

Resolution on the Educational, Scientific and
Cultural Materials Importation Act of 1985

- WHEREAS, Senator Robert Dole of Kansas and Representative Sam Gibbons of Florida have introduced an Administration bill (S. 1274 and HR 2885) to implement the Nairobi Protocol to the Florence Agreement (text in June 11, 1985 Congressional Record, pp. S7934-6); and
- WHEREAS, The Administration bill would be permanent legislation, replacing the temporary legislation of a similar nature, PL 97-446, which expires August 12, 1985, and would permit the United States to deposit the Protocol with the United Nations, the necessary approval of the Senate having already been secured; and
- WHEREAS, The original Florence Agreement (Agreement on the Importation of Educational, Scientific and Cultural Materials), now in force as an international treaty in some 90 countries, has provided great benefits to libraries and their users, educational institutions, the general public and business organizations in the United States and throughout the world by eliminating import duties and certain other trade barriers on books, periodicals, printed music, scientific apparatus and other materials; and
- WHEREAS, The Nairobi Protocol, now in force in some 13 countries, makes further improvements in the Agreement by granting duty free status to additional materials; and
- WHEREAS, The existing temporary legislation is in one important respect superior to S. 1274 and HR 2885 in that it provides unconditional duty free importation into the United States of audio, visual and microform materials rather than restricting such duty free status to such materials formally designated as educational, scientific or cultural in character or imported by designated institutions; and
- WHEREAS, The American Library Association and many other U.S. organizations representing both producers and consumers alike have supported the more liberal treatment of audio, visual and microform materials; and
- WHEREAS, There has been no demonstration of adverse economic effect under the expiring temporary legislation nor, to our knowledge, complaints to this effect registered; now, therefore, be it
- RESOLVED, That the American Library Association express its great appreciation to Senator Dole and Rep. Gibbons for the introduction of S. 1274 and HR 2885 and to the Administration for its support; and, be it

(over)

FURTHER RESOLVED, That the American Library Association endorse S. 1274 and HR 2885 and urge prompt enactment, with one major modification, namely, that unconditional duty free treatment be accorded to audio, visual and microform materials, as provided in the expiring temporary legislation, but that the President be given discretionary power to revert to the more restrictive provisions of S. 1274 and HR 2885 if it can be demonstrated that on balance the more liberal provisions are causing significant hardship to American industry; and, be it

FURTHER RESOLVED, That copies of this resolution be sent to Senator Dole and Rep. Gibbons, to Chairs of the Senate Committee on Finance and the House Committee on Ways and Means, the Secretaries of State and Commerce, the U.S. Trade Representative, the U.S. organizations which have supported the Nairobi Protocol and its more liberal provisions relating to audio, visual and microform materials, the International Federation of Library Associations and Institutions, and the International Publishers Association.

Adopted by the Council of the
American Library Association
Chicago, Illinois
July 10, 1985
(Council Document #47.8)