

February 27, 2025

Ambassador Jamieson Greer
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Greer,

On behalf of America's creative industries, we extend our congratulations and best wishes on your confirmation as the United States Trade Representative (USTR). During your prior term at USTR, the agency championed American creators – helping to protect us from theft in foreign countries so that we could continue to deliver U.S. economic growth, job creation, and trade surpluses.

The Digital Creators Coalition consists of member organizations that represent individual creators, independent producers, small-and-medium-size enterprises, large businesses, and workers from across the American copyright-based creative sectors, including movies, music, television, illustrators, photographers, authors, and publishers, as well as news, magazine and digital media. We are committed to advancing the interests of the creative community in the digital environment and are united in our resolve that strong copyright protection for American creators should continue to be a top priority for U.S. trade policy engagement.

The economic contributions of America's creators are unparalleled – leading by virtually every metric, from high-quality, well-paying American jobs to GDP, exports, trade surplus and beyond. Yet, these contributions are under systemic threat from piracy what equates to mass theft masquerading as artificial intelligence (AI) training and generation.

Government policies should not take Americans' private property. We strongly oppose the creation and use of text and data mining (TDM) copyright exceptions for training AI systems, whose proponents have failed to demonstrate the need for such an exception.

TDM exceptions unfairly allow AI developers to use others' private property without authorization or compensation, which is contrary to the basic protections of copyright and disincentivizes the creation of new creative works – which, in turn, cuts the economic and jobs benefits to the U.S. Moreover, where AI developers fail to maintain adequate records or to provide transparency regarding the content they use to train their models, rightsholders face enormous hurdles in enforcing their property rights. TDM exceptions threaten the sustainability and competitiveness of America's creative sector and severely limit our ability to contribute meaningfully to U.S. economic growth, employment, and exports.

Unfortunately, Japan and Singapore have already implemented broad TDM exceptions that weaken copyright protections for American creators by allowing companies to train their AI models on copyright-protected works without a license. Brazil, Chile, China, Colombia, Hong Kong, Indonesia, and the United Kingdom are currently considering TDM exceptions to copyright that will undermine U.S. property rights and cause irreparable harm to the creative sector. These exceptions undermine the ability of U.S. creators to create and disseminate new works, thereby impeding the creative sector's significant and sustained contributions to U.S. national economic security. These exceptions also incentivize the offshoring of the AI sector and expose vast amounts of data to foreign control.

Under the first Trump Administration, USTR fought hard to stop this type of wholesale theft of American intellectual property (IP). For example, in 2018, in its Section 301 investigation into China, USTR found that such theft was occurring on a large scale to the detriment of American manufacturing, services and innovation. In 2020, the Administration issued *Artificial Intelligence for the American People*, which consisted of five pillars. The fifth pillar, i.e., "AI with American Values," reaffirmed the President's commitment to protecting IP in the AI environment, stating: "[t]he United States has long been a champion and defender of the core values of freedom, guarantees of human rights, the rule of law, stability in our institutions, rights to privacy, ***respect for intellectual property***, and opportunities to all to pursue their dreams. The AI technologies we develop must also reflect these fundamental American values and our devotion to helping people."

Given the urgency and priority of this matter, we would welcome the opportunity to meet with you to discuss this critical issue further.

Sincerely,

Alliance for Recorded Music
American Association of Independent Music
American Society for Collective Rights Licensing
American Society of Media Photographers
Artist Rights Alliance
Artist Rights Institute
Association of American Publishers
Association of Independent Music Publishers
Association of Writers & Writing Programs
Austin Texas Musicians

The Authors Guild
Black Music Action Coalition
Choreographers Guild
Copyright Alliance
Copyright Clearance Center
Department for Professional Employees, AFL-CIO
Directors Guild of America
Fan Alliance
Fair Trade Music International
Folk Alliance International
Future of Music Coalition
Georgia Music Partners
Getty Images
Independent Film & Television Alliance
International Alliance of Theatrical Stage Employees
International AntiCounterfeiting Coalition
Music Artists Coalition
Music Creators North America
Music Managers Forum - US
Music Workers Alliance
Nashville Songwriters Association International
National Association of Voice Actors
National Music Council
National Music Publishers' Association
News/Media Alliance
Production Music Association
Professional Photographers of America
Recording Academy
Recording Industry Association of America
Screen Actors Guild-American Federation of Television and Radio Artists
SESAC Music Group
The Society of Composers & Lyricists
Songwriters Guild of America
SoundExchange