

RESOLUTION ON COPYRIGHT FIVE-YEAR REVIEW

WHEREAS, Section 108(i) of the Copyright Act of 1976 (PL 94-553) calls upon the Register of Copyrights to conduct a review by 1983 to determine whether the Act has achieved the intended statutory balancing of the rights of creators and users, and the statute expressly provides that representatives of library users and librarians should participate in the five-year review; and

WHEREAS, Libraries are particularly concerned that the rights of the creative members of our society are advanced equally with the rights of the public to have available the works they create; and

WHEREAS, Libraries are both major purchasers of these works and a primary source of access to them for millions of Americans; now

THEREFORE BE IT RESOLVED, That ALA call upon the Register to consult the interested parties at her earliest convenience in order to determine the data needed for an effective five-year review; and

BE IT FURTHER RESOLVED, That the five-year review should include but not be limited to the impact of the law on users of all sizes and types of libraries and information centers, the numbers and types of materials published, and on the ability of authors to retain rights in their own works and receive remuneration for them; and

BE IT FURTHER RESOLVED, That the review include an assessment of the copyright clearance centers, and other clearance mechanisms, including permissions, purchase contracts, payment schedules, and special consideration of educational copying, plus the purchase of separates in lieu of reproduction, to determine what improvements or additional services may be needed to make copyrighted materials easily accessible to the public; and

BE IT FURTHER RESOLVED, That the Register be encouraged to broaden the context of the review to consider all methods of communicating, reproducing and disseminating the written word, including microforms, computers, and video; and

BE IT FURTHER RESOLVED, That ALA offer its support to the Register of Copyrights including advice, resources, and research capability in developing some of the data needed for the five-year review.

Adopted by the Council of the
American Library Association
Chicago, June 29, 1978