King (IA) King (NY) Olson Palazzo Kinzinger Palmer Knight Paulsen Kuster (NH) Pearce Kustoff (TN) Perry Labrador Pittenger LaHood Poe (TX) LaMalfa Poliquin Posey Ratcliffe Lamborn Lance Latta Reed Lewis (MN) Reichert LoBiondo Renacci Rice (SC) Long Loudermilk Roby Roe (TN) Love Lucas Rogers (AL) Luetkemever Rogers (KY) MacArthur Rohrabacher Marshall Rokita Rooney, Francis Massie Rooney, Thomas Mast McCarthy J. McCaul Ros-Lehtinen McClintock Roskam McHenry Ross Rothfus McKinley Rouzer McMorris Royce (CA) Rodgers McSallv Russell Meadows Rutherford Meehan Sanford Messer Scalise Mitchell Schneider Moolenaar Schweikert Mooney (WV) Scott, Austin Mullin Sensenbrenner Murphy (PA) Sessions Noem Shimkus Nunes Shuster

Simpson Smith (MO) Smith (NE) Smith (N.I) Smith (TX) Smucker Stefanik Stewart Stivers Suozzi Taylor Tenney Thompson (PA) Thornberry Tiberi Tipton Trott Turner Upton Valadao Wagner Walberg Walden Walker Walorski Walters, Mimi Weber (TX) Webster (FL) Wenstrup Westerman Williams Wilson (SC) Wittman Womack Woodall Yoder

Yoho

Zeldin

Young (AK)

Young (IA)

#### NOES-186

Ellison Adams Engel Aguilar Barragán Eshoo Bass Espaillat Beatty Esty (CT) Bera Evans Bever Foster Bishop (GA) Frankel (FL) Blumenauer Fudge Blunt Rochester Gabbard Gallego Garamendi Boyle, Brendan Gonzalez (TX) F. Brady (PA) Green, Al Brown (MD) Green Gene Grijalva Brownley (CA) Gutiérrez Bustos Butterfield Hanabusa. Hastings Capuano Carbajal Heck Higgins (NY) Cárdenas Carson (IN) Himes Cartwright Hoyer Castor (FL) Huffman Castro (TX) Jackson Lee Chu, Judy Jayapal Cicilline Jeffries Clark (MA) Johnson (GA) Clarke (NY) Johnson, E. B. Clav Kaptur Cleaver Keating Clyburn Kelly (IL) Cohen Kennedy Connolly Khanna Convers Kihuen Kildee Cooper Correa Kilmer Costa Kind Courtney Krishnamoorthi Langevin Larsen (WA) Crowley Cuellar Larson (CT) Cummings Davis (CA) Lawrence Lawson (FL) Davis, Danny DeFazio Lee DeGette Levin Lewis (GA) Delanev DeLauro Lieu. Ted DelBene Lipinski Demings Loebsack DeSaulnier Lofgren Deutch Lowenthal

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Smith (WA) Torres Wasserman Soto Tsongas Schultz Waters, Maxine Speier Vargas Swalwell (CA) Veasey Watson Coleman Takano Vela Welch Thompson (CA) Velázquez Wilson (FL) Thompson (MS) Visclosky Yarmuth Titus

#### NOT VOTING-7

Cole Marino Duncan (TN) Newhouse Marchant Slaughter

Tonko

#### □ 1353

Mr. RUSH changed his vote from "aye" to "no."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REGISTER OF COPYRIGHTS SELECTION AND ACCOUNTABILITY ACT OF 2017

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1695.

The SPEAKER pro tempore (Mr. WOODALL). Is there objection to the request of the gentleman from Virginia? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 275 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1695.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

## □ 1356

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1695) to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Intellectual property is a critical and growing part of our Nation's economy, and the Register of Copyrights has a crucial role in the numerous copyright policy issues that impact it.

Four years ago, the Judiciary Committee began considering how to modernize our Nation's copyright laws, including how the Copyright Office is structured. Making the Register posi-

tion subject to the nomination and consent process with potential candidates identified by a congressional selection panel was among the many issues considered by the House Judiciary Committee.

Because the Director of the Patent and Trademark Office, who has an equally important voice on patent and trademark issues, is already subject to the nomination and consent process, it provided a precedent for this approach.

However, unlike the Patent and Trademark Office, the Copyright Office is part of the legislative branch. Thus, it is appropriate to also follow the precedent set for other legislative branch agencies, which gives Congress a greater say in selecting candidates for the heads of legislative branch entities to ensure those agencies are more accountable to Congress.

Because the Register position is now vacant, filled on an acting capacity by a well-regarded Acting Register, Ranking Member Conyers and I introduced this bipartisan legislation to update the Register selection process. To mirror a recent change to the Librarian of Congress position that is now subject to a 10-year term limit, the legislation also makes the Register of Copyrights position subject to a 10-year term limit.

The selection panel would be bipartisan and would consist of leaders of the majorities and minorities of the House and Senate, and would also include the Librarian of Congress.

In the past, the authority of the Register of Copyrights to issue rulemakings has not been challenged in the courts because the Register is not subject to the nomination and consent process.

## □ 1400

This legislation would remedy that question, once and for all. H.R. 1695 was reported by the House Judiciary Committee by a bipartisan vote of 27-1. In addition to strong support from traditional copyright groups, such as the Copyright Alliance, and the publishing, movie, music, and software industries, the bill has been supported by a wide range of diverse groups, such as the American Conservative Union; the AFL-CIO; Heritage Foundation scholars; the Directors Guild of America; U.S. Chamber of Commerce: MANA, A National Latina Organization; Americans for Tax Reform; and the Council for Citizens Against Government Waste.

With such strong support from a wide range of over 70 groups and a vacancy at the Register of Copyrights that needs to be quickly filled under the new process created by this legislation, I urge my colleagues to support H.R. 1695

Mr. Chair, I reserve the balance of my time.

House of Representatives. COMMITTEE ON HOUSE ADMINISTRATION, Washington, DC, April 19, 2017. Hon. Bob Goodlatte,

Chairman, Committee on the Judiciary,

Washington, DC.

DEAR CHAIRMAN GOODLATTE: I write to you concerning the jurisdictional interest of the Committee on House Administration in H.R. 1695, the Register of Copyrights Selection and Accountability Act of 2017. The bill, as reported from the Committee on the Judiciary on March 29, 2017, contains provisions that fall within the jurisdiction of the Committee on House Administration.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive Committee consideration of provisions that fall within the Committee's jurisdiction. However, agreeing to waive jurisdiction over these provisions should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on House Administration.

Additionally, the Committee on House Administration expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 1695 for provisions within the Committee's jurisdiction.

I ask a copy of this letter and your response be placed in the Congressional Record during any floor consideration of H.R. 1695.

I look forward to working with you on matters of mutual concern.

Sincerely,

GREGG HARPER Chairman.

House of Representatives, COMMITTEE ON THE JUDICIARY. Washington, DC, April 20, 2017.

Hon. GREGG HARPER,

Chairman, Committee on House Administration, Washington, DC.

DEAR CHAIRMAN HARPER: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 1695, the "Register of Copyrights Selection and Accountability Act," so that the bill may proceed expeditiously to the House floor.

I agree that your foregoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 1695 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

BOB GOODLATTE. Chairman.

Mr. CONYERS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in strong support of H.R. 1695, the Register of Copyrights Selection and Accountability Act. As lead Democratic cosponsor of this bipartisan, bicameral legislation, I am pleased that this bill passed out of our Committee-thanks Judiciary tο Chairman GOODLATTE and many others—by a vote of 27-1.

This legislation represents sound public policy that will strengthen the copyright system. To begin with, it has evolved directly from the bipartisan copyright review process that Chairman GOODLATTE initiated way back in 2013. Over the course of that highly deliberative process, the Judiciary Committee held no less than 20 hearings and heard from over 100 witnesses on how to update the copyright laws for the 21st century.

H.R. 1695 is the product of more than 4 years of outreach efforts with a wide range of interested parties who very much want to see, like all of us, a Copyright Office that is responsible to all stakeholders in the copyright ecosystem.

This bill is also the product of bicameral collaboration with our Senate colleagues, including the Judiciary Committee Chairman GRASSLEY, the Ranking Member Feinstein, and Senator LEAHY. As a result of this inclusive process, the strong bipartisan consensus emerged from the Copyright Office that needs to be more accountable to Congress, and that it should have greater independence.

That Office has a long and distinguished history of serving as an adviser to Congress on copyright measures, and it is only reasonable that Congress play a significant role in deciding who leads that important agency.

H.R. 1695 also elevates the stature of the Register and makes the position directly accountable to Congress, which will help ensure a strong and vibrant copyright system that fuels our economy, creates jobs, and promotes a diverse range of views.

Today, core copyright businesses annually contribute more than \$1.2 trillion to our Nation's economy and generate foreign sales of almost \$180 billion. These businesses are also tremendous job creators, creating more than 5 million workers.

That is why the bill is strongly supported by several unions, including the AFL-CIO, the Screen Actors Guild, the American Federation of Television and Radio Artists, as well as the Directors Guild of America.

H.R. 1695 is also supported by a broad range of other stakeholders, including: the American Intellectual Property Law Association; the Intellectual Property Owners Association; and various coalitions of creators, such as the Content Creators Coalition (c3),CreativeFuture, and the Copyright Al-

Individual creators like Jeff Friday, the founder and CEO of Film Life and the producer of the American Black Film Festival also are in strong support of the bill.

Finally, H.R. 1695 will enable Congress to ensure that the Copyright Office is led by a well-qualified individual by requiring the Register to be confirmed by the Senate. This individual must be responsive to the Congress and the public, as well as all the stakeholders in the copyright community.

In fact, an amendment offered by our distinguished colleague from Texas (Ms. JACKSON LEE), that was accepted during the Judiciary Committee markup of the bill, will further strengthen the selection process by establishing an even larger role for Congress in choosing candidates for the position.

Accordingly, I urge total support for H.R. 1695, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I yield 5 minutes to the gentleman from New York (Mr. NADLER), a senior member of the committee who has done an amazing job.

Mr. NADLER. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise in strong support of H.R. 1695. This legislation would strengthen the Copyright Office and make it more accountable to Congress by turning the Register of Copyrights into a Senate-confirmed position.

Since 2013, under the bipartisan leadership of Chairman GOODLATTE and Ranking Member Conyers, the Judiciary Committee has undertaken a comprehensive review of the copyright laws and the Copyright Office. Over the course of 20 hearings with 100 witnesses, as well as listening sessions across the country, and individual meetings with a broad range of stakeholders, we have heard one consistent message: that the Copyright Office must be modernized to meet the needs of the public in the copyright communitv.

This bill is an important first step in that process, and it is appropriate that we consider it today on World Intellectual Property Day when we recognize the tremendous contribution that intellectual property laws, including copyright, make to our economy and to our creativity. But maintaining this vibrant copyright ecosystem depends on having an effective Copyright Office to oversee it. Throughout the copyright review process, it became evident that the current structure of the Office has hindered its ability to serve the public and the copyright community effectively.

For historical reasons, the Copyright Office is located in the Library of Congress, and the Register of Copyrights answers solely to the Librarian of Congress. As an institutional matter, this creates a conflict. Libraries are a key stakeholder in the copyright community, but they are one among many stakeholders, each with different priorities and interests. To place the Copyright Office in the hands of one interested party does a disservice to the copyright system it is charged with administering.

H.R. 1695 would remedy this problem by making the Register of Copyrights a Presidential appointment subject to Senate confirmation. It would establish an open and transparent process for publicly vetting a nominee for Register and would allow the broad range

of copyright stakeholders to provide input through their elected Representatives.

It would also strengthen the ability of Congress to provide meaningful oversight of the Copyright Office, and, by establishing a 10-year term for the Register, it would insulate the Office from any improper political influence.

It is particularly important that Congress have the final say in who serves as Register because, by statute, the Copyright Office serves as an expert adviser to Congress on copyright matters. The Office has played an invaluable role throughout the Judiciary Committee's copyright review process, and this bill would ensure that we continue to rely on independent advice from the Register as we make further reforms to the copyright laws.

Under current law, the selection of the Register is left entirely to the Librarian. And since the Librarian serves at the pleasure of the President, it is really the President who can dictate the choice of Register if the Librarian wishes to keep her job. And the Register can be dismissed at any time by the Librarian, possibly at the direction of the President.

This bill serves as an important check on the President's power by removing his unfettered ability to name a Register, by requiring Senate confirmation of the position instead, and by giving the Register a fixed 10-year term.

The role of Congress is further solidified by an important amendment that was added during the committee's markup by the gentlewoman from Texas (Ms. Jackson Lee). Under her amendment, which is now in the bill, a panel of congressional leaders, along with the Librarian of Congress, would develop a list of candidates from which the President would choose a nominee. This strengthens congressional input and preserves an important role in the process for the Librarian as well.

The Jackson Lee amendment strikes a good balance between respecting the roles of Congress, the President, and the Librarian in selecting the Register, and I appreciate the contribution she made to the bill.

The Copyright Office serves a vital function, but its current structure does not reflect the importance of the Office. H.R. 1695 elevates the status and the stature of the Register, and treats the position like other Federal officials with similarly significant responsibilities-like the Director of the U.S. Patent and Trademark Office. This would make the Copyright Office more responsive and accountable to Congress, and it is the first step to its providing the Office with the flexibility and independence it needs to serve all members of the copyright community effectively.

This legislation is independent of any evaluation of the fitness of the current Librarian—who is excellent in my opinion—of the fitness of the prior Register. This legislation has been devel-

oped over a period of years, and the importance is institutional, not reflecting the personalities of the current occupants.

This legislation is supported by a broad range of stakeholders, including the AFL-CIO and several other major unions, and it passed the Judiciary Committee by a nearly unanimous vote of 27–1.

It deserves similar support by the full House, and I urge all of my colleagues to support the bill.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRADY), ranking member of the House Administration Committee.

Mr. BRADY of Pennsylvania. Mr. Chairman, I thank the ranking member for whom I have the utmost respect for. But unfortunately, I rise in opposition to this bill.

Dr. Carla Hayden, appointed by President Obama, has been on the job less than a year and deserves the opportunity to complete the IT modernization of the Copyright Office before this authority is taken away from her. As ranking member of the Committee on House Administration, I know that Dr. Hayden has made excellent process in reforming the Copyright Office, knocking 2 years off the estimated time to complete its modernization. This bill is a solution in search of a problem.

This measure not only impedes the progress Dr. Hayden is currently making but will also undue the strides that have already been made. Simply put, this bill does nothing to improve the operations of the Copyright Office.

Mr. Chair, I urge my colleagues to stay with Dr. Hayden and vote "no" on this bill.

 $\operatorname{Mr.}$  GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN), a senior member of the Judiciary Committee.

#### □ 1415

Ms. LOFGREN. Mr. Chair, despite all the rhetoric, this bill does really just one thing: it takes the appointment of the Register away from Dr. Carla Hayden, the most qualified Librarian we have ever had at the Library of Congress, and gives it to President Trump.

Now, the policy excuses for this are simply unpersuasive. Proponents say that this would give greater transparency to the Congress and the operation of the Copyright Office. I think this is a ridiculous statement.

Once a Presidential appointment is confirmed, there is no greater attention to the desires of Congress or transparency than for any other non-Presidential appointment. The conflicts that the Republican Congress had with President Obama's Environmental Protection Agency and IRS appointees are testimony to that truth.

There are vague claims of elevating the Register and modernizing the Office, but, in fact, the Library is finally making progress on modernizing the Office. This bill would actually disrupt that progress.

When you talk about conflicts, the Library doesn't have a conflict with this, but who does have a conflict is President Trump. He holds 30 copyrights. So I don't think the idea of President Trump being a superior selector of the Register because of his elevation or his expertise as a writer really holds any weight.

I would like to mention the amendment that our colleague Sheila Jackson Lee had offered. I am extremely fond of my friend Sheila Jackson Lee, but the amendment does nothing because you cannot limit Presidential appointment power through statute. The President is limited only by the advice and consent of the Senate.

Finally, I would like to say that the potential for empowering special interests in this bill is very high. We ought to say "no" to this bill.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Chair, I appreciate all the great work that my colleague, Congressman Convers, has done not only on this issue, for the many years you have served distinguishably in this Congress, but thank you so much for yielding some time.

Mr. Chair, I rise in support of H.R. 1695, the Register of Copyrights Selection and Accountability Act of 2017.

I represent the San Fernando Valley, which is in the Los Angeles area. For my constituents, for the families in my district, copyright protections are not an abstract philosophical issue, ladies and gentlemen. The families in my district depend on strong copyright protections in order to earn a living, to feed their family. They work in film and television studios and in music publishing. They are artists, set designers, producers, union drivers; they work on lots, and they work in every aspect supporting this incredible industry.

There are 127,000 film and television production jobs in Los Angeles County. According to a recent report, the core copyright industries—film, television, music, video games, and publishing—make possible 5.5 million jobs and bring in \$1.2 trillion of gross domestic product to the American economy.

Good copyright laws and regulations mean jobs and whether or not a family can put food on the table and a roof over their heads. We need to give the Copyright Office the respect and authority it deserves as the overseer of 5.5 million American jobs.

I have heard from my constituents for years about the need to empower the Copyright Office to keep up with the industry and the technology changes. This is not a new debate, ladies and gentlemen.

I urge my colleagues to join me in supporting this bill and to continue to stand up for American copyright jobs.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. Johnson), a distinguished member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chair, I thank the ranking member, and I appreciate his work. I appreciate the chairman's work on this bill.

I believe that this proposal is illtimed, and that is why I rise in opposition to it.

Today, World Intellectual Property Day, the protection of our Nation's intellectual property and, specifically, our copyrights is too important to take lightly.

The system for the appointment of the Register of Copyrights has long been in place, and selection of the head of the Office of Copyrights has been within the purview of the Librarian of Congress, this Nation's top librarian.

The system is not broken, but the entire system, including the Library of Congress, is in need of congressional attention and upgrade. What is needed is modernization, which requires more funding. Our first order of business should be to fund adequately the operations of the Library of Congress as well as the Office of Copyrights. But in these days where we are trying to keep the government from closing, you see what we are dealing with in that regard. It is fitting that this decision remain with the Librarian, as she has an interest in protecting copyrighted materials as head librarian.

The nomination and consent process has been politicized, with the recent theft from President Obama of a United States Supreme Court appointment serving as Exhibit A.

The Library has been well underfunded for many years, and separating the Register's Office would not help with the comprehensive modernization of the Library or the Copyright Office. Instead, it would subject the newly independent Office to the appropriations process, which, as I stated, is already failing.

The Library of Congress is the premiere stakeholder in the smooth and efficient operations of the Office of Copyrights. The Librarian of Congress is in the best position to monitor the operations of the Copyright Office much more than the Office of the President.

Modernization of the Library has been discussed for the past 10 years. Let's do it comprehensively. Let's not start off with this proposal which, quite frankly, doesn't pass the smell test at this time.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I am pleased to yield 4 minutes to the distinguished gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Chair, I thank my friend, the ranking member from Michigan, for the time, and I appreciate the opportunity to join the majority of my committee colleagues as a cosponsor of this bill. It reflects the general consensus that Congress needs to step in to increase the autonomy of the Copyright Office, while still respecting its historic connection to the Library.

This bill is an important first step in reforming the Copyright Office, but it can't be the only step. Through the hearings this committee has held over the past few years, we have learned how truly behind the curve the Copyright Office is.

I have worked with colleagues to find a bipartisan and consensus-driven set of reforms for the Copyright Office that would go beyond just this step in the process of selecting a Register, as have the chairman and Ranking Member CONYERS and others on the committee.

It should be obvious that, to bring the Office into the 21st century, we need to do more than just change the selection process for the Register of Copyrights. It requires a massive overhaul of the IT system of the Office to create both a smoother process for creators seeking to protect their work and a system to enable the public to search the broad catalog of American creativity.

It requires increased accountability and consultation with both the creative and the user communities so that we ensure that the improvements and investments meet the needs of all those who rely on the Copyright Office to do its job well.

Establishing the Register of Copyrights with authority outside of the Library of Congress is not a reflection on the Librarian of Congress. It is a recognition of the reality that the Library and the Copyright Office have two fundamentally different missions, and they deserve to be empowered to pursue those missions. It is a recognition that success for both of these important entities means allowing them to maintain their historic connection but operate on a day-to-day basis with greater autonomy.

I am glad that the chairman has taken up this first step, and I look forward to working with him and Ranking Member Conyers and others on the next steps as well.

This piece of legislation supports strong copyright laws in our country. Having strong copyright means the ability for creators to be able to do their work. It means the creation of jobs.

The reason that this piece of legislation has such strong bipartisan support, the reason that it is supported by the thousands and thousands of people who earn their living every day as a result of the creativity that strong copy-

right laws protect, the reason they are supporting this legislation is because it is an important first step.

I am glad to participate in this debate, and I look forward to passing this bill, H.R. 1695, in order to take that first step to promote stronger copyright, to provide the kind of autonomy that the Copyright Office needs so that it can move forward rapidly with modernization, and, most importantly, at this moment in our Nation's history, to ensure that we have the strongest possible avenue to create even more good jobs, well-paying jobs. That is what this legislation is about.

Mr. Chair, I encourage all of my colleagues to support this bill.

Mr. GOODLATTE. Mr. Chair, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I am pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. Judy Chu).

Ms. JUDY CHU of California. Mr. Chair, this is a bill that is critical for us to pass. It is the result of more than 3 years of hearings, listening tours, and dozens of conversations with a wide range of stakeholders.

Under the leadership of Chairman BOB GOODLATTE and Ranking Member JOHN CONYERS, the Judiciary Committee members sat through hours of hearings and even traveled to different cities around the country to hear from all the stakeholders that are impacted by our copyright policies.

It is clear that we need a change in the Copyright Office. We need to protect our Copyright Office. We can do that with a Presidential appointee of the Register. That is why this bill is supported by a wide range of stakeholders, including the AFL-CIO; the Screen Actors Guild-American Federation of Television and Radio Artists, SAG-AFTRA; the Directors Guild; the International Alliance of Theatrical Stage Employees, or IATSE; the American Federation of Musicians; the Motion Picture Association of America; the Recording Industry Association of America; the GRAMMYs; the National Association of Broadcasters; Software and Information Industry Association; the American Intellectual Property Law Association; and the Intellectual Property Owners Association, amongst many.

Mr. Chair, I urge my colleagues, for the sake of our future and the protection of copyright, to support this bill.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chair, it is my pleasure to yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), one of the most influential members of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Chair, let me thank the gentleman from Michigan and all of my colleagues that have spoken on this job-creating legislation and recognition of how great America is with all of the creative talent that we have mustered, the music that you enjoy, the songwriters and others who created both the visual and musical arts. This is what this is about.

Now, I have listened to some of my colleagues from California. I am not from California. I am from Houston, Texas. But we know that creative artists and writers and those who invent and those who write wonderful stories are all part of the arena of what America is great about. They generate genius and they create jobs. The Copyright Office is that protector that ensures that those jobs will be protected.

We, over a series of years in the Judiciary Committee, have looked at reforming the copyright system. We have had hearings even with the former Copyright Register, who indicated that putting her position in a Senate confirmation would be the right thing to do. But it has taken 4 years.

So today we have come not to be out of order and not doing other major aspects of reform. In fact, I want to congratulate the Librarian of Congress who, now, is engaged in modernization. I applaud her. Her appointment has been significant. She is innovative and is already working to make sure that the Library and the creative arts and assets and property of those of great talent is protected.

#### □ 1430

Today we address an aspect of that work, and that is we want to continue to see the progress that our Librarian has made. We want to be able to make on an equal status that individual that is dealing with copyright just as the director of the U.S. Patent and Trademark Office status as a Presidential appointee does not compromise that person's ability to execute their duties as head of the USPTO, nor should it compromise or interfere with the responsibilities of cooperation, collaboration, jurisdictional compromise, and work between the Librarian of Congress and the Register of Copyrights.

To the Librarian of Congress, my view is keep working, keep doing the modernization work. I believe that as we move forward, regardless of who at this point is in the Office of President, that we can ensure that Congress has insight and oversight over this important position.

Let me also suggest to my colleagues that the Library of Congress is an important part of the work of Congress, and I think all of us should be interested stakeholders in the work that it does and should be supporters of that.

We encourage the Library of Congress to work with America's constituency by having programs and letting them know of the wonderful artifacts that are there, that are held, that tell the history of this great Nation. It is always important to be able to do research there and to see the storied history.

Now, we come to this bill that does nothing to undermine that storied history or the Librarian of Congress. What it does, as I have indicated, is it helps us create jobs.

Now, in order to recognize the importance of the Librarian of Congress, in this instance, Dr. Carla Hayden, I am very grateful that my colleagues accepted an amendment that I have that, in fact, does do something, and it does a very important action. It respects and recognizes the value of Congress' insight on putting forth nominees or names that will be selected from to become the Register of Copyrights, not to have limited input, but to actually produce the names.

Ultimately, I hope that an amendment going forward after this bill, working with the Senate, can be that there is a limit to the names being put forward and that those names are the names that are put forward to the President of the United States. I think that is an element that should be included.

The Acting CHAIR (Mr. FORTENBERRY). The time of the gentlewoman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. In the amendment, it has that the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority leader of the House of Representatives, the majority leader of the Senate, minority leader of the House of Representatives, and the Librarian of Congress will be, in fact, the deciders of who gets nominated to be the Register of Copyrights.

As we well know, the AFL-CIO has provided a letter of support, along with the American Federation of Musicians, the Authors Guild, the Directors Guild of America, the Graphic Artists Guild, the International Alliance of Theatrical Stage Employees, and Screen Actors Guild. All of these create jobs and all of these unions have representatives all around the Nation.

Finally, I would say it is extremely important that the musicians and artists of color have indicated that they see no bias in this particular legislation against the present Librarian and have written a letter indicating that they believe that there is no bias.

The Acting CHAIR. The time of the gentlewoman has again expired.

Mr. CONYERS. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. So I ask my colleagues to work together and to pass H.R. 1695 to continue the process of modernization of the Copyright Office and continue the collaborative work between the Librarian of Congress and the Register of Copyrights. There is no difference in the cooperation of decades before and, as well, there is no indication that that will not occur in the future. Both of them will have 10-year terms, and I believe that we will move forward on behalf of the American people.

Mr. Chair, I rise in support of the rule under consideration for H.R. 1695, the "Register of

Copyrights Selection and Accountability Act of 2017," as amended to include the Jackson Lee Amendment.

H.R. 1695, the "Register of Copyrights Selection and Accountability Act of 2017," if enacted, would change the selection process for the Register of Copyrights, who is the Director of the United States Copyright Office, which is housed in the Library of Congress.

The Librarian of Congress, an appointed position subject to Senate confirmation since 1987, is currently tasked with modernizing the Library of Congress.

This legislation is not about taking power away from any individual.

In fact, Dr. Carla Hayden, the current Librarian of Congress, is by all accounts serving the various needs of the Library of Congress very well.

This legislation and the Jackson Lee Amendment only further the Library's efforts to effectively modernize its copyright selection and approval process.

Just as the Director of the U.S. Patent and Trademark Office's status as a Presidential appointee does not compromise her ability execute her duties as head of the USPTO, the Copyright Register will not be compromised by the fact he or she is a Presidential appointee.

Dr. Hayden is an exceptional administrator and the bill before us in no way reflects adversely upon her.

The Jackson Lee Amendment, accepted during markup with bipartisan support by the members of the Judiciary Committee to improve the bill, recognizes the dual role of the Library of Congress as both a legislative and a national institution, militating against giving President carte blanche in nominating the Register of Copyrights.

Specifically, the bill's amended provision establishes a 7-person panel to recommend a list of at least three (3) individuals to the President for appointment as the Register of Copyrights.

The amendment provides that the panel membership shall be as follows:

- 1. Speaker of the House of Representatives;
- 2. President pro tempore of the Senate;
- 3. Majority Leader of the House of Representatives:
- 4. Majority Leader of the Senate;
- 5. Minority Leader of the House of Representatives:
- 6. Minority Leader of the Senate; and the
- 7. Librarian of Congress.

This bill is the product of years of bipartisan deliberation, and reflects the collective and considered judgment of Members of Congress that the Copyright Office would be strengthened as an institution were the Register to be selected through the advise and consent process, regardless of which political party occupied the Oval Office or controlled majorities in Congress.

The essential role of government is to protect life, liberty and property.

That is why a fundamental bulwark of the core values demonstrated by our constitution is property rights—a notion understood by the Founders at the dawn of the Republic.

For precisely that reason, the Founding Fathers recognized the importance of IP in Article I, Section 8 of the Constitution: "To promote the Progress of Science and useful Arts, by securing for limited times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

This clause, articulated by the Founders, is rooted in the notion that the best way to encourage creation and dissemination of new inventions and creative works to the benefit of both the public good and individual liberty is to recognize one's right to his or her intellectual property.

On November 12, 1975, at the investiture of Daniel J. Boorstin as the 12th Librarian of Congress, Congressman Lucien N. Nedzi of Michigan, the Chairman of the Joint Committee on the Library, stated:

As its name reveals, the Library is the Library of Congress—a fact in which the Congress of the United States takes great pride—and, of equal importance, if not more so, it is a national library that serves all of the people of the United States.

H.R. 1695, balanced by the Jackson Lee Amendment, strikes the proper balance and harmonizes these dual interests.

The national interest and character of the institution is preserved by elevating the office of the Register of Copyrights and vesting in the President the authority to nominate the Register of Copyrights.

The legislative interest is protected by constraining the President to select for appointment 1 of 3 persons recommended by panel that represents the institutional interests of Congress in the Library and its subdivisions—the joint congressional leadership and the Librarian of Congress.

The panel only possesses the power to recommend candidates to the President; it cannot dictate the President's choice.

Moreover, this arrangement complies with Article II, Section 2, Clause 2 of the Constitution, which provides:

[The President] shall . . . nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law[.]

The Founder's wisdom is manifest in today's creative economy, which contributes more than \$1.2 trillion to GDP and supports 5.5 million jobs.

Yét in a quirk of history, without this legislation, Congress has no role in the selection of the Register of Copyrights, even though the Register is Congress' statutorily designated expert advisor on copyright policy and the head of the Copyright Office.

What is no accident is that Congress can fix this problem by passing H.R. 1695, on World IP Day, Wednesday, April 26, 2017.

This would increase accountability to Congress as well as transparency by giving all Americans a voice in the selection of the Register through their elected representatives.

We can think of no better way to recognize the contributions of copyright to the economy than by finally ascribing to the position of Register an importance commensurate with the sector it oversees.

I urge my support for the rule, as well as the underlying legislation as amended.

Mr. GOODLATTE. Mr. Chairman, I have no speakers remaining, and I am prepared to close when Ranking Member Conyers concludes.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time to close.

Ladies and gentlemen, in closing, I want to point out that it is particu-

larly appropriate that we are considering H.R. 1695 on World Intellectual Property Day, a day dedicated to acknowledging the critical role that intellectual property rights play in encouraging creativity and innovation.

First established in 2001, World Intellectual Property Day encourages engagement among governments, private industry, and the public about the importance of intellectual property promotion and protection.

H.R. 1695 goes a long way in achieving those goals. Accordingly, I thank my colleagues for their support, and I urge that this bill be passed.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. Jackson Lee).

Ms. JACKSON LEE. Mr. Chair, I include in the RECORD a letter from the Content Creators Coalition, dated April 25, 2017, in support of this legislation.

APRIL 25, 2017.

Congressional Black Caucus Member: On behalf of the Content Creators Coalition, we write in support of H.R. 1695, the Register of Copyrights Selection and Accountability Act, which would modernize and provide greater transparency to the process of selecting the Register of the Copyright Office.

This is vital legislation that will strengthen the Copyright Office. We believe this selection process should be granted a similar import, rigor, and transparency as the processes of selecting other organizations, such as the U.S. Patent and Trademark office, that oversee large industries: Presidential nomination and Senate confirmation. In light of the specialized knowledge required to lead this office, we also support the appointment of an advisory group to suggest candidates for consideration.

This legislation would place the Copyright Office on equal footing as other economically and culturally vital agencies. It has wide bipartisan support and was passed out of the typically polarized House Judiciary Committee on a vote of 27–1.

As artists of color, we find it deeply offensive that opponents of this bill have attempted to recast their anti-creators' rights goals into a smear campaign against its sponsors and supporters, insinuating that the legislation is about the race and gender of the current Librarian of Congress. The Register of Copyrights Selection and Accountability Act is co-authored by the Dean of the House and the Congressional Black Caucus, Judiciary Ranking Member John Conyers, and supported by Congressman John Lewis. Their lifelong and unshakeable commitment to civil rights is a historical fact and should be honored and respected, not opportunistically and baselessly questioned just to score a few empty political points.

We would be the first to speak out against prejudice or bias anywhere—in business, culture, the arts, or politics. But here, we know these charges are false. The bill has nothing to do with the current Librarian at all—in fact, these reform proposals pre-date her appointment.

Nor does this bill have anything to do with the former Register of Copyrights. We are grateful for her tireless efforts and advocacy on behalf of working musicians and find it appalling that some have engaged in efforts to drag her record through the mud to defeat these reforms.

And certainly the bill has nothing to do with the current President—once again, these proposals to modernize the Copyright Office long pre-date his election. It is the

height of cynicism for bill opponents to attempt to ride on the powerful coattails of the "RESIST" movement by falsely wrapping this bipartisan pro-artist, pro-creator legislation in the controversies surrounding the President, especially in light of his proposal for massive cuts to funding for the arts. In our view, misleading the President's critics by leveraging fear into opposition for a non-controversial proposal like this ultimately undermines and disrespects our movement.

The need for this legislation is plain. The current system in which the Librarian of Congress selects the Register is the result of a unique moment in history and outdated concerns: in 1870, the Librarian of Congress asked Congress to give him the authority to appoint the Register in order to deal with a massive influx of new works and the need to quickly grow the Library's collection.

Nearly 150 years later, the functions of the Copyright Office have changed. It is no mere registry of creative works, but has become the most trusted advisor on Copyright law and its interpretation for the United States Congress. The process of selecting a leader to this office should reflect the importance of copyright to the U.S. economy.

Congress is reviewing and revising copyright laws to ensure they continue to protect all music creators in a time of rapid transition online. It deserves the best advice it can get, and reform of the Register selection process is long overdue.

Thank you for consideration of our views,

MELVIN GIBBS.
NONA HENDRYX.
ERNIE ISLEY.
RAMSEY JONES.
DARRELL MCNEILL.
V JEFFERY SMITH.

Mr. CONYERS. Mr. Chair, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chair, I yield myself the balance of my time to close.

I thank Ranking Member Conyers and many other Members across the aisle, as well as the subcommittee chair and the subcommittee vice chair of the Judiciary Committee's Subcommittee on Courts, Intellectual Property, and the Internet—Mr. Issa and Mr. Collins—for their hard work in support of this legislation, which is urgently needed. It is very straightforward. It has very broad bipartisan support here in the House.

It is also strongly supported in a bipartisan fashion in the Senate. A wide array of outside organizations-virtually every copyright organization in the country—as well as a number of other organizations concerned about the importance of intellectual property protection and particularly copyright law want to see the status of the Register of Copyrights elevated by Presidential appointment with input from six leaders in the House and the Senate and the Librarian of Congress to select the next Register of Copyrights and have a 10-year term, which is compatible with terms of other important legislative branch positions.

Mr. Chair, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, today I voted against H.R. 1695, the Register of Copyrights Selection and Accountability Act. As the founder and co-chair of the Congressional Library of Congress Caucus, I care deeply

about the services and the mission of the Library, including the U.S. Copyright Office. It's past time to bring the Library and the Copyright Office into the 21st Century, and I strongly support efforts to modernize and reform existing practices. H.R. 1695, however, might unnecessarily politicize the Copyright Office and the position of the Register and could make its work less transparent and less neutral to all parties. We should allow Dr. Carla Hayden to continue to guide the modernization process by selecting a Register, a decision enjoyed by all of her predecessors to hold the office of Librarian. While it is unclear that H.R. 1695 would do more good than harm, I look forward to working with my colleagues on both sides of aisle on future efforts to reform and modernize the Library of Congress the copyright system.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-13. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

#### H.R. 1695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

# SECTION 1. SHORT TITLE.

This Act may be cited as the "Register of Copyrights Selection and Accountability Act of

### SEC. 2. REGISTER OF COPYRIGHTS.

- (a) AMENDMENTS.—Section 701 of title 17, United States Code, is amended—
- (1) in subsection (a)—
- (A) by striking "(a) All administrative" and inserting the following:
  - "(a) REGISTER AND DIRECTOR.
- "(1) IN GENERAL.—All administrative";
  (B) by striking "director" and inserting "Director'
- (C) by inserting after the first sentence the following: "The Register of Copyrights shall be a citizen of the United States with a professional background and experience in copyright law and shall be appointed by the President from the individuals recommended under paragraph (6), by and with the advice and consent of the Senate."; and
- (D) in the last sentence, by striking "shall be appointed" and all that follows through "and shall act" and inserting "shall act";
- (2) in subsection (b), by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and adjusting the margins accordingly;
- (3) by redesignating subsection (b) as paragraph (2), and adjusting the margins accordinalu:
- (4) in paragraph (2), as so redesignated, by inserting "DUTIES.—" before "In addition"
- (5) by inserting after paragraph (2) the following:
- "(3) OATH.—The Register of Copyrights shall, before taking office, take an oath to discharge faithfully the duties of the Copyright Office described in paragraph (2).
  - "(4) REMOVAL.

"(A) IN GENERAL.—The Register of Copyrights may be removed from office by the President.

"(B) NOTIFICATION.—The President shall provide notification to both Houses of Congress of a removal under subparagraph (A).

"(5) TERM OF OFFICE.

"(A) IN GENERAL.—Subject to subparagraph (B), the Register of Copyrights—

"(i) shall be appointed for a term of 10 years;

"(ii) may serve until a successor is appointed, confirmed, and taken the oath of office.

"(B) LIMITATION.—The Register of Copyrights may not continue to serve after the date on which Congress adjourns sine die after the date on which the 10-year period described in subparagraph(A)(i) ends.

"(C) REAPPOINTMENT.—An individual appointed to the position of Register of Copyrights, by and with the advice and consent of the Senate, may be reappointed to that position in accordance with the requirements of this sec-

"(6) Panel for register of copyrights rec-OMMENDATIONS.—There is established a panel to recommend a list of at least 3 individuals to the President for appointment as the Register of Copyrights. The panel shall be composed of the following:

"(A) The Speaker of the House of Representatives.

"(B) The President pro tempore of the Senate. "(C) The majority and minority leaders of the House of Representatives and the Senate.

"(D) The Librarian of Congress.";

(6) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;

(7) in subsection (b), as so redesignated, by inserting "SEAL.—" before "The Register"

(8) in subsection (c), as so redesignated, by inserting "ANNUAL REPORT.—" before "The Reg-

(9) in subsection (d), as so redesignated, by inserting "APPLICABILITY OF TITLE 5.—" before "Except as provided"; and

(10) in subsection (e), as so redesignated, by inserting "COMPENSATION.-" before "The Reg-

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any vacancy for the Register of Copyrights after January 1, 2017. If a Register of Copyrights is appointed during the period beginning on January 1, 2017 and ending on the day before the date of the enactment of this Act, that Register shall meet the requirements of the amendments made by this Act or shall be replaced in accordance with such amendments.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 115-95. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-95.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as fol-

Page 1, line 18, insert after "law" the following: ", shall be capable of identifying and

supervising a Chief Information Officer or other similar official responsible for managing modern information technology sys-

The Acting CHAIR. Pursuant to House Resolution 275, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, this amendment will place a much-needed priority on advancing the technological capabilities of the U.S. Copyright Office.

I support the underlying bill to make the selection of the Register of Copyrights more open and more transparent. I also support the additional congressional oversight that will be necessary to ensure that the Register is accountable to the American people.

I agree with Chairman GOODLATTE, Ranking Member Conyers, and my other colleagues on the Judiciary Committee that it is important that this bill move forward now. Making this improvement to the selection process for the next Register is an important first step before the committee advances broader Copyright Office modernization.

Even as we take this initial modest step to improve the appointment process, we can do more to strengthen the Copyright Office for today's economy. The Copyright Office's mission is to administer our Nation's copyright laws for the public good.

Securing Americans' rights to their intellectual property fosters creativity and benefits all Americans by advancing the arts and the sciences. In recent decades, this mission has been undermined by comically outdated information technology systems at the Copyright Office.

My amendment makes a simple change to the underlying bill to ensure that technology is always a part of the equation when selecting a new Register of Copyrights. My amendment would require the Register of Copyrights to be capable of identifying and supervising a chief information officer.

The CIO or a similar official would be responsible for managing information technology systems to advance the Copyright Office's capabilities and keep pace with our 21st century economy. One would assume that any qualified candidate for the Register of Copyrights has the skills and experiences necessary to guide the Office's technology office.

Why leave this vital aspect of the Copyright Office to assumptions?

Requiring the head of the Copyright Office to be ready to make this vital selection is not an overly burdensome obligation. For practical purposes, this capability is a necessity, and that is why my amendment would make technology an explicit part of the selection My amendment merely requires that the person who will serve as the Register be capable of supervising the Office's chief information officer. Whatever happens next as we move forward with modernization, IT systems of the Copyright Office must keep pace with new advancements in technology. If Congress expects real progress toward improving the Copyright Office's technology, we must ensure that the leaders we select are prepared for the job.

I thank my Judiciary Committee colleague, Ms. LOFGREN. She made this point in committee during the markup of this bill, and the language in this amendment takes her suggestion a step further. It is a small change to the underlying bill, but it sends a much-needed signal that the work of the Copyright Office must include a focus on improving its IT systems.

This is only the beginning of Congress' work to modernize the Copyright Office. H.R. 1695 is a good first step, and I strongly support the underlying bill, but any step forward toward modernization must have IT improvements at the front of mind. I hope my colleagues also support this change. I think it is a commonsense step.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I rise to speak in support of the amendment offered by Mr. Deutch. Mr. Deutch has been a strong supporter of intellectual property as well as the modernization of the Copyright Office during the House Judiciary Committee's copyright review.

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The needs of a modern copyright registration system require advanced information technology systems, so it is critical that all future Registers have a strong base of information technology knowledge within the Office to lead such efforts. By requiring all future Registers to have the skills necessary to identify and hire a chief information officer or other similar official to lead such efforts within the Office, the Deutch amendment ensures a strong Copyright Office. I want to thank the gentleman for making this important contribution to the legislation.

I neglected to mention earlier—I don't see him here now—but I also want to thank the ranking member of the subcommittee, the gentleman from New York (Mr. NADLER), for the important contributions he has made to this legislation as well.

Mr. Chairman, I yield back the balance of my time.

Mr. DEUTCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. Conyers), the ranking member.

Mr. CONYERS. Mr. Chairman, I just want everyone to know that I rise in support of this amendment. As we discovered through the Judiciary Committee's comprehensive copyright review process, the Copyright Office needs significant upgrades to its technology; so the gentleman's amendment would ensure that the Register has someone on her staff with the knowledge and skills necessary to bring the Copyright Office information technology system into the 21st century.

It is a useful amendment. It will help modernize the Copyright Office, and I appreciate the gentleman from Florida for offering it. I urge total support for the amendment.

Mr. DEUTCH. Mr. Chairman, I thank my friend from Michigan. I appreciate the strong support from Chairman GOODLATTE, and I urge all of my colleagues to support this good amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. JUDY CHU OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115–95.

Ms. JUDY CHU of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

#### SEC. 3. CONSTRUCTION.

Nothing in this Act may be construed to impact the mandatory deposit requirements in title 17, United States Code.

The Acting CHAIR. Pursuant to House Resolution 275, the gentlewoman from California (Ms. JUDY CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. JUDY CHU of California. Mr. Chairman, I rise today in support of H.R. 1695 and the amendment that I offer. This is a simple amendment that specifies that the mandatory deposit requirement of the Library of Congress will not be affected in any way by the underlying bill.

Currently, applicants for copyright registration are required to submit two deposit copies to the Copyright Office. After the Office reviews the material to determine whether it qualifies for copyright protection, it makes the copies available for the Library for its use in its permanent collection.

In fact, that is a large reason that the Copyright Office is located in the Library of Congress to begin with. In 1870, Librarian Ainsworth Rand Spofford convinced Congress that placing the Copyright Office in the Library would help build its collection through deposits of registered works, which it has done successfully.

In the digital age, many argue that the mandatory deposit requirement should be modified in some way to better balance the needs of creators and the Library. My amendment states that H.R. 1695 may not be construed to impact the mandatory deposit requirement, and it makes clear that this issue is for another day. Passing this amendment will allow us to focus instead on the many benefits in turning the Register into a Presidentially appointed, Senate-confirmed position.

The underlying bill is a result of more than 3 years of hearings, listening tours, and dozens of conversations with a wide range of stakeholders. The Judiciary Committee Members, led by Chairman GOODLATTE and Ranking Member JOHN CONYERS, all sat through hours of hearings, and even traveled to different cities around the country to hear from all of our stakeholders who are impacted by our copyright policies.

As the Judiciary Committee finished its thorough review of the Copyright Act, there was broad consensus that the Copyright Office should be modernized and restructured so that it is more accountable to Congress and to the public.

This is why I, along with Congressman Tom Marino, introduced a bipartisan bill to carry out these changes. Our bill, the Copyright Office for the Digital Economy Act, the CODE Act, would also put in place a system similar to the one in H.R. 1695 to elevate the Register. We introduced this bill 2 years ago, before the new Librarian was sworn in and when President Obama was still in office. This has been a bipartisan issue grounded on sound policy considerations.

I believe the changes proposed in H.R. 1695 will help improve the functionality of the Copyright Office, which members of the public rely on to protect their works or properly use copyrighted works. The core copyright industries are now responsible for \$1.2 trillion of our GDP, which represents 7 percent of the economy. These industries also employ 5.5 million people.

We need to make sure the Copyright Office can modernize to meet the demands of the growing industries in our country, and its leadership that is accountable to Congress, which will help it move toward that direction. I urge my colleagues to support the amendment and the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I rise in support of the amendment offered by Ms. JUDY CHU. She has been a strong advocate for the protection of intellectual property as well as the modernization of the Copyright Office during the House Judiciary Committee's copyright review, and we miss her on the committee.

One of the issues that has been raised while we have discussed updates to our Nation's copyright laws is the importance of preserving our mandatory deposit system. The mandatory deposit system that exists in our Nation's copyright law has resulted in numerous copyrighted works being added to the collections of the Library of Congress at no charge to taxpayers. Without the mandatory deposit system, the Library's collections would be vastly smaller, without a significant increase in taxpayer funding in order to buy these copyrighted works that are now provided free to the Library.

Ms. Judy Chu's amendment ensures that this system is not disrupted as the Register position is made subject to the nomination and consent process, and I urge my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. JUDY CHU of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. Conyers), the ranking member of the Judiciary Committee.

Mr. CONYERS. Mr. Chairman, I thank the gentlewoman for yielding.

This amendment makes clear that nothing in the bill would impact the Library of Congress' mandatory deposit requirement. For over 100 years, the Library has built its world-class collection, in large part, through the mandatory deposit requirement.

So H.R. 1695 is a very narrow bill that only changes how the Register of Copyrights is selected. I think it is helpful, and I congratulate the gentlewoman for this very creative amendment. I urge my colleagues to support it.

Ms. JUDY CHU of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. JUDY CHU).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. DEUTCH

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate thamendment.

The Clerk redesignated the amendment.

Crowlev

Cuellar

Huizenga

Hultgren

Meadows

Meehan

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 410, noes 14, not voting 6, as follows:

### [Roll No. 226]

AYES-410 Abraham Culberson Hunter Adams Cummings Hurd Aderholt Curbelo (FL) Issa. Davidson Jackson Lee Aguilar Davis (CA) Jayapal Allen Jenkins (KS) Amodei Davis, Danny Davis, Rodney Jenkins (WV) Arrington Babin DeFazio Johnson (GA) Bacon DeGette Johnson (LA) Banks (IN) Delanev Johnson (OH) Barletta DeLauro Johnson, E. B Barr DelBene Johnson, Sam Barragán Demings Jones Jordan Joyce (OH) Denham Barton Bass Dent Beatty DeSantis Kaptur BeraDeSaulnier Katko Bergman DesJarlais Keating Kelly (IL) Bever Deutch Biggs Diaz-Balart Kelly (MS) Bilirakis Kelly (PA) Dingell Doggett Bishop (GA) Kennedy Bishop (MI) Donovan Khanna Bishop (UT) Duffy Kihuen Duncan (TN) Kildee Black Blackburn Dunn Kilmer Ellison Blum Kind King (IA) Blumenauer Emmer Blunt Rochester Engel King (NY) Bonamici Eshoo Kinzinger Bost Espaillat Knight Krishnamoorthi Boyle, Brendan Estes (KS) Esty (CT) Kuster (NH) Brady (TX) Evans Kustoff (TN) Farenthold Brat Labrador Bridenstine LaHood Faso Brooks (AL) Ferguson LaMalfa Brooks (IN) Fitzpatrick Lamborn Fleischmann Brown (MD) Lance Langevin Brownley (CA) Flores Fortenberry Larsen (WA) Buchanan Larson (CT) Buck Foster Bucshon Foxx Latta Frankel (FL) Budd Lawrence Burgess Franks (AZ) Lawson (FL) Bustos Frelinghuysen Lee Gabbard Butterfield Levin Lewis (GA) Gallego Garamendi Calvert Lewis (MN) Lieu, Ted Carbajal Garrett Cárdenas Gibbs Lipinski Carter (GA) Gohmert LoBiondo Carter (TX) Gonzalez (TX) Loebsack Long Cartwright Goodlatte Loudermilk Castor (FL) Gosar Gottheimer Castro (TX) Love Chabot Gowdy Lowenthal Chaffetz Granger Lowey Cheney Graves (GA) Lucas Chu. Judy Graves (LA) Luetkemever Cicilline Graves (MO) Luian Grisham. Clark (MA) Green, Al Clarke (NY) Green, Gene Luján, Ben Ray Griffith Clav Lvnch MacArthur Cleaver Grijalva Clyburn Guthrie Maloney, Coffman Gutiérrez Carolyn B. Cohen Hanabusa Maloney, Sean Cole Harper Marchant Collins (GA) Harris Marshall Hartzler Collins (NY) Massie Comer Hastings Mast Comstock Heck Matsui Hensarling Conaway McCarthy Herrera Beutler Connolly McCaul McClintock Conyers Hice, Jody B. Cook Higgins (LA) McCollum Cooper Higgins (NY) McEachin Correa Hill McGovern McHenry Himes Costa Costello (PA) Holding McKinley Courtney Hollingsworth McMorris Cramer Hoyer Hudson Rodgers Crawford McNerney Huffman McSally Crist

Meng Messer Mitchell Moolenaar Mooney (WV) Moore Moulton Mullin Murphy (FL) Murphy (PA) Nadler Napolitano Neal Noem Nolan Norcross Nunes O'Halleran O'Rourke Olson Palazzo Pallone Palmer Panetta Paulsen Pavne Pearce Pelosi Perlmutter Perry Peters Peterson Pingree Pittenger Pocan Poe (TX) Poliquin Polis Posey Price (NC) Quigley Raskin Ratcliffe Reed Reichert Renacci Rice (NY) Rice (SC) Roby Roe (TN) Rogers (AL)

Rogers (KY) Rohrabacher Rooney, Francis Rooney, Thomas J. Ros-Lehtinen Rosen Roskam Ross Rothfus Rouzer Roybal-Allard Royce (CA) Ruiz Ruppersberger Russell Rutherford Rvan (OH) Sánchez Sanford Sarbanes Scalise Schakowsky Schiff Schneider Schrader Schweikert Scott (VA) Scott, Austin Scott, David Sensenbrenner Serrano Sessions Sewell (AL) Shea-Porter Sherman Shuster Simpson Sinema Sires Smith (MO) Smith (NE) Smith (N.I) Smith (TX) Smith (WA) Smucker Soto Speier Stefanik Stewart Stivers

Swalwell (CA) Takano Taylor Tenney Thompson (CA) Thompson (PA) Thornberry Tiberi Tipton Titus Tonko Torres Trott Tsongas Turner Upton Valadao Vargas Veasey Vela Velázquez Visclosky Wagner Walberg Walden Walker Walorski Walters, Mimi Walz Wasserman Schultz Waters, Maxine Watson Coleman Weber (TX) Webster (FL) Welch Wenstrup Westerman Williams Wilson (FL) Wilson (SC) Wittman Womack Woodall Yarmuth Yoder Yoho Young (AK) Young (IA) Zeldin

# NOES-14

Amash Brady (PA) Capuano Doyle, Michael Duncan (SC) Fudge Gaetz Gallagher Grothman Lofgren Richmond Rokita Rush Thompson (MS)

## NOT VOTING-6

Carson (IN) Jeffries

Marino Pascrell Newhouse Slaughter

### □ 1522

Ms. SANCHEZ, Messrs. GRAVES of Georgia, RODNEY DAVIS of Illinois, SESSIONS, PALAZZO, AUSTIN SCOTT of Georgia, WILSON of South Carolina, and BUTTERFIELD changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. CARTER of Georgia). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1695) to amend title 17, United States Code, to provide

M

Rodgers

Royce (CA)

Rutherford

Ruppersberger

Ruiz

Russell

Sanford

Scalise

Schneider

Schrader

Serrano

Sessions

Sherman

Shimkus

Shuster

Simpson

Sinema

Sewell (AL)

Schweikert

Scott, Austin

Scott, David

Sensenbrenner

Schiff

additional responsibilities for the Register of Copyrights, and for other purposes, and, pursuant to House Resolution 275, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken: and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOODLATTE, Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5minute vote on passage of the bill will be followed by a 5-minute vote on the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 48, not voting 4, as follows:

# [Roll No. 227]

YEAS-378 Carter (GA) Diaz-Balart Abraham Carter (TX) Dingell Aderholt Aguilar Castor (FL) Doggett Allen Castro (TX) Donovan Amash Chabot Duffy Amodei Chaffetz Duncan (SC) Arrington Cheney Duncan (TN) Chu, Judy Babin Dunn Bacon Cicilline Clark (MA) Ellison Banks (IN) Emmer Barletta Clarke (NY) Engel Barr Clay Espaillat Cleaver Barragán Estes (KS) Barton Coffman Esty (CT) Bass Cohen Evans Farenthold Bera Cole Collins (GA) Bergman Faso Beyer Collins (NY) Ferguson Comer Fitzpatrick Biggs Comstock Bilirakis Fleischmann Bishop (MI) Conaway Flores Fortenberry Bishop (UT) Convers Cook Foster Blackburn Cooper Foxx Blum Costa Frankel (FL) Blunt Rochester Costello (PA) Franks (AZ) Bonamici Courtney Frelinghuysen Bost  ${\bf Cramer}$ Gabbard Brady (TX) Crawford Gaetz Gallagher Brat Crist Bridenstine Crowley Gallego Brooks (AL) Cuellar Garamendi Brooks (IN) Culberson Garrett Curbelo (FL) Brown (MD) Gibbs Brownley (CA) Davidson Gohmert Gonzalez (TX) Davis, Danny Buchanan Buck Davis, Rodney Goodlatte Bucshon Delaney Gosar Gottheimer Budd DeLauro Burgess Demings Gowdy Bustos Denham Granger Graves (GA) Byrne Dent DeSantis Calvert Graves (LA) Cárdenas Des Jarlais Graves (MO) Carson (IN) Deutch Green, Al

Luetkemever Green, Gene Griffith Luian Grisham. Grijalva Grothman Luján, Ben Ray Guthrie Lvnch Gutiérrez MacArthur Maloney, Carolyn B. Hanabusa Harper Maloney, Sean Harris Hartzler Marchant Hastings Marshall Heck Mast Hensarling McCarthy Herrera Beutler McCaul Hice, Jody B. McClintock Higgins (LA) McGovern Higgins (NY) McHenry Hill McKinley Himes McMorris Holding Hollingsworth McNerney McSallv Hover Hudson Meadows Huizenga Meehan Meeks Hultgren Hunter Meng Hurd Messer Mitchell Issa Jackson Lee Moolenaar Mooney (WV) Javapal Jeffries Moore Jenkins (KS) Moulton Jenkins (WV) Mullin Johnson (LA) Murphy (FL) Johnson (OH) Murphy (PA) Johnson, E. B. Nadler Napolitano Johnson, Sam Jordan Neal Joyce (OH) Noem Nolan Kaptur Katko Nunes O'Halleran Keating Kelly (IL) O'Rourke Olson Palazzo Kelly (MS) Kelly (PA) Pallone Kennedy Khanna Palmer Kihuen Panetta Kildee Paulsen Kilmer Pearce Perlmutter Kind King (IA) Perry King (NY) Peters Peterson Kinzinger Pingree Knight Krishnamoorthi Pittenger Kuster (NH) Pocan Poe (TX) Kustoff (TN) Labrador Poliquin LaHood Posey LaMalfa Quigley Lamborn Raskin Lance Ratcliffe Langevin Reed Larsen (WA) Reichert Larson (CT) Renacci Latta Rice (NY) Rice (SC) Lawrence Roby Roe (TN) Lawson (FL) Lee Levin Rogers (AL) Lewis (GA) Rogers (KY) Lewis (MN) Rohrabacher Lieu, Ted Rokita Lipinski Rooney, Francis LoBiondo Rooney, Thomas Loebsack Ros-Lehtinen Long Loudermilk Roskam

# Roybal-Allard NAYS-48

J.

Ross

Rothfus

Rouzer

Love

Lowev

Lucas

Adams

Beatty

Bishop (GA)

Blumenauer

Brady (PA)

Butterfield

Cartwright

Capuano

Carbajal

Clyburn

Connolly

Correa

Lowenthal

Cummings Davis (CA) DeFazio DeGette Boyle, Brendan DelBene DeSaulnier Doyle, Michael Eshoo Fudge Huffman Johnson (GA) Jones

Lofgren

Vargas Veasey Vela Velázquez Visclosky Wagner Walberg Walden Walker Walorski Walz Wasserman Schultz Weber (TX) Webster (FL) Welch Wenstrup Westerman Williams Wilson (FL) Wilson (SC) Wittman Womack Woodall Yarmuth Yoder Yoho Young (AK) Young (IA) Zeldin Massie Matsui McCollum McEachin Norcross Payne Pelosi Polis Price (NC) Richmond

Rosen

Ryan (OH)

Sarbanes

Rush

Sires Smith (MO) Smith (NE) Smith (NJ) Smith (TX) Smith (WA) Smucker Soto Stefanik Stewart Stivers Suozzi Swalwell (CA) Tavlor Tenney Thompson (PA) Thornberry Tiberi Tipton Titus Tonko Torres Trott Tsongas Turner Upton Valadao Walters, Mimi Waters, Maxine

Schakowsky Scott (VA) Shea-Porter Marino

Speier Takano Thompson (CA) Thompson (MS) Watson Coleman

NOT VOTING-

Pascrell Newhouse

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). There are 2 minutes remain-

#### □ 1532

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOMACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 161, answered "present" 2, not voting 30, as follows:

# [Roll No. 228]

YEAS-237 Abraham Correa Hartzler Adams Courtney HeckAderholt Crawford Higgins (LA) Allen Crowley Higgins (NY) Amodei Cuellar Himes Arrington Culberson Hollingsworth Bacon Curbelo (FL) Huffman Banks (IN) Davidson Hultgren Barletta Davis (CA) Hunter Barton Davis, Danny Issa Biggs DeGette Johnson (GA) Bilirakis DeLauro Johnson (LA) Bishop (UT) DelBene Johnson, E. B. Black Dent Johnson, Sam Blackburn DesJarlais Jones Blumenauer Dingell Kaptur Blunt Rochester Doggett Katko Bonamici Donovan Kelly (IL) Brady (TX) Duncan (SC) Kelly (MS) Brat Duncan (TN) Kelly (PA) Bridenstine Dunn Kennedy Brooks (AL) Engel Khanna Brooks (IN) Eshoo Kildee Espaillat Brown (MD) King (IA) Buchanan Estes (KS) Budd Esty (CT) King (NY) Krishnamoorthi Bustos Farenthold Kuster (NH) Butterfield Ferguson Kustoff (TN) Byrne Fleischmann Carson (IN) Fortenberry Labrador LaMalfa Carter (TX) Foster Castro (TX) Frankel (FL) Lamborn Larsen (WA) Chabot Frelinghuysen Larson (CT) Chaffetz Garrett Gonzalez (TX) Latta Cheney Lawson (FL) Chu, Judy Goodlatte Lipinski Cicilline Gosar Long Loudermilk Clark (MA) Gowdy Clay Cohen Granger Green, Al Love Cole Griffith Lowenthal Collins (NY) Grijalva Lucas Comstock Luetkemeyer Guthrie Lujan Grisham, Convers Hanabusa Cook Harper M Luján, Ben Ray Cooper Harris