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Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

Dear Leader Schumer,

On behalf of the National Music Publishers' Association ("NMPA"), I want to thank you for your attention to the important issues posed by the rapid development of artificial intelligence ("AI"). NMPA is the principal trade association representing American music publishers and their songwriter partners. Our members represent the majority of the music publishing market in the U.S. As their voice, NMPA protects, promotes, and advances the interests of music creators.

In your legislative efforts, we urge you to consider the impact of AI technologies on the creative industries in the U.S. Certain AI uses, if left unchecked, pose a threat to human creativity. Musical compositions are already being used without permission to train AI applications and generate songs for public consumption. Our members' songs provide valuable data for machine learning, and thus their copyrights must be honored.

We share your vision for AI regulations that promote transparency and facilitate innovation. Keeping complete records of how copyrighted works are used to develop and train AI systems is essential to a transparent AI regulatory regime. Further, clear standards must be developed to track which inputs are used to generate the AI's output. This level of transparency is critical to informing consumer choice and protecting rightsholders. Without visibility into which copyrighted works are used—and how the AI systems use them—rightsholders will have no meaningful copyright protection with respect to AI technology.

New technologies must comply with existing copyright laws and the core principles of fair market competition. Accordingly, AI platforms must seek permission and licenses from copyright owners. Rightsholders must also retain exclusive control over how and with what technologies their works are used. This requires free-market licensing for the use of songs in the development and training of AI models. Additionally, AI platforms should not be given a free pass when their methodologies infringe copyright. Such an exception would undermine the pursuit of ethical and accountable AI standards.

Creators are essential to the advancement of AI technology and as such need a seat at the table in any conversations that impact their industry and livelihood. NMPA appreciates your willingness to address these important issues and looks forward to continued engagement on AI. We stand ready to offer our perspective on how Congress can shape AI policy that responsibly promotes innovation and protects creators.

Sincerely,

David Israelite
CEO and President
National Music Publishers' Association

Cc: Chairman Dick Durbin, Senate Judiciary Committee
Ranking Member Lindsey Graham, Senate Judiciary Committee
Chairman Chris Coons, Intellectual Property Subcommittee
Ranking Member Thom Tillis, Intellectual Property Subcommittee