

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle E of title V, add the following new section:

1 **SEC. 5__ . COPYRIGHT PROTECTION FOR CIVILIAN FAC-**
2 **ULTY OF ACCREDITED INSTITUTIONS.**

3 (a) IN GENERAL.—Chapter 108 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 2169a. Copyright of works created by civilian fac-**
7 **ulty members**

8 “(a) COPYRIGHT OF WORKS.—Subject to subsection
9 (b), for purposes of sections 101 and 105 of title 17, a
10 work produced by a civilian member of the faculty of a
11 covered institution is only a work of the United States
12 Government if the work is created in direct support of a
13 lecture, instruction, curriculum development, or special
14 duty assigned to such civilian member at the covered insti-
15 tution.

16 “(b) USE BY FEDERAL GOVERNMENT.—The Sec-
17 retary concerned may require a civilian member of the fac-
18 ulty of a covered institution who becomes the owner of

1 a copyright in a work that would be considered a work
2 of the United States Government but for the applicability
3 of subsection (a) to—

4 “(1) provide the Federal Government with an
5 irrevocable, royalty-free, world-wide, nonexclusive li-
6 cense to use, modify, reproduce, release, perform,
7 display, or disclose such work for United States Gov-
8 ernment purposes; and

9 “(2) authorize the Federal Government to au-
10 thorize persons that are not officers or employees of
11 the Federal Government to use, modify, reproduce,
12 release, perform, display, or disclose such work for
13 United States Government purposes.

14 “(c) COVERED INSTITUTION DEFINED.—In this sec-
15 tion, the term ‘covered institution’ means the following:

16 “(1) National Defense University.

17 “(2) United States Military Academy.

18 “(3) Army War College.

19 “(4) United States Army Command and Gen-
20 eral Staff College.

21 “(5) United States Naval Academy.

22 “(6) Naval War College.

23 “(7) Naval Post Graduate School.

24 “(8) Marine Corps University.

25 “(9) United States Air Force Academy.

1 “(10) Air University.

2 “(11) Defense Language Institute.

3 “(12) United States Coast Guard Academy.”.

4 (b) TABLE OF SECTIONS AMENDMENT.—The table of
5 sections at the beginning of such chapter is amended by
6 adding at the end the following new item:

“2169a. Copyright of works created by civilian faculty members.”.

