Community Letter on S. 487 (the "TEACH" Act)

June 19, 2001

The Honorable James Sensenbrenner, Jr., Chairman
The Honorable John Conyers, Jr., Ranking Member
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman and Mr. Ranking Member:

We write to request your assistance in the speedy enactment of the Technology, Education and Copyright Harmonization ["TEACH"] Act (S.487), a carefully crafted piece of bipartisan legislation which will resolve a long-standing public policy dispute and enhance the use of the Internet by teachers and students.

The TEACH Act is based on the recommendations in the "Report on Copyright and Digital Distance Education," which was issued by the Copyright Office pursuant to a Congressional mandate under the Digital Millennium Copyright Act ["DMCA"]. As passed by the Senate on June 7, it is the product of an arduous but successful negotiation process in which the undersigned organizations, with the assistance of the Copyright Office, led the affected copyright and user communities to overcome their disagreements and reach a compromise consensus regarding proposed amendments to the Copyright Act for the purpose of extending the current "distance education" exemption to cover mediated instructional activities transmitted via digital networks. Upon assuring themselves that the compromise was both reasonable and sufficient, and that both camps were willing to adhere to their agreement through the entire legislative process, Senators Hatch and Leahy moved quickly to secure unanimous approval of the TEACH Act by the Senate Judiciary Committee and by the full Senate.

The compromise embodied in the Senate-passed bill is fair and sound, allowing students and teachers to benefit from content-enriched instructional use of digital networks like the Internet, while providing appropriate safeguards to limit the additional risks to copyright owners that are inherent in exploiting copyrighted works in a digital format.

We urge you to support the TEACH Act without further amendment, and

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look forward to working with you in committee and on the House floor to move it quickly to the President's desk. If you have any questions about the TEACH Act or the compromise it embodies, please contact John Vaughn of AAU (202/408-7500) and/or Allan Adler of AAP (202/220-4544), and we would be happy to meet with you.

Sincerely,

American Association of Community Colleges
American Council on Education
Association of American Universities
National Association of State Universities and Land-Grant Colleges
Association of American Publishers
Motion Picture Association of America
Recording Industry Association of America
Software & Information Industry Association

c: The Honorable Howard Coble, Chairman
House Judiciary Subcommittee on Courts, the Internet, and Intellectual Property
The Honorable Howard L. Berman, Ranking Member
House Judiciary Subcommittee on Courts, the Internet, and Intellectual Property
The Honorable Members of the House Committee on the Judiciary

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