



LEGISLATIVE ALERT

April 13, 2015

Dear Representative:

On behalf of the AFL-CIO, I write in support of the “Fair Play Fair Pay Act,” introduced in the House today. The legislation will reform music licensing laws to ensure that musicians, artists, and performers get fair pay for airplay of all of their music on all radio platforms.

Just as we seek labor and wage protections for other workers, the AFL-CIO supports our musician members in their ongoing fight for economic justice. Like all workers, those who work to create music deserve fair pay. However, music licensing laws currently fail to provide fair play on all radio platforms. The “Fair Play Fair Pay Act” would remedy those inequities.

Most importantly, for 80 years, radio stations in America have played hit songs over the public airwaves and made billions in advertising revenue without paying musicians, artists, and performers a penny. For just as long, performers have been fighting for a “performance right” that would force radio stations to properly compensate them for their work. This Act would, at long last, establish a performance right for AM/FM radio.

The U.S. is one of only a handful of countries where performers are not compensated for airplay, including China, Rwanda, Iran and North Korea. We are ashamed for the U.S. to be mentioned in the same breath with countries that treat their workers so poorly. It just shows how far behind we are in delivering economic justice for performers who deserve a fair wage just as much as farm workers, machinists, or service industry employees. AM/FM Radio is an outlier in another critical way: Internet radio and Satellite Radio, its only radio competitors, pay a performance right.

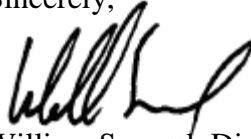
The bill would also put an end to the grandfathered below market pay standard that SiriusXM Radio uses to pay musicians, artists, and performers. When SiriusXM was two startup companies planning to invest millions to launch new satellites, they convinced Congress to give them a below market royalty standard to give them a chance to get off the ground. That has resulted in below market pay to musicians, artists, and performers. Today, after a mega-merger, SiriusXM is a billion dollar giant in Satellite radio and whatever the wisdom of SiriusXM’s grandfathered status in the past, the “Fair Play Fair Pay Act” recognizes that SiriusXM should pay fair market value to musicians, artists, and performers just like every other service.

Finally, some digital radio companies have claimed loopholes exist in federal and state laws that allow them to stiff musicians, artists, and performers completely out of pay for recordings made before February 15, 1972. This is absurd, as several state courts have agreed. However, litigation may be too long a

road for elderly musicians, artists, and performers counting on royalty checks as their retirement plan. The Fair Play Fair Pay Act provides a mechanism to provide immediate economic justice for music's greats, which we strongly support.

At its core, this legislation's insistence that all radio platforms pay fairly for all the music they play is supportive of the labor movement's central principle that all workers should receive a fair day's pay for a fair day's work. We applaud Representative Nadler for introducing it.

Sincerely,

A handwritten signature in black ink, appearing to read "William Samuel". The signature is fluid and cursive, with a large initial "W" and a long, sweeping tail.

William Samuel, Director
Government Affairs Department

WS/lkr