

104TH CONGRESS
2D SESSION

H.R. 1734

IN THE SENATE OF THE UNITED STATES

JULY 31, 1996

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To reauthorize the National Film Preservation Board, 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 **TITLE I—REAUTHORIZATION OF**
2 **THE NATIONAL FILM PRESER-**
3 **VATION BOARD**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “National Film Preser-
6 vation Act of 1996”.

7 **SEC. 102. NATIONAL FILM REGISTRY OF THE LIBRARY OF**
8 **CONGRESS.**

9 The Librarian of Congress (hereafter in this Act re-
10 ferred to as the “Librarian”) shall continue the National
11 Film Registry established and maintained under the Na-
12 tional Film Preservation Act of 1988 (Public Law 100–
13 446), and the National Film Preservation Act of 1992
14 (Public Law 102–307) pursuant to the provisions of this
15 title, for the purpose of maintaining and preserving films
16 that are culturally, historically, or aesthetically significant.

17 **SEC. 103. DUTIES OF THE LIBRARIAN OF CONGRESS.**

18 (a) POWERS.—

19 (1) IN GENERAL.—The Librarian shall, after
20 consultation with the Board established pursuant to
21 section 104—

22 (A) continue the implementation of the
23 comprehensive national film preservation pro-
24 gram for motion pictures established under the
25 National Film Preservation Act of 1992, in con-

1 junction with other film archivists, educators
2 and historians, copyright owners, film industry
3 representatives, and others involved in activities
4 related to film preservation, taking into account
5 the objectives of the national film preservation
6 study and the comprehensive national plan con-
7 ducted under the National Film Preservation
8 Act of 1992. This program shall—

9 (i) coordinate activities to assure that
10 efforts of archivists and copyright owners,
11 and others in the public and private sector,
12 are effective and complementary;

13 (ii) generate public awareness of and
14 support for these activities;

15 (iii) increase accessibility of films for
16 educational purposes; and

17 (iv) undertake studies and investiga-
18 tions of film preservation activities as
19 needed, including the efficacy of new tech-
20 nologies, and recommend solutions to im-
21 prove these practices;

22 (B) establish criteria and procedures under
23 which films may be included in the National
24 Film Registry, except that no film shall be eligi-

1 ble for inclusion in the National Film Registry
2 until 10 years after such film's first publication;

3 (C) establish procedures under which the
4 general public may make recommendations to
5 the Board regarding the inclusion of films in
6 the National Film Registry; and

7 (D) determine which films satisfy the cri-
8 teria established under subparagraph (B) and
9 qualify for inclusion in the National Film Reg-
10 istry, except that the Librarian shall not select
11 more than 25 films each year for inclusion in
12 the Registry.

13 (2) PUBLICATION OF FILMS IN REGISTRY.—The
14 Librarian shall publish in the Federal Register the
15 name of each film that is selected for inclusion in
16 the National Film Registry.

17 (3) SEAL.—The Librarian shall provide a seal
18 to indicate that a film has been included in the Na-
19 tional Film Registry and is the Registry version of
20 that film. The Librarian shall establish guidelines
21 for approval of the use of the seal in accordance
22 with subsection (b).

23 (b) USE OF SEAL.—The seal provided under sub-
24 section (a)(3) may only be used on film copies of the Reg-
25 istry version of a film. Such seal may be used only after

1 the Librarian has given approval to those persons seeking
2 to apply the seal in accordance with the guidelines under
3 subsection (a)(3). In the case of copyrighted works, only
4 the copyright owner or an authorized licensee of the copy-
5 right owner may place or authorize the placement of the
6 seal on any film copy of a Registry version of a film se-
7 lected for inclusion in the National Film Registry, and the
8 Librarian may place the seal on any film copy of the Reg-
9 istry version of any film that is maintained in the National
10 Film Registry Collection in the Library of Congress. Any-
11 one authorized to place the seal on any film copy of any
12 Registry version of a film may accompany such seal with
13 the following language: “This film was selected for inclu-
14 sion in the National Film Registry by the National Film
15 Preservation Board of the Library of Congress because of
16 its cultural, historical, or aesthetic significance.”.

17 **SEC. 104. NATIONAL FILM PRESERVATION BOARD.**

18 (a) NUMBER AND APPOINTMENT.—

19 (1) MEMBERS.—The Librarian shall establish
20 in the Library of Congress a National Film Preser-
21 vation Board to be comprised of 20 members, who
22 shall be selected by the Librarian in accordance with
23 this section. Subject to subparagraphs (C) and (N),
24 the Librarian shall request each organization listed
25 in subparagraphs (A) through (Q) to submit a list

1 of 3 candidates qualified to serve as a member of the
2 Board. Except for the members-at-large appointed
3 under subparagraph (2), the Librarian shall appoint
4 one member from each such list submitted by such
5 organizations, and shall designate from that list an
6 alternate who may attend at Board expense those
7 meetings to which the individual appointed to the
8 Board cannot attend. The organizations are the fol-
9 lowing:

10 (A) The Academy of Motion Picture Arts
11 and Sciences.

12 (B) The Directors Guild of America.

13 (C) The Writers Guild of America. The
14 Writers Guild of America East and the Writers
15 Guild of America West shall each nominate
16 three candidates, and a representative from one
17 organization shall be selected as the member
18 and a representative from the other organiza-
19 tion as the alternate.

20 (D) The National Society of Film Critics.

21 (E) The Society for Cinema Studies.

22 (F) The American Film Institute.

23 (G) The Department of Film and Tele-
24 vision of the School of Theater, Film and Tele-

1 vision at the University of California, Los An-
2 geles.

3 (H) The Department of Film and Tele-
4 vision of the Tisch School of the Arts at New
5 York University.

6 (I) The University Film and Video Asso-
7 ciation.

8 (J) The Motion Picture Association of
9 America.

10 (K) The Alliance of Motion Picture and
11 Television Producers.

12 (L) The Screen Actors Guild of America.

13 (M) The National Association of Theater
14 Owners.

15 (N) The American Society of Cinematog-
16 raphers and the International Photographers
17 Guild, which shall jointly submit one list of 3
18 candidates from which a member and alternate
19 will be selected.

20 (O) The United States Members of the
21 International Federation of Film Archives.

22 (P) The Association of Moving Image Ar-
23 chivists.

24 (Q) The Society of Composers and
25 Lyricists.

1 (2) MEMBERS-AT-LARGE.—In addition to the
2 Members appointed under paragraph (1), the Li-
3 brarian shall appoint up to 3 members-at-large. The
4 Librarian shall also select an alternate for each
5 member at-large, who may attend at Board expense
6 those meetings which the member at-large cannot
7 attend.

8 (b) CHAIR.—The Librarian shall appoint one member
9 of the Board to serve as Chair.

10 (c) TERM OF OFFICE.—

11 (1) TERMS.—The term of each member of the
12 Board shall be 4 years, except that there shall be no
13 limit to the number of terms that any individual
14 member may serve.

15 (2) REMOVAL OF MEMBER OR ORGANIZA-
16 TION.—The Librarian shall have the authority to re-
17 move any member of the Board, or the organization
18 listed in subsection (a) such member represents, if
19 the member, or organization, over any consecutive 2-
20 year period, fails to attend at least one regularly
21 scheduled Board meeting.

22 (3) VACANCIES.—A vacancy in the Board shall
23 be filled in the manner in which the original appoint-
24 ment was made under subsection (a), except that the
25 Librarian may fill the vacancy from a list of can-

1 didates previously submitted by the organization or
2 organizations involved. Any member appointed to fill
3 a vacancy before the expiration of the term for
4 which his or her predecessor was appointed shall be
5 appointed for the remainder of such term.

6 (d) QUORUM.—11 members of the Board shall con-
7 stitute a quorum but a lesser number may hold hearings.

8 (e) REIMBURSEMENT OF EXPENSES.—Members of
9 the Board shall serve without pay, but may be reimbursed
10 for the actual and necessary traveling and subsistence ex-
11 penses incurred by them in the performance of the duties
12 of the Board.

13 (f) MEETINGS.—The Board shall meet at least once
14 each fiscal year. Meetings shall be at the call of the Li-
15 brarian.

16 (g) CONFLICT OF INTEREST.—The Librarian shall
17 establish rules and procedures to address any potential
18 conflict of interest between a member of the Board and
19 responsibilities of the Board.

20 **SEC. 105. RESPONSIBILITIES AND POWERS OF BOARD.**

21 (a) IN GENERAL.—The Board shall review nomina-
22 tions of films submitted to it for inclusion in the National
23 Film Registry and consult with the Librarian, as provided
24 in section 103, with respect to the inclusion of such films
25 in the Registry and the preservation of these and other

1 films that are culturally, historically, or aesthetically sig-
2 nificant.

3 (b) NOMINATION OF FILMS.—The Board shall con-
4 sider, for inclusion in the National Film Registry, nomina-
5 tions submitted by the general public as well as represent-
6 atives of the film industry, such as the guilds and societies
7 representing actors, directors, screenwriters, cinematog-
8 raphers, and other creative artists, producers, and film
9 critics, archives and other film preservation organizations,
10 and representatives of academic institutions with film
11 study programs. The Board shall nominate not more than
12 25 films each year for inclusion in the Registry.

13 (c) POWERS.—

14 (1) IN GENERAL.—The Board may, for the pur-
15 pose of carrying out its duties, hold such hearings,
16 sit and act at such times and places, take such testi-
17 mony, and receive such evidence, as the Librarian
18 and the Board consider appropriate.

19 (2) SERVICE ON FOUNDATION.—Two sitting
20 members of the Board shall be appointed by the Li-
21 brarian, and shall serve, as Board members of the
22 National Film Preservation Foundation, in accord-
23 ance with section 203.

1 **SEC. 106. NATIONAL FILM REGISTRY COLLECTION OF THE**
2 **LIBRARY OF CONGRESS.**

3 (a) **ACQUISITION OF ARCHIVAL QUALITY COPIES.—**

4 The Librarian shall endeavor to obtain, by gift from the
5 owner, an archival quality copy of the Registry version of
6 each film included in the National Film Registry. When-
7 ever possible, the Librarian shall endeavor to obtain the
8 best surviving materials, including preprint materials.
9 Copyright owners and others possessing copies of such
10 materials are strongly encouraged, to further the preserva-
11 tion purposes of this Act, to provide preprint and other
12 archival elements to the Library of Congress.

13 (b) **ADDITIONAL MATERIALS.—**The Librarian shall
14 endeavor to obtain, for educational and research purposes,
15 additional materials related to each film included in the
16 National Film Registry, such as background materials,
17 production reports, shooting scripts (including continuity
18 scripts) and other similar materials.

19 (c) **PROPERTY OF UNITED STATES.—**All copies of
20 films on the National Film Registry that are received as
21 gifts or bequests by the Librarian and other materials re-
22 ceived by the Librarian under subsection (b), shall become
23 the property of the United States Government, subject to
24 the provisions of title 17, United States Code.

25 (d) **NATIONAL FILM REGISTRY COLLECTION.—**All
26 copies of films on the National Film Registry that are re-

1 ceived by the Librarian under subsection (a), and other
2 materials received by the Librarian under subsection (b),
3 shall be maintained in the Library of Congress and be
4 known as the “National Film Registry Collection of the
5 Library of Congress”. The Librarian shall, by regulation,
6 and in accordance with title 17, United States Code, pro-
7 vide for reasonable access to the films and other materials
8 in such collection for scholarly and research purposes.

9 **SEC. 107. SEAL OF THE NATIONAL FILM REGISTRY.**

10 (a) USE OF THE SEAL.—

11 (1) PROHIBITION ON DISTRIBUTION AND EXHI-
12 BITION.—No person shall knowingly distribute or ex-
13 hibit to the public a version of a film or any copy
14 of a film which bears the seal described in section
15 103(a)(3) if such film—

16 (A) is not included in the National Film
17 Registry; or

18 (B) is included in the National Film Reg-
19 istry, but such film or film copy has not been
20 approved for use of the seal by the Librarian
21 pursuant to section 103(a)(1)(D).

22 (2) PROHIBITION ON PROMOTION.—No person
23 shall knowingly use the seal described in section
24 103(a)(3) to promote any version of a film or film
25 copy other than a Registry version.

1 (b) EFFECTIVE DATE OF THE SEAL.—The use of the
2 seal described in section 103(a)(3) shall be effective for
3 each film after the Librarian publishes in the Federal Reg-
4 ister, in accordance with section 103(a)(2), the name of
5 that film as selected for inclusion in the National Film
6 Registry.

7 **SEC. 108. REMEDIES.**

8 (a) JURISDICTION.—The several district courts of the
9 United States shall have jurisdiction, for cause shown, to
10 prevent and restrain violations of section 107(a).

11 (b) RELIEF.—

12 (1) REMOVAL OF SEAL.—Except as provided in
13 paragraph (2), relief for violation of section 107(a)
14 shall be limited to the removal of the seal of the Na-
15 tional Film Registry from the film involved in the
16 violation.

17 (2) FINE AND INJUNCTIVE RELIEF.—In the
18 case of a pattern or practice of the willful violation
19 of section 107(a), the United States district courts
20 may order a civil fine of not more than \$10,000 and
21 appropriate injunctive relief.

22 **SEC. 109. LIMITATIONS OF REMEDIES.**

23 The remedies provided in section 108 shall be the ex-
24 clusive remedies under this title, or any other Federal or

1 State law, regarding the use of the seal described in sec-
2 tion 103(a)(3).

3 **SEC. 110. STAFF OF BOARD; EXPERTS AND CONSULTANTS.**

4 (a) STAFF.—The Librarian may appoint and fix the
5 pay of such personnel as the Librarian considers appro-
6 priate to carry out this title.

7 (b) EXPERTS AND CONSULTANTS.—The Librarian
8 may, in carrying out this title, procure temporary and
9 intermittent services under section 3109(b) of title 5,
10 United States Code, but at rates for individuals not to
11 exceed the daily equivalent of the maximum rate of basic
12 pay payable for GS–15 of the General Schedule. In no case
13 may a member of the Board or an alternate be paid as
14 an expert or consultant under this section.

15 **SEC. 111. DEFINITIONS.**

16 As used in this title—

17 (1) the term “Librarian” means the Librarian
18 of Congress;

19 (2) the term “Board” means the National Film
20 Preservation Board;

21 (3) the term “film” means a “motion picture”
22 as defined in section 101 of title 17, United States
23 Code, except that such term does not include any
24 work not originally fixed on film stock, such as a
25 work fixed on videotape or laser disk;

1 (4) the term “publication” means “publication”
2 as defined in section 101 of title 17 United States
3 Code; and

4 (5) the term “Registry version” means, with re-
5 spect to a film, the version of a film first published,
6 or as complete a version as bona fide preservation
7 and restoration activities by the Librarian, an archi-
8 vist other than the Librarian, or the copyright owner
9 can compile in those cases where the original mate-
10 rial has been irretrievably lost.

11 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to the Li-
13 brarian such sums as may be necessary to carry out the
14 purposes of this title, but in no fiscal year shall such sum
15 exceed \$250,000.

16 **SEC. 113. EFFECTIVE DATE.**

17 The provisions of this title shall be effective for 7
18 years beginning on the date of the enactment of this Act.
19 The provisions of this title shall apply to any copy of any
20 film, including those copies of films selected for inclusion
21 in the National Film Registry under the National Film
22 Preservation Act of 1988 and the National Film Preserva-
23 tion Act of 1992, except that any film so selected under
24 either Act shall be deemed to have been selected for the
25 National Film Registry under this title.

1 **SEC. 114. REPEAL.**

2 The National Film Preservation Act of 1992 (2
3 U.S.C. 179 and following) is repealed.

4 **TITLE II—THE NATIONAL FILM**
5 **PRESERVATION FOUNDATION**
6 **ACT**

7 **SEC. 201. SHORT TITLE.**

8 This title may be cited as the “National Film Preser-
9 vation Foundation Act”.

10 **SEC. 202. ESTABLISHMENT AND PURPOSE OF FOUNDATION.**

11 (a) **ESTABLISHMENT.**—There is established the Na-
12 tional Film Preservation Foundation (hereafter in this
13 title referred to as the “Foundation”). The Foundation
14 is a charitable and nonprofit corporation and is not an
15 agency or establishment of the United States.

16 (b) **PURPOSES.**—The purposes of the Foundation
17 are—

18 (1) to encourage, accept, and administer private
19 gifts to promote and ensure the preservation and
20 public accessibility of the nation’s film heritage held
21 at the Library of Congress and other public and
22 nonprofit archives throughout the United States;

23 (2) to further the goals of the Library of Con-
24 gress and the National Film Preservation Board in
25 connection with their activities under the National
26 Film Preservation Act of 1996; and

1 (3) to undertake and conduct other activities,
2 alone or in cooperation with other film related insti-
3 tutions and organizations, as will further the preser-
4 vation and public accessibility of films made in the
5 United States, particularly those not protected by
6 private interests, for the benefit of present and fu-
7 ture generations of Americans.

8 **SEC. 203. BOARD OF DIRECTORS OF THE FOUNDATION.**

9 (a) ESTABLISHMENT AND MEMBERSHIP.—The
10 Foundation shall have a governing Board of Directors
11 (hereafter in this title referred to as the “Board”), which
12 shall consist of 9 Directors, each of whom shall be a Unit-
13 ed States citizen and at least 6 of whom must be knowl-
14 edgeable or experienced in film production, distribution,
15 preservation, or restoration, including 2 who shall be sit-
16 ting members of the National Film Preservation Board.
17 These 6 members of the Board shall, to the extent prac-
18 ticable, represent diverse points of views from the film
19 community, including motion picture producers, creative
20 artists, nonprofit and public archivists, historians, film
21 critics, theater owners, and laboratory and university per-
22 sonnel. The Librarian of Congress (hereafter in this title
23 referred to as the “Librarian”) shall be an ex officio non-
24 voting member of the Board. Appointment to the Board
25 shall not constitute employment by, or the holding of an

1 office of, the United States for the purpose of any Federal
2 law.

3 (b) APPOINTMENT AND TERMS.—Within 90 days
4 after the date of the enactment of this Act, the Librarian
5 shall appoint the Directors of the Board. Each Director
6 shall be appointed for a term of 4 years. A vacancy on
7 the Board shall be filled, within 60 days after the vacancy
8 occurs, in the manner in which the original appointment
9 was made. No individual may serve more than 2 consecu-
10 tive terms as a Director.

11 (c) CHAIR.—The initial Chair shall be appointed by
12 the Librarian from the membership of the Board for a
13 2-year term, and thereafter shall be appointed and re-
14 moved in accordance with the Foundation's bylaws.

15 (d) QUORUM.—A majority of the current membership
16 of the Board shall constitute a quorum for the transaction
17 of business.

18 (e) MEETINGS.—The Board shall meet at the call of
19 the Librarian or the Chair at least once a year. If a Direc-
20 tor misses 3 consecutive regularly scheduled meetings,
21 that individual may be removed from the Board by the
22 Librarian, and that vacancy shall be filled in accordance
23 with subsection (b).

24 (f) REIMBURSEMENT OF EXPENSES.—Members of
25 the Board shall serve without pay, but may be reimbursed

1 for the actual and necessary traveling and subsistence ex-
2 penses incurred by them in the performance of the duties
3 of the Foundation.

4 (g) GENERAL POWERS.—

5 (1) ORGANIZATION OF FOUNDATION.—The
6 Board may complete the organization of the Foun-
7 dation by—

8 (A) appointing, removing, and replacing of-
9 ficers, except as provided for in paragraph
10 (2)(B);

11 (B) adopting a constitution and bylaws
12 consistent with the purposes of the Foundation
13 and the provisions of this title; and

14 (C) undertaking such other acts as may be
15 necessary to carry out the provisions of this
16 title.

17 (2) LIMITATION ON APPOINTMENT OF EMPLOY-
18 EES.—The following limitations apply with respect
19 to the appointment of employees of the Foundation:

20 (A) Except as provided in subparagraph
21 (B), employees of the Foundation shall be ap-
22 pointed, removed, and replaced by the Secretary
23 of the Board. All employees (including the Sec-
24 retary of the Board) shall be appointed and re-
25 moved without regard to the provisions of title

5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS-15 of the General Schedule. Neither the Board, nor any of the employees of the Foundation, including the Secretary of the Board, shall be construed to be employees of the Library of Congress.

(B) The first employee appointed shall be the Secretary of the Board. The Secretary shall be appointed, and may be removed by, the Librarian.

(C) The Secretary of the Board shall—

- (i) serve as its executive director, and
- (ii) be knowledgeable and experienced in matters relating to film preservation and restoration activities, financial management, and fund-raising.

SEC. 204. RIGHTS AND OBLIGATIONS OF THE FOUNDATION

(a) GENERAL.—The Foundation—

1 (1) shall have perpetual succession;

2 (2) may conduct business in the several States,
3 the District of Columbia, and any commonwealth,
4 territory, or possession of the United States;

5 (3) shall have its principal offices in the Dis-
6 trict of Columbia; and

7 (4) shall at all times maintain a designated
8 agent authorized to accept service of process for the
9 Foundation.

10 The serving of notice to, or service of process upon, the
11 agent required under paragraph (4), or mailed to the busi-
12 ness address of such agent, shall be deemed as service
13 upon or notice to the Foundation.

14 (b) SEAL.—The Foundation shall have an official seal
15 selected by the Board which shall be judicially noticed.

16 (c) POWERS.—To carry out its purposes under sec-
17 tion 202, the Foundation shall have, in addition to the
18 powers otherwise given it under this title, the usual powers
19 of a corporation acting as a trustee in the District of Co-
20 lumbia, including the power—

21 (1) to accept, receive, solicit, hold, administer,
22 and use any gift, devise, or bequest, either absolutely
23 or in trust, of real or personal property or any in-
24 come therefrom or other interest therein;

1 (2) to acquire by purchase or exchange any real
2 or personal property or interest therein;

3 (3) unless otherwise required by the instrument
4 of transfer, to sell, donate, lease, invest, reinvest, re-
5 tain, or otherwise dispose of any property or income
6 therefrom;

7 (4) to borrow money and issue bonds, debentures,
8 or other debt instruments;

9 (5) to sue and be sued, and complain and defend
10 itself in any court of competent jurisdiction, except
11 that the Directors of the Board shall not be
12 personally liable, except for gross negligence;

13 (6) to enter into contracts or other arrangements
14 with public agencies and private organizations
15 and persons and to make such payments as may be
16 necessary to carry out its functions; and

17 (7) to do any and all acts necessary and proper
18 to carry out the purposes of the Foundation.

19 A gift, devise, or bequest may be accepted by the Founda-
20 tion even though it is encumbered, restricted, or subject
21 to beneficial interests of private persons, if any current
22 or future interest therein is for the benefit of the Founda-
23 tion.

1 **SEC. 205. ADMINISTRATIVE SERVICES AND SUPPORT.**

2 The Librarian may provide personnel, facilities, and
3 other administrative services to the Foundation, including
4 reimbursement of expenses under section 203, not to ex-
5 ceed the current per diem rates for the Federal Govern-
6 ment, and the Foundation shall reimburse the Librarian
7 therefor. Amounts so reimbursed shall be deposited in the
8 Treasury to the credit of the appropriations then current
9 and chargeable for the cost of providing such services.

10 **SEC. 206. VOLUNTEER STATUS.**

11 The Librarian may accept, without regard to the civil
12 service classification laws, rules, or regulations, the serv-
13 ices of the Foundation, the Board, and other officers and
14 employees of the Board, without compensation from the
15 Library of Congress, as volunteers in the performance of
16 the functions authorized in this title.

17 **SEC. 207. AUDITS, REPORT REQUIREMENTS, AND PETITION**
18 **OF ATTORNEY GENERAL, FOR EQUITABLE**
19 **RELIEF.**

20 (a) AUDITS.—The Foundation shall be treated as a
21 private corporation established under Federal law for pur-
22 poses of the Act entitled “An Act to provide for audit of
23 accounts of private corporations established under Federal
24 law.”, approved August 30, 1964 (36 U.S.C. 1101–1103).

25 (b) REPORT.—The Foundation shall, as soon as prac-
26 ticable after the end of each fiscal year, transmit to the

1 Congress a report of its proceedings and activities during
2 such year, including a full and complete statement of its
3 receipts, expenditures, and investments.

4 (c) RELIEF WITH RESPECT TO CERTAIN FOUNDA-
5 TION ACTS OR FAILURE TO ACT.—If the Foundation—

6 (1) engages in, or threatens to engage in, any
7 act, practice, or policy that is inconsistent with its
8 purposes set forth in section 202(b), or

9 (2) refuses, fails, or neglects to discharge its
10 obligations under this title, or threatens to do so,
11 the Attorney General of the United States may file a peti-
12 tion in the United States District Court for the District
13 of Columbia for such equitable relief as may be necessary
14 or appropriate.

15 **SEC. 208. UNITED STATES RELEASE FROM LIABILITY.**

16 The United States shall not be liable for any debts,
17 defaults, acts, or omissions of the Foundation, nor shall
18 the full faith and credit of the United States extend to
19 any obligation of the Foundation.

20 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Library of Congress such sums as may
23 be necessary to carry out the purposes of this title, not
24 to exceed \$250,000 for each of the fiscal years 2000
25 through 2003, to be made available to the Foundation to

1 match private contributions (whether in currency, services,
2 or property) made to the Foundation by private persons
3 and State and local governments.

4 (b) ADMINISTRATIVE EXPENSES.—No Federal funds
5 authorized under this section may be used by the Founda-
6 tion for administrative expenses of the Foundation, includ-
7 ing for salaries, travel, and transportation expenses, and
8 other overhead expenses.

Passed the House of Representatives July 29, 1996.

Attest:

ROBIN H. CARLE,
Clerk.