Please let me begin by declaring that I am not an artist. Those who have the ability to create visual artwork are a mystery to me. I deal in words and numbers and concrete things. That said, I have a deep respect for artists, as they devote themselves to their work and make it look rather easy to the rest of us. Over the years, I have befriended a number of artists from whom I purchase occasional works. They are hardworking people determined to forge a career expressing themselves. I don't personally know any who are financially wealthy because of their work. It is, therefore, with much disappointment that I read about the proposed “reforms” to American copyright law, in particular the so-called “Orphan Works” sections.

From a very young age, most of us are taught certain behaviors are simply unacceptable. For example, we teach our children that stealing is wrong. However, when I read the proposed reforms, it certainly appears to me to be organized and open support of stealing artists’ work. If one is walking down the street and sees a $10 bill with nobody around, he has no reasonable way to know who its owner is. However, if he sees a wallet with identification and $10 inside, he couldn't possibly reasonably say that taking it would be anything other than stealing. By the same token, the “Orphan Works” provision is nothing more than piracy, stealing of the worst sort. It places an extraordinarily onerous burden of time and money on artists to register every single work - past, present, and future - lest someone appropriate it for “derivative” purposes. There is a great deal that I don't understand about how the business of registering artwork operates, but even a simple person like me can see that this is wrong.

Has anyone consulted with artists to gain insights into what would constitute meaningful copyright reform? This process seems to be playing out between legal experts. If these proposed measures come to pass, I fear for the livelihoods of the incredibly talented, creative, hardworking independent American artists. I foresee a huge withdrawal from the modern electronic marketplace to the extent that there will be precious little original new artwork to register. And worse. These proposals represent a disincentive to work. Indeed, why create something when one can simply derive something from something already out there?

I have one friend working as an artist despite having multiple autoimmune disorders. She could easily sit back and become a “taker”. Instead, she relentlessly creates new artwork DAILY. She develops new revenue streams at various price points, interacts with her fans across various social media as well as live events, and is absolutely committed to supporting herself as an artist. The idea of someone else being able to take her creations for derivative purposes is repugnant to me. Yet, the expense of time and money to register every single work would be insurmountable for her. She would rather withdraw entirely from the profession.

Another artist has engaged in a social media campaign demonstrating how this blatant theft is already occurring. He has shown images of his own published and registered artwork side-by-side with images that are identical to his that are generating income for other people. This is stealing!

Then there are the more mundane examples. I have seen news stories of people shocked to learn that photographs that they had posted in their social media accounts have been appropriated by third parties without their consent. For example, there is a housewife shocked to see her image on a billboard for diet pills.

These proposed reforms are the first steps down a slippery slope that will directly endanger the ability of independent artists to support themselves. At the moment, I am withholding my thoughts about the registration requirements because I cannot calmly and rationally express them.

Thank you for allowing me the opportunity to share my thoughts. Please do not enact these proposed changes to American copyright law. Work with artists to develop meaningful reform that won't result in systemic theft against them.
Teresa Mayberry, Columbia, Tennessee