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September 27, 2023

Lisa M. Khan
Chair of the Federal Trade Commission
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, D.C. 20580

Bureau of Competition
Office of Policy and Coordination
Room CC-5422
600 Pennsylvania Avenue, NW
Washington, D.C. 20580

Senator Chuck Schumer
780 Third Avenue, Suite 2301
New York, NY 10017

Senator Chuck Schumer
322 Hart Senate Office Building
Washington, D.C. 20510

Shira Perlmuter
Register of Copyrights and Director
U.S. Copyright Office
Library of Congress, Copyright Office,
Independence Avenue, SE
Washington, DC 20559

As elected public servants and paid civil service officials, all government hearings are open to the public, unless specified in advance that they relate to the U.S. weapons program and/or similar matter of U.S. National Security. This was not the case with the ‘Insight Forums’.

Consequently, Senator Charles Schumer’s “July event at IBM’s New York City headquarters, Senate Majority Leader Chuck Schumer (D-NY) said he would convene a series of AI ‘Insight Forums’ to “lay down the foundation for AI policy,”¹ are a matter of public record, as Senator Chuck Schumer is a paid elected official of the U.S. Government. The meetings were conducted with his attendance, while acting as a remunerated elected official.

The public and copyright, trademark and patent stakeholders have a legal right, in a fashion similar to “LIBRARY OF CONGRESS, Copyright Office [Docket No. 2023-6], Artificial Intelligence and Copyright; 59942 Federal Register/Vol. 88, No. 167/Wednesday, August 30, 2023/Notices”, to comment and review the proceedings of the ‘Insight Forums’ in accordance with the 1976 Sunshine La, which require “disclosure of government agency meetings and records. Sunshine laws require specific businesses and government agencies to maintain transparency and disclose their activities to the public², particularly where this policy will impact copyright holders economic livelihood.

For example, I submitted comments on the subject [Docket No. 2023-6], with tracking number **lm2-8su3-t6pl**, noting responses to the Library of Congress’s docket, but not limited to, the following:

“8.5. Under the fourth factor of the fair use analysis, how should the effect on the potential market for or value of a copyrighted work used to train an AI model be measured?”

¹Sharon Goldman. Senate meeting with top AI leaders will be ‘closed-door’, no press or public allowed. VentureBeat. September 5, 2023.

<https://venturebeat.com/ai/senate-meeting-with-top-ai-leaders-will-be-closed-door-no-press-or-public-allowed/>.

²Sunshine laws. Wex. U.S. Law. Legal Information Institute (LLI).

https://www.law.cornell.edu/wex/sunshine_laws# text=Sunshine laws are regulations requiring, their activities to the public.

c. Use paid corporate lobbyist to influence the outcome of these meeting (s) and any other public hearings on AI regulations?

- 2) The U.S. House and Senate may not adopt legislation into law, that forces copyright holders (from Disney to the individual level) to surrender their Constitutionally guaranteed copyrights to AI companies.
- 3) "Truth in Advertising" legislation requires a corporation to label and disclose the origins of their marketing campaigns, i.e. that they were generated by Artificial Intelligence (AI) systems.⁵

Thank you for your attention.

Very respectfully,



Matthew L. Myers

Cc:

Senator Chris Murphy

Senator Richard Blumenthal

Congressman Kevin McCarthy

Senator Mitch McConnell

Senator Chuck Schumer

Shira Perlmutter, Register of Copyrights and Director

Rhea Efthimiadid, Assistant to the General Council

Lisa M. Khan, Chair of the Federal Trade Commission

President Joseph Biden

⁵The author of this letter will not knowingly attend a movie, listen to a song and/or album, read a book, listen to a radio show, watch a play and/or watch a television advertisement that was generated by Artificial Intelligence systems, particularly where the content must be purchased. A person and/or persons have a legal right to remedies and enforcement actions by the FTC, Better Business Bureau, FBI, et. al. if they are deceptively marketed to.