

ArtistsUndertheDome.org

P.O. Box 382419 Cambridge, MA 02238

May 14, 2012

Maria A. Pallante
Register of Copyrights and the Office of the General Counsel
The Copyright Office

Dear Maria A. Pallante and the staff of the Office of the General Counsel,

I am writing to express my strong opposition of the proposed fee increases for copyright registration. I am a practicing visual artist and have been a policy expert on artists issues for over twenty years. I am the co-founder of ArtistsUndertheDome.org which was established in 2007 as an all volunteer effort to provide a State level forum for Massachusetts artists of all disciplines. The goals of which are to foster a dialogue across artistic disciplines, to assess and address overlapping concerns and needs of the artist community, and to empower individual artists of all disciplines to get involved with their government. From 1992 to 2009, I was the executive director of the Artists Foundation, an organization dedicated to advocating and helping Massachusetts artists thrive. I am the co-author of the 2009 Study on Massachusetts Artists of All Disciplines, *Stand Up and Be Counted*, and I was also recently appointed by Massachusetts Governor Deval Patrick to serve on our State's Creative Economy Council. My work on ensuring and increasing access to affordable health care for the artists' community also gives me insight to how these fees increases will impact artists of all disciplines. I strongly urge you to look at the *Stand Up and Be Counted* report:

<http://www.artistsunderthedome.org/census.html>

Artists of all disciplines are the working poor of the art world and their income, when compared to others with the same education levels, is at the bottom of the economic ladder. The *Stand Up and Be Counted* report data (gathered for the year 2006 before the great recession hit) clearly showed that the majority of Massachusetts artists were not well off. In fact, the average total income (after deducting expenses) for professional artists of all disciplines in Massachusetts was \$27,404 (pg. 47) and their gross income was \$33,705 (pg. 36). We had 3,147 respondents and only 194 were in the age range of 18 to 26 (pg. 9). 71.4% had been practicing their art form for more than ten years (pg. 7). I must point out that Massachusetts is one of the most affluent states in the country*. One can only imagine how much less those income numbers are for artists given the current state of the economy and how much less they are for artists living in states with lower income levels.

*Recent slate article on Massachusetts:

http://mobile.slate.com/articles/news_and_politics/politics/2012/05/massachusetts_is_the_best_state_in_the_union_.html

The fee change proposed for an electronic filing, from the current a fee of \$35 to \$65, is simply cost prohibitive for many artists of all disciplines. The proposed paper filing fee increase to \$100 is unacceptable as well. From my experiences of both the collection of data for the *Stand Up and Be Counted* report and for enrolling people in our state's health care system (I spearheaded our state's enrollment outreach to artists for our 2006 health care reform law), those who use paper filing systems tend to be older, do not have access to the internet or fast internet services such as broadband, and/or they tend to be lower income. They do not have \$100 to register their copyright. It is well documented that when co-pays go up for health care visits and prescriptions, people don't seek out the health care they need and they don't fill their needed prescriptions. Often they ration their care. These proposed increased fees will mean less artists will be able to afford to register their copyright(s).

I must strongly state that making the registration process more expensive is not a way to serve artists or for the Copyright Office and the Library of Congress to fulfill its mission "To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries" (U.S. Constitution, Article 1, Section 8). These fee increases are a step backwards. I would further urge the Copyright Office to instate a hardship waiver for those who can not afford the copyright registration rates as they now exist and/or create a sliding scale fee model based on income. Please reconsider these proposed rate increases. Feel free to contact me if I can be of further assistance.

Sincerely,

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