



Association internationale des bibliothèques, archives et centres de documentation musicaux (AIBM)

International Association of Music Libraries, Archives and Documentation Centres (IAML)

Internationale Vereinigung der Musikbibliotheken, Musikarchive und Musikdokumentationszentren (IVMB)

United States, report 2011

Board of Directors: Jerry McBride (president, 2011-2013); Ruthann McTyre (past-president); Judy Tsou (IAML-US president, ex officio, 2011-2012); Pamela Bristah (recording secretary); Linda Blair (administrative officer); Michael Rogan (assistant administrative officer); Susannah Cleveland, Cheryl Taranto, Liza Vick (members-at-large, 2010-2012); Daniel Boomhower, Kirstin Dougan, Laurie Sampsel (members-at-large, 2011-2013). Membership: 72 individual members, 124 institutional members, 196 members total.

This year, IAML-US was merged with the Music Library Association, the primary music library organization in the US. The merger process began with discussions in February 2009. CAML's (Canadian Association of Music Libraries) two-tiered organization was used as a model for the merger, whereby members can join both IAML and MLA or just MLA alone. A merger task force planned the process of the merger and worked with legal counsel. A positive vote of two-thirds of the IAML-US members was required for the merger to proceed. The vote was conducted in December 2010 and passed. The MLA parliamentarian prepared changes to the MLA constitution to reflect its responsibilities as the US branch of IAML and submitted this to the MLA membership for approval. The vote was conducted electronically in the spring of 2011 and also passed. The legal process was completed June 30 with the filing of the Articles of Merger with the Department of Consumer and Regulatory Affairs for the District of Columbia. The merged organization is now known as Music Library Association, and IAML-US no longer exists as a discrete organization. There is one Board of Directors, and the President of MLA is the representative to IAML on behalf of IAML members in the US. This is an important development for music librarians in the United States and in the rest of IAML, as there is now a direct link between the work of the principal association of US music librarians and the music librarians of the rest of the world.

One of the most significant developments in MLA this year is the receipt of a grant for \$456,807 from the Institute of Museum and Library Services (IMLS) to MLA and the Association of Research Libraries (ARL). This grant will allow MLA and ARL to recruit 15 library school students from traditionally underrepresented racial/ethnic minority groups into the field of music librarianship. The grant will fund scholarships to attend library schools for up to two years and provide a paid internship for up to four semesters in a music or performing arts library. This program addresses a long-standing need in music libraries in the US to encourage and train talented librarians who may otherwise be unable to enter the profession.

In June, MLA submitted an amicus brief in the case of *Golan vs. Holder* that is pending before the United States Supreme Court at the invitation of the Conductors' Guild. This case is important to music libraries because in 1989, the United States signed onto the Berne Convention, which required the extension of copyright terms to non-US works on the same terms granted to those published in the US. However, the U.S. implementation of the Berne Convention did not extend retroactive protection to foreign works which had entered the public domain due to failure to comply with formalities. The U.S. faced harsh criticism for this, and so in 1994, as part of a trade agreement, Congress retroactively extended copyright to all foreign



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works that had entered the public domain for any reason other than expiration of terms. The plaintiffs in the case of *Golan v. Holder* contend that Congress acted unconstitutionally in removing works that had long been part of the public domain in the U.S. and violated the first amendment of the U.S. constitution. The law had a particular impact on music libraries, because the Soviet Union had no reciprocal treaty with the United States until 1973. As such, works first published in the Soviet Union prior to 1973—including most works by Stravinsky, Prokofiev, Shostakovich and others—were removed from the public domain and placed under copyright protection. A decision in the case is anticipated in the fall.

The MLA Legislation Committee has also been active in writing position papers and hearings before the U.S. Copyright Office concerning the unusual copyright status of sound recordings in the United States issued before 1972, which are currently under perpetual copyright in some states regardless of how old they are. Sound recordings were never covered under US copyright law until the 1976 copyright law was passed. That law continued to exclude federal copyright protection for pre-1972 recordings, leaving them subject to the copyright laws of each of the 50 states. The results of this study should be available in the fall.

The music catalogers in the US have been active in testing RDA for music materials. In addition, MLA is drafting three proposals to revise RDA. The most significant of these will propose that the container of a sound or video recording can be used as the source of information for transcribing the title. There is also work on developing a hierarchy for genre and form terms for music, which up to this point have been expressed in the Library of Congress subject headings along with the medium of performance. These terms will eventually be recorded in a separate form/genre field. MLA will be working with the Library of Congress on issues of form, genre, and medium of performance as applied to music to improve access to these materials.

Over the past year IAML-US continued its work on the Donated Music Program by helping several music libraries to send music to Haiti, which is still feeling the effects of the 2010 earthquake.

Jerry L. McBride
President Music Library Association

Judy Tsou
President IAML(US)