

December 17, 2010

To the U.S. Copyright Office:

As a student of Library and Information Science Master's program and a current employee of a Music Library, I am well aware of the difficulties that are created for libraries in the wake of the complicated U.S. Copyright laws on sound recordings. I believe that it is absolutely essential for the continuation of preservation practice that pre-1972 recordings be brought under a single, clearly defined Federal Protection law. Additionally, the current law states that libraries may only make preservation copies of carriers that have already begun to deteriorate. This is an impractical limitation which is unnecessary given that the mission of libraries is to maintain consistent accessibility for users, not to take advantage of property for financial or commercial gain.

In the case of rare recordings, particularly those that are unique and original, the current law means that we cannot preserve them before they begin to deteriorate, which means that we run the risk of losing large portions of our musical heritage simply because libraries' hands are tied. Many forms of decay and deterioration that effect audio recordings (particularly older carrier formats that are, again, subject to a complex system of State Copyright laws) act quickly, often resulting in irretrievable loss of data. Some forms of deterioration are also self-catalytic and cannot be reversed or even paused once they have begun. Libraries uphold the mission of preserving our audio heritage, but they are unable to do so effectively because of the restraints in our system of Copyright laws.

I urge you to consider revising and simplifying some of these attributes of the law.

Thank you for your time.

Sincerely,

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