

Union Calendar No. 428

110TH CONGRESS
2^D 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.

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]

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 *recording 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.”.

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

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

5
6 (B) in subparagraph (G), by striking “Department of Film and Television” and inserting
7 “Department of Film, Television, and Digital
8 Media”;

9
10 (C) in subparagraph (H), by striking “Film and Television” and inserting “Cinema Studies”;
11 and
12 (D) by amending subparagraph (L) to read

13 as follows:

14 “(L) Screen Actors Guild.”.

15
16 (b) *NATIONAL FILM PRESERVATION FOUNDATION.*—

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

20 “(a) *AUTHORIZATION OF APPROPRIATIONS.*—

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

23 “(A) \$530,000 for each of the fiscal years
24 2005 through 2009;
25

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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