

United States Senate
Washington, DC 20510

September 29, 1998

The Honorable Patrick Leahy
Ranking Democratic Leader
Committee on the Judiciary
148 Dirksen Senate Building Washington, DC 20510

Dear Senator Leahy:

As you move to conference on "The Digital Millennium Copyright Act of 1998," I write to express concern regarding unrelated provision[s] added by the House in its companion bill. These provisions deal with the protection of "collections of information," or databases.

I am specifically concerned about language contained in Title V of the House-passed bill. This language is similar to that contained in S. 2291, "The Collections and Information Antipiracy Act," a bill introduced in the Senate that would amend current law by creating a new form of intellectual property protection for informational databases. In recent days, I have been approached by various Massachusetts- based groups and institutions with concerns regarding the potential implications of the language included in Title V.

While I am not opposed to the eventual consideration of the database legislation, I believe that the Senate Judiciary Committee has not had ample time to examine closely the specific provisions contained in Title V and their potential implications. I would therefore urge you to move forward with the passage of "The Digital Millenium Copyright Act," but to delay consideration of any database legislation until next year. This will provide the committee with the opportunity to hold hearings on the matter and to craft database legislation that enjoys broad-based support in both the public and private sectors.

Sincerely yours,

John F. Kerry

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