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Cantwell, Blackburn, Heinrich Introduce Legislation to Increase Transparency, Combat AI Deepfakes & Put Journalists, Artists & Songwriters Back in Control of Their Content

(<https://www.commerce.senate.gov/2024/7/cantwell-blackburn-heinrich-introduce-legislation-to-combat-ai-deepfakes-put-journalists-artists-songwriters-back-in-control-of-their-content>)

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News/Media Alliance, Nat'l Newspaper Assn., Rebuild Local News, NAB, SAG-AFTRA, Nashville Songwriters, Recording Academy, RIAA, Music Publishers, Artists, Performers applaud COPIED ACT's new guardrails around generative AI

Today, U.S. Senators Maria Cantwell (D-Wash.), Chair of the Senate Commerce Committee, Marsha Blackburn (R-Tenn.), member of the Commerce Committee, and Martin Heinrich (D-N.M.), member of the Senate AI Working Group, introduced the Content Origin Protection and Integrity from Edited and Deepfaked Media Act (COPIED ACT), to combat the rise of harmful deepfakes. The bill would set new federal transparency guidelines for marking, authenticating and detecting AI-generated content, protect journalists, actors and artists against AI-driven theft, and hold violators accountable for abuses.

"The bipartisan COPIED Act I introduced with Senator Blackburn and Senator Heinrich, will provide much-needed transparency around AI-generated content," **said Senator Cantwell**. "The COPIED Act will also put creators, including local journalists, artists and musicians, back in control of their content with a provenance and watermark process that I think is very much needed."

"Artificial intelligence has given bad actors the ability to create deepfakes of every individual, including those in the creative community, to imitate their likeness without their consent and profit off of counterfeit content," **said Senator Blackburn**. "The COPIED Act takes an important step to better defend common targets like artists and performers against deepfakes and other inauthentic content."

"Deepfakes are a real threat to our democracy and to Americans' safety and well-being," **said Senator Heinrich**. "I'm proud to support Senator Cantwell's COPIED Act that will provide the technical tools needed to help crack down on harmful and deceptive AI-generated content and better protect professional journalists and artists from having their content used by AI systems without their consent. Congress needs to step up and pass this legislation to protect the American people."

The COPIED Act:

Bill Text (<https://www.commerce.senate.gov/services/files/3012CB20-193B-4FC6-8476-DDE421F3DB7A>) **and Summary** (<https://www.commerce.senate.gov/services/files/359B6D81-5CB4-4403-A99F-152B99B17C30>)

- **Creates Transparency Standards:** Requires the National Institute of Standards and Technology (NIST) to develop guidelines and standards for content provenance information, watermarking and synthetic content detection. These standards will promote transparency to identify if content has been generated or manipulated by AI, as well as where AI content originated. The bill also directs NIST to develop cybersecurity measures to prevent tampering with provenance and watermarking on AI content.
- **Puts Journalists, Artists and Musicians in Control of Their Content:** Requires providers of AI tools used to generate creative or journalistic content to allow owners of that content to attach provenance information to it and prohibits its

removal. The bill prohibits the unauthorized use of content with provenance information to train AI models or generate AI content. These measures give content owners—journalists, newspapers, artists, songwriters, and others—the ability to protect their work and set the terms of use for their content, including compensation.

- **Gives Individuals a Right to Sue Violators:** Authorizes the Federal Trade Commission (FTC) and state attorneys general to enforce the bill's requirements. It also gives newspapers, broadcasters, artists, and other content owners the right to bring suit in court against platforms or others who use their content without permission.
- **Prohibits Tampering with or Disabling AI Provenance Information:** Currently, there is no law that prohibits removing, disabling, or tampering with content provenance information. The bill prohibits anyone, including internet platforms, search engines and social media companies, from interfering with content provenance information in these ways.

Major Endorsements

SAG-AFTRA (<https://www.sagaftra.org/>)

"For SAG-AFTRA, protecting the ability of our members to control their images, likenesses, and voices is paramount. The capacity of AI to produce stunningly accurate digital representations of performers poses a real and present threat to the economic and reputational well-being and self-determination of our members. Senator Cantwell's legislation would ensure that the tools necessary to make the use of AI technology transparent and traceable to the point of origin will make it possible for victims of the misuse of the technology to identify malicious parties and go after them. We need a fully transparent and accountable supply chain for generative Artificial Intelligence and the content it creates in order to protect everyone's basic right to control the use of their face, voice, and persona. We applaud Senator Cantwell for her leadership on the issue and support this legislation as part of a comprehensive approach to preventing unauthorized abuse of this transformative technology." – **Duncan Crabtree-Ireland, National Executive Director and Chief Negotiator.**

Nashville Songwriters Association International (<http://www.nashvillesongwriters.com/history-nsai>)

"The Nashville Songwriters Association International (NSAI), the world's largest songwriter advocacy trade association, applauds Senators Maria Cantwell, Blackburn and Heinrich for introducing legislation to help put transparency guardrails around Generative Artificial Intelligence for human creators. Specifically, we note her including artists in the Content Origin Protection and Integrity from Edited and Deepfaked Media Act and recognizing it is more financially feasible for songwriters and other human creators to adjudicate these matters in a local civil court when possible. NSAI will work with her office toward adoption of this important legislation."

Recording Academy (<https://www.recordingacademy.com/>)

"The Recording Academy applauds Chair Cantwell and Senators Blackburn and Heinrich for their commitment to the ethical use of AI and their recognition of the need for guardrails that provide transparency and protection for creators. We look forward to continuing to work with them as this process moves forward." – **Todd Dupler, Chief Advocacy and Public Policy Officer.**

National Music Publishers' Association (<https://www.nmpa.org/>)

"We greatly appreciate Senator Cantwell's leadership on preventing the unauthorized use and dissemination of deepfakes. The Content Origin Protection and Integrity from Edited and Deepfaked Media Act of 2024 ensures that AI-generated content is clearly identified and that there is recourse when those labels are tampered with. As AI-generated music continues to disrupt the legitimate market, it is essential that listeners know where their music is coming from. Artists and songwriters deserve protection against unauthorized imitations and this legislation is an important step towards that goal." – **David Israelite, President and CEO.**

Recording Industry Association of America (<https://www.riaa.com/>)

"Protecting the life's work and legacy of artists has never been more important as AI platforms copy and use recordings scraped off the internet at industrial scale and AI-generated deepfakes keep multiplying at rapid pace. RIAA strongly supports provenance requirements as a fundamental building block for accountability and enforcement of creators' rights. Leading tech companies refuse to share basic data about the creation and training of their models as they profit from copying and using unlicensed copyrighted material to generate synthetic recordings that unfairly compete with original works. We appreciate Senators Cantwell, Blackburn and Heinrich's leadership with the Content Origin Protection and Integrity from Edited and Deepfaked Media Act of 2024 that would grant much needed visibility into AI development and pave the way for more ethical innovation and fair and transparent competition in the digital marketplace." – **Mitch Glazier, Chairman and CEO.**

News/Media Alliance (<https://www.newsmediaalliance.org/>)

"The News/Media Alliance, representing over 2200 news, magazine, and digital media publishers worldwide, applauds the leadership of Senators Cantwell, Blackburn and Heinrich to address the need for AI regulation. We look forward to working with them to refine and advance this critical legislation to ensure news publishers and creators of quality content are

adequately protected. Legislation should balance the innovation around these emerging technologies with preserving quality, accuracy, and a thriving free press, and Senators Cantwell, Blackburn and Heinrich have taken a major step forward to accomplish that by introducing this bill." – **Danielle Coffey, President and CEO.**

National Newspaper Association (<https://www.nna.org/>)

"We appreciate Senator Cantwell for taking on this difficult and disturbing issue. Deepfakes fly in the face of the true intent of the First Amendment. It's important that citizens continue to trust local news sources to bring them quality journalism that has been vetted and verified." – **John Galer, Chair, National Newspaper Association Board of Directors;** Publisher of The Journal-News in Hillsboro, IL.

America's Newspapers (<https://www.newspapers.org/>)

"America's Newspapers, the trade association representing more than 1,500 local community newspapers, commends Senator Maria Cantwell for introducing legislation that addresses the emerging problem of deepfakes. It is critical to our democracy that news organizations provide their communities with trusted information and news. The issue of deepfakes must be addressed to maintain consumer confidence in news providers. We look forward to working with Sen. Cantwell on this important legislation." – **Dean Ridings, CEO.**

Rebuild Local News (<https://www.rebuildlocalnews.org/>)

"The proliferation of deepfakes is an enormous problem that's going to get much worse if lawmakers and regulators don't act. This will be particularly dangerous when it comes to residents getting information about their local communities because the collapse of local news has left us with fewer journalistic watchdogs. We commend Senator Cantwell for shining a spotlight on this issue and we look forward to working with her to devise appropriate policies in this complex area." – **Steven Waldman, President.**

Seattle Times (<https://www.seattletimes.com/opinion/upgrade-next-gen-9-1-1-the-12th-man-of-public-safety/>)

"We applaud Senator Cantwell for introducing legislation that helps identify legitimate news organizations while attacking the proliferation of fake news. Trusted, local news is vital to serving our communities and protecting our democracy. We look forward to working with Senator Cantwell and her staff to successfully address this critical issue." – **Alan Fisco, President and Chief Financial Officer.**

National Association of Broadcasters (<https://www.nab.org/>)

"Deepfakes pose a significant threat to the integrity of broadcasters' trusted journalism, especially during an election year when accurate information is paramount. We are grateful to Chair Cantwell and Senators Blackburn and Heinrich for introducing the Content Origin Protection and Integrity from Edited and Deepfaked Media Act of 2024 to protect the authenticity of the vital local and national news radio and television stations provide our communities. We also applaud the prohibition on the use of our news content to train generative AI systems or to create competing content without express consent and compensation to the news creator. We look forward to working with the committee to help advance this bill and these fundamental principles critical to our ability to continue to serve communities with trusted news." – **Curtis LeGeyt, President and CEO.**

Artist Rights Alliance ([Artist%20Rights%20Alliance](https://www.artistrightsalliance.org/))

"The Artist Rights Alliance (ARA) applauds Senator Cantwell for introducing legislation to combat deception and confusion in the AI marketplace and protect artists from the unauthorized and unethical use of AI. As AI technology continues to evolve at breakneck speed, we must ensure that creators do not fall victim to deepfakes and other abuses of their very personhood. ARA is grateful for Senator Cantwell's commitment to building a framework for responsible AI that is grounded in the fundamental principles of transparency and choice." – **Jen Jacobsen, Executive Director.**

Human Artistry Campaign (<https://www.humanartistrycampaign.com/>)

"Deepfakes pose an existential threat to our culture and society, making it hard to believe what we see and hear and leaving individual creators vulnerable as tech companies use our art without consent while AI-generated content leads to confusion about what is real. Requiring transparency is a meaningful step that will help protect us all – ensuring that nonconsensual, harmful content can be removed quickly and providing a clear origin when our life's work has been used." – **Dr. Moiya McTier, Senior Advisor.**

Public Citizen (<https://www.citizen.org/>)

"Public Citizen strongly believes that every person has a right to know when they are seeing, hearing or engaging with AI-generated content. This is critical for the purposes of maintaining social trust in our society. A recent poll (<https://truthout.org/articles/79-percent-of-americans-worry-about-misinformation-ahead-of-elections/>) found that 79 percent of people polled worry the information they are seeing online is fake or meant to confuse. Senator Cantwell's Content Origin Protection and Integrity from Edited and Deepfaked Media Act of 2024 is an important step towards safeguarding truth and trust in the AI age. This legislation addresses key issues surrounding deepfakes and AI-generated

media by directing NIST to develop robust standards for detecting and labeling synthetic content and promotes provenance protections for AI generated content. If passed, this bill would promote online transparency and ethical AI use, which is desperately needed in today's online ecosystem." – **Richard Anthony, Emerging Technologies Policy Advocate.**

The Society of Composers & Lyricists (SCL (<https://thescl.com/>)), the Songwriters Guild of America (SGA), (<https://www.songwritersguild.com/site/index.php/music-advocacy>) and Music Creators North America (MCNA) (<https://www.musiccreatorsna.org/>)

"The Society of Composers & Lyricists (SCL), the Songwriters Guild of America (SGA), and Music Creators North America (MCNA) applaud Senator Cantwell for initiating a crucial, beginning step towards addressing the myriad of existential threats to the American songwriter and composer community posed by unregulated generative artificial intelligence. As the leading organizational representatives for America's music creators, our independent groups represent many thousands of composers and songwriters, solely. We formulate our policy positions without undue outside influence from third parties, and we extend our enthusiastic support for introduction of the proposed bill. The urgent need to require all generative AI users to deal transparently and fairly with the creative community cannot be overstated, and we look forward to working with Senator Cantwell's office in addressing these and the many other challenges and opportunities provided by GenAI technologies in the immediate future."