

F R A N K S I N A T R A

December 12, 1988

Bruce Springsteen
c/o Jon Landau
136 E. 57th Street
New York, NY 10022

Dear Bruce:

As you may or may not be aware, whenever one of your performances is played on the radio or on a jukebox, the writer of the song is compensated for the performance, but the performer is not.

I am of course the songwriter's biggest fan, but there is no logical reason to distinguish why the writer and publisher should be compensated for the performance of a song on the radio or a jukebox but the performer should not. Neither the United States Copyright Act nor any state statutes, however, have affirmatively recognized such a performance right for recording artists. Over 60 foreign countries presently recognize a performance royalty right for artists, but American artists cannot participate in any income received for a performance of their music in a foreign country because the United States does not offer a reciprocal right.

The Copyright Revision Act of 1976 flagged the inconsistency, and a bill was introduced to amend the Copyright Act and provide for payment of royalties to artists and record companies for the use of their copyrighted performances. Unfortunately, the legislation was never enacted.

We are of the opinion that legislation has not been enacted in part because recording artists have not been aware of the problem, while others with vested interests have lobbied heavily for the defeat of such legislation. We believe that with a unified effort from fellow recording artists, we may be able to pass such legislation.

I am willing to be part of an initial small group of performers who would establish a non-profit society, tentatively entitled the Performance Society of America, for the purpose of implementing legislation to procure performance royalties for artists, and to subsequently collect and distribute such royalties. To give you an idea of some of the numbers involved, ASCAP and BMI, which administer such performance rights for composers, last year collected over \$500,000,000 in the United States alone. I should point out that a performance royalty for recording artists would in no way reduce the royalties presently payable to composers -- rather, it would create an additional royalty payable to those whose performances appear on a sound recording.

Our goals can only be achieved with the strong support of recording artists like yourself. As you can imagine, such an undertaking will require substantial financial resources to enable us to gather support, prepare legislation, and lobby for passage of such legislation - first in California, and then in Washington.

We would like for you to join us in being part of this initial core group of performers with whom we wish to launch our efforts. For your information, enclosed with this letter is a brief, self-explanatory memo to me from Robert A. Finkelstein.

If you are interested in joining us, I would appreciate your contacting Mr. Finkelstein at (213) 282-8888; if you are represented by counsel, please feel free to have your attorney contact Mr. Finkelstein.

We are optimistic that with a united effort, we will be able to achieve successful results within a reasonable period of time.

Thank you, and I look forward to hearing from you very soon.

Very truly yours,

Frank Sinatra