United States General Accounting Office

GAO

Congressional Record,
101st Congress, Senate

Bill	Date	Page(s)
S.1272	June 23, 1989 (86)	S1721-1722

Action: Introduced by Mr. DeConcini

S. 1272

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 "Copyright Royalty Tribunal Reform Act of 1989".

SEC. 2. MEMBERSHIP OF THE COPYRIGHT ROYALTY TRIBUNAL.

Section 802(a) of title 17, United States Code, is amended to read as follows:

"(a) The Tribunal shall be composed of three commissioners appointed by the President, by and with the advice and consent of the Senate. The term of office of any individual appointed as a Commissioner shall be seven years, except that a Commissioner may serve after the expiration of his or her term until a successor has taken office. Each Commissioner shall be compensated at the rate of pay in effect for level V of the Executive Schedule under section 5332 of title 5, United States Code.".

SEC. 3. EFFECTIVE DATE; BUDGET ACT.

(a) EFFECTIVE DATE.—The amendment made by section 2 shall take effect immediately.

(b) BUDGET ACT.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this Act shall be effective for any fiscal year only to the extent or in such amounts as are provided in appropriations Acts.

THE LIBRARIAN OF CONGRESS,
Washington, DC, January 18, 1989.

Hon. DENNIS DECONCINI,
Chairman, Subcommittee on Patents, Copyrights and Trademarks, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As you know, the current fee schedule for Copyright Office services has been in effect for 10 years. Inflation has cut the real price of the fees by 50 percent.

Unlike some federal agencies, the Copyright Office has no discretion in processing copyright claims. The Office cannot simply decide to do less work; an increased number of applications are submitted as more creative works are produced. Since fiscal year 1979, the Copyright Office workload has increased 42 percent—from 426,000 claims to 605,000 in fiscal year 1987. During this same period the staffing level has decreased 23 percent—form 641 to 495. Because personnel costs account for 90 percent of the Copyright Office budget, the Office simply has no more room to maneuver.

On the recommendation of the Register of Copyrights, I request that you introduce a bill to amend section 708 of the Copyright Act to double the current fee schedule (for example, the basic registration fee would become $20.00). The proposed fees are almost exactly in accordance with the inflation correction using the Consumer Price Index. To cope with future inflationary pressure, I also recommend amendment of section 708 to give the Register of Copyrights regulatory authority to adjust the copyright fee schedule at five year intervals solely to reflect national increases in the cost of living as determined by the Consumer Price Index. Copyright registration gives copyright claimants substantial benefits. Periodic adjustment of the fee schedule in response to inflation ensures that the primary beneficiaries of registration pay their fair share of the costs of administering the system.

If the new fee schedule went into effect in January 1990, the proposed amendment would give the U.S. Treasury about $7 million in additional revenues.

I have attached language that would put this proposal into effect and respectfully request your assistance in introducing the bill, as well as your support in enacting these changes in the copyright law.

Sincerely,

JAMES H. BILLINGTON,
The Librarian of Congress.●