



By Fax Transmission: 202-225-8628

July 24, 2003

The Honorable Lamar S. Smith
Chairman
Subcommittee on the Courts, the Internet, and Intellectual Property
House Judiciary Committee
Washington, D.C. 20515

Dear Representative Smith:

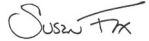
The Association of Research Libraries, the American Association of Law Libraries, the American Library Association, the Medical Library Association, and the Special Libraries Association are troubled by provisions of H.R. 2517, the "Piracy Deterrence and Education Act of 2003."

Collectively, our five national associations represent many thousands of libraries and librarians across the Nation. The library community supports efforts by Congress and our federal agencies to deter and fight infringement of copyrighted works. Moreover, our mission includes educating our patrons and the public about their rights and responsibilities with respect to intellectual property. Thus, we appreciate the bill's goals of deterrence and education.

We are concerned, however, that H.R. 2517 directs the Federal Bureau of Investigation to develop a program of deterrence whose premise is that individuals commit copyright infringement by offering or making copies of copyrighted works "without the authorization" of copyright owners. Similarly, H.R. 2517 would establish an Internet Use Education Program within the U.S. Department of Justice to, inter alia, educate the public about the value of copyrighted work, the effects of theft of them, and the risks of using the Internet "to obtain unauthorized copies" of them. As you are aware, there are many legitimate uses of works, including fair use copying, that do not require seeking the permission of the copyright owner. The fair and equitable intellectual property law that is our country's tradition should not be sacrificed in the haste to combat intellectual property infringement. In addition, consideration must be paid to the wisdom of delegating additional un-funded mandates to the FBI and the U.S. Department of Justice when they face so many other, higher priorities at this time.

We hope that we will be able to work with the Committee and the Subcommittee to address commercial piracy and yet protect the public's interest in fair use of copyrighted works, whether on the Internet or otherwise.

Sincerely,



Susan Fox

Executive Director

American Association of Law Libraries



Keith Fiels

Executive Director

American Library Association



Duane E. Webster

Executive Director

Association of Research Libraries



Carla J. Funk

Executive Director

Medical Library Association



Janice R. Lachance

Executive Director

Special Libraries Association

The **American Library Association** (ALA) is a nonprofit educational organization of approximately 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 and the public's right to a free and open information society.

The **Association of Research Libraries** (ARL) is a nonprofit association of 123 research libraries in North America. ARL's members include university libraries, public libraries, government and national libraries. Its mission is to shape 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 uses of recorded knowledge in support of teaching, research, scholarship and community service.

The **American Association of Law Libraries** (AALL) is a nonprofit educational organization with over 5,000 members nationwide. AALL's mission is to promote and enhance the value of law libraries to the legal and public communities, to foster the profession of law librarianship, and to provide leadership in the field of legal information and information policy.

The **Medical Library Association** (MLA) is a nonprofit educational organization of more than 900 institutions and 3,800 individual members in the health sciences information field committed to educating health information professionals, supporting health information research, promoting access to the world's health sciences information, and working to ensure that the best health information is available to all.

The **Special Libraries Association** (SLA) is a nonprofit, educational organization serving more than 13,000 members of the information profession, including special librarians, information managers, brokers, and consultants.