

(b) Use of seal

The seal provided under subsection (a)(3) may only be used on film or other approved copies of the Registry version of a film. Such seal may be used only after the Librarian has given approval to those persons seeking to apply the seal in accordance with the guidelines under subsection (a)(3). In the case of copyrighted, mass distributed, broadcast, or published works, only the copyright owner or an authorized licensee of the copyright owner may place or authorize the placement of the seal on any film or other approved copy of a Registry version of a film selected for inclusion in the National Film Registry, and the Librarian may place the seal on any film or other approved copy of the Registry version of any film that is maintained in the National Film Registry Collection in the Library of Congress. Anyone authorized to place the seal on any film or other approved copy of any Registry version of a film may accompany such seal with the following language: "This film was selected for inclusion in the National Film Registry by the National Film Preservation Board of the Library of Congress because of its cultural, historical, or aesthetic significance." 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.

(c) Coordination of program with other collection, preservation, and accessibility activities

In carrying out the comprehensive national film preservation program for motion pictures established under the National Film Preservation Act of 1992, the Librarian, in consultation with the Board established pursuant to section 179n of this title, shall—

(1) carry out activities to make films included in the National Film registry more broadly accessible for research and educational purposes, and to generate public awareness and support of the Registry and the comprehensive national film preservation program;

(2) review the comprehensive national film preservation plan, and amend it to the extent necessary to ensure that it addresses technological advances in the preservation and storage of, and access to film collections in multiple formats; and

(3) wherever possible, undertake expanded initiatives to ensure the preservation of the moving image heritage of the United States, including film, videotape, television, and born digital moving image formats, by supporting the work of the National Audio-Visual Conservation Center of the Library of Congress, and other appropriate nonprofit archival and preservation organizations.

(Pub. L. 104-285, title I, §103, Oct. 11, 1996, 110 Stat. 3377; Pub. L. 109-9, title III, §302(a), Apr. 27, 2005, 119 Stat. 224; Pub. L. 110-336, §3(a)(2), Oct. 2, 2008, 122 Stat. 3727.)

Editorial Notes**REFERENCES IN TEXT**

The National Film Preservation Act of 1992, referred to in subsecs. (a)(1)(A) and (c), is title II of Pub. L.

102-307, June 26, 1992, 106 Stat. 267, which was classified principally to sections 179 to 179k of this title and was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-336 inserted at end "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."

2005—Subsec. (b). Pub. L. 109-9, §302(a)(1), substituted "film or other approved copies" for "film copies" and "copyrighted, mass distributed, broadcast, or published" for "copyrighted" and substituted "film or other approved copy" for "film copy" wherever appearing.

Subsec. (c). Pub. L. 109-9, §302(a)(2), added subsec. (c).

§ 179n. National Film Preservation Board**(a) Number and appointment****(1) Members**

The Librarian shall establish in the Library of Congress a National Film Preservation Board to be comprised of 22 members, who shall be selected by the Librarian in accordance with this section. Subject to subparagraphs (C) and (N), the Librarian shall request each organization listed in subparagraphs (A) through (Q) to submit a list of three candidates qualified to serve as a member of the Board. Except for the members-at-large appointed under subparagraph¹ (2), the Librarian shall appoint one member from each such list submitted by such organizations, and shall designate from that list an alternate who may attend at Board expense those meetings to which the individual appointed to the Board cannot attend. The organizations are the following:

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

(B) The Directors Guild of America.

(C) The Writers Guild of America. The Writers Guild of America East and the Writers Guild of America West shall each nominate three candidates, and a representative from one organization shall be selected as the member and a representative from the other organization as the alternate.

(D) The National Society of Film Critics.

(E) The Society for Cinema and Media Studies.

(F) The American Film Institute.

(G) The Department of Film, Television, and Digital Media of the School of Theater, Film and Television at the University of California, Los Angeles.

(H) The Department of Cinema Studies of the Tisch School of the Arts at New York University.

(I) The University Film and Video Association.

(J) The Motion Picture Association of America.

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

(L) Screen Actors Guild.

(M) The National Association of Theater Owners.

¹ So in original. Probably should be "paragraph".

(N) The American Society of Cinematographers and the International Photographers Guild, which shall jointly submit one list of three candidates from which a member and alternate will be selected.

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

(P) The Association of Moving Image Archivists.

(Q) The Society of Composers and Lyricists.

(2) Members-at-large

In addition to the members appointed under paragraph (1), the Librarian shall appoint up to 5 members-at-large. The Librarian shall also select an alternate for each member² at-large, who may attend at Board expense those meetings which the member² at-large cannot attend.

(b) Chair

The Librarian shall appoint one member of the Board to serve as Chair.

(c) Term of office

(1) Terms

The term of each member of the Board shall be 4 years, except that there shall be no limit to the number of terms that any individual member may serve.

(2) Removal of member or organization

The Librarian shall have the authority to remove any member of the Board, or the organization listed in subsection (a) such member represents, if the member, or organization, over any consecutive 2-year period, fails to attend at least one regularly scheduled Board meeting.

(3) Vacancies

A vacancy in the Board shall be filled in the manner in which the original appointment was made under subsection (a), except that the Librarian may fill the vacancy from a list of candidates previously submitted by the organization or organizations involved. Any member appointed to fill a vacancy before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

(d) Quorum

12 members of the Board shall constitute a quorum but a lesser number may hold hearings.

(e) Reimbursement of expenses

Members of the Board shall serve without pay, but may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5.

(f) Meetings

The Board shall meet at least once each fiscal year. Meetings shall be at the call of the Librarian.

(g) Conflict of interest

The Librarian shall establish rules and procedures to address any potential conflict of interest between a member of the Board and responsibilities of the Board.

² So in original. Probably should be followed by a hyphen.

(Pub. L. 104-285, title I, §104, Oct. 11, 1996, 110 Stat. 3378; Pub. L. 109-9, title III, §302(b), Apr. 27, 2005, 119 Stat. 225; Pub. L. 110-336, §3(a)(3), Oct. 2, 2008, 122 Stat. 3727.)

Editorial Notes

AMENDMENTS

2008—Subsec. (a)(1)(E). Pub. L. 110-336, §3(a)(3)(A), substituted “Cinema and Media” for “Cinema”.

Subsec. (a)(1)(G). Pub. L. 110-336, §3(a)(3)(B), substituted “Department of Film, Television, and Digital Media” for “Department of Film and Television”.

Subsec. (a)(1)(H). Pub. L. 110-336, §3(a)(3)(C), substituted “Cinema Studies” for “Film and Television”.

Subsec. (a)(1)(L). Pub. L. 110-336, §3(a)(3)(D), amended subpar. (L) generally. Prior to amendment, subpar. (L) read as follows: “The Screen Actors Guild of America.”

2005—Subsec. (a)(1). Pub. L. 109-9, §302(b)(1), substituted “22” for “20” in introductory provisions.

Subsec. (a)(2). Pub. L. 109-9, §302(b)(2), substituted “5” for “three”.

Subsec. (d). Pub. L. 109-9, §302(b)(3), substituted “12” for “11”.

Subsec. (e). Pub. L. 109-9, §302(b)(4), added subsec. (e) and struck out heading and text of former subsec. (e). Text read as follows: “Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Board.”

§ 179o. Responsibilities and powers of Board

(a) In general

The Board shall review nominations of films submitted to it for inclusion in the National Film Registry and consult with the Librarian, as provided in section 179m of this title, with respect to the inclusion of such films in the Registry and the preservation of these and other films that are culturally, historically, or aesthetically significant.

(b) Nomination of films

The Board shall consider, for inclusion in the National Film Registry, nominations submitted by the general public as well as representatives of the film industry, such as the guilds and societies representing actors, directors, screenwriters, cinematographers, and other creative artists, producers, and film critics, archives and other film preservation organizations, and representatives of academic institutions with film study programs. The Board shall nominate not more than 25 films each year for inclusion in the Registry.

(c) Powers

(1) In general

The Board may, for the purpose of carrying out its duties, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Librarian and the Board consider appropriate.

(2) Service on Foundation

Two sitting members of the Board shall be appointed by the Librarian, and shall serve, as Board members of the National Film Preservation Foundation, in accordance with section 151703 of title 36.

(Pub. L. 104-285, title I, §105, Oct. 11, 1996, 110 Stat. 3380.)