



February 1, 2022

The Honorable Jerrold Nadler
Chairman, U.S. House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jim Jordan
Ranking Member, U.S. House. Committee on the Judiciary
2142 Rayburn House Office Building
Washington, D.C. 201515

Dear Chairman Nadler and Ranking Member Jordan,

On behalf of the Department for Professional Employees, AFL-CIO (DPE), I wish to share our perspective on “Respecting Artists with the American Music Fairness Act.” Thank you for holding this important hearing.

By way of introduction, DPE is a coalition of 24 national unions, 12 of which are unions representing professionals working in the arts, entertainment, and media industries. Two of these unions - the American Federation of Musicians (AFM) and the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) - include musicians, singers, and recording artists as members. I am thrilled that the Committee will have an opportunity to hear directly from two of these union members during this important hearing: AFM Local 257 President Dave Pomeroy and SAG-AFTRA member Gloria Estefan.

DPE stands in strong support of the American Music Fairness Act (AMFA). This bipartisan legislation would ensure that performers, including members of DPE’s affiliate unions like Mr. Pomeroy and Ms. Estefan, are compensated when their songs are played on terrestrial (AM/FM) radio.

The simple truth is that American terrestrial radio stations pad their profits at the expense of music professionals. Station owners earn billions in advertising revenue each year while not paying the performers whose music is responsible for the audiences undergirding terrestrial radio’s business model. The AMFA would right this wrong by ensuring performers can earn a fair return for their work.

The AMFA would also ensure that foreign countries pay American artists and musicians when their songs are played abroad. Currently, other countries regularly seize the royalties owed to U.S. performers because American terrestrial radio stations are not required to pay artists for music performances. Passing the AMFA therefore will also provide U.S. performers access to hundreds of millions of U.S. dollars in payments from outside the United States.

As the United States continues to recover from the worst of the COVID-19 pandemic's economic impact, there is an urgent need for Congress to ensure that performers are paid when their works are played on terrestrial radio here and abroad. Due to their work occurring in venues requiring close personal contact, nearly all artists and musicians were unable to earn money performing live since the start of the COVID-19 pandemic in March 2020 until very recently. Even then, the surge of the latest variant has caused an increasing number of live events to be postponed or cancelled. All the while, terrestrial radio stations have weathered the pandemic and ensuing variants by profiting off the playing of these creative professionals' musical works. This inequity can and must be fixed.

It is for these reasons that I urge the House Judiciary Committee to approve the AMFA expeditiously and send it to the House floor for final passage. Now is the time for Congress to close a loophole that has prevented union creative professionals from earning fair compensation when their songs are played on terrestrial radio.

If you have any questions, please contact DPE Assistant to the President/Legislative Director, Michael Wasser at mwasser@dpeaflcio.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "JDorning", with a stylized flourish at the end.

Jennifer Dorning, President