

maintaining and preserving sound recordings that are culturally, historically, or aesthetically significant.

(Pub. L. 106-474, title I, §101, Nov. 9, 2000, 114 Stat. 2085.)

SHORT TITLE

Pub. L. 106-474, §1, Nov. 9, 2000, 114 Stat. 2085, provided that: "This Act [enacting this chapter and chapter 1524 of Title 36, Patriotic and National Observances, Ceremonies, and Organizations] may be cited as the 'National Recording Preservation Act of 2000'."

**§ 1702. Duties of Librarian of Congress**

**(a) Establishment of criteria and procedures**

For purposes of carrying out this subchapter, the Librarian shall—

(1) establish criteria and procedures under which sound recordings may be included in the National Recording Registry, except that no sound recording shall be eligible for inclusion in the National Recording Registry until 10 years after the recording's creation;

(2) establish procedures under which the general public may make recommendations to the National Recording Preservation Board established under subchapter III of this chapter regarding the inclusion of sound recordings in the National Recording Registry; and

(3) determine which sound recordings satisfy the criteria established under paragraph (1) and select such recordings for inclusion in the National Recording Registry.

**(b) Publication of sound recordings in the Registry**

The Librarian shall publish in the Federal Register the name of each sound recording that is selected for inclusion in the National Recording Registry.

(Pub. L. 106-474, title I, §102, Nov. 9, 2000, 114 Stat. 2085.)

**§ 1703. Seal of the National Recording Registry**

**(a) In general**

The Librarian shall provide a seal to indicate that a sound recording has been included in the National Recording Registry and is the Registry version of that recording.

**(b) Use of seal**

The Librarian shall establish guidelines for approval of the use of the seal provided under subsection (a) of this section, and shall include in the guidelines the following:

(1) The seal may only be used on recording copies of the Registry version of a sound recording.

(2) The seal may be used only after the Librarian has given approval to those persons seeking to apply the seal in accordance with the guidelines.

(3) In the case of copyrighted mass distributed, broadcast, or published works, only the copyright legal owner or an authorized licensee of that copyright owner may place or authorize the placement of the seal on any recording copy of the Registry version of any sound recording that is maintained in the National Recording Registry Collection in the Library of Congress.

(4) Anyone authorized to place the seal on any recording copy of any Registry version of a sound recording may accompany such seal with the following language: "This sound recording is selected for inclusion in the National Recording Registry by the Librarian of Congress in consultation with the National Recording Preservation Board of the Library of Congress because of its cultural, historical, or aesthetic significance."

**(c) Effective date of the seal**

The use of the seal provided under subsection (a) of this section with respect to a sound recording shall be effective beginning on the date the Librarian publishes in the Federal Register (in accordance with section 1702(b) of this title) the name of the recording, as selected for inclusion in the National Recording Registry.

**(d) Prohibited uses of the seal**

**(1) Prohibition on distribution and exhibition**

No person may knowingly distribute or exhibit to the public a version of a sound recording or any copy of a sound recording which 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.)