

Congress of the United States
Washington, DC 20515

May 16, 2024

Ambassador Katherine Tai
U.S. Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Tai:

We write to express serious concerns with the implementation of Canada's Online Streaming Act which will result in trade barriers for the U.S. music streaming industry.

Canada's Online Streaming Act, which is currently being implemented by Canadian regulators, brings music streaming services under the regulatory framework of Canada's Broadcasting Act. The Broadcasting Act was designed for the terrestrial broadcasting era. It requires Canadian radio broadcasters to program about 35% of their airtime with Canadian music as part of the government's efforts to ensure the availability of Canadian content. We are concerned that under the new law, Canada will apply the logic of quotas designed for terrestrial broadcasters to modern music streaming services. Global online streaming services are not the same as domestic broadcasters, and we believe these provisions clearly discriminate against American content, interfere with consumer choice, and harm American artists and rights holders.

The new law also gives the regulator power to condition market access for music streaming services on making financial contributions into certain government-linked funds intended for the domestic music industry, which, if put in place, would constitute new non-conforming measures restricting cross-border digital trade.

The Office of the United States Trade Representative's engagement with the Canadian government is crucial to ensure that the way forward is not to make the consumer experience on music streaming services worse for Canadian consumers and American artists alike, but to arrive at a flexible system respecting consumer choice and the interests of the U.S. music industry and artists.

The U.S. music industry is an economic growth engine, contributing \$170 billion in annual GDP and supporting 2.5 million jobs.¹ Equally important, the music streaming industry has powered music's rebound from the dark days of the digital piracy era, contributing \$14.4 billion in

¹ <https://www.riaa.com/new-report-how-music-powers-the-american-economy/>

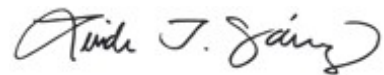
recorded music revenue in 2023, an 8 percent increase from 2023.² We are concerned that the music industry, including U.S.-based streaming companies and artists, will be harmed by Canada's implementation of the Online Streaming Act.

Thank you for your consideration of this matter.

Sincerely,



Lloyd Smucker
Member of Congress



Linda T. Sánchez
Member of Congress



Carol D. Miller
Member of Congress



A. Drew Ferguson IV
Member of Congress



Brad R. Wenstrup, D.P.M.
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Beth Van Duyne
Member of Congress

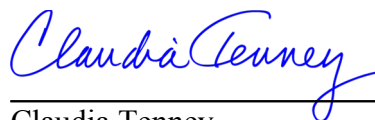


Mike Thompson
Member of Congress

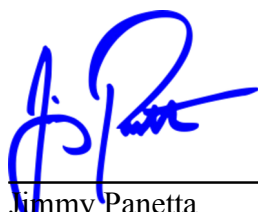
² <https://www.riaa.com/wp-content/uploads/2024/03/2023-Year-End-Revenue-Statistics.pdf>



Mike Kelly
Member of Congress



Claudia Tenney
Member of Congress



Jimmy Panetta
Member of Congress



Terri A. Sewell
Member of Congress



Daniel T. Kildee
Member of Congress



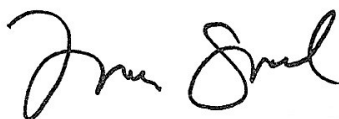
Danny K. Davis
Member of Congress



Brian Fitzpatrick
Member of Congress



Bradley Scott Schneider
Member of Congress



Michelle Steel
Member of Congress



Adrian Smith
Member of Congress

A handwritten signature in blue ink that reads "Darin LaHood". The signature is fluid and cursive, with the first name "Darin" and last name "LaHood" clearly distinguishable.

Darin LaHood
Member of Congress