



May 29, 2025

Response to the National Science Foundation's and Office of Science & Technology Policy's Request for Information on the Development of a 2025 National Artificial Intelligence (AI) Research and Development (R&D) Strategic Plan (Docket No. NSF-2025-OGC-0001)

The News/Media Alliance ("N/MA") welcomes the opportunity to provide comments¹ to the Office of Science and Technology Policy (OSTP) and the National Science Foundation, in response to the Request for Information on the Development of a 2025 National Artificial Intelligence (AI) Research and Development (R&D) Strategic Plan, 90 Fed. Reg. 17,835 (Apr. 29, 2025). N/MA is a nonprofit organization representing over 2,200 publishers in the United States, ranging from the largest news and magazine publishers to hyperlocal newspapers, and from digital-only outlets to papers who have printed news since the nation's founding. Covering all subject matter and political viewpoints, the Alliance's membership accounts for nearly 90 percent of the daily newspaper circulation in the United States, over 500 individual magazine brands, and dozens of digital-only properties.

N/MA supports the Administration's plans to update the National AI R&D Strategic Plan to "sustain and enhance America's global AI dominance,"² and we encourage it to do so through an approach that guards against the theft of American intellectual property and abusive dominance of Big Tech. To supplement our prior comments regarding the development of an AI Action Plan,³ we wish to highlight three priorities with respect to the AI R&D Strategic Plan which are essential elements to achieve optimal, sustainable AI development and growth:

- Respect for intellectual property;
- Scalable global frameworks for AI transparency; and
- Supporting market competition.

¹ This document is approved for public dissemination. The document contains no business-proprietary or confidential information. Document contents may be reused by the government in developing the 2025 National AI R&D Strategic Plan and associated documents without attribution.

² Exec. Order No. 14,179, 90 Fed.Reg. 8,741 (Jan. 23, 2025).

³ News/Media Alliance, Response to the National Science Foundation's and Office of Science & Technology Policy's Request for Information on the Development of an Artificial Intelligence (AI) Action Plan (Mar. 14, 2025), <https://www.newsmediaalliance.org/wp-content/uploads/2025/03/NMA-OSTP-AI-Action-Plan-Comments-3.14.25.pdf>.

American expression, innovation, and creativity is the envy of the world, and a driving force in our global leadership, economic strength, and national security. As we set our strategic path to win the AI race, it is imperative to stand up against the foreign theft of American intellectual property, and protect the continued creation of valuable American content that fuels our national industries, including AI development.

Respect for intellectual property. Intellectual property and technology are twin drivers that sustain American global dominance. Advancing both should not be a zero-sum game. Right now, America has an enormous advantage as both the world's leading producer of original, creative content and as a technology superpower. High-quality content serves as the key input required for LLM development, AI training and performance, making American intellectual property a target for misappropriation by foreign competitors. Just as AI companies pay for hardware and cloud service suppliers, they also must pay for using data. Too many developers, however, aim to drive data costs to zero at the expense of the protected works that power their products, jeopardizing the development of a healthy, competitive online ecosystem – and stymieing the goals of America's R&D Strategic Plan in the process.

Generative AI development heavily depends upon the use of high-quality, reliable content published by media companies, with developers too often disregarding the terms of service, access controls, and reasonable licensing opportunities extended by N/MA members. Especially when faced with brazen, directly competitive products like so-called “answer engines,” these unauthorized and cannibalistic uses of protected content threaten journalism providers and other creators with extinction. America's global competitiveness depends on securing protection for intellectual property, which sustains and incentivizes human creativity as a building block for effective AI development. In contrast to high-quality, human-created content, the use of low-quality, synthetic material leads to AI degradation and ultimate model failure, threatening America's leadership in both technology and intellectual property. Left untended, the result will be a race to the bottom, with foreign competitors quickly devouring valuable American intellectual property, stealing the creative assets and competitive advantage that set our nation apart.

The AI R&D Strategic Plan should reinforce and build upon America's well-established standards for the protection of intellectual property that ensure a competitive digital marketplace and continued investments in quality content for users – with an eye towards fostering opportunities for creators and the industries that support them, including publishers of all types and sizes, to benefit from and fuel the growth of AI. For example, U.S. agencies can support and promote strong standards and policies for the protection of intellectual property, including

respect for access controls and signals, and support for the growing infrastructure around marketplace licensing (including through aggregators, collectives, attribution technology, and other tools). The international framework should be upheld, resisting calls to weaken intellectual property through clumsy exemptions that would facilitate the transfer of American assets overseas. As described further in N/MA's comment on the AI Action Plan, the Administration should not embrace opt-out requirements that are technically flawed and unable to provide the marketplace certainty available through partnerships. The AI R&D Strategic Plan should ensure that the broader American economic base is considered – and the world-leading diversified assets that set the U.S. apart as a superpower are enhanced, not traded off against each other and weakening America's competitive advantage.

Scalable global frameworks for AI transparency. The AI R&D Strategic Plan should enable the development and operation of interoperable standards for transparency and disclosure that encourage innovation, partnership, and security, at home and abroad. Presently, high-value media content is crawled and scraped by bots serving as agents of U.S. and foreign AI companies alike, often without disclosing the identity or purpose of the actor. The lack of transparency creates vulnerabilities for web operators and publishers, threatening governance conditions that are foundational to the open internet. Transparency requirements also strengthen national security by mitigating against unauthorized and undetected siphoning of American intellectual property by foreign adversaries wishing to leapfrog American AI companies. Meanwhile, many developers refuse to share information regarding the content their models have been trained on or used.

For markets to be optimized and efficient, participants need transparency regarding AI developers' collection and use of protected materials. Transparency frameworks can support industry-led solutions, facilitating negotiations while protecting against disclosure of information that should remain confidential. There is a growing number of players investing in innovative solutions to improve infrastructure around data production, access, attribution and compensation – but they are being limited by the self-serving strategies of the largest players at the expense of the national interest.

Supporting market competition. The AI R&D Strategic Plan should promote competition and protect creators and Little Tech against unfair trade practices. Technological innovation and creativity depend upon a healthy competitive environment and fair rules to promote investment, research, and development. We are deeply concerned about abusive dominance by large players with preferential access to vast amounts of data, seeking to block competitors and manipulate relationships between publishers and their audiences. This Administration is already leading a historic path in antitrust enforcement, and the age of AI must not lock in an

anti-competitive future.⁴ It should continue to discourage abusive practices by the largest technology companies seeking to entrench their market position and lock publishers and users within their walled gardens. The Administration can promote a healthy marketplace for intellectual property and encourage innovation by smaller entrants, including those building businesses around infrastructure, attribution, and negotiated solutions. It can also help support incentives for high-quality content, which takes enormous time and resources to produce, by facilitating licensing for a variety of commercial use purposes. Transparency and standards can play a role in setting fair conditions, including by giving publishers the choice of how their content will be used.

The future success of generative AI depends on sustaining the incentives for the continued production of content (including, vitally, journalistic content) that, in turn, builds and powers generative AI models and products. The AI R&D Strategic Plan can help establish a symbiotic framework between content production and AI development that is necessary for our global aspirations and national security. We thank the Administration for this opportunity to provide these comments and stand ready to answer any questions.

⁴ See, e.g., Federal Trade Commission, *Concurring and Dissenting Statement of Commissioner Andrew N. Ferguson, Joined by Commissioner Melissa Holyoak, Regarding the FTC Staff Report on AI Partnerships & Investments 6(b) Study*, FTC Matter No. P246201 (Jan. 17, 2025); Executive Summary of Plaintiff’ Revised Proposed Final Judgement, *United States v. Google*, No. 1:20-cv-03010-APM (D.D.C. Mar. 7, 2025).