

119TH CONGRESS
1ST SESSION

S. 3517

To amend title 17, United States Code, to reform copyright laws relating to visual artists.

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2025

Mrs. BLACKBURN (for herself and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 17, United States Code, to reform copyright laws relating to visual artists.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Visual Artists Copy-
5 right Reform Act of 2025” or “VACRA”.

6 **SEC. 2. DEPOSITS IN CONNECTION WITH COPYRIGHT REG-**
7 **ISTRATION.**

8 (a) EXEMPTION OF CERTAIN WORKS FROM BEST
9 EDITION DEPOSIT REQUIREMENT.—Section 407 of title
10 17, United States Code, is amended—

1 (1) in subsection (a), in the matter preceding
 2 paragraph (1), by striking “subsection (c)” and in-
 3 serting “subsections (c) and (f)”; and

4 (2) by adding at the end the following:

5 “(f) EXEMPTION FOR PICTORIAL, GRAPHIC, AND
 6 SCULPTURAL WORKS.—The deposit requirements under
 7 subsection (a) shall not apply to a pictorial, graphic, or
 8 sculptural work.”.

9 (b) COPYRIGHT REGISTRATION IN GENERAL.—Sec-
 10 tion 408(b) of title 17, United States Code, is amended—

11 (1) in paragraph (4), by striking the period at
 12 the end and inserting “; and”; and

13 (2) by inserting after paragraph (4) the fol-
 14 lowing:

15 “(5) in the case of a pictorial, graphic, or sculp-
 16 tural work, one complete electronic copy.”.

17 (c) THIRD-PARTY REGISTRIES OF PHOTOGRAPHS.—

18 (1) IN GENERAL.—Chapter 7 of title 17, United
 19 States Code, is amended by adding at the end the
 20 following:

21 **“§ 711. Third-party registries of photographs**

22 “(a) REGULATIONS.—

23 “(1) IN GENERAL.—The Register of Copyrights
 24 shall establish regulations providing for the certifi-
 25 cation of third party registries of photographs.

1 “(2) CONDITIONS OF CERTIFICATION.—The
 2 regulations established under paragraph (1) shall re-
 3 quire that an entity, as a condition of being certified
 4 as a third party registry, commit to—

5 “(A) collecting and maintaining electronic
 6 copies of photographs and related information
 7 for the duration of the term of protection of
 8 copyright in each photograph;

9 “(B) collecting and maintaining, with re-
 10 spect to each photograph deposited in the reg-
 11 istry—

12 “(i) the name of each author;

13 “(ii) the name of each current copy-
 14 right owner;

15 “(iii) current contact information for
 16 each copyright owner;

17 “(iv) the date of creation;

18 “(v) the date on which the photograph
 19 was first uploaded to the registry; and

20 “(vi) the title;

21 “(C) providing a secure, searchable data-
 22 base of all photographs deposited in the registry
 23 at no charge to searchers;

24 “(D) providing for the timely transfer of
 25 copies of a photograph and all associated infor-

1 mation to another third party registry at the re-
 2 quest of an author or copyright owner of the
 3 photograph; and

4 “(E) making the entirety of the third party
 5 registry available for interactive communication
 6 of data with systems of the Copyright Office
 7 without charge.

8 “(b) RELATION TO DEPOSIT REQUIREMENTS.—De-
 9 posit of a photograph in a third party registry shall satisfy
 10 the deposit requirements of section 408.

11 “(c) APPLICABILITY.—Subsections (a) and (b) shall
 12 not apply if the Register of Copyright certifies that the
 13 Copyright Office is in compliance with subsection
 14 409(b).”.

15 (2) TECHNICAL AND CONFORMING AMEND-
 16 MENT.—The table of sections for chapter 7 of title
 17 17, United States Code, is amended by adding at
 18 the end the following:

“711. Third-party registries of photographs.”.

19 **SEC. 3. GROUP REGISTRATION OF PHOTOGRAPHS.**

20 (a) IN GENERAL.—Section 408(c) of title 17, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing:

23 “(4)(A) Without prejudice to the general au-
 24 thority provided under paragraph (1), the Register
 25 of Copyrights shall establish regulations specifically

1 permitting a single registration for a group of photo-
2 graphs by the same individual author on the basis
3 of a single application and registration fee, under
4 the following conditions:

5 “(i) The deposit is made in compliance
6 with either this section or section 711 and con-
7 sists only of photographs.

8 “(ii) The group consists of not more than
9 3,000 works, subject to subparagraph (B)(iii).

10 “(iii) The application identifies each work.

11 “(iv) The applicant provides a title for the
12 group as a whole.

13 “(B)(i) The Register of Copyrights shall estab-
14 lish regulations under subparagraph (A) for the reg-
15 istration of groups at quantity tiers that accommo-
16 date practical creative workflows.

17 “(ii) The regulations established under subpara-
18 graph (A) shall permit registration of groups with-
19 out regard to publication status, date of publication,
20 or date of creation.

21 “(iii) The Register shall amend the regulations
22 established under subparagraph (A) to increase the
23 maximum number of photographs that may be in-
24 cluded in a single registration above 3,000 as tech-

1 nology develops in the marketplace that allows for
 2 more efficient registration.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 4 Section 408(c)(2) of title 17, United States Code, is
 5 amended by striking “clause (1)” and inserting “para-
 6 graph (1)”.

7 **SEC. 4. DEFERRED REGISTRATION.**

8 Section 408 of title 17, United States Code, is
 9 amended by adding at the end the following:

10 “(g) DEFERRED REGISTRATION OF PICTORIAL,
 11 GRAPHIC, AND SCULPTURAL WORKS.—

12 “(1) RULEMAKING.—Not later than 180 days
 13 after the date of enactment of this subsection, the
 14 Register of Copyrights shall issue regulations to es-
 15 tablish procedures for deferred registration of pic-
 16 torial, graphic, and sculptural works.

17 “(2) APPLICATION FOR DEFERRED REGISTRA-
 18 TION.—An applicant for deferred registration under
 19 this subsection shall submit—

20 “(A) to the Copyright Office by electronic
 21 means—

22 “(i) an application for deferred reg-
 23 istration of the work or group of works;
 24 and

25 “(ii) the applicable fee; and

1 “(B) to the Copyright Office or a third
2 party registry (as described in section 711),
3 each corresponding deposit in accordance with
4 this section or section 711, as applicable.

5 “(3) EFFECTIVE DATE OF REGISTRATION.—
6 The date on which materials are submitted under
7 paragraph (2) shall be the effective date of registra-
8 tion, as described in subsection 410(d).

9 “(4) ENFORCEMENT BY U.S. CUSTOMS AND
10 BORDER PROTECTION OF WORKS FOR WHICH COPY-
11 RIGHT REGISTRATION IS PENDING.—An application
12 for deferred registration under this subsection shall
13 be considered an application for registration under
14 this title with the Copyright Office for purposes of
15 section 304 of the Trade Facilitation and Trade En-
16 forcement Act of 2015 (19 U.S.C. 4343).

17 “(5) EXAMINATION FOR REGISTRATION.—At
18 any time during the subsistence of copyright in a
19 work that was the subject of a deferred registration
20 under this subsection, the owner of copyright or of
21 any exclusive right in the work may request, upon
22 payment of the applicable fee, the examination of
23 that work for registration under subsection (a).”.

1 **SEC. 5. COPYRIGHT REGISTRATION APPLICATION.**

2 Section 409 of title 17, United States Code, is
3 amended—

4 (1) by inserting “(a) IN GENERAL.—” before
5 “The application”;

6 (2) in subsection (a)(8), as so designated, by
7 striking the semicolon and inserting the following: “,
8 unless the work—

9 “(A) is a pictorial, graphic, or sculptural
10 work;

11 “(B) is a United States work; and

12 “(C) was created after March 1, 1989;”;

13 and

14 (3) by adding at the end the following:

15 “(b) PUBLIC-FACING INTERFACE.—In order to facili-
16 tate an efficient process for the submission of an applica-
17 tion for copyright registration, the Register of Copyrights
18 shall implement as expeditiously as practicable and main-
19 tain a contemporary public-facing interface that is inter-
20 operable with software commonly used by professional cre-
21 ators such that the deposits and information required
22 under section 408 and this section can be automatically
23 transmitted and populate an online registration applica-
24 tion.”.

1 **SEC. 6. RETENTION OF DEPOSITS.**

2 Subsection 704(d) of title 17, United States Code,
3 is amended, in the second sentence, by inserting “and
4 works deposited in electronic format” after “but, in the
5 case of unpublished works”.

6 **SEC. 7. FEES.**

7 Section 708 of title 17, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) in paragraph (10), by striking “and”
11 at the end;

12 (B) in paragraph (11), by striking the pe-
13 riod at the end and inserting “; and”; and

14 (C) by inserting after paragraph (11) the
15 following:

16 “(12) on filing an application under section
17 408(g) for deferred registration, which fee shall be
18 not more than one-half of the fee for filing a stand-
19 ard application under section 408.”;

20 (2) in subsection (b)—

21 (A) in the matter preceding paragraph (1),
22 by inserting “and (11)” after “(1) through
23 (9)”;

24 (B) in paragraph (4), by inserting before
25 the period at the end the following: “, including

1 ensuring that professional creators can afford
2 to register all their works”; and

3 (C) by adding at the end the following:

4 “(6) The Register shall provide reduced fees for
5 individual authors and small business entities.”; and

6 (3) by adding at the end the following:

7 “(f) REGISTRATION SUBSCRIPTIONS FOR PICTORIAL,
8 GRAPHIC, AND SCULPTURAL WORKS.—

9 “(1) RULEMAKING.—Not later than 180 days
10 after the date of enactment of the Visual Artists
11 Copyright Reform Act of 2025, the Register of
12 Copyrights shall establish regulations providing for
13 yearly and periodic registration subscriptions for the
14 registration of pictorial, graphic, and sculptural
15 works.

16 “(2) SUBSCRIPTION FEES.—The Register shall
17 set and adjust fees for subscriptions described in
18 paragraph (1) in accordance with subsection (b).

19 “(3) APPLICATIONS UNDER SECTION 408.—Not-
20 withstanding paragraphs (1) and (12) of subsection
21 (a), the Register may not require a fee on filing an
22 application under section 408 for registration of a
23 copyright claim, supplementary registration, or de-
24 ferred registration if the applicant has paid for a
25 yearly or periodic subscription under this subsection

- 1 and the application is submitted during the term of
- 2 the subscription.”.

