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Urgent Request: Letters in Support of H.R. 5439, the "Orphan Works Act of 2006"

On May 24, the House Subcommittee on the Courts, the Internet and Intellectual Property, Committee on the Judiciary approved H.R. 5439, the "Orphan Works Act of 2006." Overall, the legislation, as introduced, constitutes a very positive step forward in solving many orphan works concerns raised by libraries and others in the cultural community. The legislative solution includes both U.S., foreign, published, and unpublished works, and presents a relatively flexible system for users and institutions regarding what constitutes a reasonable search for orphan works. Since approval by the Subcommittee, some additional changes (e.g. state sovereign immunity provisions) have been proposed to the legislation.

It is critically important for members of the House Committee on the Judiciary to receive letters of support for H.R. 5439 as soon as possible. As members of the Committee are hearing mostly from opponents of the legislation, it is important that the Committee now hear from supporters of the orphan works legislation.

A sample letter and a list of members of the Judiciary Committee are included below. If a member of the Judiciary Committee is in your state delegation, please fax letters or place calls to him/her as soon as possible.

Dear Representative:

On behalf of _____, I am writing in strong support of H.R. 5439, the "Orphan Works Act of 2006." This legislation, once enacted, will greatly help to make cultural heritage more broadly available to the public. I ask that you support this legislation when H.R. 5439 is considered by the Committee on the Judiciary.

The special collections in our libraries, museums, state and local historical societies, and archives are deep and rich in our Nation's cultural and scientific heritage. These collections include significant amounts of orphan works, works whose owners are difficult or impossible to locate. These repositories with orphan works are not being made publicly available for fear of copyright owners coming forward and demanding unknown amounts of compensation. Despite extensive and costly searches to locate orphan work owners, without a legislative solution, the risk remains too high for _____ institution to make these works publicly available.

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Resolving the orphan works problem will present significant new educational opportunities because these works will be publicly accessible and available to students, faculty and the public. Access to these resources supports and inspires new scholarship by making the works of previous generations more accessible and useful to current users.

Thank you in advance for considering this request.

Sincerely,

U.S. House of Representatives Committee on the Judiciary

Hon. Sensenbrenner Jr., Chairman (WI-5)	Hon. Conyers Jr., Ranking Member, (MI-14)
Hon. Hyde (IL-6)	Hon. Berman (CA-28)
Hon. Coble (NC-6)	Hon. Boucher (VA-9)
Hon. Smith (TX-21)	Hon. Nadler (NY-8)
Hon. Gallegly (CA-24)	Hon. Scott (VA-3)
Hon. Goodlatte (VA-6)	Hon. Watt (NC-12)
Hon. Chabot (OH-1)	Hon. Lofgren (CA-16)
Hon. Lungren (CA-3)	Hon. Jackson Lee (TX-18)
Hon. Jenkins (TN-1)	Hon. Waters (CA-35)
Hon. Cannon (UT-3)	Hon. Meehan (MA-5)
Hon. Bachus (AL-6)	Hon. Delahunt (MA-10)
Hon. Inglis (SC-4)	Hon. Wexler (FL-19)
Hon. Hostettler (IN-8)	Hon. Weiner (NY-9)
Hon. Green (WI-8)	Hon. Schiff (CA-29)
Hon. Keller (FL-8)	Hon. Sánchez (CA-39)
Hon. Issa (CA-49)	Hon. Van Hollen, Jr. (MD-8)
Hon. Flake (AZ-6)	Hon. Wasserman Schultz (FL-20)
Hon. Pence (IN-6)	
Hon. Forbes (VA-4)	
Hon. King (IA-5)	
Hon. Feeney (FL-24)	
Hon. Franks (AZ-2)	
Hon. Gohmert (TX-1)	

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