



December 11, 2018

Senator Roy Blunt, Chairman
U.S. Senate Rules and Administration Committee
260 Russell Senate Office Building
Washington, DC 20510

Senator Amy Klobuchar, Ranking Member
U.S. Senate Rules and Administration Committee
302 Hart Senate Office Building
Washington, DC 20510

Response to S. 1010 and the Register of Copyrights

Senators Blunt and Klobuchar:

The Society of American Archivists (SAA) appreciates your effort to modernize the United States Copyright Office (USCO), as reflected in S. 1010, scheduled for a hearing before your committee on December 12, 2018. However, we believe that removing the Register of Copyrights from direction by the Librarian of Congress would result in diminishment of Congress' constitutionally mandated authority regarding copyright.

The USCO's primary mission is to provide registration and renewal of copyrights, maintain a record of those acts, and provide the public with access to those records. These are the primary duties of the overwhelming majority of the more than 400 employees at the Office: Managing data and receiving, preserving, cataloging, and making accessible the huge volume of requests received each year. This is work that librarians are uniquely qualified to handle.

The overlap between the work of the Office and its parent institution, the Library of Congress, is obvious and significant. With the Library of Congress now under the leadership of a highly skilled librarian, the Office is finally poised to take the steps needed to modernize in order to serve its primary and most essential function. No single step would be more important, either to copyright holders or to users of copyrighted material, than retaining the office within the Library of Congress.

However, S. 1010 will have the opposite effect. By separating the Register from the Library of Congress and making the Register a political appointee, the bill, if enacted, would create a strong incentive to politicize the Office, strongly discouraging the appointment of a Register with the competence needed to manage the Office and oversee the day-to-day operations. Previous Registers have sought increasingly to agglomerate the legislative and judicial functions to the Office. This bill would exacerbate the problem. The Office would no longer have oversight from Congress, in whom Constitutional authority for maintaining the copyright balance is vested.

We urge you to vote no on S. 1010.

Sincerely,

A handwritten signature in black ink that reads "Nancy P. Beaumont". The signature is written in a cursive, flowing style.

Nancy P. Beaumont
Executive Director