

105TH CONGRESS
1ST SESSION

S. 240

To provide for the protection of books and materials of the Library of Congress, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 1997

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide for the protection of books and materials of the Library of Congress, 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 Book Protection Act of 1997”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act—

8 (1) the term “book” means any book, docu-
9 ment, or other material that is in the collection of
10 the Library of Congress;

1 (2) the term “borrower” means any individual
2 who has loan privileges for books from the Library
3 of Congress;

4 (3) the term “Fund” means the Late Book
5 Fine Fund established under section 4;

6 (4) the term “Librarian” means the Librarian
7 of Congress; and

8 (5) the term “Library” means the Library of
9 Congress.

10 **SEC. 3. LATE FINES ON BOOKS.**

11 No later than 30 days after the date of the enactment
12 of this Act, the Librarian shall promulgate regulations—

13 (1) to establish a schedule of late fines for any
14 borrower who has a book on loan for more than 70
15 days;

16 (2) to assess a late fine on any borrower who
17 has a book on loan for more than 70 days;

18 (3) in the case of a borrower who has not re-
19 turned a book after such 70-day period, to suspend
20 the loan privileges of—

21 (A) such borrower; and

22 (B) all borrowers of the same office loan
23 account of such borrower;

1 (4) to reinstate the loan privileges of any bor-
 2 rower after the return of the book and the payment
 3 of all late fines;

4 (5) to provide for waivers, at the discretion of
 5 the Librarian, with regard to—

6 (A) all or any part of an assessed late fine;
 7 and

8 (B) the suspension of all or any part of the
 9 loan privileges of any borrower (including bor-
 10 rowers of the same office loan account as a bor-
 11 rower who has not returned a book within such
 12 70-day period).

13 **SEC. 4. LATE BOOK FINE FUND.**

14 (a) ESTABLISHMENT.—The Librarian shall establish
 15 a Late Book Fine Fund.

16 (b) DEPOSIT.—All late fines paid to the Librarian
 17 under this Act shall be deposited in the Fund.

18 (c) USES OF THE FUND.—All monies deposited in the
 19 Fund shall remain in the Fund and shall be available to
 20 the Librarian without fiscal year limitation for the general
 21 operating expenses of the Library and the replacement of
 22 lost or stolen books.

1 **SEC. 5. PROHIBITION OF FEDERAL FUNDS TO PAY LATE**
 2 **FINES.**

3 (a) IN GENERAL.—No Federal funds may be used
 4 to pay a late fine assessed under this Act.

5 (b) ENFORCEMENT.—Violation of the provisions of
 6 subsection (a) shall be a misdemeanor and any person con-
 7 victed thereof shall be fined not more than \$1,000.

8 **SEC. 6. REPORTS.**

9 The Librarian shall include in the annual report sub-
 10 mitted to the Congress under the heading “LIBRARY OF
 11 CONGRESS” of the Act of February 19, 1897 (2 U.S.C.
 12 139; 29 Stat. 546)—

13 (1) the estimated number of books that are
 14 missing from the Library due to borrowers who have
 15 had loan privileges suspended;

16 (2) the name of any office with an office loan
 17 account that includes any borrower who—

18 (A) has had loan privileges suspended; and

19 (B) has been assessed late fines that have
 20 not been paid for more than 1 month;

21 (3) the total amount of unpaid late fines as-
 22 sessed to each office named under paragraph (2);

23 (4) all monies deposited in the Fund; and

24 (5) the amounts and uses of expenditures from
 25 the Fund.

1 **SEC. 7. EFFECTIVE DATE AND APPLICATION.**

2 (a) IN GENERAL.—This Act shall take effect on the
3 date of enactment of this Act and shall apply to all books
4 of the Library of Congress, including books that are on
5 loan on such date.

6 (b) ASSESSMENT OF FINES.—No late fine may be as-
7 sessed under this Act during the 100-day period beginning
8 on the date of the enactment of this Act.

○