

104TH CONGRESS
1ST SESSION

H. R. 1734

To reauthorize the National Film Preservation Board, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1995

Mr. MOORHEAD (for himself, Mr. COBLE, and Mr. BONO) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Oversight, 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 National Film Preservation Board, 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 **TITLE I—REAUTHORIZATION OF**
4 **THE NATIONAL FILM PRESER-**
5 **VATION BOARD**

6 **SEC. 101. SHORT TITLE.**

7 This title may be cited as the “National Film Preser-
8 vation Act of 1995”.

1 **SEC. 102. NATIONAL FILM REGISTRY OF THE LIBRARY OF**
2 **CONGRESS.**

3 The Librarian of Congress (hereafter in this Act re-
4 ferred to as the “Librarian”) shall continue the National
5 Film Registry established and maintained under the Na-
6 tional Film Preservation Act of 1988 (Public Law 100-
7 446), and the National Film Preservation Act of 1992
8 (Public Law 102-307) pursuant to the provisions of this
9 title, for the purpose of maintaining and preserving films
10 that are culturally, historically, or aesthetically significant.

11 **SEC. 103. DUTIES OF THE LIBRARIAN OF CONGRESS.**

12 (a) POWERS.—

13 (1) IN GENERAL.—The Librarian shall, after
14 consultation with the Board established pursuant to
15 section 104—

16 (A) continue the implementation of the
17 comprehensive national film preservation pro-
18 gram for motion pictures established under the
19 National Film Preservation Act of 1992, in con-
20 junction with other film archivists, educators
21 and historians, copyright owners, film industry
22 representatives, and others involved in activities
23 related to film preservation, taking into account
24 the objectives of the national film preservation
25 study and the comprehensive national plan con-

1 ducted under the National Film Preservation
2 Act of 1992. This program shall—

3 (i) coordinate activities to assure that
4 efforts of archivists and copyright owners,
5 and others in the public and private sector,
6 are effective and complementary;

7 (ii) generate public awareness of and
8 support for these activities;

9 (iii) increase accessibility of films for
10 educational purposes; and

11 (iv) undertake studies and investiga-
12 tions of film preservation activities as
13 needed, including the efficacy of new tech-
14 nologies, and recommend solutions to im-
15 prove these practices;

16 (B) establish criteria and procedures under
17 which films may be included in the National
18 Film Registry, except that no film shall be eligi-
19 ble for inclusion in the National Film Registry
20 until 10 years after such film's first publication;

21 (C) establish procedures under which the
22 general public may make recommendations to
23 the Board regarding the inclusion of films in
24 the National Film Registry; and

1 (D) determine which films satisfy the cri-
2 teria established under subparagraph (B) and
3 qualify for inclusion in the National Film Reg-
4 istry, except that the Librarian shall not select
5 more than 25 films each year for inclusion in
6 the Registry.

7 (2) PUBLICATION OF FILMS IN REGISTRY.—The
8 Librarian shall publish in the Federal Register the
9 name of each film that is selected for inclusion in
10 the National Film Registry.

11 (3) SEAL.—The Librarian shall provide a seal
12 to indicate that a film has been included in the Na-
13 tional Film Registry and is the Registry version of
14 that film. The Librarian shall establish guidelines
15 for approval of the use of the seal in accordance
16 with subsection (b).

17 (b) USE OF SEAL.—The seal provided under sub-
18 section (a)(3) may only be used on film copies of the Reg-
19 istry version of a film. Such seal may be used only after
20 the Librarian has given approval to those persons seeking
21 to apply the seal in accordance with the guidelines under
22 subsection (a)(3). In the case of copyrighted works, only
23 the copyright owner or an authorized licensee of the copy-
24 right owner may place or authorize the placement of the
25 seal on any film copy of a Registry version of a film se-

1 lected for inclusion in the National Film Registry, and the
2 Librarian may place the seal on any film copy of the Reg-
3 istry version of any film that is maintained in the National
4 Film Registry Collection in the Library of Congress. Any-
5 one authorized to place the seal on any film copy of any
6 Registry version of a film may accompany such seal with
7 the following language: “This film was selected for inclu-
8 sion in the National Film Registry by the National Film
9 Preservation Board of the Library of Congress because of
10 its cultural, historical, or aesthetic significance.”.

11 **SEC. 104. NATIONAL FILM PRESERVATION BOARD.**

12 (a) NUMBER AND APPOINTMENT.—

13 (1) MEMBERS.—The Librarian shall establish
14 in the Library of Congress a National Film Preser-
15 vation Board to be comprised of 20 members, who
16 shall be selected by the Librarian in accordance with
17 this section. Subject to subparagraphs (C) and (N),
18 the Librarian shall request each organization listed
19 in subparagraphs (A) through (Q) to submit a list
20 of 3 candidates qualified to serve as a member of the
21 Board. Except for the members-at-large appointed
22 under subparagraph (2), the Librarian shall appoint
23 one member from each such list submitted by such
24 organizations, and shall designate from that list an
25 alternate who may attend at Board expense those

1 meetings to which the individual appointed to the
2 Board cannot attend. The organizations are the fol-
3 lowing:

4 (A) The Academy of Motion Picture Arts
5 and Sciences.

6 (B) The Directors Guild of America.

7 (C) The Writers Guild of America. The
8 Writers Guild of America East and the Writers
9 Guild of America West shall each nominate
10 three candidates, and a representative from one
11 organization shall be selected as the member
12 and a representative from the other organiza-
13 tion as the alternate.

14 (D) The National Society of Film Critics.

15 (E) The Society for Cinema Studies.

16 (F) The American Film Institute.

17 (G) The Department of Theatre, Film and
18 Television of the College of Fine Arts at the
19 University of California, Los Angeles.

20 (H) The Department of Film and Tele-
21 vision of the Tisch School of the Arts at New
22 York University.

23 (I) The University Film and Video Asso-
24 ciation.

1 (J) The Motion Picture Association of
2 America.

3 (K) The Alliance of Motion Picture and
4 Television Producers.

5 (L) The Screen Actors Guild of America.

6 (M) The National Association of Theater
7 Owners.

8 (N) The American Society of Cinematog-
9 raphers and the International Photographers
10 Guild, which shall jointly submit one list of 3
11 candidates from which a member and alternate
12 will be selected.

13 (O) The United States Members of the
14 International Federation of Film Archives.

15 (P) The Association of Moving Image Ar-
16 chivists.

17 (Q) The Society of Composers and
18 Lyricists.

19 (2) MEMBERS-AT-LARGE.—In addition to the
20 Members appointed under paragraph (1), the Li-
21 brarian shall appoint up to 3 members-at-large. The
22 Librarian shall also select an alternate for each
23 member at-large, who may attend at Board expense
24 those meetings which the member at-large cannot
25 attend.

1 (b) CHAIR.—The Librarian shall appoint one member
2 of the Board to serve as Chair.

3 (c) TERM OF OFFICE.—

4 (1) TERMS.—The term of each member of the
5 Board shall be 5 years, except that there shall be no
6 limit to the number of terms that any individual
7 member may serve.

8 (2) REMOVAL OF MEMBER OR ORGANIZA-
9 TION.—The Librarian shall have the authority to re-
10 move any member of the Board, or the organization
11 listed in subsection (a) such member represents, if
12 the member, or organization, over any consecutive 2-
13 year period, fails to attend at least one regularly
14 scheduled Board meeting.

15 (3) VACANCIES.—A vacancy in the Board shall
16 be filled in the manner in which the original appoint-
17 ment was made under subsection (a), except that the
18 Librarian may fill the vacancy from a list of can-
19 didates previously submitted by the organization or
20 organizations involved. Any member appointed to fill
21 a vacancy before the expiration of the term for
22 which his or her predecessor was appointed shall be
23 appointed for the remainder of such term.

24 (d) QUORUM.—11 members of the Board shall con-
25 stitute a quorum but a lesser number may hold hearings.

1 (e) BASIC PAY.—Members of the Board shall serve
2 without pay. While away from their home or regular places
3 of business in the performance of functions of the Board,
4 members of the Board shall be allowed travel expenses,
5 including per diem in lieu of subsistence, in the same man-
6 ner as persons employed intermittently in Government
7 service are allowed expenses under section 5701 of title
8 5, United States Code.

9 (f) MEETINGS.—The Board shall meet at least once
10 each fiscal year. Meetings shall be at the call of the Li-
11 brarian.

12 (g) CONFLICT OF INTEREST.—The Librarian shall
13 establish rules and procedures to address any potential
14 conflict of interest between a member of the Board and
15 responsibilities of the Board.

16 **SEC. 105. RESPONSIBILITIES AND POWERS OF BOARD.**

17 (a) IN GENERAL.—The Board shall review nomina-
18 tions of films submitted to it for inclusion in the National
19 Film Registry and consult with the Librarian, as provided
20 in section 103, with respect to the inclusion of such films
21 in the Registry and the preservation of these and other
22 films that are culturally, historically, or aesthetically sig-
23 nificant.

24 (b) NOMINATION OF FILMS.—The Board shall con-
25 sider, for inclusion in the National Film Registry, nomina-

1 tions submitted by the general public as well as represent-
2 atives of the film industry, such as the guilds and societies
3 representing actors, directors, screenwriters, cinematog-
4 raphers, and other creative artists, producers, and film
5 critics, archives and other film preservation organizations,
6 and representatives of academic institutions with film
7 study programs. The Board shall nominate not more than
8 25 films each year for inclusion in the Registry.

9 (c) POWERS.—

10 (1) IN GENERAL.—The Board may, for the pur-
11 pose of carrying out its duties, hold such hearings,
12 sit and act at such times and places, take such testi-
13 mony, and receive such evidence, as the Librarian
14 and the Board consider appropriate.

15 (2) SERVICE ON FOUNDATION.—Two sitting
16 members of the Board shall be appointed by the Li-
17 brarian, and shall serve, as Board members of the
18 National Film Preservation Foundation, in accord-
19 ance with section 203.

20 **SEC. 106. NATIONAL FILM REGISTRY COLLECTION OF THE**
21 **LIBRARY OF CONGRESS.**

22 (a) ACQUISITION OF ARCHIVAL QUALITY COPIES.—
23 The Librarian shall endeavor to obtain, by gift from the
24 owner, an archival quality copy of the Registry version of
25 each film included in the National Film Registry. When-

1 ever possible, the Librarian shall endeavor to obtain the
2 best surviving materials, including preprint materials.
3 Copyright owners and others possessing copies of such
4 materials are strongly encouraged, to further the preserva-
5 tion purposes of this Act, to provide preprint and other
6 archival elements to the Library of Congress.

7 (b) ADDITIONAL MATERIALS.—The Librarian shall
8 endeavor to obtain, for educational and research purposes,
9 additional materials related to each film included in the
10 National Film Registry, such as background materials,
11 production reports, shooting scripts (including continuity
12 scripts) and other similar materials.

13 (c) PROPERTY OF UNITED STATES.—All copies of
14 films on the National Film Registry that are received as
15 gifts or bequests by the Librarian and other materials re-
16 ceived by the Librarian under subsection (b), shall become
17 the property of the United States Government, subject to
18 the provisions of title 17, United States Code.

19 (d) NATIONAL FILM REGISTRY COLLECTION.—All
20 copies of films on the National Film Registry that are re-
21 ceived by the Librarian under subsection (a), and other
22 materials received by the Librarian under subsection (b),
23 shall be maintained in the Library of Congress and be
24 known as the “National Film Registry Collection of the
25 Library of Congress”. The Librarian shall, by regulation,

1 and in accordance with title 17, United States Code, pro-
2 vide for reasonable access to the films and other materials
3 in such collection for scholarly and research purposes.

4 **SEC. 107. SEAL OF THE NATIONAL FILM REGISTRY.**

5 (a) USE OF THE SEAL.—

6 (1) PROHIBITION ON DISTRIBUTION AND EXHI-
7 BITION.—No person shall knowingly distribute or ex-
8 hibit to the public a version of a film or any copy
9 of a film which bears the seal described in section
10 103(a)(3) if such film—

11 (A) is not included in the National Film
12 Registry; or

13 (B) is included in the National Film Reg-
14 istry, but such film or film copy has not been
15 approved for use of the seal by the Librarian
16 pursuant to section 103(a)(1)(D).

17 (2) PROHIBITION ON PROMOTION.—No person
18 shall knowingly use the seal described in section
19 103(a)(3) to promote any version of a film or film
20 copy other than a Registry version.

21 (b) EFFECTIVE DATE OF THE SEAL.—The use of the
22 seal described in section 103(a)(3) shall be effective for
23 each film after the Librarian publishes in the Federal Reg-
24 ister, in accordance with section 103(a)(2), the name of

1 that film as selected for inclusion in the National Film
2 Registry.

3 **SEC. 108. REMEDIES.**

4 (a) JURISDICTION.—The several district courts of the
5 United States shall have jurisdiction, for cause shown, to
6 prevent and restrain violations of section 107(a).

7 (b) RELIEF.—

8 (1) REMOVAL OF SEAL.—Except as provided in
9 paragraph (2), relief for violation of section 107(a)
10 shall be limited to the removal of the seal of the Na-
11 tional Film Registry from the film involved in the
12 violation.

13 (2) FINE AND INJUNCTIVE RELIEF.—In the
14 case of a pattern or practice of the willful violation
15 of section 107(a), the United States district courts
16 may order a civil fine of not more than \$10,000 and
17 appropriate injunctive relief.

18 **SEC. 109. LIMITATIONS OF REMEDIES.**

19 The remedies provided in section 108 shall be the ex-
20 clusive remedies under this title, or any other Federal or
21 State law, regarding the use of the seal described in sec-
22 tion 103(a)(3).

1 **SEC. 110. STAFF OF BOARD; EXPERTS AND CONSULTANTS.**

2 (a) STAFF.—The Librarian may appoint and fix the
3 pay of such personnel as the Librarian considers appro-
4 priate to carry out this title.

5 (b) EXPERTS AND CONSULTANTS.—The Librarian
6 may, in carrying out this title, procure temporary and
7 intermittent services under section 3109(b) of title 5,
8 United States Code, but at rates for individuals not to
9 exceed the daily equivalent of the maximum rate of basic
10 pay payable for GS-15 of the General Schedule. In no case
11 may a member of the Board or an alternate be paid as
12 an expert or consultant under this section.

13 **SEC. 111. DEFINITIONS.**

14 As used in this title—

15 (1) the term “Librarian” means the Librarian
16 of Congress;

17 (2) the term “Board” means the National Film
18 Preservation Board;

19 (3) the term “film” means a “motion picture”
20 as defined in section 101 of title 17, United States
21 Code, except that such term does not include any
22 work not originally fixed on film stock, such as a
23 work fixed on videotape or laser disk;

24 (4) the term “publication” means “publication”
25 as defined in section 101 of title 17 United States
26 Code; and

1 (5) the term “Registry version” means, with re-
2 spect to a film, the version of a film first published,
3 or as complete a version as bona fide preservation
4 and restoration activities by the Librarian, an archi-
5 vist other than the Librarian, or the copyright owner
6 can compile in those cases where the original mate-
7 rial has been irretrievably lost.

8 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated to the Li-
10 brarian such sums as may be necessary to carry out the
11 purposes of this title, but in no fiscal year shall such sum
12 exceed \$250,000.

13 **SEC. 113. EFFECTIVE DATE.**

14 The provisions of this title shall be effective for 10
15 years beginning on the date of the enactment of this Act.
16 The provisions of this title shall apply to any copy of any
17 film, including those copies of films selected for inclusion
18 in the National Film Registry under the National Film
19 Preservation Act of 1988 and the National Film Preserva-
20 tion Act of 1992, except that any film so selected under
21 either Act shall be deemed to have been selected for the
22 National Film Registry under this title.

23 **SEC. 114. REPEAL.**

24 The National Film Preservation Act of 1992 (2
25 U.S.C. 179 and following) is repealed.

1 **TITLE II—THE NATIONAL FILM**
2 **PRESERVATION FOUNDATION**
3 **ACT**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “National Film Preser-
6 vation Foundation Act”.

7 **SEC. 202. ESTABLISHMENT AND PURPOSE OF FOUNDATION.**

8 (a) ESTABLISHMENT.—There is established the Na-
9 tional Film Preservation Foundation (hereafter in this
10 title referred to as the “Foundation”). The Foundation
11 is a charitable and nonprofit corporation and is not an
12 agency or establishment of the United States.

13 (b) PURPOSES.—The purposes of the Foundation
14 are—

15 (1) to encourage, accept, and administer private
16 gifts to promote and ensure the preservation and
17 public accessibility of the nation’s film heritage held
18 at the Library of Congress and other public and
19 non-profit archives throughout the United States;

20 (2) to further the goals of the Library of Con-
21 gress and the National Film Preservation Board in
22 connection with their activities under the National
23 Film Preservation Act; and

24 (3) to undertake and conduct other activities,
25 alone or in cooperation with other film related insti-

1 tutions and organizations, as will further the preser-
2 vation and public accessibility of films made in the
3 United States, particularly those not protected by
4 private interests, for the benefit of present and fu-
5 ture generations of Americans.

6 **SEC. 203. BOARD OF DIRECTORS OF THE FOUNDATION.**

7 (a) ESTABLISHMENT AND MEMBERSHIP.—The
8 Foundation shall have a governing Board of Directors
9 (hereafter in this title referred to as the “Board”), which
10 shall consist of 9 Directors, each of whom shall be a Unit-
11 ed States citizen and at least 6 of whom must be knowl-
12 edgeable or experienced in film production, distribution,
13 preservation or restoration, including 2 who shall be sit-
14 ting members of the National Film Preservation Board.
15 These 6 members of the Board shall, to the extent prac-
16 ticable, represent diverse points of views from the film
17 community, including motion picture producers, creative
18 artists, nonprofit and public archivists, historians, film
19 critics, theater owners, and laboratory and university per-
20 sonnel. The Librarian of Congress (hereafter in this title
21 referred to as the “Librarian”) shall be an ex officio non-
22 voting member of the Board. Appointment to the Board
23 shall not constitute employment by, or the holding of an
24 office of, the United States for the purpose of any Federal
25 law.

1 (b) APPOINTMENT AND TERMS.—Within 90 days
2 after the date of the enactment of this Act, the Librarian
3 shall appoint the Directors of the Board. Each Director
4 shall be appointed for a term of 5 years. A vacancy on
5 the Board shall be filled, within 60 days after the vacancy
6 occurs, in the manner in which the original appointment
7 was made. No individual may serve more than 2 consecu-
8 tive terms as a Director.

9 (c) CHAIR.—The initial Chair shall be appointed by
10 the Librarian from the membership of the Board for a
11 2-year term, and thereafter shall be appointed and re-
12 moved in accordance with the Foundation's bylaws.

13 (d) QUORUM.—A majority of the current membership
14 of the Board shall constitute a quorum for the transaction
15 of business.

16 (e) MEETINGS.—The Board shall meet at the call of
17 the Librarian or the Chair at least once a year. If a Direc-
18 tor misses 3 consecutive regularly scheduled meetings,
19 that individual may be removed from the Board by the
20 Librarian, and that vacancy shall be filled in accordance
21 with subsection (b).

22 (f) REIMBURSEMENT OF EXPENSES.—Members of
23 the Board shall serve without pay, but may be reimbursed
24 for the actual and necessary traveling and subsistence ex-

1 penses incurred by them in the performance of the duties
2 of the Foundation.

3 (g) GENERAL POWERS.—

4 (1) ORGANIZATION OF FOUNDATION.—The
5 Board may complete the organization of the Foun-
6 dation by—

7 (A) appointing, removing, and replacing of-
8 ficers, except as provided for in paragraph
9 (2)(B);

10 (B) adopting a constitution and bylaws
11 consistent with the purpose of the Foundation
12 and the provisions of this title; and

13 (C) undertaking such other acts as may be
14 necessary to carry out the provisions of this
15 title.

16 (2) LIMITATION ON APPOINTMENT OF EMPLOY-
17 EES.—The following limitations apply with respect
18 to the appointment of employees of the Foundation:

19 (A) Employees may not be appointed until
20 the Foundation has sufficient funds to pay
21 them for their services. Except as provided in
22 subparagraph (B), employees of the Foundation
23 shall be appointed, removed, and replaced by
24 the Secretary of the Board. All employees (in-
25 cluding the Secretary of the Board) shall be ap-

1 pointed and removed without regard to the pro-
2 visions of title 5, United States Code, governing
3 appointments in the competitive service, and
4 may be paid without regard to the provisions of
5 chapter 51 and subchapter III of chapter 53 of
6 such title relating to classification and General
7 Schedule pay rates, except that no individual so
8 appointed may receive pay in excess of the an-
9 nual rate of basic pay in effect for grade GS-
10 15 of the General Schedule. Neither the Board,
11 nor any of the employees of the Foundation, in-
12 cluding the Secretary of the Board, shall be
13 construed to be employees of the Library of
14 Congress.

15 (B) The first employee appointed shall be
16 the Secretary of the Board. The Secretary shall
17 be appointed, and may be removed by, the Li-
18 brarian.

19 (C) The Secretary of the Board shall—

- 20 (i) serve as its executive director, and
21 (ii) be knowledgeable and experienced
22 in matters relating to film preservation
23 and restoration activities, financial man-
24 agement, and fund-raising.

1 **SEC. 204. RIGHTS AND OBLIGATIONS OF THE FOUNDATION**

2 (a) GENERAL.—The Foundation—

3 (1) shall have perpetual succession;

4 (2) may conduct business in the several States,
5 the District of Columbia, and any commonwealth,
6 territory, or possession of the United States;

7 (3) shall have its principal offices in the Dis-
8 trict of Columbia; and

9 (4) shall at all times maintain a designated
10 agent authorized to accept service of process for the
11 Foundation.

12 The serving of notice to, or service of process upon, the
13 agent required under paragraph (4), or mailed to the busi-
14 ness address of such agent, shall be deemed as service
15 upon or notice to the Foundation.

16 (b) SEAL.—The Foundation shall have an official seal
17 selected by the Board which shall be judicially noticed.

18 (c) POWERS.—To carry out its purposes under sec-
19 tion 202, the Foundation shall have, in addition to the
20 powers otherwise given it under this title, the usual powers
21 of a corporation acting as a trustee in the District of Co-
22 lumbia, including the power—

23 (1) to accept, receive, solicit, hold, administer,
24 and use any gift, devise, or bequest, either absolutely
25 or in trust, of real or personal property or any in-
26 come therefrom or other interest therein;

1 (2) to acquire by purchase or exchange any real
2 or personal property or interest therein;

3 (3) unless otherwise required by the instrument
4 of transfer, to sell, donate, lease, invest, reinvest, re-
5 tain, or otherwise dispose of any property or income
6 therefrom;

7 (4) to borrow money and issue bonds, debent-
8 ures, or other debt instruments;

9 (5) to sue and be sued, and complain and de-
10 fend itself in any court of competent jurisdiction, ex-
11 cept that the Directors of the Board shall not be
12 personally liable, except for gross negligence;

13 (6) to enter into contracts or other arrange-
14 ments with public agencies and private organizations
15 and persons and to make such payments as may be
16 necessary to carry out its functions; and

17 (7) to do any and all acts necessary and proper
18 to carry out the purposes of the Foundation.

19 A gift, devise, or bequest may be accepted by the Founda-
20 tion even though it is encumbered, restricted, or subject
21 to beneficial interests of private persons, if any current
22 or future interest therein is for the benefit of the Founda-
23 tion.

1 **SEC. 205. ADMINISTRATIVE SERVICES AND SUPPORT.**

2 The Librarian may provide personnel, facilities, and
3 other administrative services to the Foundation, including
4 reimbursement of expenses under section 203, not to ex-
5 ceed the current per diem rates for the Federal Govern-
6 ment, and may accept reimbursement therefor. Amounts
7 so reimbursed shall be deposited in the Treasury to the
8 credit of the appropriations then current and chargeable
9 for the cost of providing such services.

10 **SEC. 206. VOLUNTEER STATUS.**

11 The Librarian may accept, without regard to the civil
12 service classification laws, rules, or regulations, the serv-
13 ices of the Foundation, the Board, and other officers and
14 employees of the Board, without compensation from the
15 Library of Congress, as volunteers in the performance of
16 the functions authorized in this title.

17 **SEC. 207. AUDITS, REPORT REQUIREMENTS, AND PETITION**
18 **OF ATTORNEY GENERAL, FOR EQUITABLE**
19 **RELIEF.**

20 (a) AUDITS.—The Foundation shall be treated as a
21 private corporation established under Federal law for pur-
22 poses of the Act entitled “An Act to provide for audit of
23 accounts of private corporations established under Federal
24 law.”, approved August 30, 1964 (36 U.S.C. 1101–1103).

25 (b) REPORT.—The Foundation shall, as soon as prac-
26 ticable after the end of each fiscal year, transmit to the

1 Congress a report of its proceedings and activities during
2 such year, including a full and complete statement of its
3 receipts, expenditures, and investments.

4 (c) RELIEF WITH RESPECT TO CERTAIN FOUNDA-
5 TION ACTS OR FAILURE TO ACT.—If the Foundation—

6 (1) engages in, or threatens to engage in, any
7 act, practice, or policy that is inconsistent with its
8 purposes set forth in section 202(b), or

9 (2) refuses, fails, or neglects to discharge its
10 obligations under this title, or threatens to do so,

11 the Attorney General of the United States may file a peti-
12 tion in the United States District Court for the District
13 of Columbia for such equitable relief as may be necessary
14 or appropriate.

15 **SEC. 208. UNITED STATES RELEASE FROM LIABILITY.**

16 The United States shall not be liable for any debts,
17 defaults, acts, or omissions of the Foundation, nor shall
18 the full faith and credit of the United States extend to
19 any obligation of the Foundation.

20 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Library of Congress not to exceed
23 \$2,000,000 for each of the fiscal years 1996 through
24 2005, to be made available to the Foundation to match
25 private contributions (whether in currency, services, or

1 property) made to the Foundation by private persons and
2 State and local governments.

3 (b) ADMINISTRATIVE EXPENSES.—No Federal funds
4 authorized under this section may be used by the Founda-
5 tion for administrative expenses of the Foundation, includ-
6 ing for salaries, travel, and transportation expenses, and
7 other overhead expenses.

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