

ACRL Chapters

• The MISSOURI ACRL CHAPTER met at the annual Missouri Library Association Conference September 28, 1978, at the Hilton Airport Inn, Kansas City. This business meeting was for the purpose of electing officers for 1978-79. They are:

Chairperson

Joanna Todd, Director of Reader Services, Hugh Stephens Library, Stephens College, Columbia, MO 65201;

Vice-Chairperson/Chairperson elect

Dana Rooks, Head, Instructional & Research Services, University of Missouri-St. Louis, 8100 Natural Bridge Road, St. Louis, MO 63130;

Secretary/Treasurer

Marjorie Sellers, Interlibrary Loan Librarian, Mid America Interlibrary Services Program Assistant, Park College Library, Parkville, MO 64152.

MACRL and the Public Library Division of MLA sponsored a mini-workshop, "How to get there: staff development," conducted by Barbara Conroy, educational consultant, on Friday, September 29. That evening MACRL was a joint sponsor for the all-conference autograph party for Barbara Conroy, Robert Cormier, and Sharon Bell Mathis.—*Marjorie Sellers, Secretary, Missouri ACRL Chapter.* ■■

Photocopying and the Copyright Law

The Association of American Publishers, Inc. (AAP) and the Authors League of America, Inc. have issued a pamphlet entitled *Photocopying by Academic, Public and Nonprofit Research Libraries*. This pamphlet contains interpretations of the new copyright law and its guidelines similar to those found in AAP's earlier publication *Photocopying by Corporate Libraries*.

Although these pamphlets purport to explain the new copyright law as it applies to libraries, they in fact contain distortions of fact and misrepresentations of the law and its guidelines. Some examples of these are:

- Beginning on page three and throughout the text AAP refers to section 107 on "fair use" as being restricted by section 108. This is clearly incorrect. It is stated in section 108 that nothing in section 108 "in any way affects the right of fair use as provided by section 107. . . ."
- Beginning on page nine and throughout the text AAP presents the Classroom Guidelines as indicating that uses other than those specified by the guidelines are not permitted. The Classroom Guidelines themselves state that uses that do not fall within the permissible provisions may still be defensible under section 107 "fair use."
- AAP assumes that the minimums stated in the Guidelines are maximums although the Guidelines clearly indicate they are not.
- AAP states that reserve desk copying is governed by the Classroom Guidelines rather than guidelines in section 108. This is the AAP's interpretation of the law and has no legal basis.
- The discussion of the relative weights to be

placed on the Senate and House Reports is distorted and misleading. Contrary to what AAP states, it is the House report that had a greater influence on the Conference Committee, which adopted the House language in its report.

The library associations believe that the present law and its guidelines and the explanatory materials distributed by the Copyright Office and the American Library Association are sufficient guidance on which to provide library service. They also believe that some decisions concerning library photocopying must remain judgmental since all combinations of circumstance and contingency cannot be anticipated and provided for in guidelines.

The American Library Association warns: "Librarians should remember that unilateral guidelines, independently issued, have no validity under the law. Our present responsibilities are (1) to live with the law and guidelines as they were approved by Congress and as they exist today, and (2) to develop recording, documenting, and reporting procedures for the five year review by the Register of Copyrights mandated by section 108 (i)."

We endorse that statement in the belief that it represents the best interests of academic libraries and their users. Librarians desiring guidance should review material published by the Copyright Office and the material distributed by the American Library Association in their *Librarian's Copyright Kit*.

This statement has been approved by the ACRL Ad Hoc Copyright Committee and the ACRL Board of Directors. ■■