

opposed to visiting a hospital and by reducing lengths of stay for patients who are cared for by a poison control center prior to arriving at a hospital.

Again, I thank the bill's sponsor and our Chairmen for their work on this legislation, and I urge my colleagues to give H.R. 5669 their support.

Mr. GENE GREEN of Texas. With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PAS-TOR). The question is on the motion offered by the gentleman from Texas (Mr. GENE GREEN) that the House suspend the rules and pass the bill, H.R. 5669.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GENE GREEN of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### LIBRARY OF CONGRESS SOUND RECORDING AND FILM PRESERVATION PROGRAMS REAUTHORIZATION ACT OF 2008

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5893) to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5893

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Library of Congress Sound Recording and Film Preservation Programs Reauthorization Act of 2008".

#### SEC. 2. SOUND RECORDING PRESERVATION PROGRAMS.

(a) NATIONAL RECORDING PRESERVATION BOARD.—

(1) REAUTHORIZATION.—

(A) IN GENERAL.—Section 133 of the National Recording Preservation Act of 2000 (2 U.S.C. 1743) is amended by striking "for each of the first 7 fiscal years beginning on or after the date of the enactment of this Act" and inserting "for the first fiscal year beginning on or after the date of the enactment of this Act and each succeeding fiscal year through fiscal year 2016".

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the National Recording Preservation Act of 2000.

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

"(2) REMOVAL OF MEMBERS.—The Librarian shall have the authority to remove any member of the Board if the member fails, after receiving proper notification, to attend (or send a designated alternate to attend) a regularly scheduled Board meeting, or if the

member is determined by the Librarian to have substantially failed to fulfill the member's responsibilities as a member of the Board."

(b) NATIONAL RECORDING PRESERVATION FOUNDATION.—

(1) REAUTHORIZATION.—

(A) IN GENERAL.—Section 152411(a) of title 36, United States Code, is amended by striking "for each of the first 7 fiscal years beginning on or after the date of the enactment of this chapter" and inserting "for the first fiscal year beginning on or after the date of the enactment of this chapter and each succeeding fiscal year through fiscal year 2016".

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the National Recording Preservation Act of 2000.

(2) PERMITTING BOARD MEMBERS TO SERVE MORE THAN 2 TERMS.—Section 152403(b)(4) of such title is amended by striking the second sentence.

(3) PERMITTING BOARD TO DETERMINE LOCATION OF PRINCIPAL OFFICE.—

(A) IN GENERAL.—Section 152406 of such title is amended by striking "District of Columbia." and inserting "District of Columbia or another place as determined by the Board of Directors."

(B) CONFORMING AMENDMENT.—Section 152405(b) of such title is amended by striking "District of Columbia," and inserting "jurisdiction in which the principal office of the corporation is located."

(4) CLARIFICATION OF LIMITATION ON USE OF FUNDS FOR ADMINISTRATIVE EXPENSES.—Section 152411(b) of such title is amended to read as follows:

"(b) LIMITATION RELATED TO ADMINISTRATIVE EXPENSES.—Amounts authorized under this section may not be used by the corporation for management and general or fundraising expenses as reported to the Internal Revenue Service as part of an annual information return required under the Internal Revenue Code of 1986."

#### SEC. 3. FILM PRESERVATION PROGRAMS.

(a) NATIONAL FILM PRESERVATION BOARD.—

(1) REAUTHORIZATION.—

(A) IN GENERAL.—Section 112 of the National Film Preservation Act of 1996 (2 U.S.C. 179v) is amended by inserting after "the Librarian" the following: "for the first fiscal year beginning on or after the date of the enactment of this Act and each succeeding fiscal year through fiscal year 2016".

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

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

(2) EXPANDING AUTHORIZED USES OF SEAL.—Section 103(b) of such Act (2 U.S.C. 179m(b)) is amended by adding at the end the following: "The Librarian may authorize the use of the seal by the Library or by others for other limited purposes in order to promote in the National Film Registry when exhibiting, showing, or otherwise disseminating films in 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: by inserting after the first sentence the following:

"(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;

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

"(C) \$1,000,000 for each of the fiscal years 2012 through 2016.

"(2) MATCHING.—The amounts authorized to 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".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

This bill reauthorizes the Sound Recording and Film Preservation Programs of the Library of Congress through the year 2016.

The National Film Preservation Board was created in 1988 to address the rapid deterioration of important films. The Film Preservation Board is responsible for identifying and preserving films they deem are "culturally, historically, or aesthetically significant." Along with the National Film Preservation Foundation, the Film Preservation Board ensures that all generations from all over the world will be able to view these remarkable films and experience their power and importance firsthand.

The National Recording Preservation Board was created by the National Recording Preservation Act of 2000. There are currently 225 entries in the National Recording Registry, and that number may only continue to grow. From music to historical speeches, the

Recording Preservation Board makes certain that future generations can experience these historically important and powerful sounds that helped shape decades.

It is necessary that we reauthorize the Recording and Film Boards to allow them to continue their vital mission. We will see to it that those who come after us will be able to listen to and witness those sounds and sights that are essential to our national heritage.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, June 4, 2008.

Hon. ROBERT A. BRADY,  
Chairman, Committee on House Administration,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN BRADY: This is to advise you that, as a result of your working with us to make appropriate revisions to provisions in H.R. 5893, the Library of Congress Sound Recording and Film Preservation Programs Reauthorization Act of 2008, that fall within the rule X jurisdiction of the Committee on the Judiciary, we are able to agree to discharging our committee from further consideration of the bill in order that it may proceed without delay to the House floor for consideration.

The Judiciary Committee takes this action with the understanding that by foregoing further consideration of H.R. 5893 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation. We also reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this important legislation, and request your support if such a request is made.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to this request, and for the cooperative relationship between our two committees.

Sincerely,

JOHN CONYERS, Jr.,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON HOUSE ADMINISTRA-  
TION,  
Washington, DC, June 4, 2008.

Hon. JOHN CONYERS,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your committee's jurisdictional interest in H.R. 5893, a bill to reauthorize the sound recording and film preservation programs of the Library of Congress.

I appreciate your willingness to support expediting floor consideration of this important legislation today. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will place a copy of your letter and this response in the Congressional Record during consideration of H.R. 5893. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

ROBERT A. BRADY,  
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5893, which will reauthorize the Library of Congress's Sound Record and Film Preservation Program. It is an important bill, which will preserve the images and sounds of our Nation's history and make those pieces of the past more accessible to future generations.

The importance of this effort was illustrated just this weekend when Universal Studios in California had a mammoth fire in which some priceless films were lost, and all films, if they were recorded and in the Library of Congress, would not face this problem.

The National Film Preservation Board was formed in 1993 following a study that revealed that America's film heritage was at serious risk due to the degradation of acetate film stock at an alarming rate. Funding for preservation programs had fallen drastically since 1980, creating an urgent need for action. A national plan to protect our Nation's treasures on film was created in 1994 to address the growing need for preservation and to make films more available for education and public exhibition.

I must confess, Mr. Speaker, to some frustration that we have to come in and save the films that the film industry has not taken care of. Obviously they're making enough money when they pull down \$300 million in one weekend for certain films. I would think they would have the wherewithal to preserve their own films. Nevertheless, since they have not, the Congress has had to step in to do it.

In 1999 Congress created the Sound Recording Preservation Program modeled on the successful National Film Preservation Program. This new program would protect historic pieces of audio recordings from deterioration. These audio recordings are extremely important and should be preserved as well. Through the creation of this program, the Sound Recording Preservation Board was instructed to produce a report on the current state of sound recording archiving, preservation and restoration activities, encompassing standards for digital preservation and for access to preserved recordings. The program also includes research on current laws governing sound preservation and how the Library and other institutions can make collections more available to researchers digitally.

This bill will continue the good work started by the Sound Recording and Film Preservation Program staff and their respective boards. Historians, scholars, and citizens will benefit from increased access to these important works, and the items themselves will be preserved for many more generations to come under these programs.

I fully support this bill and thank Chairman BRADY for his efforts to bring this matter to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I want to thank Chairman BRADY for yielding, and I also want to commend him for the introduction of this legislation.

Mr. Speaker, I have always been a great fan of libraries, and, obviously, I'm a great fan of the Library of Congress. And I believe that having as much information and material as we can possibly have is of great benefit not only to the preservation of our history and culture but also a benefit to those who are seeking information, those who want to be educated in many of the different and various ways that education takes place. So I rise in strong support of this legislation.

Mr. EHLERS. Mr. Speaker, I have no further requests for time, so I will attempt to conclude here.

I just want to recognize the good work that the board has done, the importance of the preservation of both visual and audio recordings, as Mr. DAVIS has just said. And it may be that 100, 150 years from now, someone will resurrect Pavarotti, Dizzy Gillespie, Ella Fitzgerald, some of the great musicians of our time, and say look what we have lost in our culture, and we may see a rejuvenation of those.

So I strongly support this bill and urge its passage.

Mr. CONYERS. Mr. Speaker, we cannot allow our cultural, historical or visually significant treasures to disappear into the fog of time. That is why I fully support both reauthorizations contained within H.R. 5893.

Our written traditions have libraries which archive and preserve them. The program we reauthorize today provides a mechanism for similar archiving for sound and visual arts, encouraging their preservation and accessibility for ourselves and for future generations despite rapid changes in visual and sound recording media.

H.R. 5893 would reauthorize the sound recording and film preservation programs of the Library of Congress and make a few small changes to improve the efficiency and effectiveness of the programs such as by encouraging more active participation by board members.

I am particularly interested in the progress of the Library of Congress on its study and report on sound recordings. In speaking with members of the artist community, it has become clear to me that art forms such as jazz are not being archived, preserved, and restored to the extent necessary to prevent the disappearance of some of the older recordings. This reauthorization will enable the Library of Congress to continue the study and report on ways the National Recording Preservation Board can better ensure the continued availability of seminal pieces of historical jazz and other forms of music.

This country, indeed the world, recently lost a music great, a pioneer who helped lead rhythm and blues into rock and roll, an artist of the highest esteem, "Bo Diddley." Through the continuation of these important archive programs, we can help make sure that Bo Diddley and others will be long remembered for their special contributions to our culture. Though we may mourn the passing of the musician, we need never mourn the loss of the music.

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, as always, I would like to thank the ranking member, my friend from Michigan, for his cooperation, and I urge an "aye" vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5893, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1215

UNITED STATES CAPITOL POLICE  
ADMINISTRATIVE TECHNICAL  
CORRECTIONS ACT OF 2008

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5972) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5972

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "United States Capitol Police Administrative Technical Corrections Act of 2008".

**SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE CHIEF OF THE CAPITOL POLICE.**

(a) CLARIFICATION OF CERTAIN HIRING AUTHORITIES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Section 108(a) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)) is amended to read as follows:

"(a) CHIEF ADMINISTRATIVE OFFICER.—

"(1) ESTABLISHMENT.—There shall be within the Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

"(2) APPOINTMENT.—The Chief Administrative Officer shall be appointed by the Chief of the Capitol Police, after consultation with the Capitol Police Board.

"(3) COMPENSATION.—The annual rate of pay for the Chief Administrative Officer shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police."

(2) PERSONNEL OF OFFICE OF ADMINISTRATION.—Section 108(c)(1) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(c)(1)) is amended—

(A) by striking "The Chief Administrative Officer" and inserting "The Chief of the Capitol Police"; and

(B) by striking "but shall not" and all that follows and inserting a period.

(3) CERTIFYING OFFICERS.—Section 107 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1904) is amended—

(A) in subsection (a), by striking "the Capitol Police Board" and inserting "the Chief of the Capitol Police"; and

(B) in subsection (b)(1), by striking "the Capitol Police Board" and inserting "the Chief of the Capitol Police".

(4) REPEAL OF COMMITTEE APPROVAL FOR APPOINTMENTS, TERMINATIONS, AND PROMOTIONS.—Section 1018(e)(1)(B) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)(B)) is amended to read as follows:

"(B) SPECIAL RULES FOR CERTAIN ACTIONS.—

"(i) PRIOR NOTICE REQUIRED FOR APPOINTMENTS, TERMINATIONS, AND PROMOTIONS.—In carrying out the authority under this paragraph, the Chief of the Capitol Police may carry out any of the following actions only after providing notice to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate and receiving an acknowledgment from each such Committee that the Committee has received the notice:

"(I) The appointment or termination of any officer, member, or employee.

"(II) The promotion of any noncivilian officer, member, or employee to any rank higher than Private First Class or the promotion of any civilian employee to any position.

"(ii) APPROVAL REQUIRED FOR ESTABLISHMENT OF NEW POSITIONS, RECLASSIFICATION OF POSITIONS, AND REORGANIZATION PLANS.—The establishment by the Chief of the Capitol Police of any new position for officers, members, or employees of the Capitol Police, the reclassification by the Chief of any position for officers, members, or employees of the Capitol Police, and any reorganization plan for the Capitol Police shall be subject to the approval of the Committees referred to in clause (i)."

(5) CONFORMING APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(A) IN GENERAL.—Section 101(9)(D) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(9)(D)) is amended by striking "the Capitol Police Board," and inserting "the United States Capitol Police."

(B) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by subparagraph (A) may be construed to affect any procedure initiated under title IV of the Congressional Accountability Act of 1995 prior to the date of the enactment of this Act.

(6) NO EFFECT ON CURRENT PERSONNEL.—Nothing in the amendments made by this subsection may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act.

(b) DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Section 2802 of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905) is amended—

(A) in subsection (a)(1), by striking "Capitol Police Board" each place it appears and inserting "United States Capitol Police"; and

(B) in subsection (a)(2), by striking "Capitol Police Board" and inserting "Chief of the United States Capitol Police".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001.

(c) AUTHORITY TO SEEK WAIVERS FOR CLAIMS TO RECOVER ERRONEOUS PAYMENTS.—

(1) IN GENERAL.—Section 1018(a)(2) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(a)(2)) is amended to read as follows:

"(2) TRANSFER.—

"(A) IN GENERAL.—Any statutory function, duty, or authority of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate as disbursing officers for the Capitol Police shall transfer to the Chief of the Capitol Police as the single disbursing officer for the Capitol Police.

"(B) AUTHORITY TO SEEK WAIVERS FOR CLAIMS TO RECOVER ERRONEOUS PAYMENTS.—In the case of the authority to waive a claim of the United States against a person arising out of an erroneous payment of any pay or allowances to an officer or employee of the Capitol Police—

"(i) the Chief of the Capitol Police shall exercise such authority in the same manner as the Secretary of the Senate under section 2 of the Act entitled 'An Act to authorize the waiver of claims of the United States arising out of erroneous payments of pay and allowances to certain officers and employees of the legislative branch', approved July 25, 1974 (2 U.S.C. 130c);

"(ii) an application for a waiver of such a claim shall be investigated by the Chief Administrative Officer of the Capitol Police, who shall submit a written report of the investigation to the Chief; and

"(iii) an application for a waiver of such a claim in an amount aggregating more than \$1,500 may also be investigated by the Comptroller General, who shall submit a written report of the investigation to the Chief."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that nothing in the amendment may be construed to affect the validity of any waiver granted prior to the date of the enactment of this Act with respect to a claim of the United States against a person arising out of an erroneous payment of any pay or allowances to an officer or employee of the United States Capitol Police.

(d) MODIFICATION OF AUTHORITY TO MAKE ADVANCE PAYMENTS FOR SUBSCRIPTION SERVICES.—

(1) IN GENERAL.—Section 1002 of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161) is amended—

(A) by striking "fiscal year 2008 and each succeeding fiscal year" and inserting "each of the fiscal years 2008 through 2012"; and

(B) by inserting after "the Senate," the following: "the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate,".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2008.

(e) PRIOR NOTICE TO AUTHORIZING COMMITTEES OF DEPLOYMENT OUTSIDE JURISDICTION.—Section 1007(a)(1) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 1978(a)(1)) is amended by striking "prior notification to" and inserting the following: "prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and".

**SEC. 3. GENERAL COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.**

(a) APPOINTMENT AND SERVICE.—

(1) IN GENERAL.—There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (hereafter in this subsection referred to as the "General Counsel").

(2) APPOINTMENT.—The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1018(e)(1)(B)(i) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C.