

March 5, 2021

The Honorable Thom Tillis
Ranking Member
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Ranking Member Tillis:

We, the undersigned, are Internet creators. We make and share all sorts of work online: music, videos, livestreams, criticism, educational materials—everything you can imagine and some you cannot. For some of us, the Internet has allowed us to be independent artists in a way the traditional media landscape, with its homogenous gatekeepers, never would have.

We are writing to voice our concerns over the draft legislation released in December 2020, the “Digital Copyright Act.”

This bill would cause us, and the creative ecosystem, a lot of harm. As it is, we are constantly fighting copyright enforcement mechanisms to get our legal expression online. And we fight constantly to keep it online. And we fight to keep the money our work generates from going into the pockets of big corporations. This bill will make all those battles losing ones.

This draft mandates that if a takedown notice goes uncontested, the platform should have to filter and block any future uploads of the same allegedly infringing content. This would require the services we depend on—YouTube, Twitch, Facebook, etc.—to monitor our uploads and prevent us from sharing anything that resembled something that was taken down.

That would be disastrous. For example, if a classical musician wanted to upload a video of themselves playing a piece in the public domain, but a takedown notice for a different person playing the same piece had been submitted and not challenged, the new musician would be blocked from sharing their video. Because two people on the same instruments playing the same music can sound eerily similar.

This would apply to anyone doing commentary, remixing and transforming art, sharing memes, and so on. It would hurt people livestreaming, since they may not have control over what is in the background of their videos—as in a recent case where it appeared that a police department was using music to prevent video documentation from being shared online.

We often hear from members of Congress that they support small business owners and artists. We cannot have a robust creative culture if a censorship regime is built into the services small and independent creators rely on.

The last year has made being able to share art online even more critical to its survival. If the Digital Copyright Act had been law last year, we would have been crippled in our ability to make and share our work. We urge you to put this bill aside and not bring up similar ideas in the future.

Signed,

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Jordan Ramirez Thonotosassa FL United States of America
Kalila Shapiro Scarsdale NY United States of America
Cameron Diaz El Paso TX United States of America
Jesse Baldozier Cedar Rapids IA United States of America
Lindsay Bolton Conyers GA United States of America
m f Brattleboro VT United States of America
Amanda Tesla Eatontown NJ United States of America
Matthew Smelser Proctor AR United States of America
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Samantha Couture Rice Lake WI United States of America
Taylor Williams Butler PA United States of America
Jessica Davis Greenwood IN United States of America
Shinkei Dickens Portland OR United States of America
Madison Fitzgerald-Russell Kalamazoo MI United States of America
Caitlin P Frederick MD United States of America
R Ferris Moore SC United States of America
Brittany Magnah Crystal City MO United States of America
Tonya Palmer Grand Forks ND United States of America

Kay Elle Brandon FL United States of America

Dale Johnson Saskatoon Canada

Marlee MacLean Saint Louis MO United States of America

Ace L. Winterville NC United States of America

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Jess C. Winchester KY United States of America

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Rachel Anderson Wellington New Zealand

Steven Zakulec Bensalem PA United States of America

Rebecca Gatlin Atlanta GA United States of America

Hayley Patterson Vicksburg MS United States of America

Megan McGuire Woodbridge VA United States of America

Ariel Varner Tucson AZ United States of America

Vanessa Davila Tarrytown NY United States of America

Eleanora Meyer Bowling Green OH United States of America

Jamie Bruinekool St. Catharines Canada

Katarina Owens Lafayette CA United States of America
Abigail Murff Baytown TX United States of America
Parker Kruzel Austin TX United States of America
Hannah Mitchell Canton GA United States of America
Gabrielle Mitchell-Lee Newton MA United States of America
Tamara Mendelson Goleta CA United States of America
Joseph Sweeney Keller TX United States of America
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Crystal Blake Cumming GA United States of America
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Garrett Wilson Logansport IN United States of America
Al Boltiador Sandusky MI United States of America
Samantha Roberts Cairns Australia
Ashleigh Sommer Fort Worth TX United States of America
Rowan Test Brisbane Australia
Linda Phan Chicago IL United States of America
Ash Green Nottingham United Kingdom of Great Britain and Northern Ireland
Kelsey Lotierzo Medford NJ United States of America
Jane Tang Hong Kong Hong Kong
Rebekah Vaught Lake Village AR United States of America
Isabella Clarke Albuquerque NM United States of America
Hannah her Kansas City MO United States of America
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Laura Myers Louisville CO United States of America
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E N Azle TX United States of America
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Artemis Schatzkin Oakland CA United States of America
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B Weston Leicester United Kingdom of Great Britain and Northern Ireland
Kit Henneberry Etobicoke Canada
M J San Pedro Sula Honduras
Amanda Morris Oregon OH United States of America
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Alvaro Casalino Lima Peru
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Adrian Warren Franklin TN United States of America
Bart Ryan Waltham MA United States of America
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Nicholas Jimenez Chicago IL United States of America
A Bray San Antonio TX United States of America
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Blake Mills Hood River OR United States of America
Erin Smith Eastlake OH United States of America
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James Beetem Cotopaxi CO United States of America
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Randy Martin Naples FL United States of America

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William Wolf Redondo Beach CA United States of America
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CC: The Honorable Patrick Leahy, Chairman