

111TH CONGRESS
1ST SESSION

S. 395

To direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African-American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2009

Mrs. FEINSTEIN (for herself, Mr. ALEXANDER, Mr. BENNETT, Mr. COCHRAN, Mr. KENNEDY, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African-American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Civil Rights History
3 Project Act of 2009”.

4 **SEC. 2. FINDINGS; PURPOSE.**

5 (a) FINDINGS.—Congress finds as follows:

6 (1) A fundamental principle of American de-
7 mocracy is that individuals should stand up for their
8 rights and beliefs and fight for justice.

9 (2) The actions of those who participated in the
10 Civil Rights movement from the 1950s through the
11 1960s are a shining example of this principle in ac-
12 tion, demonstrated in events as varied as the Mont-
13 gomery Bus Boycott, the sit-ins, the Freedom Rides,
14 the March on Washington, the drive for voting
15 rights in Mississippi, and the March to Selma.

16 (3) While the Civil Rights movement had many
17 visible leaders, including Thurgood Marshall, Dr.
18 Martin Luther King, Jr., and Rosa Parks, there
19 were many others whose impact and experience were
20 just as important to the cause but who are not as
21 well known.

22 (4) The participants in the Civil Rights move-
23 ment possess an invaluable resource in their first-
24 hand memories of the movement, and the recording
25 of the retelling of their stories and memories will

1 provide a rich, detailed history of our Nation during
2 an important and tumultuous period.

3 (5) It is in the Nation's interest to undertake
4 a project to collect oral histories of individuals from
5 the Civil Rights movement so future generations will
6 be able to learn of their struggle and sacrifice
7 through primary-source, eyewitness material. A co-
8 ordinated Federal project would also focus attention
9 on the efforts undertaken by various public and pri-
10 vate entities to collect and interpret articles in all
11 formats relating to the Civil Rights movement, and
12 serve as a model for future projects undertaken in
13 museums, libraries, and universities throughout the
14 Nation.

15 (6) The Library of Congress and the Smithso-
16 nian Institution are appropriate repositories to col-
17 lect, preserve, and make available to the public a col-
18 lection of these oral histories. The Library and
19 Smithsonian have expertise in the management of
20 documentation projects, and experience in the devel-
21 opment of cultural and educational programs for the
22 public.

23 (b) PURPOSE.—It is the purpose of this Act to create
24 a new federally sponsored, authorized, and funded project
25 that will coordinate at a national level the collection of

1 video and audio recordings of personal histories and
 2 testimonials of individuals who participated in the Amer-
 3 ican Civil Rights movement that will build upon and com-
 4 plement previous and ongoing documentary work on this
 5 subject, and to assist and encourage local efforts to pre-
 6 serve the memories of such individuals so that Americans
 7 of all current and future generations may hear from them
 8 directly and better appreciate the sacrifices they made.

9 **SEC. 3. ESTABLISHMENT OF JOINT PROJECT AT LIBRARY**
 10 **OF CONGRESS AND NATIONAL MUSEUM OF**
 11 **AFRICAN-AMERICAN HISTORY AND CULTURE**
 12 **TO COLLECT VIDEO AND AUDIO RECORDINGS**
 13 **OF HISTORIES OF PARTICIPANTS IN AMER-**
 14 **ICAN CIVIL RIGHTS MOVEMENT.**

15 (a) ESTABLISHMENT OF PROJECT.—

16 (1) IN GENERAL.—Within the limits of avail-
 17 able funds, the Librarian of Congress (referred to in
 18 this Act as the “Librarian”) and the Secretary of
 19 the Smithsonian Institution (referred to in this Act
 20 as the “Secretary”), acting jointly, shall establish an
 21 oral history project—

22 (A) to survey, during the initial phase of
 23 the project, collections of audio and video re-
 24 cordings of the reminiscences of participants in
 25 the Civil Rights movement that are housed in

1 archives, libraries, museums, and other edu-
2 cational institutions, as well as ongoing docu-
3 mentary work, in order to augment and com-
4 plement these endeavors and avoid duplication
5 of effort;

6 (B) to solicit, reproduce, and collect—

7 (i) video and audio recordings of per-
8 sonal histories and testimonials of individ-
9 uals who participated in the Civil Rights
10 movement; and

11 (ii) visual and written materials (such
12 as letters, diaries, photographs, and
13 ephemera) relevant to the personal his-
14 tories of individuals;

15 (C) to create a collection of the recordings
16 and other materials obtained, and to catalog
17 and index the collection in a manner the Li-
18 brarian and the Secretary consider appropriate;
19 and

20 (D) to make the collection available for
21 public use through the Library of Congress and
22 the National Museum of African-American His-
23 tory and Culture, as well as through such other
24 methods as the Librarian and the Secretary
25 consider appropriate.

1 (2) ROLE OF DIRECTOR OF MUSEUM.—The
 2 Secretary shall carry out the Secretary’s duties
 3 under this Act through the Director of the National
 4 Museum of African-American History and Culture.

5 (b) USE OF AND CONSULTATION WITH OTHER ENTI-
 6 TIES.—The Librarian and the Secretary may carry out the
 7 activities described in subsection (a)(1) through agree-
 8 ments and partnerships entered into with other govern-
 9 ment and private entities, and may otherwise consult with
 10 interested persons (within the limits of available re-
 11 sources) and develop appropriate guidelines and arrange-
 12 ments for soliciting, acquiring, and making available re-
 13 cordings under the project under this Act.

14 (c) SERVICES OF EXPERTS AND CONSULTANTS; AC-
 15 CEPTANCE OF VOLUNTEER SERVICES; ADVANCE PAY-
 16 MENTS.—In carrying out activities described in subsection
 17 (a)(1), the Librarian and the Secretary may—

18 (1) procure temporary and intermittent services
 19 under section 3109 of title 5, United States Code;

20 (2) accept and utilize the services of volunteers
 21 and other uncompensated personnel and reimburse
 22 them for travel expenses, including per diem, as au-
 23 thorized under section 5703 of title 5, United States
 24 Code; and

1 (3) make advances of money and payments in
2 advance in accordance with section 3324 of title 31,
3 United States Code.

4 (d) TIMING.—As soon as practicable after the date
5 of enactment of this Act, the Librarian and the Secretary
6 shall begin collecting video and audio recordings and other
7 materials under subsection (a)(1), and shall attempt to
8 collect the first such recordings from the oldest individuals
9 involved.

10 (e) DEFINITION.—In this Act, the term “Civil Rights
11 movement” means the movement to secure racial equality
12 in the United States for African-Americans that, focusing
13 on the period 1954 through 1968, challenged the practice
14 of racial segregation in the Nation and achieved equal
15 rights legislation for all American citizens.

16 **SEC. 4. PRIVATE SUPPORT FOR CIVIL RIGHTS HISTORY**
17 **PROJECT.**

18 (a) ENCOURAGING SOLICITATION AND ACCEPTANCE
19 OF DONATIONS.—The Librarian and the Secretary are en-
20 couraged to solicit and accept donations of funds and in-
21 kind contributions to support activities under section 3.

22 (b) DEDICATION OF FUNDS PROVIDED TO LIBRARY
23 OF CONGRESS.—Notwithstanding any other provision of
24 law—

1 (1) any funds donated to the Librarian to sup-
2 port the activities of the Librarian under section 3
3 shall be deposited entirely into an account estab-
4 lished for such purpose;

5 (2) the funds contained in such account shall be
6 used solely to support such activities; and

7 (3) the Librarian may not deposit into such ac-
8 count any funds donated to the Librarian that are
9 not donated for the exclusive purpose of supporting
10 such activities.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this Act—

14 (1) \$500,000 for fiscal year 2010; and

15 (2) such sums as may be necessary for each of
16 the fiscal years 2011 through 2014.

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