



July 8, 2026

The Honorable Jamieson Greer
United States Trade Representative
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Greer:

We write to express serious concern regarding the European Commission’s recent announcement that they may consider legislation to overturn the 2020 Court of Justice of the European Union (CJEU) decision in RAAP (*Recorded Artists Actors Performers Ltd.*), which extended national treatment to American recording artists and labels. The Commission’s proposal to impose “material reciprocity” across the EU would mark a dramatic policy reversal and codify discrimination against American creators into EU law. If adopted, this change would put at risk nearly \$300 million in annual royalties that American artists and rights owners currently receive from Europe. We urge USTR to take immediate and decisive action to oppose this proposal and ensure that the European Union continues to provide national treatment.

National treatment has long been a cornerstone of the global copyright system, ensuring American creators—including recording artists, musicians, and performers—are treated no less favorably than domestic rightsholders abroad. The Commission’s proposed shift to reciprocity would condition these protections on U.S. law, replacing a clear, rules-based system with one that is fragmented, uncertain and would directly disadvantage U.S. creators in foreign markets.

This shift would roll back years of progress. Today, 21 of 27 EU member states provide national treatment and pay royalties to American artists and rights holders. A reciprocity-based system would predictably result in reduced or withheld payments to U.S. creators, while introducing uncertainty, administrative burden, and politically driven determinations of equivalence.

Left unchecked, this approach will erode nondiscrimination principles, invite retaliatory measures, and weaken transatlantic cooperation on intellectual property. It also risks setting a damaging precedent for other markets, further fragmenting global copyright protections and restricting opportunities for American creators abroad.

USTR has already taken an important step by placing the European Union on the Special 301 Watch List. We encourage the Administration to build on this action by fully leveraging available trade tools—including sustained bilateral engagement, coordinated multilateral pressure, and, if necessary, targeted enforcement measures—to prevent the adoption of material reciprocity and ensure compliance with national treatment obligations.

While some EU stakeholders point to the absence of a U.S. terrestrial performance right, those concerns should be addressed through domestic policy solutions—not discriminatory treatment of American artists abroad. The American Music Fairness Act (H.R. 861/S. 326) provides a constructive path forward to strengthen performer remuneration without undermining global trade principles.

American recording artists are among our nation’s most valuable cultural exports, and their ability to receive fair compensation overseas is integral to the strength of the U.S. creative economy. The United States should not accept policies that condition market access on discriminatory terms or weaken longstanding international commitments.

We stand ready to support USTR’s efforts to defend American creators and ensure that our trading partners uphold fair, nondiscriminatory treatment.

Sincerely,

American Association of Independent Music
American Federation of Musicians
Artist Rights Alliance
ASCAP
BMI
Christian Music Trade Association
Future of Music Coalition
Music Managers Forum-US
National Independent Talent Organization
SAG-AFTRA
Society of Composers & Lyricists
SoundExchange
Recording Academy