

The impact of fair use on the U.S. economy

A report recently released by the Computer and Communications Industry Association (CCIA) concludes that fair use, along with other copyright exemptions that libraries use, significantly contributes to the economic growth of the United States.

The CCIA report categorizes libraries as one of the core fair use industries, which are defined as those that produce goods and services whose activities depend in large measure on the existence of limitations and exceptions provided in U.S. copyright law. Non-core industries include those facilitating the output of the fair use core. Institutions and companies in these sectors gain a significant amount of their work from the demand generated by fair use and are interdependent with the core industries.

This is the first report that attempts to assess the value of fair use and, according to its findings, fair use industries have contributed a great deal to the economy, potentially even more so than the content industries.

In an increasingly knowledge-based economy, first sale, preservation, replacement, and interlibrary loan practices enable libraries to thrive as an invaluable resource to communities adapting to rapid advances in information technology. Additionally, libraries' use of Internet search engines, software, and other networked information spurs the growth of telecommunication, Internet service providers and Web-portal businesses, all of which are key members of the core fair use industries.

Innovation and productivity in the fair use industries must be preserved, a fact demonstrated by the CCIA report. The protection afforded to libraries and other institutions by fair use has been a primary contributing factor to economic gains over the last ten years. With sustained advocacy and support, the fair use industries will continue to prosper, stimulating growth as the

U.S. economy adapts to their creative approach to generating business and information.

Open access

As the U.S. Senate considers appropriations measures this fall for fiscal year (FY) 2008, please take a moment to remind your Senators of your strong support for public access to publicly funded research and, specifically, ensuring the success of the National Institutes of Health (NIH) Public Access Policy by making deposit mandatory for researchers.

Earlier this summer, the House of Representatives passed legislation with language that directs NIH to make this change. The Senate Appropriations Committee approved a similar measure. Now, as the appropriations process moves forward, it is critically important that our Senators are reminded of the breadth and depth of support for enhanced public access to the results of NIH-funded research. Please take a moment to weigh in with your Senator now.

A few talking points

American taxpayers are entitled to open access on the Internet to the peer-reviewed scientific articles on research funded by the U.S. government. Widespread access to the information contained in these articles is an essential, inseparable component of our nation's investment in science.

Over the more than two years since its implementation, NIH's current voluntary policy has failed to achieve any of the agency's stated goals, attaining a deposit rate of less than 5 percent by individual researchers. A mandate is required to ensure deposit in NIH's online archive of articles describing findings of all research funded by the agency.

The FY 2008 Labor/HHS Appropriations Bill reported out of committee contains language directing NIH to change its Public Access Policy so that it requires NIH-funded researchers to deposit copies of agency-funded research articles into the National Library of Medicine's online archive. *zz*

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