

bears the seal described in subsection (a) of this section if such recording—

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

(B) is included in the National Recording Registry but has not been approved for use of the seal by the Librarian pursuant to the guidelines established under subsection (b) of this section.

(2) Prohibition on promotion

No person may knowingly use the seal described in subsection (a) of this section to promote any version of a sound recording or recording copy other than a Registry version.

(e) Remedies for violations

(1) Jurisdiction

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

(2) Relief

(A) Removal of seal

Except as provided in subparagraph (B), relief for violation of subsection (d) of this section shall be limited to the removal of the seal from the sound recording involved in the violation.

(B) Fine and injunctive relief

In the case of a pattern or practice of the willful violation of subsection (d) of this section, the court may order a civil fine of not more than \$10,000 and appropriate injunctive relief.

(3) Limitation of remedies

The remedies provided in this subsection shall be the exclusive remedies under this chapter, or any other Federal or State law, regarding the use of the seal described in subsection (a) of this section.

(Pub. L. 106-474, title I, §103, Nov. 9, 2000, 114 Stat. 2086.)

§ 1704. National Recording Registry Collection of the Library of Congress

(a) In general

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

(b) Acquisition of quality copies

(1) In general

The Librarian shall seek to obtain, by gift from the owner, a quality copy of the Registry version of each sound recording included in the National Recording Registry.

(2) Limit on number of copies

Not more than one copy of the same version or take of any sound recording may be pre-

served in the National Recording Registry. Nothing in the preceding sentence may be construed to prohibit the Librarian from making or distributing copies of sound recordings included in the Registry for purposes of carrying out this Act.

(c) Property of United States

All copies of sound recordings on the National Recording Registry that are 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.

(Pub. L. 106-474, title I, §104, Nov. 9, 2000, 114 Stat. 2087.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(2), is Pub. L. 106-474, Nov. 9, 2000, 114 Stat. 2085, known as the National Recording Preservation Act of 2000, which enacted this chapter and chapter 1524 (§152401 et seq.) of Title 36, Patriotic and National Observances, Ceremonies, and Organizations. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

SUBCHAPTER II—NATIONAL SOUND RECORDING PRESERVATION PROGRAM

§ 1711. Establishment of program by Librarian of Congress

(a) In general

The Librarian shall, after consultation with the National Recording Preservation Board established under subchapter III of this chapter, implement a comprehensive national sound recording preservation program, in conjunction with other sound recording archivists, educators and historians, copyright owners, recording industry representatives, and others involved in activities related to sound recording preservation, and taking into account studies conducted by the Board.

(b) Contents of program specified

The program established under subsection (a) of this section shall—

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

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

(3) increase accessibility of sound recordings for educational purposes;

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

(5) utilize the audiovisual conservation center of the Library of Congress at Culpeper, Virginia, to ensure that preserved sound recordings included in the National Recording Registry are stored in a proper manner and disseminated to researchers, scholars, and the public as may be appropriate in accordance with title 17 and the terms of any agreements between the Librarian and persons who hold copyrights to such recordings.

(Pub. L. 106-474, title I, §111, Nov. 9, 2000, 114 Stat. 2087.)