

H.R. 5211: Mr. HORTON, Mr. GUARINI, Mr. POSHARD, Mr. RANGEL, and Mrs. COLLINS of Illinois.

H.R. 5217: Mr. LUKE, Mr. DWYER of New Jersey, Mrs. MINK, and Mr. SHAYS.

H.R. 5237: Mr. MOODY, Mr. SPRATT, Mr. BOEHNER, Mr. SISISKY, Mr. HAMILTON, and Mr. PAYNE of Virginia.

H.R. 5238: Mr. BARNARD.

H.R. 5240: Mr. HAYES of Illinois, Mr. RINALDO, Mr. OWENS of Utah, Mr. EVANS, Mr. RAHALL, and Mr. HUBBARD.

H.R. 5263: Mr. STAGGERS, Mr. HARRIS, Mr. JENKINS, Mr. HEFNER, Mr. RICHARDSON, Mr. STENHOLM, Mr. PAYNE of Virginia, and Mr. PARKER.

H.R. 5269: Mr. DERRICK.

H.R. 5282: Mr. HAYES of Illinois, Mr. LIPINSKI, and Mr. EVANS.

H.R. 5293: Mr. GINGRICH.

H.J. Res. 143: Mr. NICHOLS.

H.J. Res. 237: Mr. CHAPMAN, Mr. ROBERTS, Mr. FASCELL, Mr. FORD of Tennessee, Mr. STOKES, Ms. WATERS, Mr. VANDER JAGT, and Mr. GEREN of Texas.

H.J. Res. 354: Mrs. MEYERS of Kansas.

H.J. Res. 400: Mr. KOLTER, Mr. POSHARD, Mr. HERTEL, Mr. LIPINSKI, Ms. MOLINARI, Mrs. MORELLA, Mr. FAZIO, Mr. FROST, Mr. BUSTAMANTE, Mr. TORRICELLI, Mr. GEKAS, Mr. MATSUI, Mr. BONIOR, Mr. MANTON, Mr. YOUNG of Florida, Mr. MINETA, Mr. KANJORSKI, Mr. OBERSTAR, Mr. SERRANO, Mr. LENT, Ms. PELOSI, Mr. SOLARZ, Mr. QUILLEN, Mr. GUARINI, Mr. GALLO, Mr. WOLF, Mr. GORDON, Mr. PAXON, Mr. MOAKLEY, Mr. HORTON, Mr. MOLLOHAN, Mr. MCMILLEN of Maryland, Mr. SCHEUER, Mrs. VUCANOVICH, Mr. WALSH, Mr. MONTGOMERY, Mrs. UNSOELD, Mr. PRICE, Mr. MURTHA, Mr. RANGEL, Mr. HARRIS, Mr. SAXTON, Mr. DELLUMS, Mrs. LOWEY of New York, Mr. MCDADE, Mr. BILEY, Mr. DOWNEY, Mr. ACKERMAN, Mr. APPLIGATE, Mr. FLAKE, Mr. SCHUMER, Mr. ROE, Mr. LEVIN of Michigan, Mr. BOEHLERT, Mr. FISH, Mr. NOWAK, Mr. HOCHBRUECKNER, Mr. MAVROULES, Mr. VENTO, Mr. SANGMEISTER, Ms. NORTON, Mr. WEISS, and Mr. GONZALEZ.

H.J. Res. 422: Mr. BONIOR, Mr. BORSKI, Mr. BUNNING, Mr. FAZIO, Mr. LEHMAN of California, Mr. LEVINE of California, Ms. MOLINARI, Mrs. PATTERSON, Mr. RAMSTAD, Mr. RIGGS, Mr. ROSE, Mr. SISISKY, Mr. YOUNG of Alaska, Mr. POSHARD, Mr. BLAZ, and Mr. TORRICELLI.

H.J. Res. 442: Mr. LAFALCE, Mr. COX of California, Mr. FROST, and Mr. JONES of Georgia.

H.J. Res. 445: Ms. SNOWE, Mr. ZIMMER, Mr. APPLIGATE, Mr. STEARNS, Mr. GONZALEZ, Mr. DARDEN, Mr. FROST, Mr. KLUG, and Mrs. COLLINS of Illinois.

H.J. Res. 450: Mr. EWING.

H.J. Res. 455: Mr. VANDER JAGT and Mr. BILEY.

H.J. Res. 479: Mr. RITTER, Mr. FROST, and Mr. JEFFERSON.

H.J. Res. 482: Mr. FROST, Mr. JONES of Georgia, Mrs. COLLINS of Illinois, Mr. JEFFERSON, and Mr. MOORHEAD.

H. Con. Res. 77: Mr. TAYLOR of North Carolina.

H. Con. Res. 180: Mr. BACCHUS.

H. Con. Res. 257: Mr. ENGEL, Mr. KILDEE, Mr. MINETA, and Mr. SHAYS.

H. Con. Res. 276: Mr. SAXTON, Mr. JONES of Georgia, Mr. TORRES, Mr. HAYES of Illinois, Mr. DICKINSON, Mr. LANTOS, Mr. VANDER JAGT, Mr. ZELIFF, Mr. SCHEUER, Mr. KASICH, and Mr. LIVINGSTON.

H. Con. Res. 295: Mr. ACKERMAN, Ms. HORN, Mr. WELDON, Mr. EARLY, and Mr. VENTO.

H. Con. Res. 309: Mr. GUARINI and Mr. HATCHER.

H. Con. Res. 316: Mr. WALSH, Mr. KOSTMAYER, Mr. LENT, Mr. MCMILLEN of Maryland, Mr. MARTINEZ, Mr. EVANS, Mr. WAXMAN, Mr. SANTORUM, Mr. WELDON, Mrs. LOWEY of New York, and Mr. AUCOIN.

H. Con. Res. 317: Mr. WALSH, Mr. OWENS of Utah, and Mr. POSHARD.

H. Con. Res. 271: Mrs. LOWEY of New York and Mr. MAVROULES.

¶64.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3035: Mr. COOPER.

¶64.38 PETITIONS, ETC.

Under clause 1 of rule XXII,

160. The SPEAKER presented a petition of County Administrator, Camden County, NJ, relative to support of H.R. 917; which was referred to the Committee on Ways and Means.

THURSDAY, JUNE 4, 1992 (65)

The House was called to order by the SPEAKER.

¶65.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 3, 1992.

Pursuant to clause 1, rule I, the Journal was approved.

¶65.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3670. A letter from the Comptroller General, the General Accounting Office, transmitting an impoundment of Department of Defense budget authority that should have been but was not reported to the Congress by the President under the Impoundment Control Act of 1974, pursuant to U.S.C. 686(a) (H. Doc. No. 102-342); to the Committee on Appropriations and ordered to be printed.

3671. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to repeal section 7299a(a) of title 10, United States Code, to permit distribution of assignments and contracts for construction of combatant vessels and escort vessels on the basis of economic and military consideration; to the Committee on Armed Services.

3672. A letter from the Assistant Secretary for Environment, Safety and Health, Department of Energy, transmitting the Department's 1991 annual report on progress in implementing requirements concerning the Nation's worst hazardous waste sites, pursuant to Public Law 99-499, section 120(e)(5) (100 Stat. 1669); to the Committee on Energy and Commerce.

3673. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on employment of U.S. citizens by certain international organizations, pursuant to Public Law 102-138, section 181 (105 Stat. 682); to the Committee on Foreign Affairs.

3674. A letter from the Secretary of Commerce, transmitting the semiannual report on the activities of the Department's Office of Inspector General for the period October 1, 1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3675. A letter from the Attorney General, Department of Justice, transmitting the semiannual report of activities of the inspector general covering the period October 1, 1991 through March 31, 1992, and management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3676. A letter from the Chairman, Federal Housing Finance Board, transmitting a copy

of the semiannual report on activities of the inspector general for the period October 1, 1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3677. A letter from the Administrator, General Services Administration, transmitting the semiannual report of activities of the inspector general covering the period October 1, 1991 through March 31, 1992, and management report for the same period, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3678. A letter from the Commissioner, Social Security Administration, transmitting the Social Security Administration's 1992 Annual Report to Congress, pursuant to 42 U.S.C. 904; to the Committee on Ways and Means.

3679. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the transfer by lease of three naval vessels to the Coordination Council for North American Affairs; jointly, to the Committees on Armed Services and Foreign Affairs.

3680. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the Board's findings, conclusions, recommendations relating to high-level radioactive waste or spent nuclear fuel, pursuant to 42 U.S.C. 10268; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

3681. A letter from the Attorney General, Department of Justice, transmitting the 1991 annual report on the number of applications that were made for orders and extension of orders approving electronic surveillance under the Foreign Intelligence Surveillance Act, pursuant to 50 U.S.C. 1807; jointly, to the Committees on the Judiciary and the Permanent Select Committee on Intelligence.

3682. A letter from the Secretary of Energy, transmitting a report entitled "Pinon Pine Integrated Gasification Combined Cycle Demonstration Project," proposed by Sierra Pacific Power Co., pursuant to Public Law 101-512; jointly, to the Committees on Appropriations, Energy and Commerce, and Science, Space, and Technology.

3683. A letter from the Secretary of Energy, transmitting a report entitled "Wabash River Coal Gasification Repowering Project," proposed by Wabash River Coal Gasification Repowering Project Joint Venture, pursuant to Public Law 101-512; jointly, to the Committees on Appropriations, Energy and Commerce, and Science, Space, and Technology.

3684. A letter from the Secretary of Energy, transmitting a report entitled "Micronized Coal Reburning Demonstration for NO_x Control on a 175-MWe Wall-Fired Unit," proposed by Tennessee Valley Authority, pursuant to Public Law 101-512; jointly, to the Committees on Appropriations, Energy and Commerce, and Science, Space, and Technology.

¶65.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2977. An Act to authorize appropriations for public broadcasting, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2802. An Act to extend the authorization of the Commission on Interstate Child Support and the deadline for the Commission's report to Congress.

The message also announced that pursuant to Senate Resolution 222, 93d Congress, the Chair, on behalf of the President pro tempore, appointed Mr. GRAHAM, Mr. SANFORD, and Mr. MITCHELL, to serve as ex officio members of the Committee on Commerce, Science, and Transportation for the purpose of participating in the National Ocean Policy Study.

165.4 COPYRIGHT RENEWAL PROVISIONS

On motion of Mr. BROOKS, by unanimous consent, the bill of the Senate (S. 756) to amend title 17, United States Code, the copyright renewal provisions, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. BROOKS submitted the following amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Copyright Amendments Act of 1992".

TITLE I—RENEWAL OF COPYRIGHT

SEC. 101. SHORT TITLE.

This title may be referred to as the "Copyright Renewal Act of 1992".

SEC. 102. COPYRIGHT RENEWAL PROVISIONS.

(a) DURATION OF COPYRIGHT: SUBSISTING COPYRIGHTS.—Section 304(a) of title 17, United States Code, is amended to read as follows:

"(a) COPYRIGHTS IN THEIR FIRST TERM ON JANUARY 1, 1978.—(1)(A) Any copyright, the first term of which is subsisting on January 1, 1978, shall endure for 28 years from the date it was originally secured.

"(B) In the case of—

"(i) any posthumous work or of any periodical, cyclopedic, or other composite work upon which the copyright was originally secured by the proprietor thereof, or

"(ii) any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author) or by an employer for whom such work is made for hire,

the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the further term of 47 years.

"(C) In the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work—

"(i) the author of such work, if the author is still living,

"(ii) the widow, widower, or children of the author, if the author is not living,

"(iii) the author's executors, if such author, widow, widower, or children are not living, or

"(iv) the author's next of kin, in the absence of a will of the author,

shall be entitled to a renewal and extension of the copyright in such work for a further term of 47 years.

"(2)(A) At the expiration of the original term of copyright in a work specified in paragraph (1)(B) of this subsection, the copyright shall endure for a renewed and extended further term of 47 years, which—

"(i) if an application to register a claim to such further term has been made to the Copyright Office within 1 year before the expiration of the original term of copyright,

and the claim is registered, shall vest, upon the beginning of such further term, in the proprietor of the copyright who is entitled to claim the renewal of copyright at the time the application is made; or

"(ii) if no such application is made or the claim pursuant to such application is not registered, shall vest, upon the beginning of such further term, in the person or entity that was the proprietor of the copyright as of the last day of the original term of copyright.

"(B) At the expiration of the original term of copyright in a work specified in paragraph (1)(C) of this subsection, the copyright shall endure for a renewed and extended further term of 47 years, which—

"(i) if an application to register a claim to such further term has been made to the Copyright Office within 1 year before the expiration of the original term of copyright, and the claim is registered, shall vest, upon the beginning of such further term, in any person who is entitled under paragraph (1)(C) to the renewal and extension of the copyright at the time the application is made; or

"(ii) if no such application is made or the claim pursuant to such application is not registered, shall vest, upon the beginning of such further term, in any person entitled under paragraph (1)(C), as of the last day of the original term of copyright, to the renewal and extension of the copyright.

"(3)(A) An application to register a claim to the renewed and extended term of copyright in a work may be made to the Copyright Office—

"(i) within 1 year before the expiration of the original term of copyright by any person entitled under paragraph (1) (B) or (C) to such further term of 47 years; and

"(ii) at any time during the renewed and extended term by any person in whom such further term vested, under paragraph (2) (A) or (B), or by any successor or assign of such person, if the application is made in the name of such person.

"(B) Such an application is not a condition of the renewal and extension of the copyright in a work for a further term of 47 years.

"(4)(A) If an application to register a claim to the renewed and extended term of copyright in a work is not made within 1 year before the expiration of the original term of copyright in a work, or if the claim pursuant to such application is not registered, then a derivative work prepared under authority of a grant of a transfer or license of the copyright that is made before the expiration of the original term of copyright may continue to be used under the terms of the grant during the renewed and extended term of copyright without infringing the copyright, except that such use does not extend to the preparation during such renewed and extended term of other derivative works based upon the copyrighted work covered by such grant.

"(B) If an application to register a claim to the renewed and extended term of copyright in a work is made within 1 year before its expiration, and the claim is registered, the certificate of such registration shall constitute prima facie evidence as to the validity of the copyright during its renewed and extended term and of the facts stated in the certificate. The evidentiary weight to be accorded the certificates of a registration of a renewed and extended term of copyright made after the end of that 1-year period shall be within the discretion of the court."

(b) REGISTRATION.—(1) Section 409 of title 17, United States Code, is amended by adding at the end the following:

"If an application is submitted for the renewed and extended term provided for in section 304(a)(3)(A) and an original term registration has not been made, the Register may request information with respect to the

existence, ownership, or duration of the copyright for the original term."

(2) Section 101 of title 17, United States Code, is amended by inserting after the definition of "publication" the following:

"Registration", for purposes of sections 205(c)(2), 405, 406, 410(d), 411, 412, and 506(e), means a registration of a claim in the original or the renewed and extended term of copyright."

(c) LEGAL EFFECT OF RENEWAL OF COPYRIGHT UNCHANGED.—The renewal and extension of a copyright for a further term of 47 years provided for under paragraphs (1) and (2) of section 304(a) of title 17, United States Code, (as amended by subsection (a) of this section) shall have the same effect with respect to any grant, before the effective date of this section, of a transfer or license of the further term as did the renewal of a copyright before the effective date of this section under the law in effect at the time of such grant.

(d) CONFORMING AMENDMENT.—Section 304(c) of title 17, United States Code, is amended in the matter preceding paragraph (1) by striking "second proviso of subsection (a)" and inserting "subsection (a)(1)(C)".

(e) REGISTRATION PERMISSIVE.—Section 408(a) of title 17, United States Code, is amended by striking "At" and all that follows through "unpublished work," and inserting "At any time during the subsistence of the first term of copyright in any published or unpublished work in which the copyright was secured before January 1, 1978, and during the subsistence of any copyright secured on or after that date,"

(f) COPYRIGHT OFFICE FEES.—Section 708(a)(2) of title 17, United States Code, is amended—

(1) by striking "in its first term"; and

(2) by striking "\$12" and inserting "\$20".

(g) EFFECTIVE DATE; COPYRIGHTS AFFECTED BY AMENDMENT.—(1) Subject to paragraphs (2) and (3), this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) The amendments made by this section shall apply only to those copyrights secured between January 1, 1964, and December 31, 1977. Copyrights secured before January 1, 1964, shall be governed by the provisions of section 304(a) of title 17, United States Code, as in effect on the day before the effective date of this section.

(3) This section and the amendments made by this section shall not affect any court proceedings pending on the effective date of this section.

TITLE II—NATIONAL FILM PRESERVATION

SEC. 201. SHORT TITLE.

This title may be cited as the "National Film Preservation Act of 1992".

SEC. 202. NATIONAL FILM REGISTRY OF THE LIBRARY OF CONGRESS.

The Librarian of Congress (hereinafter in this title referred to as the "Librarian") shall establish a National Film Registry pursuant to the provisions of this title, for the purpose of maintaining and preserving films that are culturally, historically, or aesthetically significant.

SEC. 203. DUTIES OF THE LIBRARIAN OF CONGRESS.

(a) STUDY OF FILM PRESERVATION.—(1) The Librarian shall, after consultation with the Board established pursuant to section 204, conduct a study on the current state of film preservation and restoration activities, including the activities of the Library of Congress and the other major film archives in the United States. The Librarian shall, in conducting the study—

(A) take into account the objectives of the national film preservation program set forth in clauses (i) through (iii) of subsection (b)(1)(A); and