

Legislative Evidence Report Supporting the Artist Rights & Platform Accountability Act



Independent musicians may face significant commercial consequences—including catalog removal, royalty withholding, financial penalties, and reduced platform visibility—through private contractual enforcement systems that currently operate without uniform federal procedural standards.

Evidence Summary

The following materials **demonstrate** that **streaming platforms** operate a **centralized enforcement system** in which they define what constitutes “**artificial streaming**,” **detect** it using internal and **undisclosed methods**, and apply **penalties**—including **royalty removal**, **reduced visibility**, and **financial charges**—without **standardized requirements for evidence disclosure or a formal**

appeals process. These determinations are then passed through **distributors** such as **DistroKid, TuneCore, and CD Baby**, which often have no control over or visibility into the enforcement decisions. As a result, **artists** may face **financial** and **professional consequences** within a **closed system that lacks independent oversight** and **consistent due process protections.**

Platform **enforcement policies** primarily operate at the **artist** and **distributor** level, with **penalties** including **content removal, royalty withholding, and financial charges applied directly to creators.**

However, the broader **ecosystem** that **contributes** to **artificial streaming**—including **playlist networks** and **third-party promotional channels**—remains less transparently addressed within publicly **documented enforcement processes.**

This creates an **imbalance** in how **enforcement** is **applied**, where **downstream participants (artists)** bear the **consequences** of activity that may originate from **upstream sources outside of their direct control.**

The **following examples illustrate** how these **enforcement systems function in practice.**

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40 The following **communications** illustrate the **lack of transparency,**
41 **accountability, and due process between platforms and**
42 **distributors.**

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Hello,

We've been notified by Spotify that they've removed your release due to what Spotify calls "artificial **streaming**" (aka **streaming fraud**).

DistroKid is not involved in the takedown, and has not been given any additional information from Spotify as to why they've removed it. This affects all distributors (not just **DistroKid**), and distributors have no way to help or appeal Spotify's decision.

We know this isn't the news you wanted. We wish distributors could help, but alas **DistroKid** wasn't involved in Spotify's decision, and is just getting the information from Spotify now--same as you are.

To avoid this type of thing in the future, remember to never pay for a "marketing" service that guarantees **streams**--and never pay to be on a playlist. These companies are scams that use fake bots to generate **streams**, in hopes that you'll send them more money.

We've also seen situations where Spotify has removed tracks because fans/family/friends think they're helping you, by **streaming** your song on repeat thousands of times per day, or hiring aforementioned "marketing" services. If you know people are doing this, you should ask them to stop--because it puts your content at risk of being removed by Spotify.

Every month, Spotify detects **fraudulent** marketing services and playlists, and removes associated tracks. It's likely you or someone on your team used one of these marketing services. It's also likely you didn't know the marketing service (or playlist) that you paid was generating **fraudulent streams**. We know that's a bummer.

Please note that this affects tracks from all distributors. It has nothing to do with **DistroKid** or any other distributor. Spotify did the takedown on their end, and your distributor wasn't involved. All we can do is merely pass along this info in hopes that it is helpful to you.

If many of your other releases are flagged by Spotify, it could ultimately result in the removal of all of your releases from **streaming** services. So our advice is to be careful out there, and if a marketing services seems too good to be true, it probably is.

Sorry for any inconvenience this caused. We love all artists, whether **DistroKid** or not - and hope this didn't cause too much of a disruption.

Best,

Dwight

DistroKid Support

<http://distrokid.com>

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Hello,

We've been notified by Spotify that they've removed your release due to what Spotify calls "artificial streaming" (aka streaming fraud):

- Eleusinian Mysteries

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We know this isn't the news you wanted. We wish distributors could help, but alas DistroKid wasn't involved in Spotify's decision, and is just getting the information from Spotify now--same as you are.

To avoid this type of thing in the future, remember to never pay for a "marketing" service that guarantees streams--and never pay to be on a playlist. These companies are scams that use fake bots to generate streams, in hopes that you'll send them more money.

We've also seen situations where Spotify has removed tracks because fans/family/friends think they're helping you, by streaming your song on repeat thousands of times per day, or hiring aforementioned "marketing" services. If you know people are doing this, you should ask them to stop--because it puts your content at risk of being removed by Spotify.

Every month, Spotify detects fraudulent marketing services and playlists, removes associated tracks, and emails a list of affected tracks to distributors (so your distributor can send you this notice). It's likely you or someone on your team used one of these marketing services. It's also likely you didn't know the marketing service (or playlist) that you paid was generating fraudulent streams. We know that's a bummer.

Please note that this affects tracks from all distributors. It has nothing to do with DistroKid or any other distributor. Spotify did the takedown on their end, and your distributor wasn't involved. All we can do is merely pass along this info in hopes that is helpful to you.

Sorry for any inconvenience this caused. We love all artists, whether DistroKid or not - and hope this didn't cause too much of a disruption.

Best,

Sincerely,

DistroKid

<http://distrokid.com>

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Account Terminated Inbox x



Horus Music Clients <alr@horusmusic.co.uk>

Thu, Dec 1, 2022, 6:15 AM

to me ▾

Dear Kenan,

I hope you are well.

We have been notified by Spotify that your releases have been removed from their store due to 'suspicious playback activity'. The details of this release are:

UPC/EAN:

Fraudulent streaming is not allowed and is against their condition of use. If you or any fans are repeatedly streaming the same tracks, then it will be quickly found and dealt with by streaming services. Such action is also against our terms and conditions.

Spotify have immediately removed these releases and we will not be allowing them to be placed back on store. As you have breached our terms and conditions we will also be taking down all content from your profile and permanently suspending your account with us.

All rights reserved

Kind regards,

Robert

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Horus Music Clients

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DistroKid is not involved in the takedown, and has not been given any additional information from Spotify as to why they've removed it. This affects all distributors (not just DistroKid), and distributors have no way to help or appeal Spotify's decision.

We know this isn't the news you wanted. We wish distributors could help, but alas DistroKid wasn't involved in Spotify's decision, and is

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----- Forwarded message -----

From: **Artist Support** <artistsupport@spotify.com>

Date: Sunday, January 3, 2021

Subject: My stats are missing or don't look right [ref:_00DD0pxIW_5002o2chjU6:ref]

To: "kaerkan222@gmail.com" <kaerkan222@gmail.com>

Hi Kenan,

Thanks for keeping in touch.

We're sorry for the back and forth here, we understand this might be frustrating.

We're afraid this is out of our hands now, as these cases are handled by our Content team who works separate from us on Artist Support. As a result we're also unable to share their direct contact info.

These services are outside **Spotify**, that's why our Content team are always on the lookout for such.

To clarify, we can confirm that we allow distributors to work with our Content team, forwarding info to them about the methods and services used in promotion of your music.

However, it's at your distributor's discretion whether these things are done. We can't influence their decision if they aren't able to move things forward.

For future questions and requests about reinstating your music, you'd need to work with distributor and our Content team.

We hope this clears things up.

All the best,

Dryke

ref:_00DD0pxIW_5002o2chjU6:ref



Kenan Erkan <kaerkan222@gmail.com>

to DistroKid ▾

How am I suppose to have my distributor help me if they keep sending me the same response this is the fourth time they sent this. Please do something on your end this is ridiculous just pass the info along

One attachment • Scanned by Gmail ⓘ  Add to Drive

been given any additional information from Spotify as to why they've removed it. This affects all distributors (not just DistroKid), and distributors have no way to help or appeal Spotify's decision.

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79 **Unregulated Enforcement Frameworks in Practice**

80 **Spotify's** published **policy** confirms that **financial penalties** are applied
81 to **distributors** when artificial streaming is detected. However, **no**
82 **public standard exists requiring evidence transparency, artist**
83 **notification, or independent review prior to enforcement—**
84 **demonstrating the exact regulatory gap this Act seeks to address.**

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Artificial streaming charges

As a deterrent to combat artificial streaming, Spotify charges labels and distributors per track when flagrant artificial streaming is detected on their content. This charge is only applied for very high rates of artificial streaming per track.

[Learn more about artificial streaming charges](#)

We can fight artificial streaming once it's attempted on our platform, but the industry would be better off if bad actors were disincentivized from uploading content to Spotify and other streaming services in the first place.

We believe this measure meaningfully deters labels and distributors from continuing to distribute the music of known bad actors that attempt to divert money from honest, hardworking artists, as well as deterring the bad actors themselves.

These charges support our continued efforts to keep the industry and platform free from artificial streaming activity.

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The Issue: Artificial Streaming

Spotify invests heavily in detecting, preventing, and removing the royalty impact of [artificial streaming](#). Still, bad actors continue to attempt to steal money from the royalty pool that should be delivered to honest, hardworking artists.

How We're Addressing It: Charges for Artificial Streaming

- As a new deterrent, beginning early next year we will start charging labels and distributors per track when flagrant artificial streaming is detected on their content.
- This new deterrent follows improved artificial streaming detection technology we rolled out earlier this year, as well as the establishment of the newly formed [Music Fights Fraud Alliance](#).

Why

Spotify is able to fight artificial streaming once it occurs on our platform, but the industry would be better off if bad actors were disincentivized from uploading to Spotify and other streaming services in the first place. We believe this will meaningfully deter labels and distributors from continuing to distribute the music of known bad actors that attempt to divert money from honest, hardworking artists. These charges will support our continued efforts to keep the industry and platform free of artificial activity.

Distributor-Level Financial Penalties Passed to Artists

Distributor documentation confirms that when **Spotify** flags artificial streaming, **financial penalties are applied at the track level and passed through as negative transactions in artist accounts.** These

penalties are triggered by **platform detection systems, without standardized requirements for independent verification or artist-side dispute mechanisms.**



[Return to CD Baby](#)

[CD Baby Help Center](#) > [Royalties and Revenue](#) > [Sales and Accounting](#)

Articles in this section

Understanding your sales, accounting and payments

Why have I been charged an artificial streaming fee?

How do I download my sales reports?

Why haven't I received the sales data from all territories of a partner site?

Why have I been charged an artificial streaming fee?

2 months ago · Updated

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Quick Answer

If Spotify or Apple detects artificial or manipulated streams on your release, they may apply a penalty or adjustment. These will appear as negative line items in your transaction reporting.

How Spotify penalties work

When Spotify flags artificial streaming:

- The artificial streams are removed from royalty calculations.
- Spotify applies a flat penalty fee per impacted track per month.
- This fee is approximately \$10–\$11 per track (amount may vary slightly by currency).
- The fee is passed through to your account as a negative transaction.

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117 **Cross-Platform Enforcement Standardization Across Distributors**

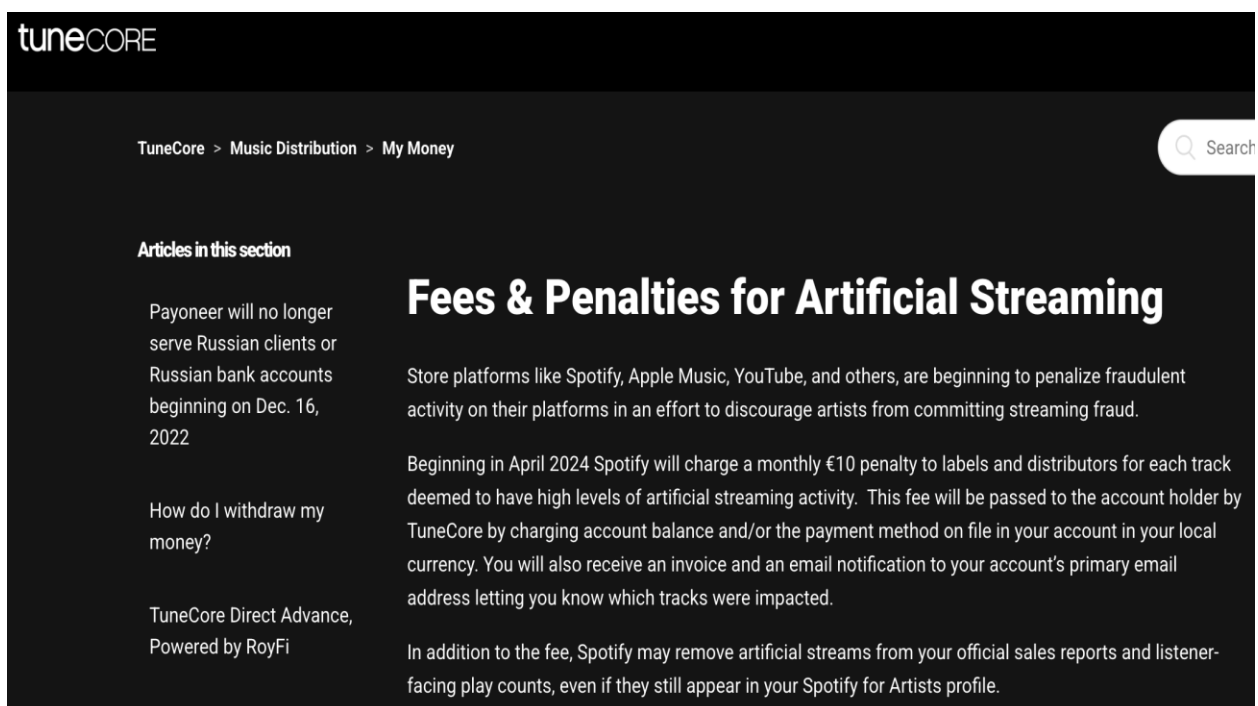
118 **Multiple distribution platforms** confirm the implementation of
119 **recurring per-track penalties** tied to **Spotify's artificial streaming**
120 **determinations**. This reflects a **shared enforcement** structure across
121 the **distribution ecosystem**, where platform-level decisions directly
122 translate into **financial consequences for artists**.

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The screenshot shows the TuneCore website interface. At the top, the TuneCore logo is on the left, and a search bar is on the right. Below the logo, a breadcrumb trail reads 'TuneCore > Music Distribution > My Money'. On the left side, there is a section titled 'Articles in this section' with three links: 'Payoneer will no longer serve Russian clients or Russian bank accounts beginning on Dec. 16, 2022', 'How do I withdraw my money?', and 'TuneCore Direct Advance, Powered by RoyFi'. The main content area features a large heading 'Fees & Penalties for Artificial Streaming'. The text below the heading states: 'Store platforms like Spotify, Apple Music, YouTube, and others, are beginning to penalize fraudulent activity on their platforms in an effort to discourage artists from committing streaming fraud. Beginning in April 2024 Spotify will charge a monthly €10 penalty to labels and distributors for each track deemed to have high levels of artificial streaming activity. This fee will be passed to the account holder by TuneCore by charging account balance and/or the payment method on file in your account in your local currency. You will also receive an invoice and an email notification to your account's primary email address letting you know which tracks were impacted. In addition to the fee, Spotify may remove artificial streams from your official sales reports and listener-facing play counts, even if they still appear in your Spotify for Artists profile.'

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132 Recent cases further demonstrate the scope of this issue. In **2026**, the
133 band Zao was **flagged** by **TuneCore** for **allegedly using generative AI**,
134 **delaying** the **release** of **new music despite the group providing**
135 **evidence** of their real **production process**. This highlights how current
136 **enforcement systems can misidentify legitimate work**, creating
137 **barriers** for established **artists** as well as independent creators.

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Zao flagged by TuneCore for using generative AI, delaying new release



Add to Sources



American metalcore institution **Zao** appear to be having difficulty releasing some new music through popular digital distribution service **TuneCore**, as the service has flagged some of Zao's latest output as being created via generative AI.

Frustrated by their inability to convince customer service bots that AI isn't a component of their process, Zao shared some information regarding production of the material in question along with video footage (see below) of their Digital Audio Workstation (DAW) software. (This specific track appears to be a cover of "The Data Body" by **Creation Is Crucifixion**, of which Zao guitarist Scott Mellinger was once a member.)

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- Bring Me The Horizon announce North American tour date
- Satanic Planet (ex-Slayer) with Relapse Records, pre new album
- Dying Fetus and Sanguisugabogg to co-headline North American tour with Crowbar, Left to Suffer
- Taking Back Sunday announce U.S. tour with Thrice and The Day
- Twitching Tongues announce European mini-tour

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Automated Financial Deductions Based on Platform Flags

Artists may receive **direct financial deductions** labeled as “**Artificial Streaming Penalty Fees**” following platform-level fraud determinations. These **charges are applied per track** and **processed automatically** within **artist accounts**, reinforcing the lack of a standardized pre-enforcement review process.

How will I know if I have received an artificial streaming penalty fee?

If Spotify charges UnitedMasters for flagrant artificial streaming detected on one or more of your tracks, you will see a negative dollar (\$) transaction in your Wallet with the label "Spotify Artificial Streaming Penalty Fee."

This transaction will amount to the USD equivalent of EUR 10 (around \$10.70, as of June 28, 2024) for each track that generated a fee.

For example, if Spotify charged UnitedMasters for flagrant artificial streaming on three of your tracks, you would see a transaction for the USD equivalent of €-30 the next time we posted royalties.

Platform-Defined Fraud Standards and Internal Enforcement Systems

Spotify defines **artificial streaming** as activity that **does not reflect** “**genuine user listening intent**” and **enforces** this standard through **internal detection, mitigation, and removal systems**. However, the **methodologies** and thresholds used to determine violations remain **undisclosed**.

[following](#)


How Spotify protects against artificial streaming

An artificial stream is a stream that doesn't reflect genuine user listening intent, including any instance of attempting to manipulate Spotify by using automated processes (e.g. bots or scripts).

We put significant engineering resources and research into detecting, mitigating, and removing artificial streaming activity on Spotify so that nothing stands in the way of our mission of giving artists the opportunity to live off their art, and so that artists, songwriters, and rights holders are paid as fairly as possible for their work.

As part of these efforts, we conduct daily cleaning to ensure artificial streams are removed from public numbers in the Spotify app. This is essential to ensure a level playing field, where nobody is able to use artificial streaming to increase the perceived popularity of their music on Spotify.

The integrity of this is incredibly important to us because an illegitimate stream means there are honest, hardworking artists on the other side that can be impacted.

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Total Economic and Visibility Suppression Following Enforcement
Spotify confirms that **streams** flagged as **artificial** are **excluded** from
royalties, public metrics, and algorithmic recommendation systems.
This results in both **financial loss** and **reduced platform visibility for**
affected artists, compounding the impact of enforcement actions.



for Artists

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We want to ensure that artificial streams have no benefit – and do not create any second-order negative impact on legitimate streams. We are always updating our systems to enforce these policies as quickly and thoroughly as possible. Spotify’s policy is that when we detect any artificial streams, the following penalties are applied:

- ✓ Those streams do not earn royalties.
- ✓ Those streams do not count toward public stream numbers or charts.
- ✓ Those streams do not positively influence recommendation algorithms.

Royalty Thresholds and Withheld Micro-Payments

Spotify's published **policy** confirms that **millions** of **tracks** generate **fractional earnings** that often **never reach artists** due to payout minimums and transaction fees. While these funds accumulate at scale, individual **creators** are effectively **excluded** from **compensation**—highlighting a **lack** of **enforceable standards** for minimum **payout** access and **royalty distribution** fairness.

The Issue: Payments Lost in the System

Today, Spotify hosts well over 100 million tracks. Tens of millions of them have been streamed between 1 and 1,000 times over the past year and, on average, those tracks generated \$0.03 per month.

Because labels and distributors require a minimum amount to withdraw (usually \$2-\$50 per withdrawal), and banks charge a fee for the transaction (usually \$1-\$20 per withdrawal), this money often doesn't reach the uploaders. And these small payments are often forgotten about.

But in aggregate, these small disregarded payments have added up to \$40 million per year, which could instead increase the payments to artists who are most dependent on streaming revenue.

How We're Addressing It: Track Monetization Eligibility

- Starting in early 2024, tracks must have reached at least 1,000 streams in the previous 12 months in order to generate recorded royalties.
- Spotify will not make additional money under this model. There is no change to the size of the music royalty pool being paid out to rights holders from Spotify; we will simply use the tens of millions of dollars annually to increase the payments to all eligible tracks, rather than spreading it out into \$0.03 payments.

Why

It's more impactful for these tens of millions of dollars per year to increase payments to those most dependent on streaming revenue — rather than being spread out in tiny payments that typically don't even reach an artist (as they do not surpass distributors' minimum payout thresholds). 99.5% of all streams are of tracks that have at least 1,000 annual streams, and each of those tracks will earn more under this policy.

We also believe the policy will eliminate one strategy used to attempt to game the system or hide artificial streaming, as uploaders will no longer be able to generate pennies from an extremely high volume of tracks.

For more details on this policy, check out the Spotify for Artists help center [here](#).

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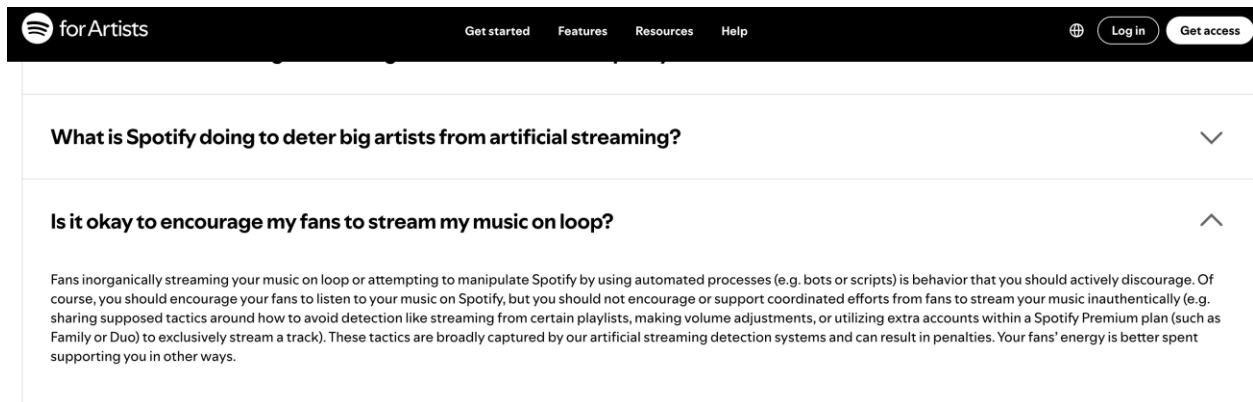
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Broad and Ambiguous Definitions of Artificial Streaming

Spotify's guidance discourages certain forms of repeated or coordinated listening behavior, including looping or structured fan engagement strategies. However, these definitions remain broadly framed and lack clear thresholds or transparency—creating ambiguity around what constitutes legitimate listener behavior versus enforceable violations.



What is Spotify doing to deter big artists from artificial streaming?

Is it okay to encourage my fans to stream my music on loop?

Fans inorganically streaming your music on loop or attempting to manipulate Spotify by using automated processes (e.g. bots or scripts) is behavior that you should actively discourage. Of course, you should encourage your fans to listen to your music on Spotify, but you should not encourage or support coordinated efforts from fans to stream your music inauthentically (e.g. sharing supposed tactics around how to avoid detection like streaming from certain playlists, making volume adjustments, or utilizing extra accounts within a Spotify Premium plan (such as Family or Duo) to exclusively stream a track). These tactics are broadly captured by our artificial streaming detection systems and can result in penalties. Your fans' energy is better spent supporting you in other ways.

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224 **Unregulated Industry-Wide Enforcement Standards**

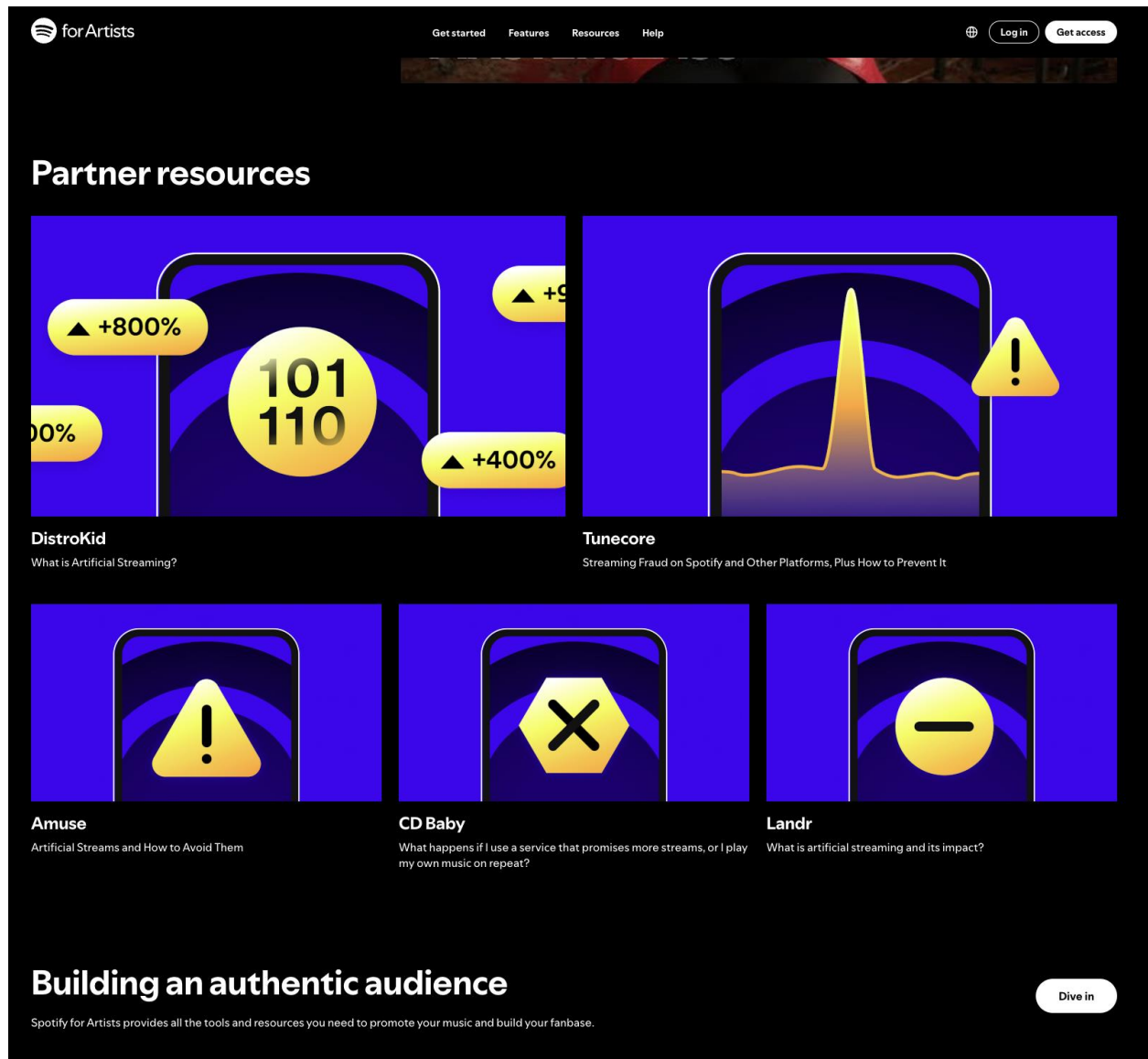
225 **Platform** and **distributor** guidance demonstrates a consistent, **shared**
226 approach to defining and **penalizing artificial streaming across the**
227 **digital music ecosystem**. However, these aligned enforcement
228 standards exist **without independent oversight, transparent**
229 **evidentiary requirements, or formalized due process**—leaving
230 **artists subject to a coordinated but unregulated system of control.**

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Distributor Communications During the 2021 Enforcement Period:

During the **2021 wave of platform enforcement actions** affecting **independent artists, distributors publicly communicated** in ways that did not directly **address artist concerns regarding removals, appeals, or financial accountability.**

The following **examples** reflect **public-facing messaging** from **DistroKid** during this period.

**RS PRO**

SPOTIFY TOOK DOWN THEIR MUSIC. THEY STILL DON'T KNOW WHY

Indie artists with legitimate fans
seem to be the collateral
damage in Spotify's war against
music-streaming bots and
artificial listeners

By **JASON KEIL**

AUGUST 25, 2021



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271 **Executive Commentary on Creative Value:**

272 **Public statements** from **leadership** at **Spotify** have contributed to

273 broader **discussion** around how **creative work** is **valued** within

274 **streaming ecosystems.**

275 In multiple instances, **commentary framing music** as “**content**” and

276 **minimizing** the **cost** of **creation** has drawn **criticism** from **artists** and

277 **industry observers.**

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Musicians outraged as Spotify CEO claims the "cost of creating content" is "close to zero": "Our albums took hundreds of hours of human effort, hard work and creativity"

News By [Matt Mullen](#) published 3 June 2024

Daniel Ek's comments arrive as Spotify reports record profits of over €1bn in Q1 2024



(Image credit: TORU YAMANAKA/AFP via Getty Images)

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Musicians and music fans have hit back at [Spotify](#) CEO Daniel Ek this weekend after the head of the Swedish streaming giant shared a post on Twitter/X claiming that the "cost of creating content" is "close to zero".

"Today, with the cost of creating content being close to zero, people can share an incredible amount of content. This has sparked my curiosity about the concept of long shelf life versus short shelf life," said Ek in a post shared May 29. "While much of what we see and hear quickly becomes obsolete, there are timeless ideas or even pieces of music that can remain relevant for decades or

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Before being **removed without warning or appeal**, my work had already reached a **global audience** — generating **hundreds of thousands of streams, tens of thousands of listeners**, and **engagement across 100+ countries**. This level of **engagement** was **built** over time through consistent **listener activity, independent social media networking, word-of-mouth growth**, and my involvement in **online communities** — including the **lo-fi, vaporwave, indie electronic, and beat-making scenes**. The **catalog** appeared in **over 3,000 independent user-generated playlists, none of which were owned or controlled by the artist**. Under **current enforcement expectations**, this would effectively **require** the **artist** to **monitor** and **verify** the **legitimacy of thousands of third-party playlists—an impractical and undefined standard. An impossible compliance burden.**

Streams

377,381

Listeners

46,597

Streams / Listener

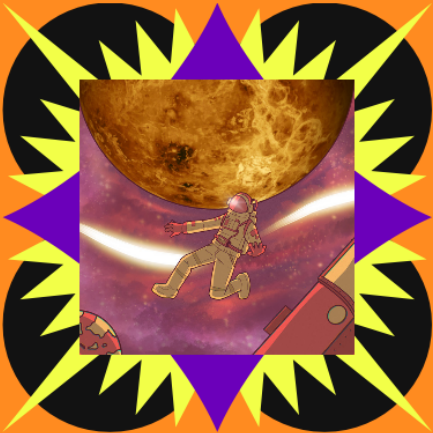
8.099

Saves

5,951

Playlist adds

3,065



Ali Prod

324.5K

Streams

36.2K

Listeners

10.8K

Hours

136

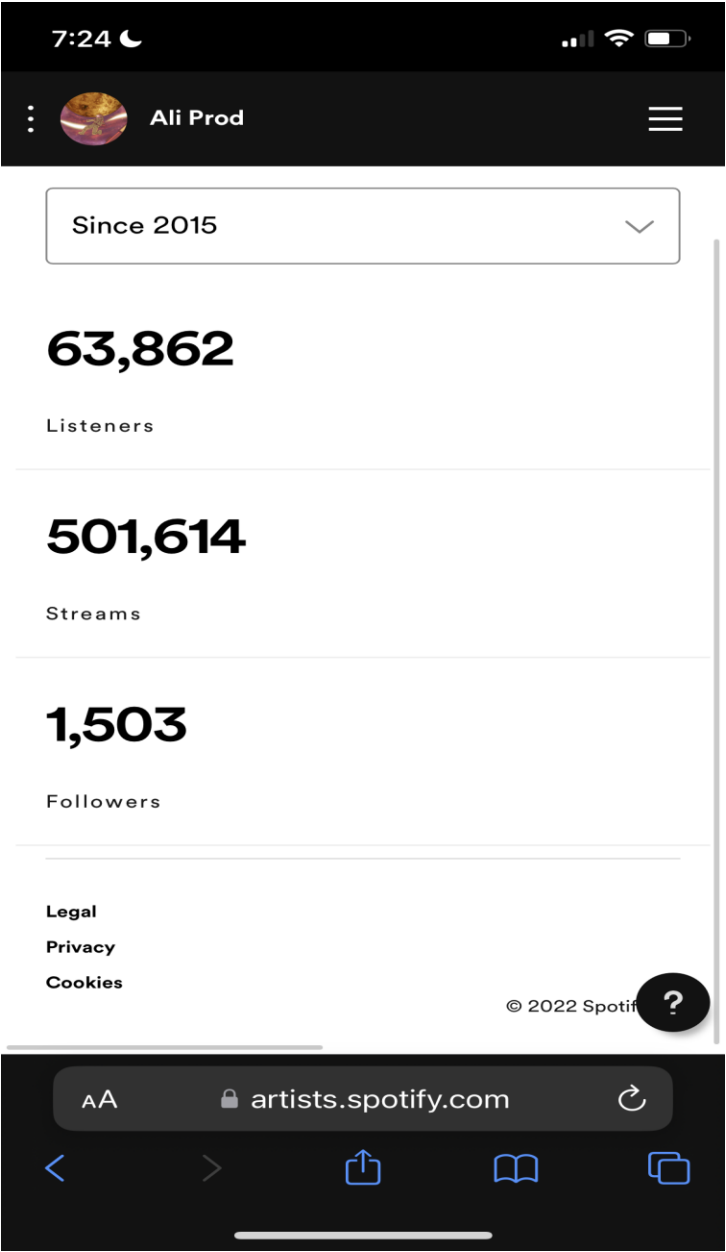
Countries

 Spotify for Artists

#SPOTIFYWRAPPED

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323 Notably, these **enforcement actions** were **applied** to a **catalog** of
324 **formally registered works** with **clear authorship** and
325 **documentation**, demonstrating that **existing systems do not reliably**
326 **distinguish between legitimate creators and suspected fraudulent**
327 **activity.**

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329 This raises **broader concerns** about how **enforcement** is applied across
330 the **streaming ecosystem**, particularly when actions are taken without
331 **transparent standards, consistent verification processes, or**
332 **meaningful opportunities for review.**

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334 **As it stands, these systems place the burden of risk on artists rather**
335 **than ensuring accountability within the platforms themselves.**

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