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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To protect intellectual property rights in the voice and visual likeness of individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SALAZAR introduced the following bill; which was referred to the Committee on _____

A BILL

To protect intellectual property rights in the voice and visual likeness of individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nurture Originals,
5 Foster Art, and Keep Entertainment Safe Act of 2024”
6 or the “NO FAKES Act of 2024”.

7 **SEC. 2. VOICE AND VISUAL LIKENESS RIGHTS.**

8 (a) DEFINITIONS.—In this section:

1 (1) DIGITAL REPLICA.—The term “digital rep-
2 lica” means a newly-created, computer-generated,
3 highly realistic electronic representation that is read-
4 ily identifiable as the voice or visual likeness of an
5 individual that—

6 (A) is embodied in a sound recording,
7 image, audiovisual work, including an audio-
8 visual work that does not have any accom-
9 panying sounds, or transmission—

10 (i) in which the actual individual did
11 not actually perform or appear; or

12 (ii) that is a version of a sound re-
13 cording, image, or audiovisual work in
14 which the actual individual did perform or
15 appear, in which the fundamental char-
16 acter of the performance or appearance
17 has been materially altered; and

18 (B) does not include the electronic repro-
19 duction, use of a sample of one sound recording
20 or audiovisual work into another, remixing,
21 mastering, or digital remastering of a sound re-
22 cording or audiovisual work authorized by the
23 copyright holder.

24 (2) INDIVIDUAL.—The term “individual” means
25 a human being, living or dead.

1 (3) ONLINE SERVICE.—The term “online serv-
2 ice” means—

3 (A)(i) any public-facing website, online ap-
4 plication, mobile application, or virtual reality
5 environment that predominantly provides a
6 community forum for user generated content,
7 such as sharing videos, images, games, audio
8 files, or other material; or

9 (ii) a digital music provider, as defined in
10 section 115(e) of title 17, United States Code;
11 and

12 (B) may include a social media service, so-
13 cial network, or application store; provided,
14 however, that the term does not include a serv-
15 ice by wire or radio that provides the capability
16 to transmit data to and receive data from all,
17 or substantially all, internet endpoints, includ-
18 ing any capabilities that are incidental to enable
19 the operation of the communications service of
20 a provider of online services or network access,
21 or the operator of facilities for such service.

22 (4) PRODUCTION.—The term “production”
23 means the creation of a digital replica.

24 (5) RIGHT HOLDER.—The term “right holder”
25 means the individual whose voice or visual likeness

1 is at issue with respect to a digital replica and any
2 other person that has acquired, through a license,
3 inheritance, or otherwise, the right to authorize the
4 use of such voice or visual likeness in a digital rep-
5 lica.

6 (6) SOUND RECORDING ARTIST.—The term
7 “sound recording artist” means an individual who
8 creates or performs in sound recordings for eco-
9 nomic gain or for the livelihood of the individual.

10 (b) DIGITAL REPLICATION RIGHT.—

11 (1) IN GENERAL.—Subject to the other provi-
12 sions of this section, each individual or right holder
13 shall have the right to authorize the use of the voice
14 or visual likeness of the individual in a digital rep-
15 lica.

16 (2) NATURE OF RIGHT.—

17 (A) IN GENERAL.—The right described in
18 paragraph (1) shall have the following charac-
19 teristics:

20 (i) The right is—

21 (I) a property right;

22 (II) not assignable during the life
23 of the individual; and

1 (III) licensable, in whole or in
2 part, exclusively or non-exclusively, by
3 the right holder.

4 (ii) The right shall not expire upon
5 the death of the individual, without regard
6 to whether the right is commercially ex-
7 ploited by the individual during the indi-
8 vidual's lifetime.

9 (iii) Upon the death of the indi-
10 vidual—

11 (I) the right is transferable and
12 licensable, in whole or in part, by the
13 executors, heirs, assigns, licensees, or
14 devisees of the individual; and

15 (II) ownership of the right may
16 be—

17 (aa) transferred, in whole or
18 in part, by any means of convey-
19 ance or by operation of law; and

20 (bb) bequeathed by will or
21 pass as personal property by the
22 applicable laws of intestate suc-
23 cession.

24 (iv) The right shall be exclusive to—

1 (I) the individual, subject to the
2 licensing of the right during the life-
3 time of that individual under subpara-
4 graph (B); and

5 (II) the right holder—

6 (aa) for a period of 10 years
7 after the death of the individual;
8 and

9 (bb) if the right holder dem-
10 onstrates active and authorized
11 public use of the voice or visual
12 likeness of the individual during
13 the 2-year period preceding the
14 expiration of the 10-year period
15 described in item (aa), for an ad-
16 ditional 5-year period, subject to
17 renewal for additional 5-year pe-
18 riods, provided the right holder
19 can demonstrate authorized pub-
20 lic use of the voice or visual like-
21 ness of the individual during the
22 2-year period preceding the expi-
23 ration of each additional 5-year
24 period.

1 (v) The right shall terminate on the
2 date that is the earlier of—

3 (I) the date on which the 10-year
4 period or 5-year period described in
5 clause (iv)(II) terminates without re-
6 newal; or

7 (II) the date that is 70 years
8 after the death of the individual.

9 (B) REQUIREMENTS FOR LICENSE.—

10 (i) IN GENERAL.—A license described
11 in subparagraph (A)(i)(III)—

12 (I) while the individual is living,
13 is valid only to the extent that the li-
14 cense duration does not exceed 10
15 years; and

16 (II) shall be valid only if the li-
17 cense agreement—

18 (aa) is in writing and signed
19 by the individual or an author-
20 ized representative of the indi-
21 vidual; and

22 (bb) includes a reasonably
23 specific description of the in-
24 tended uses of the applicable dig-
25 ital replica.

1 (ii) LICENSES INVOLVING A MINOR.—

2 A license described in subparagraph
3 (A)(i)(III) involving a living individual who
4 is younger than 18 years of age—

5 (I) is valid only to the extent that
6 the license duration does not exceed 5
7 years, but in any case terminates
8 when the individual reaches 18 years
9 of age;

10 (II) shall be valid only if the li-
11 cense agreement—

12 (aa) is in writing and signed
13 by the individual or an author-
14 ized representative of the indi-
15 vidual; and

16 (bb) includes a reasonably
17 specific description of the in-
18 tended uses of the digital replica;
19 and

20 (III) the license is approved by a
21 court in accordance with applicable
22 State law.

23 (iii) COLLECTIVE BARGAINING AGREE-
24 MENTS.—The provisions of clauses (i) and
25 (ii) shall not apply if the license is gov-

1 erned by a collective bargaining agreement
2 that addresses digital replicas.

3 (iv) LIMITATION.—The provisions of
4 clauses (i) and (ii) shall not affect terms
5 and conditions of a license or related con-
6 tract other than those described in this
7 subparagraph, and the expiration of such
8 license does not affect the remainder of the
9 license or related contract.

10 (C) REQUIREMENTS FOR POST-MORTEM
11 TRANSFER.—A post-mortem transfer or license
12 described in subparagraph (A)(iii)(I) shall be
13 valid only if the transfer agreement or license
14 agreement is in writing and signed by the right
15 holder or an authorized representative of the
16 right holder.

17 (D) REGISTRATION FOR POST-MORTEM RE-
18 NEWAL.—

19 (i) IN GENERAL.—The renewal of a
20 post-mortem right under subparagraph
21 (A)(iv)(II)(bb) shall be effective if, during
22 the applicable 2-year renewal period speci-
23 fied in that subparagraph, the right holder
24 files a notice with the Register of Copy-
25 rights that complies with such require-

1 ments regarding form and filing proce-
2 dures as the Register of Copyrights may
3 prescribe by regulation and that con-
4 tains—

5 (I) the name of the deceased in-
6 dividual;

7 (II) a statement, under penalty
8 of perjury, that the right holder has
9 engaged in active and authorized pub-
10 lic use of the voice or visual likeness
11 during the applicable 2-year period;

12 (III) the identity of and contact
13 information for the right holder; and

14 (IV) such other information as
15 the Register of Copyrights may pre-
16 scribe by regulation.

17 (ii) **DIRECTORY.**—The Register of
18 Copyrights—

19 (I) shall—

20 (aa) maintain a current di-
21 rectory of post-mortem digital
22 replication rights registered
23 under this subparagraph; and

24 (bb) make the directory de-
25 scribed in item (aa) available to

1 the public for inspection online;
2 and

3 (II) may require payment of a
4 reasonable filing fee by the registrant,
5 which may take into consideration the
6 costs of maintaining the directory de-
7 scribed in subclause (I).

8 (iii) VOLUNTARY INITIAL REGISTRA-
9 TION.—

10 (I) IN GENERAL.—The right
11 holder may voluntarily register the
12 post-mortem right under subpara-
13 graph (A)(iv)(II)(aa) by filing a notice
14 with the Register of Copyrights that
15 complies with such requirements re-
16 garding form, content, and filing pro-
17 cedures as the Register of Copyrights
18 may prescribe by regulation.

19 (II) AUTHORITY OF REGISTER OF
20 COPYRIGHTS.—The Register of Copy-
21 rights may—

22 (aa) include a voluntary reg-
23 istration of the post-mortem
24 right under subparagraph

1 (A)(iv)(II)(aa) in the directory
2 required by clause (ii)(I)(aa); and
3 (bb) require payment of a
4 reasonable filing fee by the reg-
5 istrant, which may take into con-
6 sideration the costs of maintain-
7 ing the directory.

8 (iv) AUTHORITY OF REGISTER OF
9 COPYRIGHTS.—The Register of Copyrights
10 may make such interpretations and resolve
11 such ambiguities as may be appropriate to
12 carry out this subparagraph.

13 (E) POST-EXPIRATION OR TERMINATION
14 UTILIZATION OF AUTHORIZED USES.—A digital
15 replica that is embodied in a sound recording,
16 image, audiovisual work, including an audio-
17 visual work that does not have any accom-
18 panying sounds, or transmission, and the use of
19 which is authorized pursuant to the terms of a
20 license, may continue to be utilized in a manner
21 consistent with the terms of that license after
22 the expiration or termination of the license.

23 (c) LIABILITY.—

24 (1) IN GENERAL.—Any person that, in a man-
25 ner affecting interstate commerce (or using any

1 means or facility of interstate commerce), engages in
2 an activity described in paragraph (2) shall be liable
3 in a civil action brought under subsection (e).

4 (2) ACTIVITIES DESCRIBED.—An activity de-
5 scribed in this paragraph is either of the following:

6 (A) The production of a digital replica
7 without consent of the applicable right holder.

8 (B) The publication, reproduction, display,
9 distribution, transmission of, or otherwise mak-
10 ing available to the public, a digital replica
11 without consent of the applicable right holder.

12 (3) KNOWLEDGE REQUIRED.—To incur liability
13 under this subsection, a person engaging in an activ-
14 ity shall have actual knowledge, which could be ob-
15 tained through a notification that satisfies sub-
16 section (d)(3), or shall willfully avoid having such
17 knowledge, that—

18 (A) the applicable material is a digital rep-
19 lica; and

20 (B) the digital replica was not authorized
21 by the applicable right holder.

22 (4) EXCLUSIONS.—

23 (A) IN GENERAL.—It shall not be a viola-
24 tion of paragraph (1) if—

1 (i) the applicable digital replica is pro-
2 duced or used in a bona fide news, public
3 affairs, or sports broadcast or account,
4 provided that the digital replica is the sub-
5 ject of, or is materially relevant to, the
6 subject of such broadcast or account;

7 (ii) the applicable digital replica is a
8 representation of the applicable individual
9 as the individual in a documentary or in a
10 historical or biographical manner, includ-
11 ing some degree of fictionalization, un-
12 less—

13 (I) the production or use of that
14 digital replica creates the false im-
15 pression that the work is an authentic
16 sound recording, image, transmission,
17 or audiovisual work in which the indi-
18 vidual participated; or

19 (II) the digital replica is em-
20 bodied in a musical sound recording
21 that is synchronized to accompany a
22 motion picture or other audiovisual
23 work, except to the extent that the
24 use of that digital replica is protected

1 by the First Amendment to the Con-
2 stitution of the United States;

3 (iii) the applicable digital replica is
4 produced or used consistent with the public
5 interest in bona fide commentary, criti-
6 cism, scholarship, satire, or parody;

7 (iv) the use of the applicable digital
8 replica is fleeting or negligible; or

9 (v) the applicable digital replica is
10 used in an advertisement or commercial
11 announcement for a purpose described in
12 any of clauses (i) through (iv) and the ap-
13 plicable digital replica is relevant to the
14 subject of the work so advertised or an-
15 nounced.

16 (B) APPLICABILITY.—Subparagraph (A)
17 shall not apply where the applicable digital rep-
18 lica is used to depict sexually explicit conduct,
19 as defined in section 2256(2)(A) of title 18,
20 United States Code.

21 (d) SAFE HARBORS.—

22 (1) IN GENERAL.—

23 (A) PRODUCTS AND SERVICES CAPABLE OF
24 PRODUCING DIGITAL REPLICAS.—No person
25 shall be secondarily liable for a violation of this

1 section for manufacturing, importing, offering
2 to the public, providing, or otherwise distrib-
3 uting a product or service unless the product or
4 service—

5 (i) is primarily designed to produce 1
6 or more unauthorized digital replicas;

7 (ii) has only limited commercially sig-
8 nificant purpose or use other than to
9 produce an unauthorized digital replica; or

10 (iii) is marketed, advertised, or other-
11 wise promoted by that person or another
12 acting in concert with that person with
13 that person's knowledge for use in pro-
14 ducing an unauthorized digital replica.

15 (B) REFERRAL OR LINKING.—An online
16 service shall not be liable for violating the right
17 described in subsection (b) by referring or link-
18 ing a user to an unauthorized digital replica, or
19 by carrying out an activity described in sub-
20 section (c)(2), if, upon receiving a notification
21 described in paragraph (3), the online service
22 removes or disables access to the material that
23 is claimed to be an unauthorized digital replica
24 as soon as is technically and practically feasible
25 for that online service.

1 (C) ONLINE SERVICES HOSTING USER-
2 UPLOADED MATERIAL.—An online service shall
3 not be liable for violating the right described in
4 subsection (b) by storing third-party provided
5 material that resides on a system or network
6 controlled or operated by or for the online serv-
7 ice, if, upon receiving a notification that satis-
8 fies paragraph (3), the online service—

9 (i) removes, or disables access to, all
10 instances of the material (or an activity
11 using the material) that is claimed to be
12 an unauthorized digital replica as soon as
13 is technically and practically feasible for
14 that online service; and

15 (ii) having done so, takes reasonable
16 steps to promptly notify the third-party
17 that provided the material that the online
18 service has removed or disabled access to
19 the material.

20 (2) DESIGNATED AGENT.—

21 (A) IN GENERAL.—The limitations on li-
22 ability established under this subsection shall
23 apply to an online service only if the online
24 service has designated an agent to receive noti-
25 fications under paragraph (3), by making avail-

1 able through the online service, including on the
2 website of the online service in a location acces-
3 sible to the public, and by providing to the
4 Copyright Office, substantially the following in-
5 formation:

6 (i) The name, address, telephone
7 number, and electronic mail address of the
8 agent.

9 (ii) Other contact information that the
10 Register of Copyrights may determine ap-
11 propriate.

12 (B) DIRECTORY.—The Register of Copy-
13 rights—

14 (i) shall—

15 (I) maintain a current directory
16 of designated agents for the purposes
17 of this paragraph; and

18 (II) make the directory described
19 in subclause (I) available to the public
20 for inspection, including through the
21 internet; and

22 (ii) may require payment of a fee by
23 online services to cover the costs of main-
24 taining the directory described in clause
25 (i)(I).

1 (3) ELEMENTS OF NOTIFICATION.—To be effective
2 under this subsection, a notification of a claimed
3 violation of the right described in subsection (b)
4 shall be a written communication provided to the
5 designated agent of an online service that includes
6 the following:

7 (A) A physical or electronic signature of
8 the right holder, a person authorized to act on
9 behalf of the right holder, or an eligible plaintiff
10 under subsection (e)(1).

11 (B) Identification of the individual, the
12 voice or visual likeness of whom is being used
13 in an unauthorized digital replica.

14 (C) Identification of the material containing
15 an unauthorized digital replica, including
16 information sufficient to allow the online
17 service to locate the allegedly unauthorized digital
18 replica.

19 (D) Information reasonably sufficient to
20 permit the online service to contact the notifying
21 party, such as an address, telephone number,
22 and electronic mail address.

23 (E) A statement that the notifying party
24 believes in good faith that the material is an
25 unauthorized use of a digital replica.

1 (F) If not the right holder or an eligible
2 plaintiff under subsection (e)(1), a statement
3 that the notifying party has the authority to act
4 on behalf of the right holder.

5 (G) For the purposes of paragraph (1)(B),
6 information reasonably sufficient to—

7 (i) identify the reference or link to the
8 material or activity claimed to be an unau-
9 thorized digital replica that is to be re-
10 moved or to which access is to be disabled;
11 and

12 (ii) permit the online service to locate
13 the reference or link described in clause
14 (i).

15 (4) PENALTIES FOR FALSE OR DECEPTIVE NO-
16 TICE.—

17 (A) IN GENERAL.—It shall be unlawful to
18 knowingly materially misrepresent under para-
19 graph (3)—

20 (i) that the material requested to be
21 removed is an unauthorized digital replica;

22 (ii) that a person has the authority to
23 act on behalf of the right holder; or

1 (iii) that a digital replica is not au-
2 thorized by the right holder or by other
3 law.

4 (B) PENALTIES.—Any person that violates
5 subparagraph (A) shall be liable for an amount
6 equal to the greater of—

7 (i) \$5,000; or

8 (ii) any actual damages, including
9 costs and attorney’s fees, incurred by the
10 alleged violator, as well as by any online
11 service injured by the reliance of the online
12 service on the misrepresentation in remov-
13 ing or disabling access to the material or
14 activity claimed to be an unauthorized dig-
15 ital replica.

16 (e) CIVIL ACTION.—

17 (1) ELIGIBLE PLAINTIFFS.—A civil action for a
18 violation of this section may be brought by—

19 (A) a right holder;

20 (B) if the individual is younger than 18
21 years of age, a parent or guardian of the indi-
22 vidual;

23 (C) any other person that controls, includ-
24 ing by virtue of a license, the right to authorize

1 the use of the voice or visual likeness of the
2 right holder described in subparagraph (A);

3 (D) any other person that owns or controls
4 the right to authorize the use of the voice or
5 visual likeness of a deceased individual de-
6 scribed in subparagraph (A); or

7 (E) in the case of a digital replica involv-
8 ing a sound recording artist, any person that
9 has, directly or indirectly, entered into—

10 (i) a contract for the exclusive per-
11 sonal services of the sound recording artist
12 as a sound recording artist; or

13 (ii) an exclusive license to distribute
14 or transmit 1 or more works that capture
15 the audio performance of the sound record-
16 ing artist.

17 (2) LIMITATIONS PERIOD.—A civil action may
18 not be brought under this subsection unless the ac-
19 tion is commenced not later than 3 years after the
20 date on which the party seeking to bring the civil ac-
21 tion discovered, or with due diligence should have
22 discovered, the applicable violation.

23 (3) DEFENSE NOT PERMITTED.—It shall not be
24 a defense in a civil action brought under this sub-
25 section that the defendant displayed or otherwise

1 communicated to the public a disclaimer stating that
2 the applicable digital replica was unauthorized or
3 disclosing that the digital replica was generated
4 through the use of artificial intelligence or other
5 technology.

6 (4) REMEDIES.—

7 (A) IN GENERAL.—In any civil action
8 brought under this subsection—

9 (i) an individual or entity that en-
10 gages in an activity described in subsection
11 (c)(2) shall be liable to the injured party in
12 an amount equal to the greater of—

13 (I)(aa) in the case of an indi-
14 vidual, \$5,000 per work embodying
15 the applicable unauthorized digital
16 replica;

17 (bb) in the case of an entity that
18 is an online service, \$5,000 per viola-
19 tion; and

20 (cc) in the case of an entity that
21 is not an online service, \$25,000 per
22 work embodying the applicable unau-
23 thorized digital replica; or

24 (II) any actual damages suffered
25 by the injured party as a result of the

1 activity, plus any profits from the un-
2 authorized use that are attributable to
3 such use and are not taken into ac-
4 count in computing the actual dam-
5 ages;

6 (ii) the plaintiff may seek injunctive
7 or other equitable relief;

8 (iii) in the case of willful activity in
9 which the injured party has proven that
10 the defendant acted with malice, fraud,
11 knowledge, or willful avoidance of knowl-
12 edge that the conduct violated the law, the
13 court may award to the injured party puni-
14 tive damages; and

15 (iv) if the prevailing party is—

16 (I) the party bringing the action,
17 the court shall award reasonable at-
18 torney's fees; or

19 (II) the party defending the ac-
20 tion, the court shall award reasonable
21 attorney's fees if the court determines
22 that the action was not brought in
23 good faith.

24 (B) VIOLATION DEFINED.—For purposes
25 of this paragraph, “violation” means each dis-

1 play, copy made, transmission, and each in-
2 stance of the unauthorized digital replica being
3 otherwise made available on the online service,
4 unless the online service has taken reasonable
5 steps to remove, or disable access to, the unau-
6 thorized digital replica as soon as is technically
7 and practically feasible for the online service
8 upon acquiring knowledge as set forth in sub-
9 section (c)(3).

10 (C) OBJECTIVELY REASONABLE BELIEF.—

11 An online service that has an objectively reason-
12 able belief that material that is claimed to be
13 an unauthorized digital replica does not qualify
14 as a digital replica under subsection (a)(1) shall
15 not be liable for statutory or actual damages
16 exceeding \$1,000,000, regardless of whether the
17 material is ultimately determined to be an un-
18 authorized digital replica.

19 (D) REPLACEMENT OF REMOVED MATE-

20 RIAL.—In the event that the third-party that
21 provided the material that the online service
22 has removed or to which the online service has
23 disabled access files a lawsuit in a court of the
24 United States against the sender of a notice
25 under subsection (d)(3) claiming that such no-

1 tice was false or deceptive as provided in sub-
2 section (d)(4), the online service may, provided
3 that the lawsuit was filed not later than 14
4 days after the user receives notice that the on-
5 line service has removed or disabled access to
6 the material, restore the removed material to its
7 network for access by members of the public
8 without monetary liability therefor to either the
9 notice sender or the third-party that provided
10 the material that the online service had re-
11 moved or disabled access.

12 (f) PREEMPTION.—

13 (1) IN GENERAL.—The rights established under
14 this Act shall preempt any cause of action under
15 State law for the protection of an individual’s voice
16 and visual likeness rights in connection with a dig-
17 ital replica, as defined in this Act, in an expressive
18 work.

19 (2) RULE OF CONSTRUCTION.—Notwith-
20 standing paragraph (1), nothing in this Act may be
21 construed to preempt—

22 (A) causes of action under State statutes
23 or common law in existence as of January 2,
24 2025, regarding a digital replica, as defined in
25 this Act;

1 (B) causes of action under State statutes
2 specifically regulating a digital replica depicting
3 sexually explicit conduct, as defined in section
4 2256(2)(A) of title 18, United States Code, or
5 an election-related digital replica; or

6 (C) causes of action under State statutes
7 or common law for the manufacturing, import-
8 ing, offering to the public, providing, making
9 available, or otherwise distributing a product or
10 service capable of producing 1 or more digital
11 replicas.

12 (g) RULE OF CONSTRUCTION.—This section shall be
13 considered to be a law pertaining to intellectual property
14 for the purposes of section 230(e)(2) of the Communica-
15 tions Act of 1934 (47 U.S.C. 230(e)(2)).

16 (h) SEVERABILITY.—If any provision of this section,
17 or the application of a provision of this section, is held
18 to be invalid, the validity of the remainder of this section,
19 and the application of that provision to other persons and
20 circumstances, shall not be affected by that holding.

21 (i) RETROACTIVE EFFECT.—

22 (1) LIABILITIES.—Liability under this section
23 shall apply only to—

24 (A) conduct occurring after the date of en-
25 actment of this Act; and

1 (B) in the case of conduct covered by a li-
2 cense or contract, a license or contract that is
3 executed after the date of enactment of this
4 Act.

5 (2) DIGITAL REPLICATION RIGHT.—The right
6 granted under subsection (b)—

7 (A) shall apply to any individual, regard-
8 less of whether the individual dies before or
9 after the date of enactment of this Act; and

10 (B) in the case of a right holder who has
11 died before the date of enactment of this Act,
12 shall vest in the executors, heirs, assigns, or
13 devisees of the right holder.

14 (j) EFFECTIVE DATE.—This Act shall take effect on
15 the date that is 180 days after the date of enactment of
16 this Act.