

**The facts, just the facts: An update on database legislation**

Like detectives on the old *Dragnet* television show, many library users want "the facts, just the facts." As librarians, we try to respond with all the facts, information, and data we can find for any request.

But soon libraries, and the broader community of library users and researchers, could find that getting "just the facts" will be extremely difficult—if not expensive or impossible—if a bill currently before the U.S. House of Representatives passes.

As we go to press, ALA has been advised that House congressional leaders will bring a problematic database bill, H.R. 354—the Collections of Information Antipiracy Act, introduced by Rep. Howard Coble (R-North Carolina)—to the House floor for a vote in October or early November. The library community is working hard to defeat this bill or, at the very least, postpone House action.

Without an immediate and strong grassroots response to fight H.R. 354, the American public stands to lose basic, long-standing public access to facts.

ALA and a broad range of other allies (including virtually every major national library and educational organization, the American Association for the Advancement of Science, the National Research Council, the Information Technology Association of America, AT&T, Dun & Bradstreet, and the several hundred companies of the Commercial Internet Exchange) have emphasized the negatives inherent to H.R. 354 and advised congressional representatives that bringing this "massively skewed" bill to a floor vote so late in the session will cause major problems.

H.R. 354 would, for the first time, protect facts and allow a producer or publisher unprecedented control over uses of information. The bill is a far-reaching,

overly broad piece of legislation that would:

- allow a producer or publisher unprecedented control over the uses of information, including downstream, transformative use of facts and government works in the collection;
- protect factual information; and
- provide for, in effect, perpetual protection of a collection—at least for dynamic compilations in electronic form—despite the addition of language that seeks to remedy this problem.

Instead, ALA and its coalition allies support H.R. 1858—the Consumer and Investor Access to Information Act of 1999—introduced by Reps. Tom Bliley (R-Virginia), John Dingell (D-Michigan), and several others. H.R. 1858 strikes the right balance between protecting against piracy while permitting legitimate access to and use of information.

For more than 200 years, the information policies of this country have protected creativity, not factual information. This policy has served us extremely well, allowing libraries and educational institutions, and the constituencies they serve, to flourish. Access to information spurs new business, new research, and creative efforts of many types.

ACRL members can play an important and vital role as advocates. Check on the latest status of H.R. 354 on the ALA Web site at <http://www.ala.org/washoff/>. Call or write your House representatives. Ask them to stop this bill and preserve fair use access to databases.

A database data coalition, of which ALA is affiliated, at <http://www.databasedata.org>, has summaries and comparisons of the bills.

For further information, or to share your letter and the responses you receive from your representatives, please contact ALA's Miriam Nisbet or Lynne Bradley at (800) 941-8478 or e-mail: [mnisbet@alawash.org](mailto:mnisbet@alawash.org) or [lbradley@alawash.org](mailto:lbradley@alawash.org). ■

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