



H.R. 1695 – Register of Copyrights Selection and Accountability Act (Rep. Goodlatte, R-VA)

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FLOOR SCHEDULE:

Expected to be considered on April 26, 2017 under a structured [rule](#).

Section 2 of the rule also provides that H.Res. 254 shall be laid on the table. H. Res. 254 would provide for the Palmer-Schweikert Amendment to H.R. 1628, the American Health Care Act, to be considered as adopted during continued consideration of that measure. This amendment would provide for a three-year federal reinsurance program modeled on Maine's invisible high-risk pool. Under the Rules of the House, any Member of the Rules Committee is able to call up a rule reported by the committee after seven legislative. Thus, in order to enable productive discussions to continue among Republicans on a path forward for the AHCA, it is necessary to table H. Res. 254 to prevent the minority from forcing action on the matter today. Importantly, tabling the resolution is not intended to reflect any change in policy regarding the ongoing AHCA discussions.

TOPLINE SUMMARY:

[H.R. 1695](#) would subject the position of the Register of Copyrights at the U.S. Copyright Office to presidential appointment and Senate confirmation. It would also establish a ten-year term limit for the position.

COST:

The Congressional Budget Office (CBO) [estimates](#) "that implementing the bill would have no significant effect on the federal budget."

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The present vacancy in the Register of Copyrights position provides the opportunity for Congress to bring greater accountability the position and the Copyright Office. According to the committee [report](#), the Judiciary Committee has been examining the selection process for the position for several years, and some have expressed concern about Register's authority, because the position is not subject to the presidential appointment process or Senate confirmation. Presently, the Register of Copyrights is chosen through a

similar process in which junior staffers for the Library of Congress and Copyright Office are chosen, at the discretion of the Librarian of Congress, and are subject to terms of unlimited duration.

This legislation would require the president to select a nominee from a list of at least three names supplied by a selection panel, which would include the Librarian of Congress, the Speaker of the House, the President pro tempore of the Senate, and the majority and minority leaders of the House and Senate. The selected individual would be subject to Senate confirmation, and would serve a ten-year term. The selected individual would be permitted to serve until a successor is appointed, confirmed, and has taken the oath of office. A selected individual could be appointed to subsequent terms, subject to a repeated Presidential nomination and Senate confirmation.

The bill's provisions would apply to any vacancy occurring after January 1, 2017. In the event that the current vacancy is filled prior to enactment, the bill would provide for the selected individual to remain in the post, subject to Senate confirmation, for the ten-year term provided for in the bill.

AMENDMENTS:

1. [Rep. Chu \(D-CA\)](#) – This amendment would state a rule of construction that nothing in the legislation would affect Title 17's [mandatory deposit requirements](#), which require two copies of all copyrighted works to be submitted to the Copyright Office for the use of the Library of Congress.
2. [Rep. Deutch \(D-FL\)](#) – This amendment would require the Register of Copyrights to be able to identify and supervise a Chief Information Officer, or similar officer.

GROUPS IN SUPPORT:

A full list of supporters according to the Judiciary Committee can be found [here](#).

COMMITTEE ACTION:

H.R. 1695 was introduced on March 23, 2017 and was referred the House Committee on the Judiciary, which reported it by the yeas and nays, 27-1, on March 29, 2017.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8: clause 8.

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