

# Union Calendar No. 428

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5893

**[Report No. 110-683, Part I]**

To reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2008

Mr. BRADY of Pennsylvania introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 4, 2008

Additional sponsor: Mr. CONYERS

JUNE 4, 2008

Reported from the Committee on House Administration with an amendment  
[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 4, 2008

Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 24, 2008]

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## A BILL

To reauthorize the sound recording and film preservation programs 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 *Sound Recording and Film Preservation Programs Reau-*  
6 *thorization Act of 2008”.*

7 **SEC. 2. SOUND RECORDING PRESERVATION PROGRAMS.**

8        (a) *NATIONAL RECORDING PRESERVATION BOARD.—*

9            (1) *REAUTHORIZATION.—*

10                  (A) *IN GENERAL.—Section 133 of the Na-*  
11 *tional Recording Preservation Act of 2000 (2*  
12 *U.S.C. 1743) is amended by striking “for each of*  
13 *the first 7 fiscal years beginning on or after the*  
14 *date of the enactment of this Act” and inserting*  
15 *“for the first fiscal year beginning on or after the*  
16 *date of the enactment of this Act and each suc-*  
17 *ceeding fiscal year through fiscal year 2016”.*

18                  (B) *EFFECTIVE DATE.—The amendment*  
19 *made by subparagraph (A) shall take effect as if*  
20 *included in the enactment of the National Re-*  
21 *recording Preservation Act of 2000.*

22            (2) *CRITERIA FOR REMOVAL OF MEMBERS.—Sec-*  
23 *tion 122(d)(2) of such Act (2 U.S.C. 1722(d)(2)) is*  
24 *amended to read as follows:*

1           “(2) *REMOVAL OF MEMBERS.*—*The Librarian*  
2           *shall have the authority to remove any member of the*  
3           *Board if the member fails, after receiving proper noti-*  
4           *fication, to attend (or send a designated alternate to*  
5           *attend) a regularly scheduled Board meeting, or if the*  
6           *member is determined by the Librarian to have sub-*  
7           *stantially failed to fulfill the member’s responsibilities*  
8           *as a member of the Board.”.*

9           **(b) NATIONAL RECORDING PRESERVATION FOUNDA-**  
10          **TION.—**

11           **(1) REAUTHORIZATION.—**

12                   **(A) IN GENERAL.**—*Section 152411(a) of*  
13                   *title 36, United States Code, is amended by*  
14                   *striking “for each of the first 7 fiscal years be-*  
15                   *ginning on or after the date of the enactment of*  
16                   *this chapter” and inserting “for the first fiscal*  
17                   *year beginning on or after the date of the enact-*  
18                   *ment of this chapter and each succeeding fiscal*  
19                   *year through fiscal year 2016”.*

20                   **(B) EFFECTIVE DATE.**—*The amendment*  
21                   *made by subparagraph (A) shall take effect as if*  
22                   *included in the enactment of the National Re-*  
23                   *CORDING PRESERVATION Act of 2000.*

1           (2) *PERMITTING BOARD MEMBERS TO SERVE*  
2           *MORE THAN 2 TERMS.*—Section 152403(b)(4) of such  
3           *title is amended by striking the second sentence.*

4           (3) *PERMITTING BOARD TO DETERMINE LOCA-*  
5           *TION OF PRINCIPAL OFFICE.*—

6                   (A) *IN GENERAL.*—Section 152406 of such  
7           *title is amended by striking “District of Colum-*  
8           *bia.” and inserting “District of Columbia or an-*  
9           *other place as determined by the Board of Direc-*  
10           *tors.”.*

11                   (B) *CONFORMING AMENDMENT.*—Section  
12           *152405(b) of such title is amended by striking*  
13           *“District of Columbia,” and inserting “jurisdic-*  
14           *tion in which the principal office of the corpora-*  
15           *tion is located,”.*

16           (4) *CLARIFICATION OF LIMITATION ON USE OF*  
17           *FUNDS FOR ADMINISTRATIVE EXPENSES.*—Section  
18           *152411(b) of such title is amended to read as follows:*

19           *“(b) LIMITATION RELATED TO ADMINISTRATIVE EX-*  
20           *PENSES.*—Amounts authorized under this section may not  
21           *be used by the corporation for management and general or*  
22           *fundraising expenses as reported to the Internal Revenue*  
23           *Service as part of an annual information return required*  
24           *under the Internal Revenue Code of 1986.”.*

1 **SEC. 3. FILM PRESERVATION PROGRAMS.**

2 (a) *NATIONAL FILM PRESERVATION BOARD.*—

3 (1) *REAUTHORIZATION.*—

4 (A) *IN GENERAL.*—Section 112 of the Na-  
5 tional Film Preservation Act of 1996 (2 U.S.C.  
6 179v) is amended by inserting after “the Librar-  
7 ian” the following: “for the first fiscal year be-  
8 ginning on or after the date of the enactment of  
9 this Act and each succeeding fiscal year through  
10 fiscal year 2016”.

11 (B) *CONFORMING AMENDMENT.*—Section  
12 113 of such Act (2 U.S.C. 179w) is amended by  
13 striking the first sentence.

14 (C) *EFFECTIVE DATE.*—The amendments  
15 made by this paragraph shall take effect as if in-  
16 cluded in the enactment of the National Film  
17 Preservation Act of 1996.

18 (2) *EXPANDING AUTHORIZED USES OF SEAL.*—  
19 Section 103(b) of such Act (2 U.S.C. 179m(b)) is  
20 amended by adding at the end the following: “The Li-  
21 brarian may authorize the use of the seal by the Li-  
22 brary or by others for other limited purposes in order  
23 to promote in the National Film Registry when exhib-  
24 iting, showing, or otherwise disseminating films in  
25 the Registry.”.

1           (3) *UPDATING NAMES OF ORGANIZATIONS REPRESENTED ON BOARD.*—Section 104(a)(1) of such Act  
2  
3           (2 U.S.C. 179n(a)(1)) is amended—

4                   (A) in subparagraph (E), by striking “Cinema” and inserting “Cinema and Media”;

5  
6                   (B) in subparagraph (G), by striking “Department of Film and Television” and inserting  
7  
8                   “Department of Film, Television, and Digital  
9                   Media”;

10                   (C) in subparagraph (H), by striking “Film and Television” and inserting “Cinema Studies”;

11  
12                   and  
13                   (D) by amending subparagraph (L) to read  
14                   as follows:

15                           “(L) Screen Actors Guild.”.

16           (b) *NATIONAL FILM PRESERVATION FOUNDATION.*—

17                   (1) *REAUTHORIZATION.*—Section 151711(a) of  
18                   title 36, United States Code, is amended to read as  
19                   follows:

20                           “(a) *AUTHORIZATION OF APPROPRIATIONS.*—

21                                   “(1) *IN GENERAL.*—There are authorized to be  
22                                   appropriated to the Library of Congress amounts necessary to carry out this chapter, not to exceed—

23   “(A) \$530,000 for each of the fiscal years  
24   2005 through 2009;  
25

1           “(B) \$750,000 for each of the fiscal years  
2           2010 through 2011; and

3           “(C) \$1,000,000 for each of the fiscal years  
4           2012 through 2016.

5           “(2) *MATCHING.*—*The amounts authorized to be*  
6           *appropriated under this subsection are to be made*  
7           *available to the corporation to match any private*  
8           *contributions (whether in currency, services, or prop-*  
9           *erty) made to the corporation by private persons and*  
10          *State and local governments.”.*

11          (2) *REPATRIATION OF FILMS FROM FOREIGN AR-*  
12          *CHIVES AS PURPOSE OF FOUNDATION.*—*Section*  
13          *151702(1) of such title is amended by striking*  
14          *“United States;” and inserting “United States and*  
15          *the repatriation of American films from foreign ar-*  
16          *chives;”.*

17          (3) *EXTENSION OF DEADLINE FOR FILLING VA-*  
18          *CANCIES IN MEMBERSHIP OF BOARD OF DIREC-*  
19          *TORS.*—*Section 151703(b)(5) of such title is amended*  
20          *by striking “60 days” and inserting “120 days”.*

1 **SEC. 4. PERMITTING DISTRIBUTION OF ACQUIRED NEWS**  
2 **TRANSMISSIONS IN AMERICAN TELEVISION**  
3 **AND RADIO ARCHIVES FOR RESEARCH OR DE-**  
4 **POSIT IN PUBLIC LIBRARIES OR ARCHIVES.**

5 *Section 113(b)(3) of Public Law 94–553 (commonly*  
6 *known as the “American Television and Radio Archives*  
7 *Act”) (2 U.S.C. 170(b)(3)) is amended by striking “this*  
8 *subsection” and inserting “this subsection or a copy or pho-*  
9 *norecord of a transmission program described under this*  
10 *subsection which is acquired by the Librarian pursuant to*  
11 *subsection (a)(1)”.*



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