

in section 1 of Pub. L. 105-144, see section 5 of Pub. L. 105-144, set out as an Acquisition of Real Property for Library of Congress note under section 141 of this title.

EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-520 and Pub. L. 101-562 effective on date [Nov. 6, 1991] Architect of the Capitol acquires the property and improvements described in Pub. L. 101-520, §205(a), and Pub. L. 101-562, §1, see section 205(e) of Pub. L. 101-520 and former section 2(d) of Pub. L. 101-562, set out as a Special Facilities Center; Acquisition note under section 141 of this title.

**§ 168. Constitution of the United States; preparation and publication of revised edition; annotations; supplements; decennial editions and supplements**

The Librarian of Congress shall have prepared—

(1) a hardbound revised edition of the Constitution of the United States of America—Analysis and Interpretation, published as Senate Document Numbered 39, Eighty-eighth Congress (referred to hereinafter as the “Constitution Annotated”), which shall contain annotations of decisions of the Supreme Court of the United States through the end of the October 1971 term of the Supreme Court, construing provisions of the Constitution;

(2) upon the completion of each of the October 1973, October 1975, October 1977, and October 1979 terms of the Supreme Court, a cumulative pocket-part supplement to the hardbound revised edition of the Constitution Annotated prepared pursuant to clause (1), which shall contain cumulative annotations of all such decisions rendered by the Supreme Court after the end of the October 1971 term;

(3) upon the completion of the October 1981 term of the Supreme Court, and upon the completion of each tenth October term of the Supreme Court thereafter, a hardbound decennial revised edition of the Constitution Annotated, which shall contain annotations of all decisions theretofore rendered by the Supreme Court construing provisions of the Constitution; and

(4) upon the completion of the October 1983 term of the Supreme Court, and upon the completion of each subsequent October term of the Supreme Court beginning in an odd-numbered year (the final digit of which is not a 1), a cumulative pocket-part supplement to the most recent hardbound decennial revised edition of the Constitution Annotated, which shall contain cumulative annotations of all such decisions rendered by the Supreme Court which were not included in that hardbound decennial revised edition of the Constitution Annotated.

(Pub. L. 91-589, §1, Dec. 24, 1970, 84 Stat. 1586.)

**§ 168a. Printing of Constitution Annotated as Senate documents**

All hardbound revised editions and all cumulative pocket-part supplements shall be printed as Senate documents.

(Pub. L. 91-589, §2, Dec. 24, 1970, 84 Stat. 1586.)

**§ 168b. Printing and distribution of additional copies of Constitution Annotated**

There shall be printed four thousand eight hundred and seventy additional copies of the

hardbound revised editions prepared pursuant to clause (1) of section 168 of this title and of all cumulative pocket-part supplements thereto, of which two thousand six hundred and thirty-four copies shall be for the use of the House of Representatives, one thousand two hundred and thirty-six copies shall be for the use of the Senate, and one thousand copies shall be for the use of the Joint Committee on Printing. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, newly elected subsequent to the issuance of the hardbound revised edition prepared pursuant to such clause and prior to the first hardbound decennial revised edition, who did not receive a copy of the edition prepared pursuant to such clause, shall, upon timely request, receive one copy of such edition and the then current cumulative pocket-part supplement and any further supplements thereto. All Members of the Congress, Vice Presidents of the United States, and Delegates and Resident Commissioners, no longer serving after the issuance of the hardbound revised edition prepared pursuant to such clause and who received such edition, may receive one copy of each cumulative pocket-part supplement thereto upon timely request.

(Pub. L. 91-589, §3, Dec. 24, 1970, 84 Stat. 1586.)

**§ 168c. Printing and distribution of decennial editions and supplements to Constitution Annotated**

Additional copies of each hardbound decennial revised edition and of the cumulative pocket-part supplements thereto shall be printed and distributed in accordance with the provisions of any concurrent resolution hereafter adopted with respect thereto.

(Pub. L. 91-589, §4, Dec. 24, 1970, 84 Stat. 1587.)

**§ 168d. Authorization of appropriations for Constitution Annotated**

There are authorized to be appropriated such sums, to remain available until expended, as may be necessary to carry out the provisions of sections 168 to 168d of this title.

(Pub. L. 91-589, §5, Dec. 24, 1970, 84 Stat. 1587.)

**§ 169. Positions in Library of Congress exempt from citizenship requirement**

From and after October 1, 1983, not to exceed fifteen positions in the Library of Congress may be exempt from the provisions of appropriation Acts concerning the employment of aliens during the current fiscal year, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointments a person in any of the categories specified in such provisions who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

(Pub. L. 98-51, title II, §202, July 14, 1983, 97 Stat. 276.)

**Editorial Notes****PRIOR PROVISIONS**

Provisions similar to those in this section were contained in the following prior appropriation acts:

- Oct. 2, 1982, Pub. L. 97-276, §101(e) [S. 2939, title II, §202], 96 Stat. 1189.  
 Oct. 1, 1981, Pub. L. 97-51, §101(c) [H.R. 4120, title II, §202], 95 Stat. 959.  
 Dec. 16, 1980, Pub. L. 96-536, §101(c) [H.R. 7593, title II, §202], 94 Stat. 3167.  
 Oct. 12, 1979, Pub. L. 96-86, §101(c) [H.R. 4390, title II, §202], 93 Stat. 657.  
 Sept. 30, 1978, Pub. L. 95-391, title II, §202, 92 Stat. 785.  
 Aug. 5, 1977, Pub. L. 95-94, title II, §202, 91 Stat. 677.  
 Oct. 1, 1976, Pub. L. 94-440, title VIII, §802, 90 Stat. 1457.  
 July 25, 1975, Pub. L. 94-59, title VII, §702, 89 Stat. 294.  
 Aug. 13, 1974, Pub. L. 93-371, 88 Stat. 441.  
 Nov. 1, 1973, Pub. L. 93-145, 87 Stat. 547.  
 July 10, 1972, Pub. L. 92-342, 86 Stat. 446.  
 July 9, 1971, Pub. L. 92-51, 85 Stat. 141.  
 Aug. 18, 1970, Pub. L. 91-382, 84 Stat. 823.  
 Dec. 12, 1969, Pub. L. 91-145, 83 Stat. 357.  
 July 23, 1968, Pub. L. 90-417, 82 Stat. 411.  
 July 28, 1967, Pub. L. 90-57, 81 Stat. 140.  
 Aug. 27, 1966, Pub. L. 89-545, 80 Stat. 368.  
 July 27, 1965, Pub. L. 89-90, 79 Stat. 280.  
 Aug. 20, 1964, Pub. L. 88-454, 78 Stat. 548.  
 Dec. 30, 1963, Pub. L. 88-248, 77 Stat. 816.  
 Oct. 2, 1962, Pub. L. 87-730, 76 Stat. 692.  
 Aug. 10, 1961, Pub. L. 87-130, 75 Stat. 333.  
 July 12, 1960, Pub. L. 86-628, 74 Stat. 459.  
 Aug. 21, 1959, Pub. L. 86-176, 73 Stat. 411.  
 July 31, 1958, Pub. L. 85-570, 72 Stat. 452.  
 July 1, 1957, Pub. L. 85-75, 71 Stat. 255.  
 June 27, 1956, ch. 453, 70 Stat. 368.  
 Aug. 5, 1955, ch. 568, 69 Stat. 518.  
 July 2, 1954, ch. 455, 68 Stat. 408.  
 Aug. 1, 1953, ch. 304, 67 Stat. 330.  
 July 9, 1952, ch. 598, 66 Stat. 476.  
 Oct. 11, 1951, ch. 485, 65 Stat. 400.  
 Sept. 6, 1950, ch. 896, Ch. II, 64 Stat. 606.  
 June 22, 1949, ch. 235, 63 Stat. 228.  
 June 14, 1948, ch. 467, 62 Stat. 434.  
 July 17, 1947, ch. 262, 61 Stat. 374.  
 July 1, 1946, ch. 530, 60 Stat. 405.  
 June 13, 1945, ch. 189, 59 Stat. 256.  
 June 26, 1944, ch. 277, 58 Stat. 351.  
 June 28, 1943, ch. 173, 57 Stat. 236.

**§ 170. American Television and Radio Archives****(a) Establishment and maintenance in Library of Congress; purpose; determination of composition, cataloging, indexing and availability by Librarian**

The Librarian of Congress (hereinafter referred to as the “Librarian”) shall establish and maintain in the Library of Congress a library to be known as the American Television and Radio Archives (hereinafter referred to as the “Archives”). The purpose of the Archives shall be to preserve a permanent record of the television and radio programs which are the heritage of the people of the United States and to provide access to such programs to historians and scholars without encouraging or causing copyright infringement.

(1) The Librarian, after consultation with interested organizations and individuals, shall determine and place in the Archives such copies and phonorecords of television and radio programs transmitted to the public in the United States and in other countries which are of present or potential public or cultural interest, historical significance, cognitive value,

or otherwise worthy of preservation, including copies and phonorecords of published and unpublished transmission programs—

- (A) acquired in accordance with sections 407 and 408 of title 17; and  
 (B) transferred from the existing collections of the Library of Congress; and  
 (C) given to or exchanged with the Archives by other libraries, archives, organizations, and individuals; and  
 (D) purchased from the owner thereof.

(2) The Librarian shall maintain and publish appropriate catalogs and indexes of the collections of the Archives, and shall make such collections available for study and research under the conditions prescribed under this section.

**(b) Reproduction, compilation, and distribution for research of regularly scheduled newscasts or on-the-spot coverage of news events by Librarian; promulgation of regulations**

Notwithstanding the provisions of section 106 of title 17, the Librarian is authorized with respect to a transmission program which consists of a regularly scheduled newscast or on-the-spot coverage of news events and, under standards and conditions that the Librarian shall prescribe by regulation—

(1) to reproduce a fixation of such a program, in the same or another tangible form, for the purposes of preservation or security or for distribution under the conditions of clause (3) of this subsection; and

(2) to compile, without abridgment or any other editing, portions of such fixations according to subject matter, and to reproduce such compilations for the purpose of clause (1) of this subsection; and

(3) to distribute a reproduction made under clause (1) or (2) of this subsection—

(A) by loan to a person engaged in research; and

(B) for deposit in a library or archives which meets the requirements of section 108(a) of title 17,

in either case for use only in research and not for further reproduction or performance.

**(c) Liability for copyright infringement by Librarian or any employee of Librarian**

The Librarian or any employee of the Library who is acting under the authority of this section shall not be liable in any action for copyright infringement committed by any other person unless the Librarian or such employee knowingly participated in the act of infringement committed by such person. Nothing in this section shall be construed to excuse or limit liability under title 17 for any act not authorized by that title or this section, or for any act performed by a person not authorized to act under that title or this section.

**(d) Short title**

This section may be cited as the “American Television and Radio Archives Act”.

(Pub. L. 94-553, title I, §113, Oct. 19, 1976, 90 Stat. 2601.)