

Note: Please submit a separate comment for each proposed class.

This is a Word document that allows users to type into the spaces below. The comment should be no more than one page in length (which may be single-spaced but should be in at least 12-point type). The italicized instructions on this template may be deleted.

Short Comment Regarding a Proposed Exemption Under 17 U.S.C. 1201

Item 1. Commenter Information

The National Congress of American Indians is the oldest and largest national organization of Indian tribal governments and was established in 1944. www.ncai.org

The headquarters is located at 1516 P Street, NW, Washington, DC 20005.

John Dossett, NCAI General Counsel at jdossett@ncai.org.

Item 2. Proposed Class Addressed

Proposed Class 7: Audiovisual works – derivative uses – noncommercial remix videos

Item 3. Statement Regarding Proposed Exemption

NCAI supports an exemption for fair use remix. Our recent issue ad, “Take It Away,” features altered footage from the NFL, and is an important part of NCAI’s campaign against the name and mascot of Washington’s football team. (View on the NCAI YouTube channel.) This issue ad, created for us by Goodness Mfg through a Kickstarter-funded campaign, is plainly noncommercial, transformative and critical fair use. Advocacy organizations like NCAI respect copyright and also depend on fair use.

NCAI only recently became familiar with 1201. Without an exemption, the NFL could shut our campaign down regardless of fair use. The Copyright Office should protect political and cultural speech, and we encourage adoption of the exemptions proposed by the Electronic Frontier Foundation and the Organization for Transformative Works.

PRIVACY ACT ADVISORY STATEMENT Required by the Privacy Act of 1974 (P.L. 93-579)

The authority for requesting this information is 17 U.S.C. §§ 1201(a)(1) and 705. Furnishing the requested information is voluntary. The principal use of the requested information is publication on the Copyright Office website and use by Copyright Office staff for purposes of the rulemaking proceeding conducted under 17 U.S.C. § 1201(a)(1). NOTE: No other advisory statement will be given in connection with this submission. Please keep this statement and refer to it if we communicate with you regarding this submission.