

(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 sections 179l to 179w of this title, or any other Federal or State law, regarding the use of the seal described in section 179m(a)(3) of this title.

(Pub. L. 104-285, title I, §109, Oct. 11, 1996, 110 Stat. 3381.)

§ 179t. Staff of Board; experts and consultants

(a) Staff

The Librarian may appoint and fix the pay of such personnel as the Librarian considers appropriate to carry out sections 179l to 179w of this title.

(b) Experts and consultants

The Librarian may, in carrying out sections 179l to 179w of this title, procure temporary and intermittent services under section 3109(b) of title 5, but at rates for individuals not to exceed the daily equivalent of the maximum rate of basic pay payable for GS-15 of the General Schedule. In no case may a member of the Board or an alternate be paid as an expert or consultant under this section.

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

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b), is set out under section 5332 of Title 5, Government Organization and Employees.

§ 179u. Definitions

As used in sections 179l to 179w of this title—

(1) the term “Librarian” means the Librarian of Congress;

(2) the term “Board” means the National Film Preservation Board;

(3) the term “film” means a “motion picture” as defined in section 101 of title 17, except that such term does not include any work not originally fixed on film stock, such as a work fixed on videotape or laser disk;

(4) the term “publication” means “publication” as defined in section 101 of title 17; and

(5) the term “Registry version” means, with respect to a film, the version of a film first published, or as complete a version as bona fide preservation and restoration activities by the Librarian, an archivist other than the Librarian, or the copyright owner can compile in those cases where the original material has been irretrievably lost.

(Pub. L. 104-285, title I, §111, Oct. 11, 1996, 110 Stat. 3382.)

§ 179v. Authorization of appropriations

There are authorized to be appropriated to the Librarian for the first fiscal year beginning on or after October 11, 1996, and each succeeding fiscal year through fiscal year 2016 such sums as may be necessary to carry out the purposes of sections 179l to 179w of this title, but in no fiscal year shall such sum exceed \$250,000.

(Pub. L. 104-285, title I, §112, Oct. 11, 1996, 110 Stat. 3382; Pub. L. 110-336, §3(a)(1)(A), Oct. 2, 2008, 122 Stat. 3727.)

AMENDMENTS

2008—Pub. L. 110-336 inserted “for the first fiscal year beginning on or after October 11, 1996, and each succeeding fiscal year through fiscal year 2016” after “the Librarian”.

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-336, §3(a)(1)(C), Oct. 2, 2008, 122 Stat. 3727, provided that: “The amendments made by this paragraph [amending this section and section 179w of this title] shall take effect as if included in the enactment of the National Film Preservation Act of 1996 [Pub. L. 104-285, title I].”

§ 179w. Effective date

The provisions of sections 179l to 179w of this title shall apply to any copy of any film, includ-