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Christian  
Communicators

Impacting  
the World

Dear Member:

With the Super Bowl fast upon us, it seems that everyone wants to get in some last minute football practice, including the House Committee on the Judiciary and other members. Sadly, it seems that some of our friends in the House think they can use religious broadcasters as a political football in the heated struggle over the proposed Performance Rights Act. They did so in a recent "Dear Colleague" letter, where select members have asserted that religious broadcasters will get an "outright exemption" under the legislation. But, what does "exemption" really mean? We have yet to see anything close to that in the prior bills we have reviewed.

At the outset, let me say that even if this assertion were true, it would not change the view of the National Religious Broadcasters (NRB) that the Performance Rights Act is a bad bill. These are struggling businesses, and ministries, for the most part, facing tough economic times. Radio stations already pay vast sums of money to air music that we freely promote. Sadly, based on many years of experience on the subject of music licensing, and under the current circumstances, we have many reasons to question whether the promised exemption is an exemption at all.

I say this for two reasons. In the first instance, previous exemptions for religious broadcasters agreed to by the recording industry have been so penurious that they apply only to a tiny fraction of the religious broadcasting community. In point of fact, when adjusted for inflation, they are no real exemption at all. And second, in the current case, religious broadcasters have been shown no new language whatsoever that would prove "outright exemptions", even after our request to review a copy of the new bill.

We have no reason to believe that our friends in Congress supporting this legislation are not men and women of good will. However, our history with the recording industry on questions of music licensing, and the reluctance of Committee staff to reveal legislative language supporting their claimed exemption, makes us suspect that this "Dear Colleague" letter is "sound and fury" but signifying very little for religious broadcasters.

In the view of NRB, the proposed Performance Rights Act is bad legislation that should be opposed on its face.

Sincerely,

Frank Wright, Ph.D.  
President & CEO