

# Union Calendar No. 428

110TH CONGRESS  
2D 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                        *cording 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.”.

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

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

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

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

(D) by amending subparagraph (L) to read as follows:

“(L) Screen Actors Guild.”.

(b) *NATIONAL FILM PRESERVATION FOUNDATION.*—

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

“(a) *AUTHORIZATION OF APPROPRIATIONS.*—

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

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

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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