

103^D CONGRESS
1ST SESSION

S. 1665

To authorize the Librarian of Congress to retain the proceeds of certain sales, payments or restitution.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17 (legislative day, NOVEMBER 2), 1993

Mr. PELL (by request) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To authorize the Librarian of Congress to retain the proceeds of certain sales, payments or restitution.

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 “Library of Congress
5 Retention of Proceeds Act”.

6 **SEC. 2. SALE OF EXCESS MATERIALS.**

7 Personal property, including books, periodicals and
8 other materials, that the Librarian of Congress (hereafter
9 in this Act referred to as the “Librarian”) determines to
10 be excess to the collections of the Library of Congress

1 (hereafter in this Act referred to as the “Library”) or the
2 exchange and donation programs of the Library may be
3 sold by the Librarian pursuant to regulations promulgated
4 by the Administrator of the General Services Administra-
5 tion for the disposal of personal property by sale, except
6 that the Librarian shall not sell—

7 (1) copies of unpublished works that became
8 the property of the United States pursuant to the
9 registration of claims to copyright under section 408
10 of title 17, United States Code;

11 (2) copies of materials received by the Library
12 under written deeds of gift or other contractual
13 agreements signed both by the donor and the Li-
14 brary, insofar as such agreements expressly preclude
15 the transfer of ownership or possession by the Li-
16 brary of such copies;

17 (3) materials distributed by the National Li-
18 brary Service for the Blind and Physically Handi-
19 capped; or

20 (4) products of the Congressional Research
21 Service.

22 **SEC. 3. ACCEPTANCE OF PAYMENTS OR RESTITUTION.**

23 The Librarian is authorized to accept all sums ten-
24 dered as payment or restitution for lost, stolen, damaged,

1 or destroyed books, periodicals, newspapers, or other ma-
2 terials from the Library's collection if such sums are—

3 (1) ordered by any judicial or administrative
4 authority to be paid to the Library; or

5 (2) received from a borrower.

6 **SEC. 4. RETENTION OF PROCEEDS OF SALES, PAYMENTS**
7 **OR RESTITUTION.**

8 (a) ACCOUNT ESTABLISHED.—There is established in
9 the Treasury of the United States an account consisting
10 of the proceeds of any sale described in section 2 or of
11 any payment or restitution described in section 3.

12 (b) EXPENDITURES.—Amounts in the account de-
13 scribed in subsection (a) shall be available to the Librar-
14 ian, to the extent provided in appropriations Acts, until
15 expended, for the acquisition of books, periodicals, and
16 other materials, including the costs of administering the
17 national and international acquisition programs of the
18 Library.

19 **SEC. 5. REPORT.**

20 The Librarian shall report the activities and financial
21 transactions of the account described in section 4(a) in
22 the annual report of the Librarian to the Congress.

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