

some time occupied a position of prominence in the life of the Nation, has spoken effectively for literary causes, and has occasionally performed duties and functions sometimes associated with the position of poet laureate in other nations and societies. Individuals are appointed to the position of Consultant in Poetry by the Librarian of Congress for one- or two-year terms solely on the basis of literary merit, and are compensated from endowment funds administered by the Library of Congress Trust Fund Board. The Congress further recognizes this position is equivalent to that of Poet Laureate of the United States.

**(b) Position established**

(1) There is established in the Library of Congress the position of Poet Laureate Consultant in Poetry. The Poet Laureate Consultant in Poetry shall be appointed by the Librarian of Congress pursuant to the same procedures of appointment as established on December 20, 1985, for the Consultant in Poetry to the Library of Congress.

(2) Each department and office of the Federal Government is encouraged to make use of the services of the Poet Laureate Consultant in Poetry for ceremonial and other occasions of celebration under such procedures as the Librarian of Congress shall approve designed to assure that participation under this paragraph does not impair the continuation of the work of the individual chosen to fill the position of Poet Laureate Consultant in Poetry.

**(c) Poetry program**

(1) The Chairperson of the National Endowment for the Arts, with the advice of the National Council on the Arts, shall annually sponsor a program at which the Poet Laureate Consultant in Poetry will present a major work or the work of other distinguished poets.

(2) There are authorized to be appropriated to the National Endowment for the Arts \$10,000 for the fiscal year 1987 and for each succeeding fiscal year ending prior to October 1, 1990, for the purpose of carrying out this subsection.

(Pub. L. 99-194, title VI, §601, Dec. 20, 1985, 99 Stat. 1347.)

**§§ 178 to 178l. Repealed. Pub. L. 102-307, title II, § 214, June 26, 1992, 106 Stat. 272**

Section 178, Pub. L. 100-446, title I, §1, Sept. 27, 1988, 102 Stat. 1782, related to Congressional findings on national film preservation.

Section 178a, Pub. L. 100-446, title I, §2, Sept. 27, 1988, 102 Stat. 1782, related to establishment of a National Film Registry.

Section 178b, Pub. L. 100-446, title I, §3, Sept. 27, 1988, 102 Stat. 1782, related to the duties of Librarian of Congress with respect to the National Film Registry.

Section 178c, Pub. L. 100-446, title I, §4, Sept. 27, 1988, 102 Stat. 1784, related to film labeling requirements.

Section 178d, Pub. L. 100-446, title I, §5, Sept. 27, 1988, 102 Stat. 1785, related to misuse of National Film Registry seal.

Section 178e, Pub. L. 100-446, title I, §6, Sept. 27, 1988, 102 Stat. 1785, related to remedies for film labeling violations or for misusing the National Film Registry seal.

Section 178f, Pub. L. 100-446, title I, §7, Sept. 27, 1988, 102 Stat. 1785, related to exclusivity of remedies provided in former section 178e of this title.

Section 178g, Pub. L. 100-446, title I, §8, Sept. 27, 1988, 102 Stat. 1785; Pub. L. 102-378, §5(c), Oct. 2, 1992, 106 Stat. 1358, related to establishment of National Film Preservation Board.

Section 178h, Pub. L. 100-446, title I, §9, Sept. 27, 1988, 102 Stat. 1787, related to staff of National Film Registry Board and authority of Board to procure services of experts and consultants.

Section 178i, Pub. L. 100-446, title I, §10, Sept. 27, 1988, 102 Stat. 1787, related to powers of National Film Registry Board.

Section 178j, Pub. L. 100-446, title I, §11, Sept. 27, 1988, 102 Stat. 1787, contained definitions.

Section 178k, Pub. L. 100-446, title I, §12, Sept. 27, 1988, 102 Stat. 1788, authorized appropriations.

Section 178l, Pub. L. 100-446, title I, §13, Sept. 27, 1988, 102 Stat. 1788, provided effective date, sunset, and savings provisions for former sections 178 to 178l of this title.

For similar provisions, see section 179l et seq. of this title.

**SHORT TITLE**

Pub. L. 100-446, title I, §1, Sept. 27, 1988, 102 Stat. 1782, which provided that sections 178 to 178l of this title were to be cited as the "National Film Preservation Act of 1988" was repealed by Pub. L. 102-307, title III, §214, June 26, 1992, 106 Stat. 272.

**§§ 179 to 179k. Repealed. Pub. L. 104-285, title I, § 114, Oct. 11, 1996, 110 Stat. 3382**

Section 179, Pub. L. 102-307, title II, §202, June 26, 1992, 106 Stat. 267, required Librarian of Congress to establish National Film Registry for purpose of maintaining and preserving culturally, historically, or aesthetically significant films.

Section 179a, Pub. L. 102-307, title II, §203, June 26, 1992, 106 Stat. 267, required Librarian of Congress to conduct study of film preservation, to establish film preservation program and guidelines and procedures for inclusion of films in National Film Registry, and to report to Congress on films selected and activities undertaken.

Section 179b, Pub. L. 102-307, title II, §204, June 26, 1992, 106 Stat. 268, related to establishment of National Film Preservation Board and provided for number and appointment of members, chairperson, term of office, quorum, basic pay, meetings, and conflict of interest.

Section 179c, Pub. L. 102-307, title II, §205, June 26, 1992, 106 Stat. 270, related to responsibilities and powers of Board, including consultation with Librarian with respect to inclusion of films in Registry, consideration of films nominated for inclusion in Registry, and general powers.

Section 179d, Pub. L. 102-307, title II, §206, June 26, 1992, 106 Stat. 270, related to National Film Registry Collection of Library of Congress, including provisions relating to acquisition of archival quality copies and additional materials, ownership of copies and additional materials by United States, and maintenance of and access to Collection.

Section 179e, Pub. L. 102-307, title II, §207, June 26, 1992, 106 Stat. 271, related to seal of National Film Registry.

Section 179f, Pub. L. 102-307, title II, §208, June 26, 1992, 106 Stat. 271, provided that district courts of United States were to have jurisdiction to prevent and restrain unlawful use of seal.

Section 179g, Pub. L. 102-307, title II, §209, June 26, 1992, 106 Stat. 271, provided that remedies provided in section 179f were to be exclusive.

Section 179h, Pub. L. 102-307, title II, §210, June 26, 1992, 106 Stat. 271, authorized Librarian to appoint and fix pay of staff and to procure services of experts and consultants.

Section 179i, Pub. L. 102-307, title II, §211, June 26, 1992, 106 Stat. 271, defined terms for purpose of sections 179 to 179k of this title.

Section 179j, Pub. L. 102-307, title II, §212, June 26, 1992, 106 Stat. 272, authorized to be appropriated to Li-

brarian necessary sums to carry out sections 179 to 179k of this title.

Section 179k, Pub. L. 102-307, title II, §213, June 26, 1992, 106 Stat. 272, provided that sections 179 to 179k of this title were effective for 4 years beginning June 26, 1992, and applicable to any copy of any film, including copies of films selected for inclusion in National Film Registry under National Film Preservation Act of 1988.

For similar provisions, see section 179l et seq. of this title.

#### SHORT TITLE

Pub. L. 102-307, title II, §201, June 26, 1992, 106 Stat. 267, which provided that title II of Pub. L. 102-307, which enacted sections 179 to 179k of this title and repealed sections 178 to 178l of this title and provisions set out as a note under section 178 of this title, was to be cited as the ‘National Film Preservation Act of 1992’, was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

### § 179l. National Film Registry of Library of Congress

The Librarian of Congress (hereafter in sections 179l to 179w of this title referred to as the ‘Librarian’) shall continue the National Film Registry established and maintained under the National Film Preservation Act of 1988 (Public Law 100-446), and the National Film Preservation Act of 1992 (Public Law 102-307) pursuant to the provisions of sections 179l to 179w of this title, for the purpose of maintaining and preserving films that are culturally, historically, or aesthetically significant.

(Pub. L. 104-285, title I, §102, Oct. 11, 1996, 110 Stat. 3377.)

#### TERMINATION OF SECTION

*For termination of section, see section 179w of this title.*

#### REFERENCES IN TEXT

Sections 179l to 179w of the title, referred to in text, was in the original ‘this Act’ the first place appearing and ‘this title’ the second place appearing, both of which were translated as meaning title I of Pub. L. 104-285, Oct. 11, 1996, 110 Stat. 3377, which is classified principally to sections 179l to 179w of this title. For complete classification of title I to the Code, see Short Title note below and Tables.

The National Film Preservation Act of 1988, referred to in text, is Pub. L. 100-446, title I, §§1-13, Sept. 27, 1988, 102 Stat. 1782-1788, which was classified to sections 178 to 178l of this title and was repealed by Pub. L. 102-307, title II, §214, June 26, 1992, 106 Stat. 272.

The National Film Preservation Act of 1992, referred to in text, 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.

#### PRIOR PROVISIONS

Prior provisions similar to sections 179l to 179w of this title were contained in former section 179 et seq. of this title.

#### SHORT TITLE

Section 101 of title I of Pub. L. 104-285 provided that: ‘This title [enacting this section and sections 179m to 179w of this title and repealing sections 179 to 179k of this title and provisions set out as a note under section 179 of this title] may be cited as the ‘National Film Preservation Act of 1996.’’

#### ACT REFERRED TO IN OTHER SECTIONS

The National Film Preservation Act of 1996 is referred to in title 36 section 5701.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179s, 179t, 179u, 179v, 179w of this title.

### § 179m. Duties of Librarian of Congress

#### (a) Powers

##### (1) In general

The Librarian shall, after consultation with the Board established pursuant to section 179n of this title—

(A) continue the implementation of the comprehensive national film preservation program for motion pictures established under the National Film Preservation Act of 1992, in conjunction with other film archivists, educators and historians, copyright owners, film industry representatives, and others involved in activities related to film preservation, taking into account the objectives of the national film preservation study and the comprehensive national plan conducted under the National Film Preservation Act of 1992. This program shall—

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

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

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

(iv) undertake studies and investigations of film preservation activities as needed, including the efficacy of new technologies, and recommend solutions to improve these practices;

(B) establish criteria and procedures under which films may be included in the National Film Registry, except that no film shall be eligible for inclusion in the National Film Registry until 10 years after such film’s first publication;

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

(D) determine which films satisfy the criteria established under subparagraph (B) and qualify for inclusion in the National Film Registry, except that the Librarian shall not select more than 25 films each year for inclusion in the Registry.

##### (2) Publication of films in Registry

The Librarian shall publish in the Federal Register the name of each film that is selected for inclusion in the National Film Registry.

##### (3) Seal

The Librarian shall provide a seal to indicate that a film has been included in the National Film Registry and is the Registry version of that film. The Librarian shall establish guidelines for approval of the use of the seal in accordance with subsection (b) of this section.

##### (b) Use of seal

The seal provided under subsection (a)(3) of this section may only be used on film copies of the Registry version of a film. Such seal may be