



June 24, 2003

Honorable Zoe Lofgren  
United States House of Representatives  
Washington, D.C. 20515-0516

Dear Representative Lofgren:

On behalf of the American Association of Law Libraries, the American Library Association, and the Association of Research Libraries, we are writing to express our support for the *Public Domain Enhancement Act*. This legislation addresses a serious problem that has stifled preservation efforts by our Nation's libraries and archives since the enactment of the *Copyright Term Extension Act of 1998* (CTEA, P.L. 105-298).

One of the important missions of our Nation's libraries is to promote the advancement of knowledge by digitizing materials and preserving our history and cultural heritage for future generations. The CTEA has significantly limited the ability of libraries and archives to republish and disseminate works published between 1923 and 1943. In addition, its enactment places substantial burdens on the public's access to and use of copyrighted works that would otherwise have gone into the public domain.

The *Public Domain Enhancement Act* would provide a simple mechanism by which older and often endangered materials that will not be exploited commercially would enter the public domain after 50 years of protection. Copyright owners who wish to avail themselves of the additional 20 years of protection provided by CTEA would be required simply to pay a \$1 fee 50 years after the work was published, and every five years thereafter. This is hardly an onerous burden on copyright owners and yet realizes significant and important public benefits.

Under provisions of the *Public Domain Enhancement Act*, the U.S. Copyright Office would establish a user-friendly, efficient electronic filing process to extend the term of protection; collect the minimal \$1 maintenance fees; and make the forms broadly available to the public so that there is one centralized directory of titles that remain under the additional 20 years of protection. Today it is difficult and costly for libraries to track down copyright holders of older materials. The latter provision is especially crucial to libraries, archives, and the public as it would provide a single database that could be easily and quickly searched to determine whether or not a particular work remains under copyright protection or is in the public domain.

The *Public Domain Enhancement Act* provides a solution that easily allows copyright holders to maintain their copyright, if so desired, while allowing the bulk of materials to enter the public domain 50 years after their date of publication. We thank you for introducing this legislation and look forward to working with you on its passage.

Sincerely,

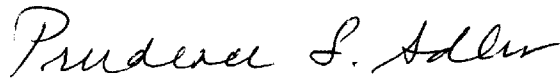


Robert Oakley

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The **American Association of Law Libraries** (AALL) is a nonprofit educational organization with over 5,000 members nationwide who respond to the legal information needs of legislators, judges and other public officials, corporations and small businesses, law professors and students, attorneys, and members of the general public. AALL's mission is to promote and enhance the value of law libraries, to foster law librarianship and to provide leadership and advocacy in the field of legal information and information policy.

The **American Library Association** (ALA) is a nonprofit educational organization of over 65,000 librarians, library educators, information specialists, library trustees, and friends of libraries representing public, school, academic, state, and specialized libraries. ALA is dedicated to the improvement of library and information services, to the public's right to a free and open information society—intellectual participation—and to the idea of intellectual freedom.

The **Association of Research Libraries** (ARL) is a not-for-profit organization representing 124 research libraries in the United States and Canada. Its mission is to identify and influence forces affecting the future of research libraries in the process of scholarly communication. ARL programs and services promote equitable access to, and effective use of, recorded knowledge in support of teaching, research, scholarship, and community service.