

On behalf of the Libraries of the College of Saint Benedict and Saint John's University, I respectfully request that the Department of Commerce consider ways to extend principles of the right of first sale to digital materials. We acknowledge that special considerations are necessary for designing mechanisms for sharing, selling, and otherwise making use of electronic resources. However, access to information is essential for a healthy democracy and for promoting the advancement of knowledge that underlies economic prosperity. In our current environment, that information is increasingly available in digital formats – sometimes exclusively so. Already we have been experiencing constraints on our ability to share resources because of restrictive licenses. Our students and community borrowers depend on the ability to borrow from the library, including via interlibrary loan, to complete their education, to better understand the world they work in, and to develop their human potential. Without the right to borrow library resources, we will have a less educated citizenry. Our libraries seek the right to share lawfully acquired digital resources among our patrons and partner libraries. Any action to end or curtail that right will damage long-cherished library services, create disincentives for library purchasing, and discourage the development of new ways of providing reasonable access to copyrighted information.

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