Dear Sirs,

I have spent 35 years working in illustration, fine arts and museums. I am deeply distressed by the proposed recommendations for changes to the copyright laws. As a museum professional I am keenly aware that there are works for which the creator, even with the resources and expertise of an experienced archivist, cannot be found. And as an artist I am also aware that no art, musical or visual or dance is created without referencing work that has come before. The issue here is what is due diligence and what is appropriate credit? And how much money does that represent and to whom?

The copyright office's mandate is to register original creations and keep track of those creations. Artists pay the federal government to do this. The idea that the organization, which has the weight of the US gov't behind it is not capable of providing that information back to people who honestly want to know who created a piece of art is more than a little distressing. Why did we sign a contract with the government if the government is going to act in bad faith by purging the database of copyright records (which has already been done once) and then to not answer requests for information on those copyrights which it has kept? How is an artist to prove to anyone that his or her work has been copyrighted and registered?

To ask an artist who can barely pay his bills to pay unknown amounts of money to agencies that do not yet exist-to keep track of information that the government has already signed a contract to administer is also upsetting.

In this age of Photoshop it is all too easy to scan an image of a piece of art, wipe out the artists signature than sell that work. Make cards, make posters, cups or tee-shirts, all income streams the original artist may be relying on to survive. Do this sound reasonable to you? If someone has patented an object no one is allowed to infringe on his intellectual property without compensation. A piece of sculpture and an ice cream scoop both had a creative person to dream it up and make its prototypes and work with others to create the final product. How are they different?

I urge you to reconsider the orphan works legislation and consider a revamp of the copyright law that is fair to the artist and to those wishing to use their art in new and novel ways. Original art created, patented and registered should not be infringed on without the express permission of the patent holder.

Elizabeth Lockett