

MCCAIN



PALIN

VIA EMAIL

Lawrence Lessig
Professor of Law
Stanford Law School
Crown Quadrangle
559 Nathan Abbott Way
Stanford, CA 94305-8610

October 2, 2008

Dear Professor Lessig:

Thank you for the letter of September 26 from you and your fellow members of the Open Debate Coalition. Senator McCain has asked me to respond on his behalf.

The McCain-Palin campaign agrees with you that the debates are ultimately for the benefit of the American people, who deserve to see the candidates address the issues that concern them most. The town-hall format of the October 7 debate provides just such an opportunity, and we support your suggestion that the public play a role in selecting the questions to be asked. (I should point out that in June Senator McCain proposed a series of at least ten joint town-hall appearances with Senator Obama; unfortunately Senator Obama rejected this offer.)

We also believe that Americans—including the campaigns themselves—should be able to “debate the debates” using all available tools on the Internet and elsewhere, including blogs, web-video services, and other means. We support your suggestion that those who may own rights in the debate video dedicate those rights to the public domain. Barring that, copyright holders should at the very least give utmost respect to principles of fair use by allowing non-commercial use of debate excerpts, thus ensuring that spurious copyright claims do not chill vigorous public discourse.

As you know, the Commission on Presidential Debates sets the format of the debates, and the terms by which the television networks cover them. We are copying the co-chairmen of the CPD on this letter to encourage them to implement the principles outlined above.

Very truly yours,



Trevor Potter
General Counsel

cc: Paul G. Kirk, Jr. and Frank J. Fahrenkopf, Jr.



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