

106TH CONGRESS
2^D SESSION

H. R. 4180

To authorize the Librarian of Congress to establish certain programs and activities of the Library of Congress as programs to be administered through a revolving fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2000

Mr. HOYER introduced the following bill; which was referred to the Committee on House Administration

A BILL

To authorize the Librarian of Congress to establish certain programs and activities of the Library of Congress as programs to be administered through a revolving fund, 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 “Library of Congress
5 Financial Management Act of 2000”.

1 **TITLE I—LIBRARY OF CONGRESS**
2 **REVOLVING FUND**

3 **SEC. 101. AVAILABILITY OF FUND FOR ACTIVITIES.**

4 The Librarian of Congress (hereafter in this Act re-
5 ferred to as the “Librarian”) is authorized—

6 (1) to establish the activities described in sec-
7 tion 102 as Revolving Fund service activities; and

8 (2) to establish Revolving Fund service units,
9 which may be partially or fully sustained through
10 the Library of Congress Revolving Fund established
11 under section 103, to carry out such activities.

12 **SEC. 102. ACTIVITIES DESCRIBED.**

13 The activities described in this section are as follows:

14 (1) The preparation of research reports, trans-
15 lations, analytical studies, and related services for
16 any entity of the Federal Government or the govern-
17 ment of the District of Columbia.

18 (2) The provision of any of the following serv-
19 ices for entities of the Federal Government or the
20 government of the District of Columbia:

21 (A) The centralized acquisition of publica-
22 tions and library materials in any format.

23 (B) Information, research, and library sup-
24 port services.

1 (C) Training in library and information
2 services.

3 (D) Services related to any of the services
4 described in the preceding subparagraphs.

5 (3) Decimal classification development.

6 (4) The operation of a gift shop or other sales
7 of items associated with collections, exhibits, per-
8 formances, and special events of the Library of Con-
9 gress.

10 (5) The location, copying, storage, preservation,
11 and delivery services for library documents and
12 audio-visual materials (other than basic domestic
13 interlibrary loan services), and international inter-
14 library lending.

15 (6) Special events and programs, performances,
16 exhibits, workshops, and training.

17 (7) The cooperative acquisitions program de-
18 scribed in section 207 of the Legislative Branch Ap-
19 propriations Act, 1998 (2 U.S.C. 182).

20 **SEC. 103. LIBRARY OF CONGRESS REVOLVING FUND.**

21 (a) IN GENERAL.—

22 (1) ESTABLISHMENT.—There is established in
23 the Treasury a revolving fund to be known as the
24 “Library of Congress Revolving Fund” (hereafter in
25 this Act referred to as the “Fund”).

1 (2) CONTENTS.—The Fund shall consist of the
2 following amounts:

3 (A) Amounts deposited under subsection
4 (b).

5 (B) Credits under subsection (c).

6 (C) Such other amounts as may be appro-
7 priated for the Fund under law.

8 (3) USE OF AMOUNTS IN FUND.—Amounts in
9 the Fund shall be available to the Librarian without
10 fiscal year limitation to carry out Revolving Fund
11 service activities under this Act. Obligations for such
12 activities for any fiscal year are limited to the total
13 amounts specified in appropriations Acts for such
14 fiscal year.

15 (b) AMOUNTS DEPOSITED.—

16 (1) FUNDS ATTRIBUTABLE TO REVOLVING
17 FUND SERVICE ACTIVITIES.—Upon the establish-
18 ment by the Librarian of an activity as a Revolving
19 Fund service activity under section 101, the Librar-
20 ian shall transfer to the Fund the following:

21 (A) Notwithstanding the requirements of
22 section 1535(d) of title 31, United States Code,
23 any obligated, unexpended balances existing as
24 of the date of the establishment which are at-
25 tributable to such activity.

1 (B) An amount equal to the difference
2 between—

3 (i) the total value of the supplies, in-
4 ventories, equipment, gift fund balances,
5 and other assets of the activity; and

6 (ii) the total value of the liabilities
7 (including the value of accrued annual
8 leave of employees) of the activity.

9 (C) In the case of the cooperative acquisi-
10 tions program described in section 207 of the
11 Legislative Branch Appropriations Act, 1998,
12 the balance existing in the Cooperative Acquisi-
13 tions Program Revolving Fund established
14 under section 207(a) of such Act as of the date
15 of the establishment of the program as a Re-
16 volving Fund service activity.

17 (2) TEMPORARY TRANSFERS OF PREVIOUSLY
18 APPROPRIATED FUNDS.—The Librarian may tempo-
19 rarily transfer to the Fund other funds appropriated
20 to the Library of Congress, except that the Fund
21 shall reimburse the appropriate accounts of the Li-
22 brary of Congress for amounts so transferred before
23 the period of availability of the Library appropria-
24 tion expires.

1 (c) CREDITS.—The Fund shall be credited with all
2 amounts received by the Librarian which are attributable
3 to Revolving Fund service activities, including—

4 (1) fees, advances, and reimbursements;

5 (2) gifts or bequests of money or property for
6 credit to such activity or the Fund;

7 (3) receipts from sales and exchanges of prop-
8 erty;

9 (4) payments for loss or damage to property;

10 and

11 (5) receivables, inventories, and other assets.

12 (d) INDIVIDUAL ACCOUNTING REQUIREMENT.—A
13 separate account shall be maintained in the Fund with re-
14 spect to each Revolving Fund service unit.

15 (e) EXCESS FUNDS.—At such times as the Librarian
16 determines to be appropriate, the Librarian shall transfer
17 any amount in the Fund that the Librarian determines
18 to be in excess of the amount required by the Fund to
19 the Treasury for deposit as miscellaneous receipts.

20 (f) ANNUAL REPORT.—Not later than March 31 of
21 each year, the Librarian shall submit to Congress an au-
22 dited financial statement for the Fund for the preceding
23 fiscal year. The audit of such statement shall be conducted
24 in accordance with Government Auditing Standards for fi-

1 nancial audits issued by the Comptroller General of the
2 United States.

3 **SEC. 104. OPERATION OF REVOLVING FUND SERVICE AC-**
4 **TIVITIES.**

5 (a) RATES FOR PURCHASE OF PRODUCTS AND SERV-
6 ICES.—The Librarian is authorized to make any products
7 and services provided as Revolving Fund service activities
8 available for purchase at rates estimated by the Librarian
9 to be adequate to recover, over a reasonable period of time,
10 the direct and indirect costs to the activity of providing
11 such products and services.

12 (b) ADVANCES OF FUNDS.—Participants in Revolv-
13 ing Fund service activities shall pay for products and serv-
14 ices of the activity by advance of funds—

15 (1) if the Librarian determines that amounts in
16 the Revolving Fund are otherwise insufficient to
17 cover the costs of providing such products and serv-
18 ices; or

19 (2) upon agreement between participants and
20 the Librarian.

21 (c) MULTI-YEAR CONTRACTING AUTHORITY.—In the
22 operation of Revolving Fund service activities, the Librar-
23 ian may—

24 (1) enter into contracts for the lease and acqui-
25 sition of goods and services (including severable

1 services) for a period that begins in one fiscal year
2 and ends in the next fiscal year, pursuant to section
3 303L of the Federal Property and Administrative
4 Services Act (41 U.S.C. 253l); and

5 (2) enter into multi-year contracts for the ac-
6 quisition of property and services, pursuant to sec-
7 tion 304B of such Act (41 U.S.C. 254c).

8 **SEC. 105. REPEAL OF COOPERATIVE ACQUISITIONS PRO-**
9 **GRAM.**

10 (a) IN GENERAL.—Section 207 of the Legislative
11 Branch Appropriations Act, 1998 (2 U.S.C. 182) is re-
12 pealed.

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall take effect upon the establishment by
15 the Librarian of the cooperative acquisitions program de-
16 scribed in section 207 of the Legislative Branch Appro-
17 priations Act, 1998, as a Revolving Fund service activity
18 under section 101.

19 **SEC. 106. NO EFFECT ON PERSONNEL.**

20 Nothing in this title may be construed to affect the
21 terms and conditions of employment of any employee of
22 the Library of Congress who carries out any activity des-
23 igned as a Revolving Fund service activity or who is as-
24 signed to a Revolving Fund service unit.

1 **TITLE II—CATALOGING**
2 **PRODUCTS AND SERVICES**

3 **SEC. 201. AVAILABILITY OF CATALOGING PRODUCTS AND**
4 **SERVICES.**

5 (a) **IN GENERAL.**—The Librarian of Congress is au-
6 thORIZED to make cataloging products and services created
7 by the Library of Congress available for purchase at prices
8 that reflect as closely as practicable the cost of distribution
9 over a reasonable period of time. Any amounts paid to
10 the Librarian for cataloging products and services pursu-
11 ant to this subsection shall be deposited in the Treasury
12 to the credit of the appropriation for salaries and expenses
13 of the Library of Congress, and shall remain available
14 until expended for expenses attributable to the necessary
15 distribution of such products and services.

16 (b) **DEFINITION.**—In this title, the term “cataloging
17 products and services” means bibliographic products and
18 services (in any current or future format) that are used
19 by libraries and library organizations, including other Li-
20 brary of Congress-created data bases, and related tech-
21 nical publications.

22 **SEC. 202. CONFORMING AMENDMENT.**

23 The undesignated paragraph beginning “The Librar-
24 ian of Congress” under the heading “PUBLIC PRINT-
25 ING AND BINDING” in section 1 of the Act entitled

1 “An Act making appropriations for sundry civil expenses
2 of the Government for the fiscal year ending June thir-
3 tieth, nineteen hundred and three, and for other pur-
4 poses”, approved June 28, 1902 (2 U.S.C. 150), is re-
5 pealed.

6 **TITLE III—LIBRARY OF**
7 **CONGRESS TRUST FUND BOARD**

8 **SEC. 301. REVISIONS TO MEMBERSHIP AND OPERATION OF**
9 **LIBRARY OF CONGRESS TRUST FUND BOARD.**

10 (a) ADDITION OF VICE CHAIR OF JOINT COMMITTEE
11 ON THE LIBRARY AS BOARD MEMBER.—Section 1 of the
12 Act entitled “An Act to create a Library of Congress
13 Trust Fund Board, and for other purposes”, approved
14 March 3, 1925 (2 U.S.C. 154), is amended in the first
15 sentence of the first paragraph by inserting “and the vice
16 chair” after “chairman.”

17 (b) QUORUM REQUIREMENT.—Section 1 of such Act
18 (2 U.S.C. 154) is amended in the second sentence of the
19 first paragraph by striking “Nine” and inserting “Seven”.

20 (c) TEMPORARY EXTENSION OF BOARD MEMBER
21 TERM.—Section 1 of such Act (2 U.S.C. 154) is amended
22 in the first paragraph by inserting after the first sentence
23 the following: “Upon request of the chair of the Board,
24 any member whose term has expired may continue to serve
25 on the Trust Fund Board until the earlier of the date on

1 which such member's successor is appointed or the expira-
2 tion of the 2-year period which begins on the date such
3 member's term expires.".

4 **TITLE IV—EFFECTIVE DATE**

5 **SEC. 401. EFFECTIVE DATE.**

6 This Act and the amendments made by this Act shall
7 take effect October 1, 2000.

