

CONTENT & TECHNOLOGY POLICY REPORT

APRIL 5, 2024



I. Congressional Updates:

- At the end of March, *Axios* reported that the House of Representatives banned congressional staffers' use of Microsoft Copilot. This comes after the House restricted the use of ChatGPT last June. The House's Chief Administrative Officer (CAO) Catherine Szpindor, in guidance to congressional offices obtained by *Axios*, said Microsoft Copilot is "unauthorized for House use. The Microsoft Copilot application has been deemed by the Office of Cybersecurity to be a risk to users due to the threat of leaking House data to non-House approved cloud services." The guidance added that Copilot "will be removed from and blocked on all House Windows devices." The CAO's office told *Axios* that the guidance "applies to the commercial version" but that their office "will be evaluating the government version when it becomes available and making a determination at that time." Read more [here](#).
- Next Wednesday, April 10, at 10:00am ET the House Judiciary Committee IP Subcommittee will be holding a hearing titled *Artificial Intelligence and Intellectual Property: Part III – IP Protection for AI-Assisted Inventions and Creative Works*. The hearing will aim to cover both patents and copyrights and address the standards that should be applied to determine whether IP protection is available to works created with AI. The livestream and witness list can be found [here](#).

Headlines and Highlights:

- Congress Bans Staff Use of Microsoft's AI Copilot
- HJC Announces Next AI & IP Hearing
- USTR Announces Brendan Lynch as Assistant USTR for South and Central Asia
- Hollywood and Journalism Unions Urge Congress to Pass Stronger AI Legislation
- US, Britain Announce Partnership on AI Safety, Testing
- Billie Eilish, Nicki Minaj, Stevie Wonder, and Others Call on AI Developers to Respect Artists' Rights

In the Blogs:

- **Hugh Stephens Blog:** [Would Anyone Copyright This Flag? \(Not an April Fool's Joke\)](#)
- **The Wall Street Journal:** [The AI Industry Is Steaming Toward A Legal Iceberg](#)
- **Harvard Law Today:** [Taylor's Version of Copyright](#)
- **Axios:** [For AI Firms, Anything "Public" is Fair Game](#)

II. Administration Updates

- At the end of March, the Office of the United States Trade Representative (USTR) announced that Brendan Lynch will serve as the Assistant United States Trade Representative for South and Central Asia. Lynch had served as the Acting Assistant USTR for South and Central Asia since March of 2023 and has been at USTR for the last 11 years. “For over ten years, Brendan has been a key part of the USTR team to advance our trade and economic relationships with South and Central Asian economies,” said United States Trade Representative Katherine Tai. “Our Administration will continue to deepen our ties with the region, to drive sustainable and inclusive growth for our peoples, and Brendan will play a crucial role in that effort. I look forward to continuing this work with Brendan and I congratulate him on his new role.” Read more [here](#).

III. USCO Updates:

- On Thursday, April 4, *Bloomberg Law* reported that Register of Copyrights Shira Perlmutter defended the US Copyright Office’s guidance that directs applicant registrations to disclaim use of AI in their work. “Requiring this type of disclaimer was not to make applicants’ lives more difficult, or to require lawyers to be consulted,” she said Thursday at the Vanderbilt University Music Law Summit in Nashville, Tennessee. The goal is to “avoid any later questioning of the validity of the registration,” she said. According to the article, to date the USCO has received fewer than 1,000 copyright applications with AI disclosures and has issued registrations to more than 200 of them. Read more [here](#).
- In January, the US Copyright Office issued a notification of inquiry seeking public comments regarding its periodic review of the designations of the mechanical licensing collective and digital licensee coordinator. Initial submissions from the existing designees must be received on April 1, 2024. Initial public comments must be received on May 29, 2024. Reply public comments must be received on June 28, 2024. Reply submissions from the existing designees must be received on July 29, 2024. More details are available on the rulemaking's webpage [here](#).

IV. Industry Updates:

- At the end of March, the NewsGuild-CWA, Writers Guild of America East and West and National Association of Broadcast Employees and Technicians sent an open letter to Senate Majority Leader Chuck Schumer asking Congress to protect them against AI. “We strongly urge the Senate to pass meaningful legislation that protects writers and other creative professionals working in film, television, news, podcasts and online media from the existential threat of AI,” Lisa Takeuchi Cullen, president of the Writers Guild of America East, said in a statement. “AI is a rapidly advancing technology posing numerous real-world consequences. There must be strong legal guardrails put in place to ensure that this tool is not abused by companies to the detriment of a writer’s work.” NewsGuild-CWA president Jon Schleuss said, “Journalists are essential to a free and fair democracy. Too many media companies are attempting to replace journalists with AI, resulting in false, misleading clickbait and the

decimation of our news ecosystems. It is essential that journalists are not replaced by misguided media companies looking to maximize profits at the expense of human-driven journalism that informs the public and holds our institutions accountable.” Overall, the letter asks that Congress ensure AI will not replace journalists or other creative professionals and to stop AI from replicating work without consent or fair compensation, whether copyright is owned or not. Read more [here](#).

- On Monday, April 1, *Reuters* reported that the United States and Britain announced a new partnership on the science of AI safety. Commerce Secretary Gina Raimondo and British Technology Secretary Michelle Donelan signed a memorandum of understanding in Washington to jointly develop advanced AI model testing. "We all know AI is the defining technology of our generation," Raimondo said. "This partnership will accelerate both of our institutes work across the full spectrum to address the risks of our national security concerns and the concerns of our broader society." According to the article, both countries plan to perform at least one joint testing exercise on a publicly accessible model and are considering exploring personnel exchanges between the institutes. Read more [here](#).
- On Tuesday, April 2, *Variety* reported that Artist Rights Alliance (ARA) along with Billie Eilish, Nicki Minaj, Stevie Wonder, Pearl Jam, Kacey Musgraves, Camila Cabello and more than 200 other artists issued an open letter calling on “AI developers, technology companies, platforms, and digital music services to cease the use of artificial intelligence (AI) to infringe upon and devalue the rights of human artists.” “Working musicians are already struggling to make ends meet in the streaming world, and now they have the added burden of trying to compete with a deluge of AI-generated noise,” explained Jen Jacobsen, Executive Director of the ARA. “The unethical use of generative AI to replace human artists will devalue the entire music ecosystem—for artists and fans alike.” Read the full letter and see the full list of signatories [here](#).