

**Resolution in Support of Preservation and Access to the Audio Heritage
of the United States**

WHEREAS, Recorded sound has played an important role in the cultural, social, and political life of the United States; and

WHEREAS, The irreplaceably rich audio heritage existing on commercial sound recordings must be preserved and made accessible to current and future generations of Americans; and

WHEREAS, United States copyright treats all sound recordings issued in the United States prior to 1972 unlike any other creative works by placing them under state and common law and prohibiting them from entering the public domain until 2067, as per section 301(c) of Title 17, United States Code; and

WHEREAS, Research funded by the National Recording Preservation Board has shown that only 14% percent of recordings of historical value from the first 75 years of commercial sound recordings in the U.S. (1890-1964) have been reissued by their owners; and

WHEREAS, Unlike books, paintings, photographs and other creative works, sound recordings are technology dependent, so that if a pre-1972 sound recording is not reissued in a contemporary format (digital file or compact disc) the content of these recordings is generally not accessible to the public or scholarly community; and

WHEREAS, The unique copyright standing of pre-1972 sound recordings in the United States places historical recordings at significant risk of loss by thwarting preservation programs due to uncertainties about the legality of creating preservation copies; and

WHEREAS, The current situation makes it difficult for students, scholars, and the general public to hear and appreciate the vast majority of music and spoken word recordings produced in the United States during the first century of commercial recording; now, therefore be it

RESOLVED, That the American Library Association urges Members of the U.S. Congress to charge the U.S. Copyright Office to conduct a study on the desirability of bringing sound recordings before February 15, 1972, under federal jurisdiction.

Adopted by the Council of the American Library Association
Wednesday, July 2, 2008
In Anaheim, California