

In the Senate of the United States,

July 30, 1996.

Resolved, That the bill from the House of Representatives (H.R. 3754) entitled “An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes”, do pass with the following

AMENDMENTS:

1 **(1)**Page 2, after line 5, insert:

2 *SENATE*

3 *EXPENSE ALLOWANCES*

4 *For expense allowances of the Vice President, \$10,000;*
5 *the President Pro Tempore of the Senate, \$10,000; Majority*
6 *Leader of the Senate, \$10,000; Minority Leader of the Sen-*
7 *ate, \$10,000; Majority Whip of the Senate, \$5,000; Minority*
8 *Whip of the Senate, \$5,000; and Chairmen of the Majority*
9 *and Minority Conference Committees, \$3,000 for each*
10 *Chairman; in all, \$56,000.*

1 *REPRESENTATION ALLOWANCES FOR THE MAJORITY AND*
2 *MINORITY LEADERS*

3 *For representation allowances of the Majority and Mi-*
4 *nority Leaders of the Senate, \$15,000 for each such Leader;*
5 *in all, \$30,000.*

6 *SALARIES, OFFICERS AND EMPLOYEES*

7 *For compensation of officers, employees, and others as*
8 *authorized by law, including agency contributions,*
9 *\$74,615,000, which shall be paid from this appropriation*
10 *without regard to the below limitations, as follows:*

11 *OFFICE OF THE VICE PRESIDENT*

12 *For the Office of the Vice President, \$1,513,000.*

13 *OFFICE OF THE PRESIDENT PRO TEMPORE*

14 *For the Office of the President Pro Tempore, \$325,000.*

15 *OFFICES OF THE MAJORITY AND MINORITY LEADERS*

16 *For Offices of the Majority and Minority Leaders,*
17 *\$2,195,000.*

18 *OFFICES OF THE MAJORITY AND MINORITY WHIPS*

19 *For Offices of the Majority and Minority Whips,*
20 *\$1,156,000.*

21 *CONFERENCE COMMITTEES*

22 *For the Conference of the Majority and the Conference*
23 *of the Minority, at rates of compensation to be fixed by the*
24 *Chairman of each such committee, \$996,000 for each such*
25 *committee; in all, \$1,992,000.*

1 *OFFICES OF THE SECRETARIES OF THE CONFERENCE OF*
2 *THE MAJORITY AND THE CONFERENCE OF THE MINORITY*

3 *For Offices of the Secretaries of the Conference of the*
4 *Majority and the Conference of the Minority, \$384,000.*

5 *POLICY COMMITTEES*

6 *For salaries of the Majority Policy Committee and the*
7 *Minority Policy Committee, \$965,000 for each such com-*
8 *mittee, in all, \$1,930,000.*

9 *OFFICE OF THE CHAPLAIN*

10 *For Office of the Chaplain, \$234,000.*

11 *OFFICE OF THE SECRETARY*

12 *For Office of the Secretary, \$12,714,000.*

13 *OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER*

14 *For Office of the Sergeant at Arms and Doorkeeper,*
15 *\$34,037,000.*

16 *OFFICES OF THE SECRETARIES FOR THE MAJORITY AND*
17 *MINORITY*

18 *For Offices of the Secretary for the Majority and the*
19 *Secretary for the Minority, \$1,135,000.*

20 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

21 *For agency contributions for employee benefits, as au-*
22 *thorized by law, and related expenses, \$17,000,000.*

23 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

24 *For salaries and expenses of the Office of the Legisla-*
25 *tive Counsel of the Senate, \$3,447,000.*

1 *OFFICE OF SENATE LEGAL COUNSEL*

2 *For salaries and expenses of the Office of Senate Legal*
3 *Counsel, \$936,000.*

4 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*
5 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*
6 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*
7 *MINORITY OF THE SENATE*

8 *For expense allowances of the Secretary of the Senate,*
9 *\$3,000; Sergeant at Arms and Doorkeeper of the Senate,*
10 *\$3,000; Secretary for the Majority of the Senate, \$3,000;*
11 *Secretary for the Minority of the Senate, \$3,000; in all,*
12 *\$12,000.*

13 *CONTINGENT EXPENSES OF THE SENATE*

14 *INQUIRIES AND INVESTIGATIONS*

15 *For expenses of inquiries and investigations ordered*
16 *by the Senate, or conducted pursuant to section 134(a) of*
17 *Public Law 601, Seventy-ninth Congress, as amended, sec-*
18 *tion 112 of Public Law 96-304 and Senate Resolution 281,*
19 *agreed to March 11, 1980, \$69,561,000.*

20 *EXPENSES OF THE UNITED STATES SENATE CAUCUS ON*

21 *INTERNATIONAL NARCOTICS CONTROL*

22 *For expenses of the United States Senate Caucus on*
23 *International Narcotics Control, \$305,000.*

24 *SECRETARY OF THE SENATE*

25 *For expenses of the Office of the Secretary of the Sen-*
26 *ate, \$1,511,000.*

1 *SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE*

2 *For expenses of the Office of the Sergeant at Arms and*
3 *Doorkeeper of the Senate, \$65,931,000.*

4 *MISCELLANEOUS ITEMS*

5 *For miscellaneous items, \$6,791,000.*

6 *SENATOR'S OFFICIAL PERSONNEL AND OFFICE EXPENSE*

7 *ACCOUNT*

8 *For Senators' Official Personnel and Office Expense*
9 *Account, \$208,000,000.*

10 *STATIONERY (REVOLVING FUND)*

11 *For stationery for the President of the Senate, \$4,500,*
12 *for officers of the Senate and the Conference of the Majority*
13 *and Conference of the Minority of the Senate, \$8,500; in*
14 *all, \$13,000.*

15 *OFFICIAL MAIL COSTS*

16 *For expenses necessary for official mail costs of the*
17 *Senate, \$10,000,000, to remain available until September*
18 *30, 1998.*

19 *ADMINISTRATIVE PROVISIONS*

20 *SECTION 1. Section 195(a) of chapter IX of title I of*
21 *the Supplemental Appropriations Act, 1985 (Public Law*
22 *99-88; 2 U.S.C. 61g-7(a)) is amended by striking the pe-*
23 *riod at the end and inserting "or with respect to the admin-*
24 *istration of the affairs of the committee."*

1 *SEC. 2. Section 105(d)(1) of chapter VI of title I of*
2 *the Second Supplemental Appropriations Act, 1978 (Public*
3 *Law 95-355; 2 U.S.C. 43d(d)(1)) is amended by striking*
4 *“and telephone services” and inserting “, telephone services,*
5 *and stationery”.*

6 *SEC. 3. Section 3(f)(1) under the heading “ADMINIS-*
7 *TRATIVE PROVISIONS” in the appropriation for the Senate*
8 *in the Legislative Branch Appropriation Act, 1975 (2*
9 *U.S.C. 59(e)(1)) is amended in the second sentence by strik-*
10 *ing “one year” and inserting “3 years”.*

11 *SEC. 4. (a) Section 5 under the heading “ADMINISTRA-*
12 *TIVE PROVISIONS” in the appropriation for the Senate in*
13 *the Legislative Branch Appropriations Act, 1996 (2 U.S.C.*
14 *58a note) is amended—*

15 *(1) in subsection (a), by striking “by the Ser-*
16 *geant at Arms and Doorkeeper of the Senate”; and*

17 *(2) by striking subsection (b) and inserting the*
18 *following:*

19 *“(b) As used in subsection (a), the term ‘user’ means*
20 *a Senator, an Officer of the Senate, and any office, commit-*
21 *tee, or other entity the funds of which are disbursed by the*
22 *Secretary of the Senate.”.*

23 *(b) The amendments made by subsection (a) shall take*
24 *effect on October 1, 1996, and shall apply to all payments*

1 *made on or after such date for local and long distance tele-*
2 *communications service.*

3 *SEC. 5. (a) The Sergeant at Arms and Doorkeeper of*
4 *the Senate may directly, or through the General Services*
5 *Administration, transfer title to excess or surplus educa-*
6 *tionally useful equipment to a public school. Any such*
7 *transfer shall be completed at the lowest possible cost to the*
8 *public school and the Senate.*

9 *(b) The Committee on Rules and Administration of the*
10 *Senate shall prescribe regulations to carry out the provi-*
11 *sions of this section.*

12 *(c) Receipts from reimbursements for the costs of trans-*
13 *fer of excess or surplus educationally useful equipment*
14 *under this section, shall be deposited in the United States*
15 *Treasury for credit to the account for the “Sergeant at Arms*
16 *and Doorkeeper of the Senate” within the contingent fund*
17 *of the Senate.*

18 *(d) For the purposes of this section:*

19 *(1) The term “public school” means a public ele-*
20 *mentary or secondary school as such terms are de-*
21 *finied in section 14101 of the Elementary and Second-*
22 *ary Education Act of 1965 (20 U.S.C. 8801).*

23 *(2) The term “educationally useful equipment”*
24 *means computers and related peripheral tools, includ-*
25 *ing printers, modems, routers, servers, computer key-*

1 *boards, scanners, and other telecommunications and*
2 *research equipment, that are appropriate for use in*
3 *public school education.*

4 *(e) This section shall take effect beginning with fiscal*
5 *year 1997 and shall be effective each fiscal year thereafter.*

6 *SEC. 6. (a) Notwithstanding section 1345 of title 31,*
7 *United States Code, the Secretary of the Senate may reim-*
8 *burse any individual employed by the Senate day care cen-*
9 *ter for the cost of training classes and conferences in connec-*
10 *tion with the provision of child care services and for travel,*
11 *transportation, and subsistence expenses incurred in con-*
12 *nection with the training classes and conferences.*

13 *(b) The Senate day care center shall certify and pro-*
14 *vide appropriate documentation to the Secretary of the Sen-*
15 *ate with respect to any reimbursement under this section.*
16 *Reimbursements under this section shall be made from the*
17 *appropriations account "MISCELLANEOUS ITEMS"*
18 *within the contingent fund of the Senate on vouchers ap-*
19 *proved by the Secretary of the Senate.*

20 *(c) Reimbursements under this section shall be subject*
21 *to the regulations and limitations prescribed by the Com-*
22 *mittee on Rules and Administration of the Senate for travel*
23 *and related expenses for which payment is authorized to*
24 *be made from the contingent fund of the Senate.*

1 (d) *This section shall be effective on and after October*
2 *1, 1996.*

3 SEC. 7. *Notwithstanding any other provision of law,*
4 *any funds received during fiscal year 1996 by the Sergeant*
5 *at Arms and Doorkeeper of the Senate in settlement of a*
6 *contract claim or dispute, but not to exceed \$1,450,000,*
7 *shall be deposited into the appropriation account for fiscal*
8 *year 1997 for the Sergeant at Arms and Doorkeeper of the*
9 *Senate within the contingent fund of the Senate and shall*
10 *be available in a like manner and for the same purposes*
11 *as are the other funds in that account.*

12 SEC. 8. (a) *The Secretary of the Senate, with the over-*
13 *sight and approval of the Committee on Rules and Admin-*
14 *istration of the Senate, shall oversee the development and*
15 *implementation of a comprehensive Senate legislative infor-*
16 *mation system.*

17 (b) *In carrying out this section, the Secretary of the*
18 *Senate shall consult and work with officers and employees*
19 *of the House of Representatives. Legislative branch agencies*
20 *and departments and agencies of the executive branch shall*
21 *provide cooperation, consultation, and assistance as re-*
22 *quested by the Secretary of the Senate to carry out this sec-*
23 *tion.*

24 (c) *Any funds that were appropriated under the head-*
25 *ing "Secretary of the Senate" for expenses of the Office of*

1 *the Secretary of the Senate by the Legislative Branch Ap-*
2 *propriations Act, 1995, to remain available until Septem-*
3 *ber 30, 1998, and that the Secretary determines are not*
4 *needed for development of a financial management system*
5 *for the Senate may, with the approval of the Committee*
6 *on Appropriations of the Senate, be used to carry out the*
7 *provisions of this section, and such funds shall be available*
8 *through September 30, 2000.*

9 *(d) The Committee on Rules and Administration of*
10 *the Senate may prescribe such regulations as may be nec-*
11 *essary to carry out the provisions of this section.*

12 *(e) This section shall be effective for fiscal years begin-*
13 *ning on or after October 1, 1996.*

14 *SEC. 9. PAYMENT FOR UNACCRUED LEAVE.—*

15 *(a) IN GENERAL.—The Financial Clerk of the*
16 *Senate is authorized to accept from an individual*
17 *whose pay is disbursed by the Secretary of Senate a*
18 *payment representing pay for any period of*
19 *unaccrued annual leave used by that individual, as*
20 *certified by the head of the employing office of the in-*
21 *dividual making the payment.*

22 *(b) WITHHOLDING.—The Financial Clerk of the*
23 *Senate is authorized to withhold the amount referred*
24 *to in subsection (a) from any amount which is dis-*
25 *bursed by the Secretary of the Senate and which is*

1 *due to or on behalf of the individual described in sub-*
2 *section (a).*

3 (c) *DEPOSIT.*—*Any payment accepted under this*
4 *section shall be deposited in the general fund of the*
5 *Treasury as miscellaneous receipts.*

6 (d) *DEFINITION.*—*As used in this section, the*
7 *term “head of the employing office” means any per-*
8 *son with the final authority to appoint, hire, dis-*
9 *charge, and set the terms, conditions, or privileges of*
10 *the employment of an individual whose pay is dis-*
11 *bursed by the Secretary of the Senate.*

12 (e) *APPLICABILITY.*—*This section shall apply to*
13 *fiscal year 1996 and each fiscal year thereafter.*

14 **(2)**Page 7, strike out lines 10 through 18 and insert:

15 *For construction of platform and seating stands and*
16 *for salaries and expenses of conducting the inaugural cere-*
17 *monies of the President and Vice President of the United*
18 *States, January 20, 1997, in accordance with such program*
19 *as may be adopted by the joint committee authorized by*
20 *Senate Concurrent Resolution 47, One Hundred Fourth*
21 *Congress, agreed to March 20, 1996, and Senate Concurrent*
22 *Resolution 48, One Hundred Fourth Congress, agreed to*
23 *March 20, 1996, \$950,000 to be disbursed by the Secretary*
24 *of the Senate and to remain available until September 30,*
25 *1997. Such funds shall be available for payment, on a direct*

1 *or reimbursable basis, whether incurred on, before, or after,*
2 *October 1, 1996: Provided, That the compensation of any*
3 *employee of the Committee on Rules and Administration*
4 *of the Senate who has been designated to perform service*
5 *for the Joint Congressional Committee on Inaugural Cere-*
6 *monies shall continue to be paid by the Committee on Rules*
7 *and Administration, but the account from which such staff*
8 *member is paid may be reimbursed for the services of the*
9 *staff member (including agency contributions when appro-*
10 *priate) out of funds made available under this heading.*

11 **(3)**Page 7, line 21, strike out **【\$3,000,000】** and insert:
12 *\$750,000*

13 **(4)**Page 9, line 12, strike out **【\$68,392,000】** and insert:
14 *\$70,132,000*

15 **(5)**Page 9, line 12, strike out **【\$32,927,000】** and insert:
16 *\$34,213,000*

17 **(6)**Page 9, line 15, strike out **【\$35,465,000】** and insert:
18 *\$35,919,000*

19 **(7)**Page 10, line 15, strike out **【\$2,685,000】** and insert:
20 *\$2,880,000*

21 **(8)**Page 12, line 25, strike out **【\$24,288,000】** and insert:
22 *\$24,775,000*

1 **(9)**Page 15, line 3, strike out **【\$23,255,000】** and insert:

2 *\$23,555,000*

3 **(10)**Page 15, after line 9, insert:

4 *SENATE OFFICE BUILDINGS*

5 *For all necessary expenses for maintenance, care and*
 6 *operation of Senate Office Buildings; and furniture and*
 7 *furnishings to be expended under the control and super-*
 8 *vision of the Architect of the Capitol, \$39,640,000, of which*
 9 *\$3,200,000 shall remain available until expended.*

10 **(11)**Page 18, line 24, strike out **【\$215,007,000】** and in-

11 sert: *\$216,007,000*

12 **(12)**Page 19, line 17, after “collections” insert: *: Pro-*

13 *vided further, That of the total amount appropriated,*
 14 *\$928,800 shall be for the operation and maintenance of the*
 15 *American Folklife Center in the Library*

16 **(13)**Page 23, strike out all after line 22 over to and in-

17 cluding line 10 on page 24

18 **(14)**Page 26, after line 15, insert:

19 *SEC. 210. Section 8 of the American Folklife Preserva-*
 20 *tion Act (20 U.S.C. 2107) is amended to read as follows:*

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

2 *“There are authorized to be appropriated to the Center*
3 *to carry out this Act such sums as may be necessary for*
4 *each of the fiscal years 1997 and 1998.”.*

5 **(15)**Page 26, line 21, strike out **【\$9,003,000】** and insert:
6 *\$10,453,000*

7 **(16)**Page 26, line 21, strike out **【\$560,000】** and insert:
8 *\$1,910,000*

9 **(17)**Page 38, strike out after line 21 over to and includ-
10 ing line 14 on page 40

11 **(18)**Page 40, after line 14 insert:

12 *SEC. 312. (a) Section 203(a)(3) of Public Law 104-*
13 *1 (2 U.S.C. 1313(a)(3)) is amended by inserting “and in*
14 *subsection (c)(4)” after “(c)(3)”.*

15 *(b) Section 203(c) of Public Law 104-1 (2 U.S.C.*
16 *1313(c)) is amended by adding at the end the following*
17 *paragraph:*

18 *“(4) LAW ENFORCEMENT.—Law enforcement*
19 *personnel of the Capitol Police who are subject to the*
20 *exemption under section 7(k) of the Fair Labor*
21 *Standards Act of 1938 (29 U.S.C. 207(k)) may elect*
22 *to receive compensatory time off in lieu of overtime*
23 *compensation for hours worked in excess of the maxi-*
24 *mum for their work period.”.*

1 **(19)**Page 40, after line 14 insert:

2 *SEC. 313. Section 316 of Public Law 101–302 is*
3 *amended in the first sentence of subsection (a) by striking*
4 *“1996” and inserting “1997”.*

5 **(20)**Page 40, after line 14 insert:

6 *SEC. 314. The Government Printing Office shall be*
7 *considered an agency for the purposes of the election in sec-*
8 *tion 801(b)(2)(B) of the National Energy Conservation Pol-*
9 *icy Act and the Public Printer shall be considered the head*
10 *of the agency for purposes of subsection (b)(2)(C) of such*
11 *section.*

12 **(21)**Page 40, after line 14 insert:

13 *SEC. 315. (a) Upon enactment into law of this Act,*
14 *the Library of Congress, under the direction of the Commit-*
15 *tee on House Oversight of the House of Representatives and*
16 *the Committee on Rules and Administration of the Senate,*
17 *and in consultation with the heads of the appropriate offices*
18 *and agencies of the legislative branch, shall develop a pro-*
19 *gram for providing the widest possible exchange of informa-*
20 *tion among legislative branch agencies with the long range*
21 *goal of improving technology planning, evaluation, develop-*
22 *ment, and management among legislative branch organiza-*
23 *tions. The plan for this program shall be subject to joint*
24 *approval of the Committee on House Oversight of the House*
25 *of Representatives and the Committee on Rules and Admin-*

1 *istration of the Senate, and, upon approval, shall be com-*
2 *municated to the Committee on Appropriations of the*
3 *House of Representatives and the Committee on Appropria-*
4 *tions of the Senate. All of the appropriate offices and agen-*
5 *cies of the legislative branch as defined below shall partici-*
6 *pate in this program for information exchange, and shall*
7 *report annually on the extent and nature of their participa-*
8 *tion in their budget submissions to the Committee on Ap-*
9 *propriations of the House of Representatives and the Com-*
10 *mittee on Appropriations of the Senate.*

11 *(b) As used in this section—*

12 *(1) the term “offices and agencies of the legisla-*
13 *tive branch” means, the office of the Clerk of the*
14 *House, the office of the Secretary of the Senate, the of-*
15 *fice of the Architect of the Capitol, the General Ac-*
16 *counting Office, the Government Printing Office, the*
17 *Library of Congress, the Congressional Research Serv-*
18 *ice, the Congressional Budget Office, the Chief Admin-*
19 *istrative Officer of the House of Representatives, and*
20 *the Sergeant at Arms of the Senate; and*

21 *(2) the term “technology” refers to any form of*
22 *computer hardware and software; computer-based sys-*
23 *tems, services, and support for the creation, process-*
24 *ing, exchange, and delivery of information; and tele-*
25 *communications systems, and the associated hardware*

1 *and software, that provide for voice, data, or image*
 2 *communication.*

3 **(22)**Page 40, after line 14 insert:

4 *PROHIBITIONS AGAINST POLITICAL RECOMMENDATIONS*
 5 *RELATING TO FEDERAL EMPLOYMENT*

6 *SEC. 316. (a) IN GENERAL.—Section 3303 of title 5,*
 7 *United States Code, is amended to read as follows:*

8 **“§ 3303. Competitive service; recommendations of Sen-**
 9 **ators or Representatives**

10 *“An individual concerned in examining an applicant*
 11 *for or appointing him in the competitive service may not*
 12 *receive or consider a recommendation of the applicant by*
 13 *a Senator or Representative, except as to the character or*
 14 *residence of the applicant.”.*

15 *(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1)*
 16 *The table of sections for chapter 33 of title 5, United States*
 17 *Code, is amended by amending the item relating to section*
 18 *3303 to read as follows:*

“3303. Competitive service; recommendations of Senators or Representatives.”.

19 *(2) Section 2302(b)(2) of title 5, United States Code,*
 20 *is amended to read as follows:*

21 *“(2) solicit or consider any recommendation or*
 22 *statement, oral or written, with respect to any indi-*
 23 *vidual who requests or is under consideration for any*
 24 *personnel action unless such recommendation or state-*

1 *ment is based on the personal knowledge or records of*
2 *the person furnishing it and consists of—*

3 *“(A) an evaluation of the work performance,*
4 *ability, aptitude, or general qualifications of*
5 *such individual; or*

6 *“(B) an evaluation of the character, loyalty,*
7 *or suitability of such individual;”.*

8 *(c) EFFECTIVE DATE.—This section shall take effect*
9 *30 days after the date of the enactment of this Act.*

10 **(23)**Page 40, after line 14 insert:

11 *SEC. 317. (a) The Congressional Research Service, in*
12 *consultation with the Secretary of the Senate and the heads*
13 *of the appropriate offices and agencies of the legislative*
14 *branch and with the approval of the Committee on Rules*
15 *and Administration of the Senate, shall coordinate the de-*
16 *velopment of an electronic congressional legislative informa-*
17 *tion and document retrieval system to provide for the legis-*
18 *lative information needs of the Senate through the exchange*
19 *and retrieval of information and documents among legisla-*
20 *tive branch offices and agencies. The Secretary of the Sen-*
21 *ate, with the oversight and approval of the Committee on*
22 *Rules and Administration of the Senate, shall have respon-*
23 *sibility for the implementation of this system in the Senate.*
24 *All of the appropriate offices and agencies of the legislative*

1 *branch shall participate in the implementation of the sys-*
2 *tem.*

3 *(b) As used in this section—*

4 *(1) the term “legislative information” refers to*
5 *that information and those documents produced for*
6 *the use of the Congress by the offices and agencies of*
7 *the legislative branch as defined in this section, and*
8 *such other information and documents as approved*
9 *by the Committee on Rules and Administration of the*
10 *Senate;*

11 *(2) the term “offices and agencies of the legisla-*
12 *tive branch” means the Office of the Secretary of the*
13 *Senate, the Office of Legislative Counsel of the Senate,*
14 *the Office of the Architect of the Capitol, the General*
15 *Accounting Office, the Government Printing Office,*
16 *the Library of Congress, the Congressional Budget Of-*
17 *fice, and the Sergeant at Arms of the Senate; and*

18 *(3) the term “retrieval system” means the index-*
19 *ing of documents and data, as well as integrating,*
20 *searching, linking, and displaying documents and*
21 *data.*

22 *(c) The Library of Congress shall—*

23 *(1) assist the Congressional Research Service in*
24 *supporting the Senate in carrying out this section;*
25 *and*

1 (2) *provide such technical staff and resources as*
2 *may be necessary to carry out this section.*

3 **(24)**Page 40, after line 14 insert:

4 *SEC. 318. (a) Section 207(e)(1)(A) of title 18, United*
5 *States Code, is amended by striking “1 year” and inserting*
6 *“2 years”.*

7 *(b) Paragraphs (2)(A), (3), and (4)(A) of section*
8 *207(e) of title 18, United States Code, are amended by strik-*
9 *ing “within 1 year after” and inserting “within 5 years*
10 *after”.*

11 **(25)**Page 40, after line 14 insert:

12 **SEC. 319. LIMITATION ON EXCLUSIVE COPYRIGHTS FOR**
13 **LITERARY WORKS IN SPECIALIZED FORMAT**
14 **FOR THE BLIND AND DISABLED.**

15 *(a) IN GENERAL.—Chapter 1 of title 17, United States*
16 *Code, is amended by adding after section 120 the following*
17 *new section:*

18 **“§ 121. Limitations on exclusive rights: reproduction**
19 **for blind or other people with disabilities**

20 *“(a) Notwithstanding the provisions of sections 106*
21 *and 710, it is not an infringement of copyright for an au-*
22 *thorized entity to reproduce or to distribute copies or*
23 *phonorecords of a previously published, nondramatic lit-*
24 *erary work if such copies or phonorecords are reproduced*

1 *or distributed in specialized formats exclusively for use by*
2 *blind or other persons with disabilities.*

3 “(b)(1) *Copies or phonorecords to which this section*
4 *applies shall—*

5 “(A) *not be reproduced or distributed in a for-*
6 *mat other than a specialized format exclusively for*
7 *use by blind or other persons with disabilities;*

8 “(B) *bear a notice that any further reproduction*
9 *or distribution in a format other than a specialized*
10 *format is an infringement; and*

11 “(C) *include a copyright notice identifying the*
12 *copyright owner and the date of the original publica-*
13 *tion.*

14 “(2) *The provisions of this subsection shall not apply*
15 *to standardized, secure, or norm-referenced tests and related*
16 *testing material, or to computer programs, except the por-*
17 *tions thereof that are in conventional human language (in-*
18 *cluding descriptions of pictorial works) and displayed to*
19 *users in the ordinary course of using the computer pro-*
20 *grams.*

21 “(c) *For purposes of this section, the term—*

22 “(1) *‘authorized entity’ means a nonprofit orga-*
23 *nization or a governmental agency that has a pri-*
24 *mary mission to provide specialized services relating*
25 *to training, education, or adaptive reading or infor-*

1 *mation access needs of blind or other persons with*
2 *disabilities;*

3 “(2) ‘blind or other persons with disabilities’
4 *means individuals who are eligible or who may qual-*
5 *ify in accordance with the Act entitled “An Act to*
6 *provide books for the adult blind”, approved March 3,*
7 *1931 (2 U.S.C. 135a; 46 Stat. 1487) to receive books*
8 *and other publications produced in specialized for-*
9 *mats; and*

10 “(3) ‘specialized formats’ means braille, audio,
11 *or digital text which is exclusively for use by blind*
12 *or other persons with disabilities.”.*

13 (b) *TECHNICAL AND CONFORMING AMENDMENT.—The*
14 *table of sections for chapter 1 of title 17, United States*
15 *Code, is amended by adding after the item relating to sec-*
16 *tion 120 the following:*

“121. Limitations on exclusive rights: reproduction for blind or other people with
disabilities.”.

Attest:

Secretary.

104TH CONGRESS
1ST SESSION

H. R. 3754

AMENDMENTS

HR 3754 EAS—2

HR 3754 EAS—3

HR 3754 EAS—4

HR 3754 EAS—5