



January 31, 2022

The Honorable Jerrold Nadler  
Chairman  
House Judiciary Committee  
2132 Rayburn House Office Building  
Washington, DC 20515

The Honorable Jim Jordan  
Ranking Member  
House Judiciary Committee  
2056 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Jordan:

We want to take this opportunity to thank you and the members of the House Judiciary Committee for holding a hearing on the importance of *Respecting Artists with the American Music Fairness Act*. We write today to voice our support for the American Music Fairness Act (AMFA), H.R. 4130, a bi-partisan bill introduced by Reps. Deutch and Issa on June 24, 2021, that would provide a much-needed terrestrial public performance right for sound recordings.

The Copyright Alliance is a non-profit, non-partisan organization whose mission is to foster policies that promote and preserve the value of copyright, and to protect the rights of creators and innovators. We are the unified voice of the copyright community, representing the copyright interests of more than 1.8 million individual creators and over 13,000 organizations across the spectrum of copyright disciplines in the United States.<sup>1</sup> The foundation of copyright is built on the creativity and ingenuity of these creators and organizations that rely on copyright, such as authors, photographers, songwriters, musicians, filmmakers, performers, coders, architects, and graphic designers as well as motion picture studios, record labels, book publishers, software and video game companies and numerous others.

The creation and delivery of music to audiences requires collaboration between a variety of creative individuals and businesses, including songwriters, music publishers, performers, producers and record labels. All of these creative individuals play an important role in crafting and bringing the final work to audiences. But while other copyright owners enjoy the exclusive right to perform their works to the public, sound recording owners do not. Currently, the United States is one of the few countries in the world that do not recognize a full public performance right for sound recording owners. The U.S. Copyright Office and previous Administrations of both parties have long supported legislation to change this.

The Copyright Alliance strongly believes that copyright law should recognize an effective public performance right for sound recordings, and therefore supports the AMFA

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<sup>1</sup> A list of Copyright Alliance members can be found [here](https://www.copyrightalliance.org/members).

legislation. This position is based on our dedication to promoting and protecting the ability of creative professionals to earn a living from their creativity and our belief that all authors and creators are entitled to fair compensation for their creative work.

We think that Congress could enact an effective terrestrial public performance right for sound recordings in a way that takes into account many of the concerns that have been voiced. Stakeholders and policymakers could achieve this goal without upsetting the balance achieved by other existing provisions in the law. We therefore hope that you and the members of the Committee will support AMFA and that Congress will enact a terrestrial public performance right for sound recordings this session.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'KK', with a long horizontal flourish extending to the right.

Keith Kupferschmid  
CEO

cc: Members of the House Judiciary Committee