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ADVANCING THE RIGHTS OF THE MUSIC COMMUNITY

STRIKING A CHORD WITH CONGRESS

Recording Academy and congressional leaders find harmony at SXSW Music Conference



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- Barack And Roll: Sen. Obama Wins A GRAMMY



CAPITOL TRACKS™

THE RECORDING ACADEMY®
529 14th St. NW, Ste. 840
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Recording Academy and congressional leaders find harmony at SXSW Music Conference

Two important forces within the music industry — The Recording Academy and the South by Southwest (SXSW) Music Conference — came together in March for an unprecedented meeting of policymakers and music professionals in Austin, Texas. The GRAMMY Town Hall, The Academy's forum for discussing critical music issues of the day, presented its first-ever event in Austin at the country's leading music conference.

Five members of Congress were joined by multiple GRAMMY-winning producer and Academy Vice Chair Jimmy Jam and multiple GRAMMY-winning artist Ray Benson (of Austin-based Asleep At The Wheel) to discuss a wide range of music-related topics being considered by Congress. Congressional participants included Reps. Marsha Blackburn (R-Tenn.), Charles Gonzalez (D-Texas), Stephanie Herseth (D-S.D.), Michael McCaul (R-Texas), and Linda Sanchez (D-Calif.). Each of the members of Congress sits on a key

committee or caucus that affects the music community. The event was moderated by The Recording Academy's Vice President of Advocacy & Government Relations, Daryl Friedman.

It was the first time the famed SXSW industry confab presented a political panel of this magnitude, with the group of leading national policymakers assembled by The Academy and placed on the firing line before an audience of musicians. Subtitled "Rock The House," the members of Congress presented their views — and defended their votes — on issues ranging from radio localism to "fair use" of digital music to broadcast decency. On the latter point (with four of the five congressional panelists having voted to increase indecency fines to artists and broadcasters), it was the musician panelists who brought the most passion to the discussion. Jam — recounting his recent conversation with a Federal Communications Commission commissioner who complained about



Stephanie Herseth



Jimmy Jam



Michael McCaul

Photos: Barry Brecheisen/WireImage.com

having to spend too much time reviewing decency complaints — suggested that Congress, too, should concern itself with more pressing issues.

The audience was an active participant as well, asking pointed questions of the panel on issues ranging from increasing music exports, clarifying webcaster rules, and creating a new radio royalty for artists. When asked for a show of hands of those who knew the names of their congressional representatives, the majority of hands in the audience went up, signifying a particularly informed constituency.

The members of Congress faced a straw poll too, with Friedman asking them if they've ever downloaded music.



Linda Sanchez

When it was revealed that most of the D.C. guests buy music the old-fashioned way — on CDs — Friedman distributed iTunes gift cards to each to get them started with legal downloading.

After nearly 90 minutes of discussion, it was clear that both the elected officials and the music industry audience had learned a great deal from one another

through this unique opportunity to share ideas. For The Recording Academy, bridging the gap between music makers and policymakers is one of the primary goals of its GRAMMY Cultural Policy Initiative. At this and other GRAMMY Town Halls across the country, it is hoped that the gap will continue to narrow. ■



Charles Gonzalez



Marsha Blackburn



Ray Benson

Photos: Barry Brecheisen/WireImage.com

Cover photo: A light moment before the Town Hall (l-r) Herseth, Gonzalez, Friedman, Academy President Neil Portnow, Benson, McCaul, Jam, Blackburn, the GRAMMY Foundation's Scott Goldman, Sanchez, and Academy Executive Vice President David Grossman Photo: Barry Brecheisen/WireImage.com

Recording Academy "Takes Sides" Against Piracy At CES



Taking Sides at CES (l-r): Bruce Joseph, Russ Frackman and Daryl Friedman

In January, The Recording Academy sent its first-ever delegation to the Consumer Electronics Show, the nation's largest trade show. The 1.6 million-square-foot trade show hosting 150,000 people and 2,500 exhibitors is produced by the Consumer Electronics Association. CEA is also known for representing the interests of the electronics industry and taking positions in Washington that put it squarely at odds with the movie studios and record labels. Framing the debate as consumer versus the entertainment industry, CEA has opposed the Recording Industry and Motion Picture Associations on numerous issues, most recently, the *MGM vs. Grokster* case. In that landmark ruling, the court sided unanimously in favor of the entertainment industry (and against the file-sharing companies Grokster and Streamcast), saying that those who induce copyright infringement by others are liable for that infringement.

For a panel on the post-Grokster environment titled "Taking Sides: The Music Industry Versus File-Sharing Consumers," CEA invited The Recording Academy's Vice President of Advocacy & Government Relations Daryl Friedman to participate. Friedman was joined by panelists Hank Barry, partner, Hummer Winblad Venture Partners (and former CEO of Napster); Russ Frackman, partner, Mitchell Silberburg & Knupp; Bruce Joseph, partner, Wiley Rein & Fielding LLP; and Andy Moss, senior director of technical policy, Microsoft. The panel was moderated by *San Francisco Chronicle* staff writer Benny Evangelista.

While CEA's standard position on the *Grokster* verdict is that it will stifle innovation, Friedman noted that music creators are the most important innovators in the music space. If artists and songwriters are not compensated for their

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GRAMMY Winner Shirley Horn Recognized In Congress

Following the October 2005 passing of GRAMMY-winning jazz legend Shirley Horn, The Recording Academy's Advocacy & Government Relations office worked with Rep. John Conyers (D-Mich.) to create an appropriate congressional tribute. On Nov. 15, U.S. House Concurrent Resolution 300 was introduced by Conyers and Del. Eleanor Holmes Norton (D-D.C.) to honor Horn's legacy. The bill passed the House on Feb. 15 and was sent to the



Washington, D.C. Chapter Executive Director Shannon Emamali, Rep. John Conyers and The Recording Academy's April Canter commemorate Shirley Horn Photo: Linda Spillers/WireImage.com

Judiciary Committee in the Senate. The complete resolution appears below.

CONCURRENT RESOLUTION

Paying tribute to Shirley Horn in recognition of her many achievements and contributions to the world of jazz and American culture.

Whereas on October 20, 2005, the United States lost jazz legend Shirley Horn, who contributed greatly to the musical landscape of the Nation through her artistry and musical talent;

Whereas Shirley Horn was born in 1934 in Washington, D.C., and started her musical career at the age of four on her grandmother's piano;

Whereas at the tender age of 12, Shirley Horn studied composition and piano at Howard University and was invited to attend the prestigious Juilliard School in New York City when she was 18;

Whereas jazz gives a powerful voice to the American experience and is born of a diverse society, uniting people across the divides of race, region, and national boundaries, and draws from life experience and human emotion;

Whereas over her long and distinguished career, Shirley Horn performed and worked with jazz legends, including Miles Davis and Quincy Jones;

Whereas Shirley Horn recorded over two dozen albums and was lauded with numerous

honors, including the GRAMMY Award for Best Jazz Vocal Performance in 1998, election into the Lionel Hampton Jazz Hall of Fame in 1996, an honorary doctorate from the Berklee College of Music in 1998, the 2003 Jazz at Lincoln Center Award, inclusion in ASCAP's Wall of Fame as the 2005 living legend, and the 2005 NEA Jazz Master, the Nation's highest honor in jazz;

Whereas Shirley Horn never forgot her roots and continued to support and perform in her local community of Washington, D.C., receiving the Mayor's Arts Award for Excellence in an Artistic Discipline; and Whereas Shirley Horn's voice and piano had a profound effect on her listeners around the world:

Now, therefore, be it Resolved by the House of Representatives (the Senate concurring), That Congress — (1) notes with deep sorrow the death of Shirley Horn and extends heartfelt sympathy to her husband and family; and (2) recognizes Shirley Horn's many achievements and contributions to the world of jazz and American culture, and notes the loss to American culture with her passing. ■

News From The Hill: Senate Debates High-Definition Radio

MP3 players, CDs, online music services, satellite and terrestrial radio: What is the next device for listening to music in one's car and home? Perhaps HD radio. Digital radio allows up to four separate stations to operate on the same audio spectrum. With this new technology, one rock station could dedicate separate streams to classic and hard rock, for example, with almost CD-quality, static-free sound.

Although the service offers a new and improved way to bring music to the consumer, as with all CD-quality delivery systems, the issue of piracy becomes a concern. If listeners can record perfect digital music files off their HD radios for free, why go out and buy them?

One solution being debated is a broadcast flag, a signal embedded in the digital broadcast that could limit recording or redistribution. Broadcasters have expressed a reserved willingness to explore such a solution with the recording industry. By working together, both parties may be able to agree on details of a

means that would allow broadcasters and content owners the ability to protect copyrighted content.

In early March, Rep. Mike Ferguson (D-N.J.), a member of the House Energy and Commerce Committee, introduced a bill giving the FCC authority to impose licensing conditions on HD radio, including the use of a broadcast flag or similar technology, to protect against unauthorized copying and distribution. The bill, HR 4861, is currently before the House Subcommittee on Telecommunications and the Internet. Current co-sponsors of the bill are Marsha Blackburn (R-Tenn.), Bart Gordon (D-Tenn.), Edolphus Towns (D-N.Y.) and Recording Arts and Sciences Congressional Caucus Co-Chair Mary Bono (R-Calif.).

At a Jan. 24 hearing of the Senate Committee on Energy and Commerce, Chair Sen. Ted Stevens (R-Alaska) and ranking Democrat Daniel Inouye (D-Hawaii) agreed that the best way to resolve the disagreements on this issue was to have the recording industry and the broadcasters' HD alliance regularly meet to work toward a solution.

Whether HD radio becomes the next great music delivery means — or the next open door to piracy — remains to be seen. The Recording Academy is closely monitoring the hearings and meetings, and will keep its members informed as this debate proceeds. ■



Photo: Jim Saah

Efforts Progress To End Radio "Pay-For-Play"

Academy works with Senate and independent promoter to change practices

Music creators have long lamented the state of radio. Limited playlists, lack of diversity, and minimal access by local artists are among the chief complaints heard by The Recording Academy from its members. One reason for this is "pay-for-play," a practice that restricts access to the public airwaves to those with the resources to provide radio stations with financial incentives to play their music.

The Recording Academy, in concert with a strong coalition of music organizations, has been working to end this practice and increase access to radio. In recent months, there has been progress in both the public and private sectors on this issue.

Sen. Russell Feingold (D-Wis.) worked with The Recording Academy, the American Federation of Musicians, the American Federation of Television and Radio Artists, Future of Music Coalition, Recording Artists' Coalition and others to develop legislation that would prevent radio stations from accepting any consideration — financial or in-kind, direct or indirect — to influence airplay. The bill — The Radio and Concert Disclosure and Competition Act of 2005 — was introduced on Nov. 18. If passed into law, new programming practices would level the playing field for musicians who do not have the financial resources to pay for airplay.

Working in the private sector, The Recording Academy has been in ongoing

discussions with one of the top independent radio promoters, Jeff McClusky & Associates. JMA has been a leader among businesses that are hired by labels to promote their records, and in turn provide budgets to radio stations in exchange for the opportunity to pitch songs. Recently, The Academy's Advocacy office invited McClusky to Washington for an open dialogue with artist representatives to hear concerns from the creative community about this business model. Two months after the productive discussions began, JMA announced it was changing its model and eliminating payments to radio stations.

"While I realize there were a number of factors leading JMA to eliminate payments to stations, I certainly credit Mr. McClusky with having an open mind and taking seriously the perceptions of the recording community," noted Daryl Friedman, The Academy's Vice President of Advocacy & Government Relations. "It is our hope that JMA will set a leadership example for others to follow."

In an e-mail to Friedman and Academy President Neil Portnow, McClusky wrote, "You are to be thanked for helping along the way, and I hope that The Academy views this also as a very positive step within our industry."

The Recording Academy will continue to work for more progress on radio reform in the coming months. ■

Gov. Huckabee, Music Industry Leaders Focus On Arts Education

GRAMMY Industry Roundtable sets stage for education funding push

In January, The Recording Academy's GRAMMY Industry Roundtable provided a forum for members of the entertainment industry (including music, television and movie executives; artists; education leaders; and policymakers) to discuss the impact of arts education on the creative industries and the economy as a whole. Special guest Gov. Mike Huckabee (R-Ark.), a leading proponent of arts education, was in attendance to present his perspectives. The discussion was produced in cooperation with the Music For All Foundation and was co-hosted by The Academy's Advocacy office and Los Angeles Chapter.

The discussion focused on how creativity and innovation are paramount in the world economy of the future; they are the key to addressing the many challenges in a global landscape. Visual and performing arts education help children develop such creativity, which will serve them in any career they pursue whether in or out of the entertainment industry.

"There is compelling evidence that

shows student involvement with the arts can make a significant difference in improving educational outcomes for all kids in terms of their academic achievement, their engagement in learning, and their social and civic development," noted Huckabee. As chairman of the Education Commission of the States, the governor launched *The Arts — A Lifetime of Learning* as part of his *Chairman's Initiative on the Arts in Education*, which seeks to ensure that every child has the opportunity to learn about, enjoy and participate in the arts.



Following the Roundtable, Gov. Huckabee met with members of The Academy's L.A. Chapter Board. (l-r): Lamont Dozier, Gregg Field and Huckabee



Maureen Crowe, Neil Portnow, Sir Ken Robinson, Terry Lickona, Daryl Friedman, Randy Jackson, Mick Fleetwood, Gov. Mike Huckabee, Lizzy Moore, Jimmy Jam, Piedad Robertson, Bob Morrison, Dave Weideman and Tom Sturges

Photos: Lester Cohen/WireImage.com



Roundtable participants discuss arts education

Moderator Sir Ken Robinson remarked that arts education is often pushed aside, but not because of indifference. Rather, it becomes a victim of the hierarchy of the education system. According to Robinson, this is a growing trend all over the world, not just in the United States; however, the arts should now be as important a priority for education in America and elsewhere. "Creativity is as fundamental as literacy and numeracy," commented Robinson.

A primary theme of the Roundtable was how to change the downward trend in arts education and convince policymakers to make the arts a main concern. Gov. Huckabee asked those at the table to lend their talents and time to his *Chairman's Initiative on the Arts in Education* and visit with legislators in their states.

The panelists discussed how the greatest impact individuals can have starts at the local level, which immediately effects education funding. State legislatures and local school boards have the greatest control over what classes and programs are being taught to our children. A first step may be mandating arts education at a state level, as Huckabee did in Arkansas, since legislators will have to fund arts programs if they are set in statute.

During the brainstorming session at the Roundtable, many solutions to improving arts education were presented. One idea raised was that community professionals and parents should be allowed to lend their resources and talents to the classroom. All too often the bureaucracy within the school systems obstructs community involvement in the educational process. Additionally, standards should require that certified arts education teachers have a background in the area in which they teach. The need to implement an extracurricular art program, however, should not overshadow the need for quality arts programs in the curriculum.

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Recording artist Mick Fleetwood listens as Jack Sussman of CBS makes the case for music education

Photos: Lester Cohen/WireImage.com

Arts Education

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How to become more involved

As state legislatures draft and approve their budgets each year, individual involvement is key to turning the tide for arts education funding. For more information on how to contact local

officials, go to www.grammy.com/action and click on the link "Support Music Education." To learn more about Gov. Huckabee's *Chairman's Initiative on the Arts in Education*, go to www.ecs.org and follow the link to "Arts in Education." ■

ROUNDTABLE PARTICIPANTS

Maureen Crowe | Music Supervisor

Joel Flatow | General Manager, West Coast Affairs, RIAA

Mick Fleetwood | Artist

Doug Frank | President, Music Operations, Warner Bros. Pictures Inc.

Daryl Friedman | Vice President, Advocacy & Government Relations, The Recording Academy

Susan Genco | Senior Vice President, Business & Legal Affairs, Warner Bros. Records

Terri Hardy | Gov. Huckabee's Education Advisor and Commissioner, Education Commission of the States

Rand Hoffman | Head of Business & Legal Affairs, Universal Music Group

Janet Huckabee | First Lady of Arkansas

The Honorable Mike Huckabee | Governor of Arkansas; Chairman of Education Commission of the States

Randy Jackson | Producer

Jimmy Jam | Recording Academy Vice Chairman; Producer

Terry Lickona | Recording Academy Chairman; Producer, "Austin City Limits"

Mary Luehrsen | Director of Public Affairs and Government Relations, NAMM, the International Music Products Association

Kristen Madsen | Senior Vice President, GRAMMY Foundation/MusiCares

Lizzy Moore | West Regional Director, The Recording Academy

Bob Morrison | Chairman, Music For All Foundation

Neil Portnow | President, The Recording Academy

Piedad Robertson | President and CEO, Education Commission of the States

Sir Ken Robinson | Senior Advisor, Education, The Getty Foundation

Andrew Ross | Senior Vice President, Business & Legal Affairs, Sony BMG

Laurie Schell | Executive Director, California Alliance for Arts Education

Tom Sturges | Executive Vice President, Creative Affairs, Universal Music Publishing

Jack Sussman | Executive Vice President of Specials, Music and Live Events, CBS Entertainment

Susan Vermeer Lopez | Program Director, Education Commission of the States

Dave Weiderman | Head of Artist Relations, Guitar Center

Recording Academy Hits The Hill For Arts Advocacy Day

Event spotlights importance of support for the arts

Entering its 19th consecutive year, Arts Advocacy Day, a two-day national event designed to bring together a broad cross section of America's national cultural and civic organizations, took place March 13–14. The event is produced annually by Americans for the Arts. The Recording Academy served as a national co-sponsor of AAD, with Advocacy staff and board members joining hundreds of grassroots advocates from across the country to underscore the importance of

developing strong public policies and appropriating increased public funding for the arts.

Recording Academy Trustee Robert Aubry Davis and Florida Chapter Advocacy representative Bob Radock joined staff from The Academy's D.C.-based Advocacy & Government Relations office to lobby for increased funding for the National Endowments for The Arts and Humanities, and greater support for music in schools. ■



Rep. Mark Foley (R-Fla.), chair of the Entertainment Task Force, receives an Arts Advocacy briefing book from The Recording Academy delegation. Foley was commended for his pro-arts voting record. (l-r): Legislative Consultant Diane Blagman, Foley, VP of Advocacy & Government Relations Daryl Friedman, and Academy Trustee Robert Aubry Davis

Sen. Barack Obama Wins GRAMMY



Sen. Barack Obama (D-Ill.) won the GRAMMY Award for Best Spoken Word Album at the 48th GRAMMY Awards on Feb. 8. The senator won for his reading of the autobiographical *Dreams From My Father*, a book about Obama's quest to understand his heritage. Only the second sitting senator to win a GRAMMY (Sen. Hillary Rodham Clinton won the honor when she was First Lady), Obama follows the win nearly 40 years earlier by another Illinois senator, Everett Dirksen. ■

CES

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creativity (their *innovations*), then music and the various electronic industries supported by it will suffer.

While there were a wide variety of opinions on the panel both agreeing and disagreeing with the Supreme Court decision, one point was shared by most panelists: Framing the debate as "taking sides," a zero-sum game with a single winner, is unproductive. Participants

supported a future in which the electronics industry and the music industry work together to ensure innovation and compensation to each link in the value chain.

The Recording Academy agrees. It is possible to be pro-technology and pro-copyright. Any technology that delivers music to consumers should have its chance in the marketplace — provided those that create the music are compensated for their efforts and talents. ■

More Information @ GRAMMY.com

GRAMMY.com is the best real-time source of information on Recording Academy initiatives and news, as well as up-to-the-minute stories affecting the industry, technology and artists. Go to www.grammy.com/news and click on the "Advocacy" and "ArtsWatch" links for the latest stories, and www.grammy.com/action for tools to make your opinions heard on Capitol Hill.

We Make Sure Everyone's Voice Is Heard.



That's why The Recording Academy® created the GRAMMY® Cultural Policy Initiative. We work closely with members of Congress on issues important to the entire music community such as intellectual property and freedom of speech. To find out more about The Recording Academy, visit www.grammy.com/advocacy.

Ask yourself this question: "What action can we take today that will ensure a vibrant music industry tomorrow?"

There are certainly many good answers, including copyright protection, transition to a digital marketplace, innovative marketing — all acceptable responses.

But I want to propose what at first might appear to be a less obvious answer: Increasing student access to music education must be a key policy priority for our industry and for our government. Giving young people access to music education allows the talent to develop, provides the interest, and fosters appreciation for music in the decades to come. In the absence of this access, tomorrow's artistic and business leaders may never have the chance to discover their skills and fulfill their potential. Without

music education today, can there be a truly vibrant music industry tomorrow?

At The Recording Academy, several recent activities continue to inform our thinking on this subject. This publication includes information about a unique GRAMMY Industry Roundtable discussion between music industry leaders, education professionals, and the governor of Arkansas, Mike Huckabee. As an arts education proponent, Huckabee, along with Roundtable moderator (and noted creativity expert) Sir Ken Robinson, stressed the importance of using the arts to develop the imagination of the future workforce. The industry leaders concurred, and plan to develop concrete ways to impress this point upon policymakers.

In these pages we also highlight The Academy's co-sponsorship of Arts Advocacy Day, the important grassroots activity promoting public support of the arts. We are proud to work with Americans for the Arts (AFTA) in promoting this important initiative.

At a lecture sponsored by AFTA, journalist William Safire discussed the importance of the arts, and the two different schools of thought among supporters. Is arts education important because of the arts' intrinsic value? Or is it most significant for the arts' ability to improve student performance in other "more practical" areas of study? We believe the answer is a resounding "yes" to both. Without discounting the evidence demonstrating arts education's positive impact on creative thinking, we should never lose sight of the value of the arts in itself — to enrich our lives and our culture.

In his speech, Safire noted the impact of arts education: "One, participation in the performing arts brings kids to school, even on the rainiest [of] days; two, it raises the sense of self-worth needed by pupils discouraged by struggles with academic subjects...; three, the incentive to practice instills a habit of discipline in students that will be needed in the workplace, and thereby may help American graduates compete in global markets; finally, and to most of us most important, active understanding and what it means to perform and to appreciate art enriches life during school years and long after graduation."

I invite you to learn more about the critical role of arts education in this issue of *Capitol Tracks*. Working together, we can ensure that as a society we foster the talent of young people today, and thereby develop the creative voices and leaders of tomorrow's music industry. ■

(Sound Policy is a regular column by Recording Academy President Neil Portnow on recording arts issues.)

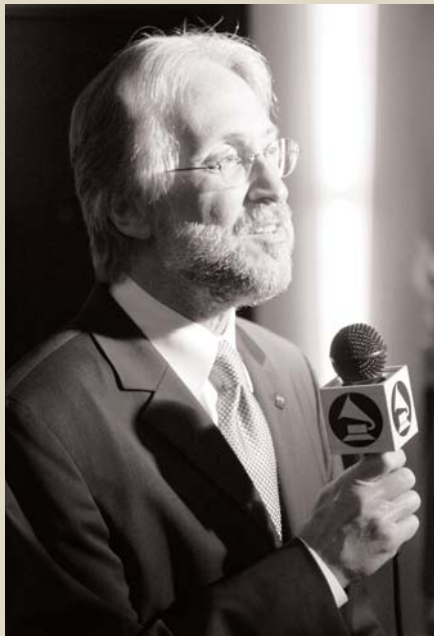


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