

105TH CONGRESS  
2D SESSION

# S. 1971

To amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress.

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IN THE SENATE OF THE UNITED STATES

APRIL 23, 1998

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

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## A BILL

To amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress.

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. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) The American Folklife Center in the Li-  
7 brary of Congress was created by Congress in 1976,  
8 building on the vast expertise and archival material  
9 existing at the Library since 1928.

1           (2) As an instrumentality of the Congress, it is  
2 fitting that the American Folklife Center should  
3 have a direct and close relationship with the rep-  
4 resentatives of the people, who are best able to over-  
5 see the ongoing activities of the Center to preserve  
6 and promote the cultural traditions of the people,  
7 and to ensure that the resources of the Center be  
8 readily available to all Americans.

9           (3) In over 20 years since its creation, the  
10 American Folklife Center in the Library of Congress  
11 has—

12                 (A) increased the size of the Archive of  
13 Folk Culture from 500,000 to 1,500,000 multi-  
14 format ethnographic items;

15                 (B) engaged in 15 cultural surveys and  
16 field documentation projects in all regions of  
17 the country;

18                 (C) provided publications, documentary  
19 equipment on loan, and advisory and reference  
20 service to persons and institutions in all 50  
21 States;

22                 (D) produced exhibitions and other edu-  
23 cational programs on American Folklife at the  
24 Library and around the country;

1 (E) begun sharing its unique collections in  
2 digital form via the Internet; and

3 (F) served as a national center for the pro-  
4 fessions of folklore, ethnomusicology, and cul-  
5 tural studies.

6 (4) Congress has consistently provided encour-  
7 agement and support of American Folklife as an ap-  
8 propriate matter of concern to the Federal Govern-  
9 ment, passing legislation to reauthorize the Center 8  
10 times since its creation in 1976.

11 (5) The American Folklife Center is the only  
12 unit in the Library of Congress which is not perma-  
13 nently authorized. Since its establishment in 1976,  
14 the Center's collections and activities have been fully  
15 and successfully integrated into the Library of Con-  
16 gress. It is useful to statutorily conform the Amer-  
17 ican Folklife Center with the rest of the Library of  
18 Congress.

19 (b) PURPOSE.—It is the purpose of this Act to au-  
20 thorize permanently the American Folklife Center in the  
21 Library of Congress to preserve and present American  
22 Folklife.

23 **SEC. 2. REAUTHORIZATION AND AMENDMENT.**

24 (a) BOARD OF TRUSTEES; APPOINTMENT AND COM-  
25 PENSATION OF DIRECTOR; ELIMINATION OF DEPUTY DI-

1 RECTOR POSITION.—Section 4 of the American Folklife  
2 Preservation Act (20 U.S.C. 2103) is amended—

3 (1) by striking subsection (b) and inserting the  
4 following:

5 “(b)(1) The Center shall be under the direction of  
6 a Board of Trustees. The Board shall be composed as fol-  
7 lows—

8 “(A) four members appointed by the President  
9 from among individuals who are officials of Federal  
10 departments and agencies concerned with some as-  
11 pect of American Folklife traditions and arts;

12 “(B) four members appointed by the President  
13 pro tempore of the Senate from among individuals  
14 from private life who are widely recognized by virtue  
15 of their scholarship, experience, creativity, or inter-  
16 est in American Folklife traditions and arts, and  
17 four members appointed by the Speaker of the  
18 House of Representatives from among such individ-  
19 uals;

20 “(C) four members appointed by the Librarian  
21 of Congress from among individuals who are widely  
22 recognized by virtue of their scholarship, experience,  
23 creativity, or interest in American folklife traditions  
24 and arts;

25 “(D) the Librarian of Congress;

1           “(E) the Secretary of the Smithsonian Institu-  
2           tion;

3           “(F) the Chairman of the National Endowment  
4           for the Arts;

5           “(G) the Chairman of the National Endowment  
6           for the Humanities;

7           “(H) the President of the American Folklore  
8           Society;

9           “(I) the President of the Society for  
10          Ethnomusicology; and

11          “(J) the Director of the Center.

12          “(2) In making appointments from private life under  
13          paragraph (1)(B), the President pro tempore of the Sen-  
14          ate and the Speaker of the House of Representatives shall  
15          give due consideration to the appointment of individuals  
16          who collectively will provide appropriate diversity and re-  
17          gional balance on the Board. Not more than 3 of the mem-  
18          bers appointed by the President pro tempore of the Senate  
19          or by the Speaker of the House of Representatives may  
20          be affiliated with the same political party.

21          “(3) In making appointments under paragraph  
22          (1)(C), the Librarian of Congress shall include at least  
23          2 members who direct or are members of the boards of  
24          major American folklife organizations other than the

1 American Folklore Society and the Society for  
2 Ethnomusicology.”;

3 (2) by striking subsection (d) and inserting the  
4 following:

5 “(d) Members of the Board shall serve without pay,  
6 but members who are not regular full-time employees of  
7 the United States may, at the discretion of the Librarian,  
8 be reimbursed for the actual and necessary traveling and  
9 subsistence expenses incurred by them in the performance  
10 of the duties of the Board.”;

11 (3) in subsection (e)—

12 (A) in the fourth sentence of paragraph  
13 (1), by inserting “currently serving” after  
14 “Board”; and

15 (B) by adding at the end the following:

16 “(3) The Board shall meet at least once each fiscal  
17 year.”;

18 (4) by striking subsection (f) and inserting the  
19 following:

20 “(f) After consultation with the Board, the Librarian  
21 shall appoint the Director of the Center. The basic pay  
22 of the Director shall be at an annual rate that is not less  
23 than an amount equal to 120% of the minimum rate of  
24 basic pay payable for GS–15 of the General Schedule nor  
25 more than an amount equal to the pay payable under level

1 IV of the Executive Schedule under section 5315 of title  
2 5.”; and

3 (5) in subsection (g)—

4 (A) in paragraph (1), by striking the para-  
5 graph designation; and

6 (B) by striking paragraph (2).

7 (b) ADMINISTRATIVE PROVISIONS.—Section 7(a)(4)  
8 of the American Folklife Preservation Act (20 U.S.C.  
9 2106(a)(4)) is amended by striking “, but no individual  
10 so appointed shall receive compensation in excess of the  
11 rate received by the Deputy Director of the Center”.

12 **SEC. 3. PERMANENT AUTHORIZATION OF APPROPRIA-**  
13 **TIONS.**

14 Section 8 of the American Folklife Preservation Act  
15 (20 U.S.C. 2107) is amended to read as follows:

16 **“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 “There are authorized to be appropriated to the Cen-  
18 ter to carry out this Act such sums as may be necessary  
19 for each fiscal year.”.

20 **SEC. 4. BOARD OF TRUSTEES, TRANSITION PERIOD.**

21 The term of office of members of the Board of Trust-  
22 ees appointed by the Librarian of Congress under the  
23 amendments made by section 2(a) shall be 6 years, except  
24 that—

1           (1) of the 4 members first appointed by the Li-  
2           brarian, 1 shall serve for a term of 2 years, 2 for  
3           a term of 4 years, and 1 for a term of 6 years;

4           (2) any member appointed to fill a vacancy oc-  
5           curring prior to expiration of the term to which his  
6           or her predecessor was appointed shall be appointed  
7           for the remainder of such term; and

8           (3) the terms of the Presidents of the American  
9           Folklore Society and the Society for  
10          Ethnomusicology shall be coterminous with their  
11          terms of office.

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