

**Before the U.S. Copyright Office
Library of Congress
In the matter of Artificial Intelligence and Copyright
Docket No. 2023–6**

**Statement of Interest by Benjamin Bierman, Ph.D.
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October 30, 2023

As an individual, I am writing to voice my concerns regarding the use of generative artificial intelligence (AI) models from the perspective of a composer and author.

Let this letter serve as my personal “statement of interest;” I request that these comments be part of the record, and I request to be part of the consultation process moving forward.

I choose to respond only to question 34, as I believe none of the questions can be effectively answered until the most basic premises have been set forth and understood.

As a composer and author I look at the list of questions in the NOI and see what appears to me as a continued obfuscation of a very basic truth. Namely, the largest corporations in the world have taken it upon themselves to build Artificial Intelligence companies, potentially worth billions of dollars, upon the work of creative artists of all fields without authorization, compensation, or transparency. Their claim of fair use is incorrect, and this scraping and ingesting of creative works—data is not the correct word—was done without their claim being tested in court. This process is therefore morally and legally bankrupt. The hubris and greed that allowed these companies to do this should not be rewarded. These actions go to show that AI technology must be carefully regulated by the government.

Works under copyright should, under no circumstances, be used to train generative AI tools without authorization and agreed upon compensation, as well as full transparency of both input of creative works and any output generated from these works. Further, any copyrighted work that has been used without authorization and compensation should be removed from data sets until authorization by the copyright holder is obtained and they are fairly compensated.

To this point, the process these companies have undertaken shows no respect or concern for the future well-being either of artists or the arts, or even society in general. This again makes it clear that the area must be carefully regulated to insure that copyrighted works and copyright holders are protected, and that the business of making art can continue as a viable one for professional artists from all artistic fields.

The details, including methods of authorization and compensation, that go into this process can only be negotiated and decided when these basic truths are acknowledged and acted upon.

I look forward to being part of this continued process.

Sincerely, and with great concern,

Benjamin Bierman, Ph.D.