

S 487

Technology, Education and Copyright Harmonization Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Mar 7, 2001

Current Status: For Further Action See H.R.2215.

Latest Action: For Further Action See H.R.2215. (Oct 3, 2002)

Official Text: https://www.congress.gov/bill/107th-congress/senate-bill/487

Sponsor

Name: Sen. Hatch, Orrin G. [R-UT]

Party: Republican • State: UT • Chamber: Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 7, 2001
Sen. Grassley, Chuck [R-IA]	R · IA		Jun 6, 2001
Sen. Johnson, Tim [D-SD]	D · SD		Jun 6, 2001
Sen. Cantwell, Maria [D-WA]	D · WA		Sep 6, 2001

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jun 5, 2001
Judiciary Committee	House	Reported by	Jul 11, 2001

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
107 HR 2215	Related bill	Nov 2, 2002: Became Public Law No: 107-273.

Technology, Education, and Copyright Harmonization Act of 2001 - Revises Federal copyright law to extend the exemption from infringement liability for instructional broadcasting to digital distance learning or distance education. Excludes from such exemption (thus subjecting to infringement liability) any work produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks, or a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired and the transmitting government body or accredited nonprofit educational institution knew or had reasons to believe was not lawfully made and acquired. Allows under specified conditions the performance and display of reasonable and limited portions of any copyrighted work in an amount comparable to that which is typically displayed in the course of a live classroom session, by or in the course of a transmission.

Revises the conditions of such transmission to: (1) require the performance or display to be made by or at the direction of, or under the actual supervision of an instructor as an integral part of a class session offered as a regular part of the systematic mediated instructional activities of a governmental body or an accredited nonprofit education institution; (2) limit its reception to students officially enrolled in the course for which it is made or officers or employees of governmental bodies as a part of their official duties or employment; and (3) require the transmitting body or institution to take specified actions to promote faculty, student, and staff compliance with copyright law. Requires the transmitting body or institution also, in the case of digital transmission, to: (1) apply technological measures that reasonably prevent retention of the work in accessible form by transmission recipients for longer than the class session, and any unauthorized further dissemination of the work in accessible form by such recipients to others; and (2) refrain from engaging in conduct that could reasonably be expected to interfere with technological measures used by copyright owners to prevent such retention or unauthorized further dissemination.

Exempts governmental bodies and accredited nonprofit educational institutions from liability for infringement by reason of the transient or temporary storage of material carried out through the automatic technical process of a digital transmission of the performance or display of that material.

Extends the current ephemeral recording exemption, under specified conditions, to copies or phonorecords embodying a performance or display in digital and analog form for use in making transmissions authorized by this Act.

Declares that this Act does not authorize the conversion of print or other analog versions of works into digital formats, except that such conversion is permitted only with respect to the amount of such works authorized to be performed or displayed if: (1) no digital version of the work is available to the institution; or (2) such digital version is subject to technological protection measures that prevent its use.

Requires the Undersecretary of Commerce for Intellectual Property to report to specified congressional committees on technological protection systems that have been implemented, are available for implementation, or are proposed to be developed to protect digitized copyrighted works and prevent infringement, including upgradeable and self-repairing systems, and systems that have been developed, are being developed, or are proposed to be developed in private voluntary industry-led entities through an open broad based consensus process.

Actions Timeline

- **Oct 3, 2002:** For Further Action See H.R.2215.
- **Sep 25, 2002:** Reported by the Committee on Judiciary. H. Rept. 107-687.
- **Sep 25, 2002:** Reported by the Committee on Judiciary. H. Rept. 107-687.
- **Sep 25, 2002:** Placed on the Union Calendar, Calendar No. 425.
- **Jul 17, 2002:** Committee Consideration and Mark-up Session Held.
- **Jul 17, 2002:** Ordered to be Reported by Voice Vote.
- **Jul 11, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Jul 11, 2001:** Forwarded by Subcommittee to Full Committee by the Yeas and Nays: 12 - 0.
- **Jun 27, 2001:** Subcommittee Hearings Held.
- **Jun 18, 2001:** Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
- **Jun 8, 2001:** Message on Senate action sent to the House.
- **Jun 8, 2001:** Received in the House.
- **Jun 8, 2001:** Referred to the House Committee on the Judiciary.
- **Jun 7, 2001:** Measure laid before Senate. (consideration: CR S5988-5995; text of measure as reported in Senate: CR S5598)
- **Jun 7, 2001:** The committee substitute as amended agreed to by Unanimous Consent.
- **Jun 7, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Jun 7, 2001:** Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Jun 5, 2001:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. With written report No. 107-31.
- **Jun 5, 2001:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. With written report No. 107-31.
- **Jun 5, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 66.
- **May 17, 2001:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 13, 2001:** Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 107-221.
- **Mar 7, 2001:** Introduced in Senate
- **Mar 7, 2001:** Sponsor introductory remarks on measure. (CR S2006-2008, S2009)
- **Mar 7, 2001:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S2008-2009)