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Statement on Signing the Orrin G. Hatch-Bob Goodlatte Music Modernization Act

October 11, 2018

Today, I have signed into law H.R. 1551, the "Orrin G. Hatch-Bob Goodlatte Music Modernization Act". I am pleased to sign this landmark legislation, which provides critical updates to copyright law to reflect the realities of music licensing in the digital age and to better reward artists and producers for the online use of their music.

One provision, section 102, authorizes the board of directors of the designated mechanical licensing collective to adopt bylaws for the selection of new directors subsequent to the initial designation of the collective and its directors by the Register of Copyrights and with the approval of the Librarian of Congress (Librarian). Because the directors are inferior officers under the Appointments Clause of the Constitution, the Librarian must approve each subsequent selection of a new director. I expect that the Register of Copyrights will work with the collective, once it has been designated, to ensure that the Librarian retains the ultimate authority, as required by the Constitution, to appoint and remove all directors.

Another provision, section 105, calls on the executive branch to give the Congress advance notice of the filing of any motion to lift a consent decree involving a performing rights society. In accordance with section 105, my Administration will strive to provide the Congress with notice in advance of such filings. Consistent with the separation of powers and my constitutional responsibility to take care that the laws be faithfully executed, however, my Administration does not understand section 105 to require advance notice in the unusual cases when immediate action related to litigation is required.

DONALD J. TRUMP

The White House,
October 11, 2018.

NOTE: H.R. 1551, approved October 11, was assigned Public Law No. 115–264.

Categories: Bill Signings and Vetoes : Orrin G. Hatch-Bob Goodlatte Music Modernization Act, signing statement.

Subjects: Arts : Music licensing, strengthening efforts; Business and industry : Music licensing, strengthening efforts; Legislation, enacted : Orrin G. Hatch-Bob Goodlatte Music Modernization Act; Presidency, U.S. : Constitutional role and powers.

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