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APRI

A. PHILIP RANDOLPH INSTITUTE

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Fred Redmond
Chair
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March 17, 2009

The Honorable John Conyers
The Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Conyers:

On behalf of the 150 chapters across 36 states, that make up the A. Phillip Randolph Institute (APRI), I am writing to thank you for your efforts to ensure that all performers – musicians and vocalists - are paid when their recorded performances are broadcast on AM/FM radio.

Founded in 1965 by A. Phillip Randolph and Bayard Rustin, APRI is an Organization of Black Trade Unionists organized to fight for racial equality and economic justice for all working Americans. Given our mission, we felt compelled to stand with our labor brothers and sisters who are members of the American Federation of Musicians (AFM) and the American Federation of Television and Radio Artists (AFTRA) to thank you for re-introducing the Performance Rights Act in this Congress. We pledge to work with you to ensure swift passage of this critical legislation.

Historically, labor has organized around three key principles: a fair day's work deserves a fair day's pay; workers and their work should be treated with respect; and hard work itself is honorable. This is true for the line worker at an auto plant in Michigan, a second grade teacher in Alabama, or a hospital employee in California -- and this is true for the countless known and unknown musicians who work hard to produce the music that becomes the soundtracks of our lives. Unlike their counterparts in traditional labor, musicians rarely secure a steady paycheck. They depend on many different income streams – from scale wages for hundreds of recording sessions for different employers, to fees for live performances, to royalties for the use of their work – to patch together a modest, middle-class lifestyle.

While the Performance Rights Act provides a measured solution to ensure that musicians are fairly and adequately compensated, the major broadcasters malign this legislation as a performance "tax." We simply call it the right thing to do. Broadcasters make a combined \$16 billion per year from advertising based on the work of the artists who create the products that drive their industry. Like other hardworking Americans, many of these artists struggle to make ends meet, secure adequate health care and save for a decent

retirement. For example, Duke Fakir, one of the original Four Tops; Sam Moore, one of the original Blues Brothers; and countless other artists are touring well into their senior years to provide for themselves and for their families, while the broadcasters reap billions from their labors. That's simply wrong.

A. Phillip Randolph once said, "In every truth, the beneficiaries of a system cannot be expected to destroy it." We understand that the broadcasters have declined to come to the table to negotiate to ensure artists are adequately compensated for their labor. Our founder understood that the righteous cannot stand idly by while the beneficiaries of injustice fight for the status quo. We are honored to continue our long tradition of advocating for workers and we look forward to working with you to pass this critical legislation in the 111th Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "Clayola Brown". The signature is fluid and cursive, with the first name "Clayola" written in a larger, more prominent script than the last name "Brown".

Clayola Brown, National President
A. Philip Randolph Institute