

Protect Small Broadcasters AND Small Webcasters

The Honorable John Conyers, Jr.
Chairman, U.S. House of Representatives
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Lamar Smith
Ranking Member, U.S. House of
Representatives Committee on the Judiciary
2142 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Conyers and Ranking Member Smith:

Tomorrow the House Judiciary Committee considers the Performance Rights Act of 2009, and in doing so it considers whether broadcast radio stations should pay performance royalties to recording artists and copyright owners. To ensure that small radio stations are not bankrupted by this royalty, the bill requires small broadcasters – those making less than \$1.25 million annually – to pay only \$5,000 in royalties. We also understand that the bill will be amended so that radio stations earning less than \$500,000 will pay only \$1,250 and stations earning less than \$100,000 will pay only \$500.

In contrast to these reasonable rates, Internet radio services currently pay far higher royalties.

*Webcasters earning \$1.25 million pay \$150,000 in royalties,
Webcasters earning \$500,000 pay \$50,000 in royalties; and
Webcasters earning \$100,000 pay \$10,000 in royalties.*

Should Congress allow small broadcasters to pay reasonable royalties but require small Internet radio webcasters to pay royalties that are 20, 30 and 40 times higher?

Small webcasters play more independent music, more local artists, and more unusual genres than broadcast radio, satellite radio and cable radio combined! Where else but Internet radio will you find dozens of stations offering traditional Irish music, classical music, classic jazz, world music (with channels dedicated to virtually every nation's traditional and modern music), gospel and religious music?

Please amend the Performance Rights Act to extend small broadcaster protections to small webcasters. Small webcasters are the smallest of small, but our programming is the most innovative and our playlists the most diverse.

Thank you for your consideration of our request.

Sincerely,

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