Museum Collaboration, Advancing Digital Resources, Research, Demonstration, and Collaborative Planning.

IMLS Funding for Museum and Library Services

Table A-1 in the Appendix shows the FY2000-FY2010 appropriations for Museum Services and Library Services and Technology. For FY2010, the Museum Services program was funded at \$33.727 million. In addition, the Museum Grants for African American History and Culture was funded at \$1.485 million in FY2010.¹⁴ For FY2010, LST was funded at \$213.523 million.

Reauthorization Issues

111th Congress

One issue likely to be considered during reauthorization concerns the conservation and preservation needs of museum and library collections. A report on conservation issues, commissioned by IMLS, was issued in 2005.¹⁵ The study found significant problems with the current status of conservation and preservation of museum and library collections. According to the study:

- 820 million objects are at risk;
- 190 million objects urgently need conservation care;
- 59% of institutions need better storage;
- 80% of institutions lack adequate emergency plans; and

¹⁴ Note that Museum Grants for African American History and Culture are authorized separately from Museum Services; these grants are authorized by the African American History and Culture Act, P.L. 108-184. Because IMLS administers the Museum Grants for African American History and Culture, the appropriations for this program are included in **Table A-1**.

¹⁵ Heritage Preservation, Inc., *A Public Trust at Risk: The Heritage Health Index Report on the State of America's Collections*, Washington, DC, December 2005.

- 40% of institutions have no budget for conservation.¹⁶

In June 2007 the IMLS held a national summit on this subject. It has subsequently been working to educate the public, and libraries and museums nationwide, about collection conservation and preservation.

Library Services and Technology

Potential reauthorization issues related to LST may include the following:

- *Funding.* As discussed earlier in this report, FY2009 was the first year initial state grant awards had increased (from \$340,000 to \$680,000) since 1971. Some argue that \$340,000 is simply too small an amount for states to use to implement a state grant program. The upcoming reauthorization may include consideration of whether the authorization of appropriations for LST should be increased to help ensure that initial state grant awards do not fall below \$680,000.
- *The Laura Bush 21st Century Librarian program.* This program was originally created via FY2003 Appropriations legislation. It has been funded each year since its inception, with funding increasing from \$9.9 million in FY2003 to \$25.5 million in FY2009. This program has funded 3,220 master's degree students, 186 doctoral students, 1,256 pre-professional students, and 26,206 continuing education students.¹⁷ Some argue that there is a continuing need for this program, and they argue that it should receive a specific authorization in the upcoming reauthorization.¹⁸ The FY2003 Budget Request to Congress stated that librarians had "one of the highest median ages of any occupation (47 years old)."¹⁹ The Budget Request indicated that impending retirements, among other things, supported the need for a new program to recruit and educate the next generation of librarians. The most recent BLS employment projections indicate that more than two out of three librarians are 45 or older. BLS reports that the retirement of these librarians will result in several job openings over the next decade. BLS also notes that recent enrollments in MLS programs have been rising—potentially increasing the pool of new librarians entering the field.²⁰
- *Role of Libraries as a Community Hub.* Libraries have increased the variety of resources and services they provide to communities. The free internet access provided by libraries has become increasingly important in many communities; 72.5% of libraries indicated that they provided the only free internet access in their communities. Many individuals rely on this access to download government forms and learn about government services. Libraries also provide access to job announcements and training resources for job seekers. In addition, they provide

¹⁶ Heritage Preservation, Inc., *A Public Trust at Risk: The Heritage Health Index Report on the State of America's Collections*, Washington, DC, December 2005.

¹⁷ Institute of Museum and Library Services, *Fiscal Year 2010 Appropriations Request to the United States Congress*, Washington, DC, May 2009, p. 15.

¹⁸ American Library Association, *Priorities for Library Services and Technology Act Reauthorization*, January 2009-ALA Midwinter Conference, Washington, DC, January 2009.

¹⁹ Institute of Museum and Library Services, *Institute of Museum and Library Services: FY2003 Appropriations Request to Congress*, Washington, DC, February 2002, pp. 4-5.

²⁰ Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2008-09 Edition*, Washington, DC, May 2009.

after school activities, online homework help, early childhood literacy programs, technology training, and adult literacy classes, among other things.²¹ Library advocates argue that the involvement of libraries in this wide array of community resources and services could be expanded with more support; they are encouraging that an increased emphasis on these activities be incorporated into the upcoming legislation reauthorizing the IMLS. They also argue that the role for libraries in providing needed services to communities during national disasters should be addressed in the upcoming reauthorization.

- *Role of Libraries as a Provider of Employment and Job-Training Resources.* One of the new activities being provided by more libraries is assistance for job seekers. Many employers now require all job applications to be filed online. In addition to free internet access, examples of services that are currently being provided by libraries include online job searches, provision of career information, and training on resume development.²² Reauthorization may include discussion of how to expand these services, and how to coordinate them with existing federal government job-training programs and related services.
- *More Flexibility in the Use of LST State Grant Funds.* LST State Grants are intended to provide states with wide latitude in their use of funds. Funds are to be used to expand services in a variety of formats to all types of libraries, to improve electronic and other linkages to better serve consumers of library services, and to target library services to underserved or disadvantaged populations. An important aspect of meeting these objectives is continually improving the capacity of library staff to become experts in the new technologies and services being provided by libraries. Library advocates indicate that there is an ongoing need for continuing education for library staff, but that the current legislative language in LST may not be sufficiently flexible to allow funds to be used for this purpose. For that reason, some recommend that language be added during reauthorization to ensure that LST State Grant funds can be used for continuing education for library staff.²³
- *Enhancing Policy Research and Coordination of Library Services.* As discussed earlier in the report, the 2003 reauthorization of IMLS included new language requiring the agency to undertake analyses of the impact of library and museum services. The upcoming reauthorization may consider making this role more expansive by including more extensive, detailed requirements of IMLS. Possible amendments would also reflect consideration of the implementation of existing provisions to date. In addition, there may be proposals for new authorizing language regarding the responsibilities (previously housed with NCLIS and the Department of Education) that have been delegated to IMLS (also discussed earlier in this report).

²¹ Denise Davies et al., *Libraries Connect Communities: Public Library Funding and Technology Access Study 2007-2008*, American Library Association, Chicago, IL, 2008.

²² American Library Association, "Job-seeking in U.S. Public Libraries," 2009.

²³ Norman Oder, "Gearing Up for LSTA Reauthorization in 2009, Librarians Seek Flexibility," *Library Journal*, June 30, 2008.

Museum Services

Potential reauthorization issues related to Museum Services may include the following:

- *Funding.* The issue of federal funding levels for museums consistently arises during reauthorizations of museum services. Beyond rethinking the federal role for funding museum services, museum organizations are requesting significant increases in funding. For example, the American Association of Museums has recommended the reauthorization of OMS within IMLS and an incremental appropriation reaching \$95 million over a five-year time period.²⁴ The FY2010 appropriation for Museum Services was approximately \$34 million. An annual appropriation of \$95 million over a period of five years would represent a significant increase in the rate of funding over the previous five years.
- *Assistance to Small and Midsize Museums.* In public hearings conducted by IMLS, participants expressed concern about the special needs of small to midsize museums.²⁵ Because IMLS support for Museum Services is distributed through competitive grants, small and midsize museums may be disadvantaged in competing for these grants due to their relative lack of institutional capacity, lack of grant writers on staff, and lack of experience needed to administer federal funds. In addition, some participants felt that the accountability requirements attached to federal funds made them less likely to apply because the application and reporting requirements placed a heavy burden on a small staff. Although there was general consensus about the special needs of small and midsize museums, there was disagreement concerning the most appropriate way to address these needs. A frequently cited solution was to develop federal-state partnerships for Museum Services (see below).
- *Federal-State Partnerships.* In response to requests from several members of Congress, IMLS conducted several studies regarding the state of public support for museum services and the feasibility of alternate funding mechanisms. One study was an initial investigation of federal-state partnership models as a mechanism for distributing federal funds.²⁶ A federal-state partnership model would require the creation of intermediary organizations at the state level that would represent museum services as a whole. The study found that current federal-state partnership programs for museum services tend to be discipline based; that is, art museums, planetariums, zoos, and other museum disciplines had their own state-level organization. Currently, there is no state-level organization that represents museums as a whole. Other federal arts and humanities agencies, such as the NEA and NEH, have state-level organizations that represent the arts or the humanities sector as a whole (i.e., the State Arts Agencies and State Humanities Councils, respectively). Using federal-state partnerships as a mechanism to distribute federal funds for Museum Services may require the cooperation of multiple state-level organizations or a

²⁴ See American Association of Museums, *Institute of Museum and Library Services (IMLS): Reauthorization*, <http://www.speakupformuseums.org/docs/IMLS%20Reauthorization.pdf>.

²⁵ Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, pp. 35-38, <http://www.imls.gov/pdf/MuseumPublicFinance.pdf>.

²⁶ Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, <http://www.imls.gov/pdf/MuseumPublicFinance.pdf>.

reorganization of state-level organizations.

IMLS states that there are several potential barriers to the development of federal-state partnerships for Museum Services. First, there is a lack of consistent state-level information on the number of museums and the capacity of museums that make up the sector. Systemic data collection activities may be required to assess state-level infrastructure and institutional capacity.²⁷ Similar data collection activities have been undertaken by the library sector; however, given the decentralized, discipline-based organization of museums, these data collection activities may be more cumbersome for the museum sector.

- *Grants to States Program.* IMLS has also investigated the potential of using a population-based state grant program as a mechanism to distribute federal funding for Museum Services. At the IMLS public hearings,²⁸ some participants advocated for a federal funding formula for Museum Services; however, other participants had concerns that the current funding levels for OMS would not support a federal funding formula and that, in the current fiscal climate, OMS could not reasonably expect an increase in funding that would allow a formula grant program to be effective.²⁹ In addition to interest at the public hearing, several organizations have created a national initiative to institute a federal funding formula.³⁰ Most advocates of a federal funding formula prefer a population-based state grant program. One potential difficulty with using a population-based formula is that the number of museums per state varies, and there is no clear correlation between the number of museums in a state and the state's population.³¹ If Congress chose to implement a state grant program for Museum Services, it might consider several approaches toward equitable or optimal allocation of funds. For example, Congress might choose to design a population-based funding formula that allows the museums within a state a proportional share of funding based on the number of likely visitors to the museums within that state. Alternatively, Congress might choose to design an institution-based funding formula that provides states with a greater number of museums more federal funding than states with fewer museums, independent of the state's population.

Summary of the 2003 Reauthorization

On September 25, 2003, the Museum and Library Services Act of 2003 was signed into law (P.L. 108-81). The LSTA was reauthorized as Title II, Library Services and Technology of the MLSA.

²⁷ Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, pp. 72-73, <http://www.ims.gov/pdf/MuseumPublicFinance.pdf>.

²⁸ Public hearings were conducted in March 2008 as part of a larger IMLS study investigating funding for museums: Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, <http://www.ims.gov/pdf/MuseumPublicFinance.pdf>.

²⁹ Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, pp. 37-39, <http://www.ims.gov/pdf/MuseumPublicFinance.pdf>.

³⁰ See position papers for this national initiative at <http://www.vlib.us/kma/>.

³¹ Institute of Museum and Library Services, *Exhibiting Public Value: Government Funding for Museums in the United States*, December 2008, p. 29, <http://www.ims.gov/pdf/MuseumPublicFinance.pdf>.

The MSA was reauthorized as Title III, Museum Services of the MLSA. The major changes in the reauthorized Museum and Library Services Act of 2003 include the following:

- prohibiting the funding of projects deemed obscene;
- defining “obscene” and the term “determined to be obscene”;
- clarifying and expanding the definition of “museum” to include aquariums, arboretums, botanical gardens, art museums, children’s museums, general museums, historic houses and sites, nature centers, history museums, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoos;
- revising the museum subsection on “purpose” to restate the importance of museums’ public service role of connecting the whole of society to our cultural heritage; reemphasizing the educational role of museums through leadership and innovative technologies; creating the highest standards of management and services for museum operations; and supporting resource sharing and partnerships among museums, schools, and other community organizations;
- requiring the director of the IMLS to establish procedural standards for reviewing and evaluating grants;
- increasing initial state grants for library services to \$680,000 if the amount appropriated for a year, and available for state grants, exceeds the amount of grants to all states in FY2003.
- increasing initial state grants for outlying areas to \$60,000 if appropriations in a given year are sufficient to meet the higher initial state grants of \$680,000; if remaining funds are insufficient to reach \$60,000, they are to be distributed equally among outlying areas receiving such funds;
- authorizing \$232 million for Library Services and \$38.6 million for Museum Services for FY2004, and such sums as may be necessary for FY2005-FY2009;
- authorizing the director to enter into contracts and cooperative agreements to help pay the federal share (50% share, with an exception that, by arrangement, 20% of the funds may be used to pay above a 50% share for museum services) for a broader range of museum activities, including learning partnerships and collaborations among museum, libraries, schools, and other community organizations; new technologies to enhance access to museums; and specialized programs for underserved areas;
- locating advisory functions (which for libraries were previously delegated to the National Commission on Libraries and Information Sciences) within a new National Museum and Library Services Board (previously, solely a Museum Services Board) in the IMLS;
- requiring the director to carry out and publish analyses of the impact of museum and library services, and increasing from 3% to 3.5% the amount available for federal administrative costs, to provide funding for this new function;
- prohibiting the use of IMLS funds for construction; and
- permitting the director of the IMLS to make national awards for library service, in addition to the already authorized national awards for museum service.

Appendix.

Table A-I. Appropriations for Museum and Library Services, FY2000 to FY2010
(in \$000s)

Program	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010
Museum Services											
Museums for America	15,517	15,483	15,482	15,381	16,342	16,864	17,152	17,152	16,852	19,176	19,176
Museum Assessment Program	450	449	450	447	447	446	442	442	434	460	460
Museum Professionals for the 21 st Century	0	0	0	0	0	992	982	982	965	1,280	1,280
Conservation Project Support	2,310	2,305	2,310	2,792	2,782	2,788	2,772	2,772	2,724	3,952	3,052
Conservation Assessment Program	820	818	820	815	815	813	807	807	793	803	803
Native American/Native Hawaiian Museum Services Grants	0	0	0	0	0	843	911	911	895	945	975
National Leadership Grants for Museums	3,050	3,542	5,167	5,663	6,891	7,539	7,920	7,920	7,782	7,981	7,981
Subtotal, Museum Services	22,147	22,597	24,229	25,098	27,277	30,285	30,986	30,986	30,445	33,697	33,727
African American History and Culture Act (AAHCA)											
Museum Grants for African American History and Culture	0	0	0	0	0	0	842	842	827	1,310	1,485
Subtotal, AAHCA	0	0	0	0	0	0	842	842	827	1,310	1,485

Program	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010
Library Services and Technology (LST)											
State Grants	138,118	148,939	149,014	150,435	157,628	160,704	163,746	163,746	160,885	171,500	172,561
Library Services for Indians and Native Hawaiians	2,616	2,940	2,941	3,055	3,206	3,472	3,638	3,638	3,574	3,717	4,000
National Leadership Projects	10,275	11,229	11,081	11,009	11,263	12,301	12,375	12,375	12,159	12,437	12,437
Laura Bush 21 st Century Librarians	0	0	0	9,935	19,882	22,816	23,760	23,760	23,345	23,525	24,525
Subtotal, LST	151,009	163,178	163,036	174,434	191,979	199,293	203,519	203,519	199,963	212,179	213,523
Administration	5,651	7,295	7,712	9,202	10,389	11,097	11,797	11,858	13,987 ^a	16,917 ^b	17,134 ^c
Directed Grants	11,751	39,251	29,524	35,156	32,595	39,889	0	0	18,285	10,737	16,382
Total, IMLS	190,558	232,321	224,501	243,890	262,240	280,564	247,144	247,205	263,507	274,840	282,251

Source: IMLS Appropriations Requests to Congress, multiple years.

- a. Includes \$1.965 million for library policy, research, and statistics activities.
- b. Includes \$3.5 million for library policy, research, and statistics activities, and \$500,000 for museum data collection.
- c. Includes \$3.5 million for library policy, research, and statistics activities, and \$500,000 for museum data collection.

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