

1 *their responsibilities related to the Coronavirus 2019*
2 *pandemic.*

3 (5) *ENFORCEMENT.*—*Access rights under this*
4 *subsection shall be subject to enforcement consistent*
5 *with section 716 of title 31, United States Code.*

6 (e) *RELATIONSHIP TO EXISTING AUTHORITY.*—*Noth-*
7 *ing in this section shall be construed to limit, amend, super-*
8 *sede, or restrict in any manner any existing authority of*
9 *the Comptroller General.*

10 *NATIONAL EMERGENCY RELIEF AUTHORITY FOR THE*
11 *REGISTER OF COPYRIGHTS*

12 *SEC. 19011. (a) AMENDMENT.*—*Chapter 7 of title 17,*
13 *United States Code, is amended by adding at the end the*
14 *following:*

15 **“§ 710. Emergency relief authority**

16 “(a) *EMERGENCY ACTION.*—*If, on or before December*
17 *31, 2021, the Register of Copyrights determines that a na-*
18 *tional emergency declared by the President under the Na-*
19 *tional Emergencies Act (50 U.S.C. 1601 et seq.) generally*
20 *disrupts or suspends the ordinary functioning of the copy-*
21 *right system under this title, or any component thereof, in-*
22 *cluding on a regional basis, the Register may, on a tem-*
23 *porary basis, toll, waive, adjust, or modify any timing pro-*
24 *vision (including any deadline or effective period, except*
25 *as provided in subsection (c)) or procedural provision con-*
26 *tained in this title or chapters II or III of title 37, Code*

1 of Federal Regulations, for no longer than the Register rea-
2 sonably determines to be appropriate to mitigate the impact
3 of the disruption caused by the national emergency. In tak-
4 ing such action, the Register shall consider the scope and
5 severity of the particular national emergency, and its spe-
6 cific effect with respect to the particular provision, and
7 shall tailor any remedy accordingly.

8 “(b) NOTICE AND EFFECT.—Any action taken by the
9 Register in response to a national emergency pursuant to
10 subsection (a) shall not be subject to section 701(e) or sub-
11 chapter II of chapter 5 of title 5, United States Code, and
12 chapter 7 of title 5, United States Code. The provision of
13 general public notice detailing the action being taken by
14 the Register in response to the national emergency under
15 subsection (a) is sufficient to effectuate such action. The
16 Register may make such action effective both prospectively
17 and retroactively in relation to a particular provision as
18 the Register determines to be appropriate based on the tim-
19 ing, scope, and nature of the public emergency, but any ac-
20 tion by the Register may only be retroactive with respect
21 to a deadline that has not already passed before the declara-
22 tion described in subsection (a).

23 “(c) STATEMENT REQUIRED.—Except as provided in
24 subsection (d), not later than 20 days after taking any ac-
25 tion that results in a provision being modified for a cumu-

1 *lative total of longer than 120 days, the Register shall sub-*
2 *mit to Congress a statement detailing the action taken, the*
3 *relevant background, and rationale for the action.*

4 “(d) *EXCEPTIONS.—The authority of the Register to*
5 *act under subsection (a) does not extend provisions under*
6 *this title requiring the commencement of an action or pro-*
7 *ceeding in Federal court within a specified period of time,*
8 *except that if the Register adjusts the license availability*
9 *date defined in section 115(e)(15), such adjustment shall*
10 *not affect the ability to commence actions for any claim*
11 *of infringement of exclusive rights provided by paragraphs*
12 *(1) and (3) of section 106 against a digital music provider*
13 *arising from the unauthorized reproduction or distribution*
14 *of a musical work by such digital music provider in the*
15 *course of engaging in covered activities that accrued after*
16 *January 1, 2018, provided that such action is commenced*
17 *within the time periods prescribed under section*
18 *115(d)(10)(C)(i) or 115(d)(10)(C)(ii) as calculated from the*
19 *adjusted license availability date. If the Register adjusts the*
20 *license availability date, the Register must provide the*
21 *statement to Congress under subsection (c) at the same time*
22 *as the public notice of such adjustment with a detailed ex-*
23 *planation of why such adjustment is needed.*

24 “(e) *COPYRIGHT TERM EXCEPTION.—The authority of*
25 *the Register to act under subsection (a) does not extend to*

1 provisions under chapter 3, except section 304(c), or section
2 1401(a)(2).

3 “(f) *OTHER LAWS.*—Notwithstanding section 301 of
4 the National Emergencies Act (50 U.S.C. 1631), the author-
5 ity of the Register under subsection (a) is not contingent
6 on a specification made by the President under such section
7 or any other requirement under that Act (other than the
8 emergency declaration under section 201(a) of such Act (50
9 U.S.C. 1621(a))). The authority described in this section
10 supersedes the authority of title II of the National Emer-
11 gencies Act (50 U.S.C. 1621 et seq.).”.

12 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—The
13 table of sections for chapter 7 of title 17, United States
14 Code, is amended by adding at the end the following:

“710. Emergency relief authority.”.

15 (c) *EMERGENCY REQUIREMENT.*—The amount pro-
16 vided by this section is designated by the Congress as being
17 for an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.