



Library of Congress Digital Preservation Newsletter

Section 108 Study Group Report Released

After nearly three years of intensive work, the independent Section 108 Study Group issued its report and recommendations in March. Section 108 is the section of the Copyright Act that provides exceptions for libraries and archives to make copies of copyrighted works to replace or preserve works in their collections or to make copies for users.

Digital technologies have transformed how copyrighted works are created, disseminated, secured and preserved. Section 108 was written before digital materials became prevalent. To update the law so libraries and archives can fulfill their missions in a digital world, the Library of Congress convened the Section 108 Study Group under the auspices of the U.S. Copyright Office and the National Digital Information Infrastructure and Preservation Program.

The Study Group operated on a consensus basis. The Library acted as a facilitator for the group but the recommendations represent agreement among the 19 independent members from the library, scholarly, publishing and entertainment communities. Laura N. Gasaway, associate dean for Academic Affairs, professor of law and former director of the law library at the University of North Carolina School of Law, and Richard S. Rudick, former senior vice president and general counsel of John Wiley and Sons and vice chair of the board of directors of the Copyright Clearance Center, co-chaired the group.

The report was delivered to Librarian of Congress James H. Billington and Register of Copyrights Marybeth Peters. It will serve as the basis on which

legislation may be drafted and recommended to Congress.

Key recommendations include:

- Museums should be eligible for section 108, as they perform many of the same functions as libraries and archives.
- A new exception should be added to section 108 to permit certain qualified libraries and archives to make preservation copies of at-risk published works prior to any damage or loss. Access to these “preservation-only” copies will be limited.
- A new exception should be added to section 108 to permit libraries and archives to capture and reproduce publicly available Web sites and other online content for preservation purposes and to make those copies accessible to users for private study, research or scholarship. Rights holders would be able to opt out of this provision.
- Libraries and archives should be permitted to make a limited number of copies as reasonably necessary to create and maintain a single replacement or preservation copy. This alteration to the current three-copy limit would, among other things, enable libraries to more securely preserve digital materials, which involves making multiple copies.

For more information about the Study Group and to download a copy of its report, please visit www.section108.gov.

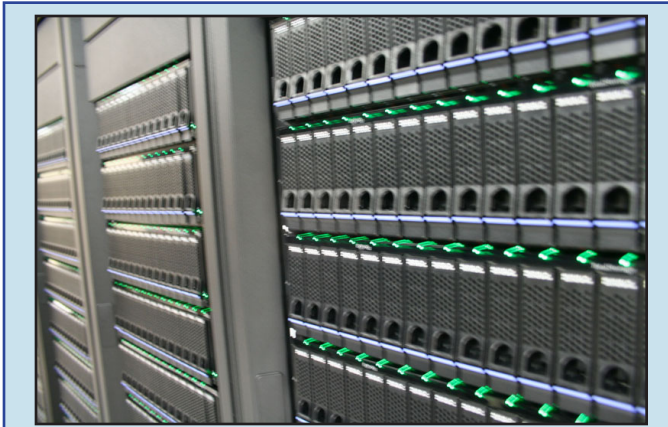


The Section 108 Study Group assembled in the Members Room at the Library of Congress. Photo by Michaela McNichol, Library of Congress Public Affairs Office



Digital Preservation Network Grows, Partners Benefit

Chronopolis Datagrid Tests Digital Archive Systems



Digital storage at the San Diego Supercomputer Center. Photo by Ben Tolo, San Diego Supercomputer Center, UC San Diego.

One of the chief goals of the Library of Congress's Digital Preservation Program is to provide incentives to its partners to form alliances with others as part of the continuing growth of the national network of collecting and preserving institutions.

The demonstration project Chronopolis was formed to meet the archival needs of a wide range of cultural and social domains. Chronopolis is a datagrid framework being developed by the San Diego Supercomputer Center, the University of California at San Diego Libraries and their partners at the National Center for Atmospheric Research in Boulder, Colo., and the University of Maryland's Institute for Advanced Computer Studies in College Park.

Two collections from within the NDIIPP community will be incorporated into the Chronopolis preservation grid:

- The Inter-University Consortium for Political and Social Research will provide up to 12 terabytes of data from its archives of social science and political research data sets. This marks the first time that the collection will be completely stored outside the University of Michigan.
- The California Digital Library will provide up to 25 terabytes of content from its Web-at-Risk collections of political Web sites, which were selected for preservation as part of the first NDIIPP partnerships, awarded in 2004.

Chronopolis will extend and leverage existing high-speed educational and research networks and mass-scale storage infrastructure investments. Using datagrid technologies, the partnership will develop best practices for the entire NDIIPP community for data packaging and transmission among different digital archive systems. More information about the project is available at its Web site <http://chronopolis.sdsc.edu/>.

Multistate Demonstration Project 'Starts Something Big'

Librarians, archivists and technologists from partner states Washington, Idaho, Louisiana, Indiana, Alaska, Montana, Oregon, California and Colorado met to begin developing what currently does not exist: a shared digital repository for state government digital information. The group adopted the slogan "Start Something Big" and was further encouraged by Stuart McKee, Microsoft's national technology officer, who said: "Never underestimate the ability of a few people to change the world. That is what I see all of you doing with this project." Microsoft is also supporting the project.

The Washington State Digital Archives on the campus of Eastern Washington University is a leader among states in digital archiving. The multistate project intends to build on success and to demonstrate the value of collaboration among states for leveraging limited resources for digital preservation.

The project is called the Multistate Preservation Consortium Utilizing the Washington State Digital Archives Framework and is one of four multistate projects to preserve local government data supported by NDIIPP. Read more about the initiative at: www.digitalpreservation.gov/partners/states.html

The Library of Congress Digital Preservation Newsletter from the National Digital Information Infrastructure and Preservation Program provides monthly program updates and news from the Library and its partners. It is sent to more than 1,400 subscribers. To subscribe go to http://service.govdelivery.com/service/subscribe.html?code=USLOC_13, type in your e-mail address, scroll down and click on "Digital Preservation." If you have comments, please go to www.digitalpreservation.gov/contact/.