(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 member[2] at-large, who may attend at Board expense those meetings which the member[2] 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) of this section 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) of this section, 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.

(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.)

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.''

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

§ 179*o*. 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.)

CODIFICATION

''Section 151703 of title 36'' substituted in subsec. (c)(2) for ''section 203'', meaning section 203 of the National Film Preservation Act of 1996, on authority of Pub. L. 105–225, § 5(b), Aug. 12, 1998, 112 Stat. 1499, the first section of which enacted Title 36, Patriotic and National Observances, Ceremonies, and Organizations.

§ 179p. National Film Registry Collection of Library of Congress

(a) Acquisition of archival quality copies

The Librarian shall endeavor to obtain, by gift from the owner, an archival quality copy of the

Registry version of each film included in the National Film Registry. Whenever possible, the Librarian shall endeavor to obtain the best surviving materials, including preprint materials. Copyright owners and others possessing copies of such materials are strongly encouraged, to further the preservation purposes of this Act, to provide preprint and other archival elements to the Library of Congress.

(b) Additional materials

The Librarian shall endeavor to obtain, for educational and research purposes, additional materials related to each film included in the National Film Registry, such as background materials, production reports, shooting scripts (including continuity scripts) and other similar materials.

(c) Property of United States

All copies of films on the National Film Registry that are received as gifts or bequests by the Librarian and other materials received by the Librarian under subsection (b) of this section, shall become the property of the United States Government, subject to the provisions of title 17.

(d) National Film Registry Collection

All copies of films on the National Film Registry that are received by the Librarian under subsection (a) of this section, and other materials received by the Librarian under subsection (b) of this section, shall be maintained in the Library of Congress and be known as the ''National Film Registry Collection of the Library of Congress''. The Librarian shall, by regulation, and in accordance with title 17, provide for reasonable access to the films and other materials in such collection for scholarly and research purposes.

(e) National Audio-Visual Conservation Center

The Librarian shall utilize the National Audio-Visual Conservation Center of the Library of Congress at Culpeper, Virginia, to ensure that preserved films included in the National Film Registry are stored in a proper manner, and disseminated to researchers, scholars, and the public as may be appropriate in accordance with—

(1) title 17; and

(2) the terms of any agreements between the Librarian and persons who hold copyrights to such audiovisual works.

(Pub. L. 104–285, title I, § 106, Oct. 11, 1996, 110 Stat. 3380; Pub. L. 109–9, title III, § 302(c), Apr. 27, 2005, 119 Stat. 225.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 104–285, Oct. 11, 1996, 110 Stat. 3377, which enacted this section and sections 179*l* to 179*o* and 179q to 179w of this title and sections 5701 to 5708 of former Title 36, Patriotic Societies and Observances, repealed sections 179 to 179k of this title, enacted provisions set out as a note under section 179*l* of this title, and repealed provisions set out as a note under section 179 of this title. Sections 5701 to 5708 of former Title 36 were repealed and reenacted as chapter 1517 (§ 151701 et seq.) of Title 36, Patriotic and National Observances, Ceremonies, and Organizations, by Pub. L. 105–225, § 5(b), Aug. 12, 1998, 112 Stat. 1499, the first section of which enacted Title 36. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2005—Subsec. (e). Pub. L. 109–9 added subsec. (e).

§ 179q. Seal of National Film Registry

(a) Use of seal

(1) Prohibition on distribution and exhibition

No person shall knowingly distribute or exhibit to the public a version of a film or any copy in any format of a film which bears the seal described in section 179m(a)(3) of this title if such film—

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

(B) is included in the National Film Registry, but such film or film copy has not been approved for use of the seal by the Librarian pursuant to section 179m(a)(1)(D) of this title.

(2) Prohibition on promotion

No person shall knowingly use the seal described in section 179m(a)(3) of this title to promote any version of a film in any format other than a Registry version.

(b) Effective date of seal

The use of the seal described in section 179m(a)(3) of this title shall be effective for each film after the Librarian publishes in the Federal Register, in accordance with section 179m(a)(2) of this title, the name of that film as selected for inclusion in the National Film Registry.

(Pub. L. 104–285, title I, § 107, Oct. 11, 1996, 110 Stat. 3381; Pub. L. 109–9, title III, § 302(d), Apr. 27, 2005, 119 Stat. 225.)

AMENDMENTS

2005—Subsec. (a)(1). Pub. L. 109–9, § 302(d)(1), inserted ''in any format'' after ''or any copy'' in introductory provisions.

Subsec. (a)(2). Pub. L. 109–9, § 302(d)(2), substituted ''in any format'' for ''or film copy''.

§ 179r. Remedies

(a) Jurisdiction

The several district courts of the United States shall have jurisdiction, for cause shown, to prevent and restrain violations of section 179q(a) of this title.

(b) Relief

(1) Removal of seal

Except as provided in paragraph (2), relief for violation of section 179q(a) of this title shall be limited to the removal of the seal of the National Film Registry from the film involved in the violation.

(2) Fine and injunctive relief

In the case of a pattern or practice of the willful violation of section 179q(a) of this title, the United States district courts may order a civil fine of not more than $10,000 and appropriate injunctive relief.

(Pub. L. 104–285, title I, § 108, Oct. 11, 1996, 110 Stat. 3381.)

§ 179s. Limitations of remedies

The remedies provided in section 179r of this title shall be the exclusive remedies under sec-