KEY ISSUE: COPYRIGHT

OBJECTIVE: Assure all federal policy and legislation on copyright matters fully reflects the Founders’ explicit goal in constitutionally granting Congress the power to award “limited” copyright protection: to “promote the progress of science and useful arts.”

PERSPECTIVE: Libraries support and value copyright, spending more than $4 billion on copyrighted materials each year. Both philosophically and physically, libraries and librarians support the copyright system by effectuating the Founders’ intent that the works whose creation is incentivized by copyright become available to the public so that it, in turn, might foster further creativity and “Progress.” At the same time, libraries rely on limitations to copyright enacted by Congress to play this critical role. Library lending and interlibrary loan are lawful because they are codified at Sections 109(a) and 108 of the Copyright Act, respectively. Fair Use, codified in Section 107, enables uncountable creative uses of copyrighted material. Likewise, Section 110 fosters 21st century education and Section 121 allows libraries to meet the needs of millions of Americans with print disabilities.

PRIORITIES: ALA urges Members of the 115th Congress to:

◆ **PRIORITY**ZE and fully fund efforts in FY 2018 to modernize the Copyright Office’s technological infrastructure and maintain the Office within the Library of Congress and thus **OPPOSE** the Copyright Office for the Digital Economy Act (H.R. 890) to establish the Office as an independent Legislative Branch agency.

◆ **OPPOSE** efforts to alter the Librarian of Congress’ authority to appoint and oversee the work of the Register of Copyrights as proposed by the Register of Copyrights Selection and Accountability Act of 2017 (H.R. 1695/S. 1010).

◆ **SUPPORT** the fastest possible ratification of the Marrakesh Treaty to provide accessible published works to more than 4 million people with visual impairments and other print disabilities in the U.S., and rapid adoption of related implementing legislation and legislative history as successfully negotiated by all major stakeholders under the auspices of the Senate Judiciary and Foreign Relations Committees.

◆ **PASS** the You Own Devices Act (H.R. 905) to foster the social and commercial evolution of the “Internet of Things” by codifying the right of the owner of a device containing “essential software” intrinsic to its function to transfer both the device and the software.