



Resolution

FAIRNESS FOR RADIO REGARDING MUSIC

WHEREAS

the radio broadcasting industry has had a long, and mutually beneficial relationship with the music recording industry; further, those radio stations which have played music have paid copyright fees for music composers but have not had to shoulder the burden of paying any extra copyright fees to music performers, although in return they have also substantially benefited performers and music companies by airing and promoting their music; further, in the past, concerted attempts have been made in Congress to propose a “music performance right,” a financially devastating proposal whereby a burdensome new copyright fee would be imposed on stations playing music which would purportedly be for the benefit of music performers; further, National Religious Broadcasters believes that such attempts may well continue into the future;

WHEREAS

radio stations that web-cast music over the Internet currently pay substantial sums of money as copyright fees, and in the past, negotiations with the music industry representatives have been a difficult and an occasionally unfair process, and appeals to the Copyright Royalty Board judges for adjudication have resulted in decisions that have sometimes imposed unreasonable fees and have lacked a fair analysis of the interests of radio stations; further, the current system has become an insurmountable roadblock to new Internet radio business models, and rather than facilitating a growing and dynamic new media environment it has instead become an impediment to new Internet radio business models—models that could be bringing more music to larger audiences; further, legislative proposals have been introduced, including *The Internet Radio Fairness Act*, which attempt to supply solutions to some of these problems;

THEREFORE BE IT RESOLVED

that the National Religious Broadcasters hereby urge Congress to resist any attempt to create a “music performance right” that would impose a new copyright fee on radio stations that play over-the-air music; further, regarding web-casting music rates, National Religious Broadcasters also urge Congress to improve the sound recording licensing system in a way that is fair and reasonable to all parties and that will benefit our nation’s music creation and distribution communities and that will provide consistency, fairness, and predictability of rate structures so that rates will be capped in a way which will not be overly burdensome to all stations, both commercial and non-commercial, but which will energize new radio Internet business models.