



733 10th Street, NW | 10th Floor | Washington, DC 20001
P: 202.640.5858 | F: 202.640.5859 | SoundExchange.com

March 19, 2013

Subject: Stay Off Controversial Resolution: "A concurrent resolution supporting the Local Radio Freedom Act" (S. Con. Res. 6)

Dear Senator,

I'm writing to request that you please avoid co-sponsoring a controversial resolution now before Congress, "A concurrent resolution supporting the Local Radio Freedom Act" (S. Con. Res. 6).

SoundExchange represents more than 70,000 musical performer accounts and over 24,000 copyright owner accounts – from every state in the U.S. Our members' recordings are played on "terrestrial" (i.e., over-the-air AM & FM) radio every hour of every day, and yet, they don't receive a dime from AM/FM radio for their work. Nothing. S. Con. Res. 6 seeks a continuation of this unjust situation, which SoundExchange considers an affront to musicians' livelihood. We urge you to stay off of it.

Of all the ways we listen to music in the U.S., terrestrial radio is the only one that doesn't pay anything to the performers that bring the music to life. Terrestrial radio's competitors - Internet, satellite, and cable radio - all pay artists and rights owners when they play their music. In addition, virtually every industrialized country except the U.S. recognizes a copyright royalty for the performance of sound recordings for terrestrial transmissions. That means when American-made music is played overseas, other countries typically collect royalties for American artists, but these royalties are often not paid to Americans because we do not reciprocate.

Corporate radio has wrongly and strangely labeled payment to artists and rights owners a "tax." This label is nonsensical. If corporate radio were to pay for the music on which they base their business, money would not be going to the government, but to the creators of sound recordings - the lifeblood of any radio station.

No other business in the U.S. claims they shouldn't have to pay for the raw materials they use - builders pay for lumber and bricks, automobile manufacturers pay for steel and rubber, and terrestrial radio should pay for music. This is particularly true when you consider that AM/FM radio brings in more than \$16.5 billion in advertising dollars each year in large part off of the music they play.

For the reasons above, SoundExchange urges you not to co-sponsor S. Con. Res. 6, the "A concurrent resolution supporting the Local Radio Freedom Act."

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Michael Huppe". The signature is fluid and cursive, with a large, stylized 'M' and 'H'.

Michael Huppe, President
SoundExchange