



**BY FAX (212) 805-7906**

The Honorable Denny Chin  
United States District Judge  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, NY 10007



**Re: The Authors Guild et al. v. Google, Inc. Case No. 1:05 cv 8136 (S.D.N.Y.)**

Dear Judge Chin:

The United States Student Association (USSA) hereby requests this court's permission to submit this letter as an amicus curiae supporting final settlement approval in the above-referenced case.

USSA is a 501(c)(4) non-profit organization that represents more than four million college and university students across America. Founded in 1947, USSA is the nation's oldest, largest, and most inclusive national student organization.

USSA believes that education is a right and should be accessible for any student regardless of their socio-economic background and identity, and the people who are affected directly by issues of access to higher education should be the ones identifying the solutions that make education accessible to them. Therefore, USSA is dedicated to training, organizing, and developing a base of student leaders who are utilizing those skills to engage in expanding access to higher education and advancing the broader movement for social justice. Today, USSA is the recognized voice for students on Capitol Hill, in the White House and in the Department of Education.

As such, USSA cares deeply about the ways in which the proposed settlement agreement, if approved, will expand educational opportunities for students.

The settlement will dramatically expand access to millions of books through Google Book Search and other services that are enabled by the settlement. These services will have a transformative impact on research and scholarship, and will help level the educational playing field.

One of the biggest problems facing students and schools today is the quickly rising cost of higher education. Declining endowments and budget shortfalls are forcing schools to cut spending on, among other

things, their libraries. Public education institutions and small colleges generally face the most significant funding challenges, and the current economic crisis has only made matters worse. Meanwhile, on top of the staggering costs of tuition, the average student spends up to \$1,100 each year on books and supplies, which accounts for about 10 percent of some students' budgets, according to the College Board. Obviously, this hurts economically disadvantaged students the most.

USSA strongly supports the settlement because it will help tear down the geographic and socio-economic barriers that deprive many Americans of equal educational opportunities. First, any student, anywhere will be able to search across and preview millions of books for free, as well as purchase online access to them. Today, millions of out-of-print books are accessible only to the privileged few that are accepted to a university like Stanford and can afford to attend. If the settlement is approved, anyone will be able to access many of these out-of-print books, representing many years of study and cultural heritage.

Second, the settlement will reduce inequality among higher educational institutions. Schools big and small will be able to provide electronic access to an unprecedented corpus of books, through the free Public Access Service and the Institutional Subscription. The settlement provides adequate assurances that the Subscription will be affordable, including by requiring that it be priced for the "realization of broad access" (Section 4.1(a)(i)).

Finally, the creation of new digital access models through the settlement stands to help make books more affordable, while ensuring fair compensation for rightsholders. In general, the Internet and digitization drive down the cost of producing and distributing books, and, in turn, improve consumer choice and competition in the market. The creation of the Book Rights Registry should help enhance competition and innovation in online access to books as well.

For all these reasons, the USSA urges the court to approve the settlement agreement among the parties in this case.

Sincerely,



Gregory Cendana  
USSA President