

Oral Testimony of Professor Cheryl Asper Elzy
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Normal, Illinois
Before the
Science and Technology Committee
U. S. House of Representatives
Hearing on
"The Role of Technology in Reducing Illegal File-Sharing:
A University Perspective"
June 5, 2007

Chairman Gordon, Congressman Hall, and members of the Committee:

Thank you for the invitation to appear today to share with you Illinois State University's Digital Citizen Project.

Illinois State is a typical university campus of 20,000 students: great faculty and great kids. They are not inherently bad people. But college students everywhere share music, movies, TV shows, games, and software -- a good deal of it without copyright permission. Our campus is no different.

I described the Digital Citizen Project in detail in my first Congressional Testimony before the House Subcommittee on 21st Century Competitiveness last fall.

Briefly – This project started back in 2005 we received nearly 500 copyright violation notices. A pivotal moment for me personally, though, came when we received four subpoenas for students who were going to be sued. I think I felt the situation more deeply because I myself have a son attending ISU. What would I think or how would I react if this was my child? The truth is I'd be raising hell with the university for not protecting my son! Why did they let him do this? Why wasn't someone watching?

So what could ISU do? The simple answer seemed to be "Why don't we go ask them what they want us to do?" "Them" in this case was the RIAA. So we did. Though no institution had actually come to *them* before,

the good news is that they were willing to talk. And that, 28 months ago, marked the beginning of our project.

From the first the project leaders felt it was crucial to work with everyone – literally everyone – in solving this issue. We have worked closely with RIAA and MPAA as our main long-term project advisors and supporters. We are also partnering with EDUCAUSE and the American Council on Education, and we have talked with the American Library Association and the Association for Public Television Stations. From the monitoring and enforcement industry we've had Packeteer on campus for a long time, and we have talked to or worked with Audible Magic, Red Lambda, enterasys, e-Telemetry, Allot, SafeMedia, and others. We've investigated still more, like Bradford Networks. Legal digital media services we've met with include CDigix, Ruckus, Apple, Napster, Pass Along, and XM Satellite Radio. New ones surface almost every day. We came to Capital Hill on five occasions and met with the staffs of dozens of congressmen, senators, and committees both Democrat and Republican. We've gone to almost a dozen agencies looking for funding, and are still looking. We've even talked at some length with the Electronic Freedom Foundation (EFF). They gave us what we considered high praise when they said, after a long conference call, that our project sounded "as good as [they] could hope for."

Digital Citizen is designed to incorporate education, monitoring, legal digital media services, fair use and easier copyright permissions, K-12 education and ethics training, and rewards for good digital citizenship. Overall, the long-term goal of the Project is to provide a "consumer report-like" study, if you will, on the services and systems that are out there and just coming on the scene so higher ed will be able to make informed, fiscally responsible decisions.

As to funding – Well, funding is hard to find. We were fortunate to receive grants from several entertainment companies and associations. But new and different approaches – like ours -- to rapidly evolving challenges – like campus piracy – don't fit neatly into existing grant categories. It's also hard to find funding because many find it easier to talk about the symptoms

(downloading) than to fix the root problems – changing behaviors and culture.

Our project timelines were originally based on a 3-year project. However, it's taken us 2 years to get sufficient funding to get started. We've only now begun to get to the heart of the research and analysis. Technically, our project was funded for 18 months. The clock began 5 months ago. Without new dollars, the project will end July 1 next year.

Our early research and data so far confirm many expected outcomes and reveal some surprises. Please ask me later if you'd like to know more.

If decision makers from other campuses came to us today – and they've already started – to find out what to do, we wouldn't have an answer for them. It's too early. The monitoring technologies don't seem to be fully ready to do what Congress or the entertainment industry wants. Yet.

A consumer study is desperately needed so side-by-side comparisons, benefits, and features can be determined. Both monitoring systems and legal digital media services need to be evaluated. And this all needs to happen now. The consumer study can help the entertainment industry as well by providing reliable, tested feedback.

But technology is not THE answer. The 9/11 Commission Report says that [quote] -- "Americans love affair with [technology] leads them to also regard it as the solution. But technology produces its best results when an organization has the doctrine, structure, and incentives to exploit it." [end quote] DOCTRINE, STRUCTURE, AND INCENTIVES. That's what ISU has put together in its Digital Citizen Project.

Your help is essential in directing the conversations toward improvements in and testing of emerging technologies. Your support for comprehensive efforts like our Digital Citizen Project will be invaluable.

For more information visit www.digitalcitizen.ilstu.edu