

[Proposed class or classes of copyrighted work(s) to be exempted]= Class One: Audiovisual works that illustrate and/or relate to contemporary social issues used for the purpose of teaching the process of accessing, analyzing, evaluating, and communicating messages in different forms of media.

Class Two: Audiovisual works that illustrate and/or relate to contemporary social issues used for the purpose of studying the process of accessing, analyzing, evaluating and communicating messages in different forms of media, and that are of particular relevance to a specific educational assignment, when such uses are made with the prior approval of the instructor.

[Brief summary of the argument(s) in support of the exemption proposed above]= Media Literacy is the ability to access, analyze, evaluate, communicate and create messages in a wide variety of forms and modes and has become an increasingly important way for learners to navigate through the complex and often-conflicting messages they receive in a media-saturated environment.

Media Literacy succeeds most when teachers and learners have access to contemporary audiovisual works for critical analysis, dissection and discussion. This includes using works for the production of teaching compilations and for the creation of student media production products used exclusively for teaching and learning.

The availability for use of copyrighted works in DVD format has been hindered by the DMCA and its prohibition against circumventing CSS protection to gain access to commercial audiovisual works. There are no viable alternatives to circumventing the CSS.

The lack of a means of lawful access to contemporary copyrighted audiovisual works has forced Media Literacy teachers and learners to engage in inefficient and ineffective practices. This has a dramatic impact on the overall quality of Media Literacy Education.

The granting of an exemption for Media Literacy teachers and learners will not have an adverse effect on the market for or value of copyrighted works, because the only uses of copyrighted content that the exemption would facilitate are educational and transformative ones that are already exempt or are fully covered by fair use.

Media Literacy will grow in importance as society's habits of information consumption change. Without appropriate exemptions, teachers will be less able to teach, and learners less able to learn, Media Literacy skills in years to come. We respectfully ask the Library of Congress to ensure that Media Literacy Educators can continue to prepare new generations of media-savvy citizens.