

**U.S. House of Representatives  
Committee on the Judiciary**

**Hearing on**

**“Music Policy Issues: A Perspective from Those Who Make It”**

**January 26, 2018**

**Statement of  
Dionne Warwick**

Chairman Goodlatte, Ranking Member Nadler, and Members of the committee, I want to thank you for this opportunity to testify today. It's an honor for me to join my esteemed colleagues in sharing our experience as music creators, and the need for Congress to protect our craft.

Music has always been a part of my life, and I've been fortunate enough to have had a career spanning more than half a century. I've been honored to record and perform with some of the most talented and iconic artists and musicians of our time. We all get to do what we love, for fans who love what we do. It is particularly gratifying to know how my work, and the work of my contemporaries, has endured. On any given day, you can hear our music belting from speakers, lifting spirits, fueling memories, and inspiring new generations of creators.

Yes, clearly, our recordings still have value. You might even say, like all of us, they get better with age. After all, there are entire channels on SiriusXM dedicated to music of the 60s and 70s. But here's something strange: Artists and labels get paid for music played on the 70s channel that was recorded after February 15, 1972, but we get absolutely nothing for the music played on the 60s and 70s channels recorded before that date. Isn't that ridiculous? How could it be that 1979's "I'll Never Love This Way Again" receives compensation, but 1969's "I'll Never Fall in Love Again" – or my exceptional co-panelist Booker T Jones's 1962 hit "Green Onions" – does not. Why? It can't be because the 60s songs have no value or they wouldn't offer that channel. Is our music (and are we) simply experiencing a form of digital ageism?

In a way, yes. Due to a quirk in the history of copyright law, February 15, 1972 effectively serves as the benchmark of my value. We are essentially being told that we are too old to be

compensated for our work. I know it was never intended to be this way. It's just a fluke of timing. But services like SiriusXM have embraced this legal loophole to help make billions without sharing a cent of it with those who made the music. That's not only inappropriate from a business standpoint, it's morally inexcusable. After all, many of these legacy artists are no longer able to record, or to tour, or to make appearances. It is precisely these older recordings that provide the funding for their growing medical bills and their well-deserved retirement. Withholding compensation for the product of their labor simply because of an arbitrary date makes no sense. And it's just not right. It must be fixed. That is why I was thrilled to hear that Congress has taken up the cause this year and is poised to include this important issue in a package of needed reforms that will help artists, producers and songwriters.

I spoke out in support of the RESPECT Act and the Fair Play Fair Pay Act when they were introduced. And now, I want to give special thanks to Representatives Issa and Nadler for introducing the CLASSICS Act, which protect pre-1972 recordings. The wonderful thing about this bill is that it enjoys the support of not only legacy artists, but services like Pandora and organizations like the Internet Association that understand the legal certainty, licensing convenience, and ethical decency it provides. The entire community has joined together in support of this change.

I want to raise one other issue. To this day, terrestrial AM-FM radio uses our recordings without ANY compensation at all. For nearly a century, an entire industry has made a very lucrative business generating advertising off our music. Our attention to this issue has spanned generations, unfortunately without a positive outcome. I understand that productive negotiations

are going on now between broadcasters and the music community, and I ask that you call on the parties to successfully resolve this issue once and for all so that artists can finally be paid fairly for their work.

Recording artists have never been more optimistic about the prospects for legislation that will allow music to flourish. As I said, the entire music community supports the CLASSICS Act to finally compensate our country's celebrated legacy artists. It supports the AMP Act, which will ensure that music producers receive their royalties. It supports a royalty rate standard for both artists and songwriters that will provide market-based compensation to those creators. And it supports the Music Modernization Act, which establishes a licensing system for songwriters better suited for the digital age. We hope that the Committee will quickly move this comprehensive legislative package together as one – just like we have come together as one community.

Chairman Goodlatte and Ranking Member Nadler, we greatly appreciate your leadership on this multi-year copyright and music licensing review. These are not easy issues, but this Committee has worked hard to bring the parties together, to identify points of common interest, and to help find acceptable and effective solutions. So let's go make it happen – together. After all, that's what friends are for.

As I once sang (notably in 1967), I say a little prayer for you, and hope that this is the year when all those who write, sing, record, and produce the songs we love are recognized – and appropriately compensated – for their work.

Thank you very much.