

January 15, 2004

The Honorable Jim Sensenbrenner, Jr.  
Committee on the Judiciary  
2332 Rayburn House Office Building  
Washington, DC 20515-4909

The Honorable W.J. "Billy" Tauzin  
Committee on Energy and Commerce  
2183 Rayburn House Office Building  
Washington, DC 20515-1803

Dear Chairman Sensenbrenner and Chairman Tauzin:

We wish to express our opposition to the H.R. 3261, entitled "Database and Collections of Information Misappropriation Act," which was recently circulated by the staffs of the House Judiciary Committee and the House Energy and Commerce Committee. The private sector proponents of the bill have yet to offer a convincing case that existing federal and state laws, including federal copyright law, federal anti-hacking prohibitions, and a variety of state contract and tort laws, are insufficient to provide database producers with adequate protection. They have certainly failed to demonstrate a problem that would justify the fundamental and constitutionally suspect changes to our Nation's information policy called for in the legislation.

We represent a broad and diverse coalition of database producers and users consisting of research and educational institutions, consumer and public interest groups, libraries, Internet and communications companies, financial services providers, and large corporate users of information. We believe the open sharing of information has been fundamental to our nation's advancement in knowledge, technology, and culture. We fear that legislation like H.R. 3261 will lead to the growing monopolization of the marketplace for information, where the ability to use facts is increasingly controlled by a small number of international publishing houses.

Congress should not undermine the principle established by the United States Constitution that the best way "to promote the Progress of Science and useful Arts" is to encourage others to build on the ideas and information made available to the public when a work is published.

Database Coalition Letter

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Respectfully,

Amazon.com

American Association of Law Libraries

American Civil Liberties Union

American Historical Association

American Library Association

Association of Research Libraries

AT&T

Bloomberg, LP

Charles Schwab & Co., Inc.

CheckFree

CNET Networks

Comcast

Computer & Communications Industry Association

Consumer Project on Technology

Digital Future Coalition

Electronic Frontier Foundation

Essential Information

Google

Information Technology Association of America

Media Access Project

Medical Library Association

National Academy of Engineering

National Academy of Sciences

National Business Coalition on E-Commerce and Privacy

NetCoalition

Public Knowledge

SBC Communications

Securities Industry Association

Special Library Association

Society of American Archivists

The River

U.S. Chamber of Commerce

Verizon

Virginia ISP Association

Washington ISP Association

Worldnet Communications

Wyoming ISP Association

Yahoo! Inc.

Cc: Members of the Judiciary Committee  
Members of the Energy and Commerce Committee