

110TH CONGRESS
2D SESSION

H. R. 5893

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

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

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
9 BOARD.—

1 (1) REAUTHORIZATION.—

2 (A) IN GENERAL.—Section 133 of the Na-
3 tional Recording Preservation Act of 2000 (2
4 U.S.C. 1743) is amended by striking “for each
5 of the first 7 fiscal years beginning on or after
6 the date of the enactment of this Act” and in-
7 serting “for the first fiscal year beginning on or
8 after the date of the enactment of this Act and
9 each succeeding fiscal year through fiscal year
10 2014”.

11 (B) EFFECTIVE DATE.—The amendment
12 made by subparagraph (A) shall take effect as
13 if included in the enactment of the National Re-
14 cording Preservation Act of 2000.

15 (2) CRITERIA FOR REMOVAL OF MEMBERS.—
16 Section 122(d)(2) of such Act (2 U.S.C. 1722(d)(2))
17 is amended to read as follows:

18 “(2) REMOVAL OF MEMBERS.—The Librarian
19 shall have the authority to remove any member of
20 the Board if the member fails, after receiving proper
21 notification, to attend (or send a designated alter-
22 nate to attend) a regularly scheduled Board meeting,
23 or if the member is determined by the Librarian to
24 have substantially failed to fulfill the member’s re-
25 sponsibilities as a member of the Board.”.

1 (b) NATIONAL RECORDING PRESERVATION FOUNDA-
2 TION.—

3 (1) REAUTHORIZATION.—

4 (A) IN GENERAL.—Section 152411(a) of
5 title 36, United States Code, is amended by
6 striking “for each of the first 7 fiscal years be-
7 ginning on or after the date of the enactment
8 of this chapter” and inserting “for the first fis-
9 cal year beginning on or after the date of the
10 enactment of this chapter and each succeeding
11 fiscal year through fiscal year 2014”.

12 (B) EFFECTIVE DATE.—The amendment
13 made by subparagraph (A) shall take effect as
14 if included in the enactment of the National Re-
15 cording Preservation Act of 2000.

16 (2) PERMITTING BOARD MEMBERS TO SERVE
17 MORE THAN 2 TERMS.—Section 152403(b)(4) of
18 such title is amended by striking the second sen-
19 tence.

20 (3) PERMITTING BOARD TO DETERMINE LOCA-
21 TION OF PRINCIPAL OFFICE.—

22 (A) IN GENERAL.—Section 152406 of such
23 title is amended by striking “District of Colum-
24 bia.” and inserting “District of Columbia or an-

1 other place as determined by the Board of Di-
2 rectors.”.

3 (B) CONFORMING AMENDMENT.—Section
4 152405(b) of such title is amended by striking
5 “District of Columbia,” and inserting “jurisdic-
6 tion in which the principal office of the corpora-
7 tion is located,”.

8 (4) CLARIFICATION OF LIMITATION ON USE OF
9 FUNDS FOR ADMINISTRATIVE EXPENSES.—Section
10 152411(b) of such title is amended to read as fol-
11 lows:

12 “(b) LIMITATION RELATED TO ADMINISTRATIVE EX-
13 PENSES.—Amounts authorized under this section may not
14 be used by the corporation for management and general
15 or fundraising expenses as reported to the Internal Rev-
16 enue Service as part of an annual information return re-
17 quired under the Internal Revenue Code of 1986.”.

18 **SEC. 3. FILM PRESERVATION PROGRAMS.**

19 (a) NATIONAL FILM PRESERVATION BOARD.—

20 (1) REAUTHORIZATION.—

21 (A) IN GENERAL.—Section 112 of the Na-
22 tional Film Preservation Act of 1996 (2 U.S.C.
23 179v) is amended by inserting after “the Li-
24 brarian” the following: “for the first fiscal year
25 beginning on or after the date of the enactment

1 of this Act and each succeeding fiscal year
2 through fiscal year 2014”.

3 (B) CONFORMING AMENDMENT.—Section
4 113 of such Act (2 U.S.C. 179w) is amended
5 by striking the first sentence.

6 (C) EFFECTIVE DATE.—The amendments
7 made by this paragraph shall take effect as if
8 included in the enactment of the National Film
9 Preservation Act of 1996.

10 (2) EXPANDING AUTHORIZED USES OF SEAL.—
11 Section 103(b) of such Act (2 U.S.C. 179m(b)) is
12 amended by adding at the end the following: “The
13 Librarian may authorize the use of the seal by the
14 Library or by others for other limited purposes in
15 order to promote in the National Film Registry
16 when exhibiting, showing, or otherwise disseminating
17 films in the Registry.”.

18 (3) UPDATING NAMES OF ORGANIZATIONS REP-
19 RESENTED ON BOARD.—Section 104(a)(1) of such
20 Act (2 U.S.C. 179n(a)(1)) is amended—

21 (A) in subparagraph (E), by striking “Cin-
22 ema” and inserting “Cinema and Media”;

23 (B) in subparagraph (G), by striking “De-
24 partment of Film and Television” and inserting

1 “Department of Film, Television, and Digital
2 Media”;

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

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

8 “(L) Screen Actors Guild.”.

9 (b) NATIONAL FILM PRESERVATION FOUNDATION.—

10 (1) REAUTHORIZATION.—Section 151711(a) of
11 title 36, United States Code, is amended to read as
12 follows, by inserting after the first sentence the fol-
13 lowing:

14 “(a) AUTHORIZATION OF APPROPRIATIONS.—

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

18 “(A) \$530,000 for each of the fiscal years
19 2005 through 2009;

20 “(B) \$750,000 for each of the fiscal years
21 2010 through 2011; and

22 “(C) \$1,000,000 for each of the fiscal
23 years 2012 through 2017.

24 “(2) MATCHING.—The amounts authorized to
25 be appropriated under this subsection are to be

made available to the corporation to match any private contributions (whether in currency, services, or property) made to the corporation by private persons and State and local governments.”.

(2) REPATRIATION OF FILMS FROM FOREIGN ARCHIVES AS PURPOSE OF FOUNDATION.—Section 151702(1) of such title is amended by striking “United States;” and inserting “United States and the repatriation of American films from foreign archives;”.

(3) EXTENSION OF DEADLINE FOR FILLING VACANCIES IN MEMBERSHIP OF BOARD OF DIRECTORS.—Section 151703(b)(5) of such title is amended by striking “60 days” and inserting “120 days”.

SEC. 4. PERMITTING DISTRIBUTION OF ACQUIRED NEWS TRANSMISSIONS IN AMERICAN TELEVISION AND RADIO ARCHIVES FOR RESEARCH OR DEPOSIT IN PUBLIC LIBRARIES OR ARCHIVES.

Section 113(b)(3) of Public Law 94–553 (commonly known as the “American Television and Radio Archives Act”) (2 U.S.C. 170(b)(3)) is amended by striking “this subsection” and inserting “this subsection or a copy or phonorecord of a transmission program described under

- 1 this subsection which is acquired by the Librarian pursu-
- 2 ant to subsection (a)(1)’’.

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