

110TH CONGRESS
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H. RES. 414

Expressing the sense of the House of Representatives that foreign governments should work diligently to legalize all computer software used by such foreign governments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2007

Mr. GOODLATTE (for himself and Mr. SCHIFF) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives that foreign governments should work diligently to legalize all computer software used by such foreign governments, and for other purposes.

Whereas the United States copyright industries have created millions of high-skill, high-paying United States jobs and pay billions of dollars in annual United States tax revenues;

Whereas copyright piracy results in billions of dollars in lost revenue for the United States copyright industries each year and even greater losses to the United States economy in terms of reduced job growth and exports;

Whereas the United States copyright industries face high rates of piracy in many foreign countries, portions of

which are attributable to unauthorized software use by government agencies, as well as the use of official government computers and networks to commit all types of copyright infringement;

Whereas governments around the world are among the largest users of computer software;

Whereas the public announcements and efforts of foreign governments to use only authorized software, and to denounce the use of software in ways that violate applicable copyright laws and treaties, can set important examples for industries and citizens alike in those countries;

Whereas the public announcements and efforts of foreign governments to enact policies designed to prohibit copyright infringement on their computers and networks can set important examples for industries and citizens alike in those countries;

Whereas official usage policies for computers and networks can be effective tools to ensure that government computers and networks are not used to facilitate infringement of copyrighted works, including software, movies, music, games and other content;

Whereas the United States House of Representatives, the United States Senate, and the Office of Management and Budget have all adopted policies intended to prohibit government computers and networks from being used to facilitate copyright infringement;

Whereas the United States Government, which is one of the world's largest purchasers of computer-related services and equipment, stated in Executive Order 13103 (1998) that "[it] shall be the policy of the United States Government that each executive agency shall work diligently to

prevent and combat computer software piracy in order to give effect to copyrights associated with computer software”;

Whereas Executive Order 13103 also ordered that “[e]ach agency shall establish procedures to ensure that the agency has present on its computers and uses only computer software not in violation of applicable copyright laws”;

Whereas the United States Government has previously directed the United States Trade Representative to work with other governments to reduce their unauthorized use of software and to reduce their overall rates of copyright piracy in general;

Whereas most foreign countries and territories have not yet undertaken measures mandating the authorized use of software by government agencies, and those that do mandate the use of authorized software by government agencies often fail to implement these commitments;

Whereas most foreign countries and territories have not instituted usage policies to prohibit the use of government computers and networks for facilitating copyright infringement;

Whereas proper software asset management is critical to ensuring that government agencies receive the full benefits of computer software and operate in compliance with relevant copyright laws and international obligations; and

Whereas the International Organization for Standardization recently issued a standard—ISO/IEC 19770–1—for software asset management that can assist organizations in implementing software asset management procedures that are commensurate with rigorous corporate govern-

ance and information security requirements: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 representatives that—

3 (1) foreign governments should work diligently
4 to legalize all computer software used by government
5 agencies in order to give full effect to copyrights as-
6 sociated with computer software, consistent with the
7 applicable provisions of the World Trade Organiza-
8 tion Agreement on Trade-Related Aspects of Intel-
9 lectual Property Rights, the Berne Convention for
10 the Protection of Literary and Artistic Works, and
11 the World Intellectual Property Organization Copy-
12 right Treaty;

13 (2) foreign governments should require all gov-
14 ernment agencies to adopt and implement appro-
15 priate procedures to ensure that such agencies have
16 present on their computers only computer software
17 that does not violate applicable copyright laws, and
18 that they do not acquire, reproduce, distribute, or
19 transmit computer software in violation of applicable
20 copyright laws;

21 (3) foreign governments should require that
22 contractors and other recipients of government funds
23 or financial assistance have appropriate systems and
24 controls in place to ensure that government funds

1 are not used to acquire, operate, or maintain com-
2 puter software in violation of applicable copyright
3 laws;

4 (4) foreign governments should enact usage
5 policies designed to ensure that government com-
6 puters and networks are not used to facilitate copy-
7 right infringement of any kind, including infringe-
8 ment of software, movies, music, games, and other
9 content; and

10 (5) foreign governments should lead by example
11 and publicly denounce the use of software in ways
12 that violate applicable copyright laws and treaties,
13 and should publicly announce their efforts to only
14 use authorized software, as well as their efforts to
15 prohibit copyright piracy of any kind on their com-
16 puters and networks.

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