

## Copyright—ERIC database

During a meeting with the ALA Committee on Legislation at the Midwinter Meeting in Denver, Robert Stonehill, director of the Department of Education ERIC program, announced, in a reversal of the current status, that the next contract for the ERIC database will not include permission to copy-right. The issue of user fees to finance upgrading of the ERIC system will be postponed through the next appropriation cycle.

## Amicus brief in Texaco case

ALA announced on January 28 that it would file an amicus curiae brief before the Second Circuit in connection with Texaco's appeal of the decision in the case of American Geophysical Union v. Texaco, Inc. A coalition of more than 50 publishers was formed to fund this test litigation about whether photocopying of copyrighted articles from scientific and technical journals is fair use. Regardless of how the court deals with the situation, ALA wants to ensure that the court considers and upholds the importance of fair use to libraries and their users.

## Electronic government information

On January 6 U.S. District Judge Charles Richey ruled that Reagan and Bush Administration plans to destroy computer records of electronic mail were unlawful. The opinion was issued in response to a lawsuit originally brought in 1989 to try to save Reagan Administration records. The 1989 suit, *Armstrong v. Executive Office of the President* (known as the "PROFS" case after the Professional Office System used for the records), was brought by the National Security Archive, ALA, the American Historical Association, the Center for National Security Studies, and individual writers and researchers. The outgoing Bush Administration tried to have the ruling reversed, but was ordered on January 15 to make portable backup copies of records stored in personal computers before deleting materials from the machines. The case is the first to apply the 50-year-old Federal Records Act to electronic communications.

# Washington Hotline

Carol C. Henderson

## NREN hearing

On February 2 the House Science Subcommittee held a hearing on high-performance computing and networking. Led by subcommittee chairman Rick Boucher (D-Va.), the hearing focused on implementation of the High Performance Computing Act of December 1991 and the need for additional legislation addressing applications of computing and network-

ing for broad public benefit.

Two panels of public witnesses included representatives of EDUCOM, FARNET (the Federation of American Research Networks), NYNEX, the Electronic Frontier Foundation, the Computer Systems Policy Project (CEOs of eight major computer companies), the Coalition of Academic Supercomputer Centers, Windom Health Enterprises, and ALA (Sara Parker, the Pennsylvania Commissioner of Libraries). Parker strongly supported passage of an NREN applications bill which would build on legislation introduced in the last Congress. Last year's bill, for applications in K-12 education, manufacturing, health care, and digital libraries, has been reintroduced in the Senate by Ernest Hollings (D-S.C.) as part of S. 4, the National Competitiveness Act. Rep. Boucher is expected to introduce an applications bill soon.

Parker recommended 1) expansion of the K-12 education component of an applications bill to include public libraries in their role in support of education and lifelong learning; 2) addition of a new component to provide high-level connections for key government information depository libraries and support of pilot projects to make federal and state government information available over the network; and 3) support, within the digital library component, for pilot projects in the conversion of library resources to digital formats, development of an integrated approach to organizing and locating electronic information resources, and education and training programs. ■

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*Carol C. Henderson is deputy executive director of ALA's Washington Office; bitnet: NU\_ALAWASH@CUA*