

Intellectual property bills

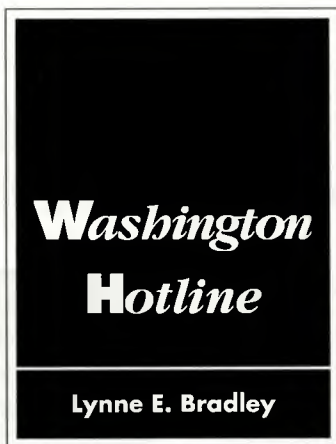
A full agenda on intellectual property and other issues is expected for library supporters this fall.

The president finally sent to the Senate two treaties negotiated in December 1996 at the World Intellectual Property Organization (WIPO) meetings. The administration deferred transmittal of the treaties while the nature and scope of legislation to implement them was hotly debated within the U.S. Patent & Trademark Office and within the Department of Commerce.

At the same time, the president sent "implementing legislation," now referred to the Judiciary Committees of both houses of Congress. The administration's implementing bill was introduced in the House as H.R. 2281 by Reps. Henry Hyde (R-IL) and John Conyers (D-MI), and of the Subcommittee on Intellectual Property, Reps. Howard Coble (R-NC) and Barney Frank (D-MA). Sen. Patrick Leahy (D-VT) and Judiciary Committee chairman Orrin Hatch (R-UT) are reviewing the bill for possible introduction in the Senate.

The bill is similar to the "White Paper" proposals in the last Congress, strongly opposed in their original form by ALA and other members of the Digital Future Coalition (DFC). This year's bill would make it illegal to manufacture, import, or distribute "any technology, product, service, device, component or part thereof that . . . is primarily designed or produced for the purpose of circumventing" any technological system employed effectively to control access to copyrighted material. It would also subject violators to civil fines and criminal penalties.

ALA and many library, educational, and consumer organizations, as well as electronic device manufacturers, contend that basic flaws in the administration's approach remain because it would outlaw the manufacture of multipurpose devices (personal computers, VCRs, etc.)



needed by users to exercise "fair use" and other privileges for the use of materials protected under current copyright law.

Debate on online service providers, liability continues with the introduction of H.R. 2180. Many information proprietors wish to hold liable for copyright infringement any party, including a school or library, who provides net-

work facilities to someone who misuses them to violate a proprietor's copyright, or who provides a link to a site on the Internet where infringing material may be accessed. H.R. 2180 appears to be a better starting point for negotiations.

Senate Judiciary Committee chairman Orrin Hatch (R-UT) will conduct a hearing this fall on the subject, at which Professor Robert Oakley of Georgetown University Law Center and the director of its library will testify on behalf of 17 major national library and educational organizations. Debate also continues on how best to defend and update the fair use and first sale doctrines, on which so much research and library lending itself are based. For more information consult the ALA Washington Office Web site at <http://www.ala.org/washoff> or contact Adam Eisgrau at the ALA Washington Office at (800) 941-8478.

FY98 appropriations and higher education

House and Senate Appropriations Committees issued their bills (H.R. 2264 and S. 1061) and reports (H. Rept. 105-205 and S. Rept. 105-58) on the FY98 Labor, Health and Human Services, and Education Appropriations.

The House would increase the college work-study program to \$860 million. "The Committee considers this program to be among the highest priorities . . . and has limited funds for lower priority programs elsewhere in order to increase funding . . ." (H. Rept. 105-205). The Senate bill proposes \$830 million, the same as current funding. The administration requested \$857 million for this program. The Senate report notes "the Committee believes that the

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Virginia Union University, one of the historically black colleges and universities, received \$200,000 from the Lilly Endowment to encourage faculty, staff, students, and the community to use its new library and resource center.

Acquisitions

The papers of William Maxwell, legendary editor at *The New Yorker* from 1936 to 1976, have been acquired by the University of Illinois at Urbana-Champaign (UIUC). The papers include more than 5,000 letters to Maxwell from some of the country's greatest writers from 1936 to the present, all of whom were edited by Maxwell for *The New Yorker*. They include: John Updike, J. D. Salinger, John Cheever, Eudora Welty, Vladimir Nabokov, Mary McCarthy, William Carlos Williams, Tennessee Williams, John O'Hara, and Frank O'Connor. Also included in the collection are hand-corrected typescripts of nearly all of Maxwell's own novels, and first editions and foreign-language editions of his books. Maxwell attended UIUC both as an undergraduate and as a graduate student.

A 3,400-volume collection of books about submarines and submarine warfare was recently donated to the Nimitz Library, U.S. Naval Academy, by the family of the late Thomas O. Paine, administrator of NASA at the time of the first moon landings. In April the books were presented at a ceremony held at the academy. The ceremony recognized and memorialized the contributions of the navy's submarine service, and dedicated and celebrated the gift both of the Paine collection and of a glass sculpture honoring the two American nuclear submarines lost at



This glass sculpture given to the U.S. Naval Academy honors two nuclear submarines lost at sea.

sea—USS *Thresher* (1963) and USS *Scorpion* (1968). Donations from 12 academy graduating classes funded the memorial and the cataloging of the Paine Collection, the latter enabling the library to accept the gift.

The Hugh Kenner Archive has been acquired by the Harry Ransom Humanities Research Center. Hugh Kenner, considered by many the premier scholar-critic of literary modernism, is the author of 25 books, critical essays that have appeared in some 200 book publications, and nearly 1,000 pieces for periodicals. From his early 1951 study, *The Poetry of Ezra Pound*, to his monumental survey in 1971, *The Pound Era*, and continuing in 1989 and 1990 with his two collections of essays, *Mazes* and *Historical Fictions*, Kenner has mapped the modernist terrain. The archive encompasses the entire range of materials reflecting the production of the critic's books, reviews, articles, and introductions. The publication record of Kenner's books is represented by his files on the various subject authors and by his own manuscripts, typescripts, galley and page proofs, correspondence with authors and publishers, and graphics. The archives also contain interviews with and articles about Kenner, as well as his awards, honors, and honorary degrees. ■

(Washington Hotline cont. from page 572) community service requirements, as part of the student's overall academic program, are especially compatible with the administration's America Reads initiative." The House report notes that the administration's decision to waive the institutional matching requirements associated with certain community service, such as the proposed America Reads Challenge, "is estimated by the Department to result in a reduction of 15,000 students served and the loss of \$16,000,000 to the program in matching funds during the 1997–1998 school year."

For educational research and statistics, the House bill proposes \$244.2 million, the Senate bill \$210.7 million. Current funding is \$206.2 million. The administration requested \$239.2 million for research institutes, including those in postsecondary education, libraries, and lifelong learning research, the National Center for Education Statistics, the National Library of Education, and the ERIC system. ■