

What is the Performance Rights Act and Why Do We Want It Passed?

WHAT

- The Recording Academy is part of a coalition of music groups including AFTRA, AFM, Recording Arts Coalition, A2IM, SoundExchange, Music Manager's Forum and RIAA that support the Performance Rights Act, a bill recently introduced in both Houses of Congress with bipartisan support that, if passed, could result in significant income for U.S. music creators.

WHY

- In the United States, artists and sound recording copyright owners (usually a record label), ARE NOT paid when their recording is played on over-the-air radio (also known as terrestrial radio, broadcast radio, traditional radio.) They ARE paid when their recording is played on satellite or Internet radio.
- Only the owners of the “notes and words” on that recording, (songwriters and publishers) are paid by over-the-air radio.
- For example, when “Soul Man” is played on over-the-air radio, Isaac Hayes and David Porter, the songwriters, are compensated. Sam Moore and Dave Prater—the duo of Sam & Dave who sang “Soul Man,” ARE NOT.
- This is different than in most countries in the rest of the world (England, France, Canada, Japan, Mexico, Poland, the United Kingdom, etc.) which do pay. Countries besides the U.S. which don't pay are China, Iran, Rwanda and North Korea. In addition, because the U.S. doesn't reciprocate, countries that do pay refuse to pay U.S. artists and sound recording owners. Therefore, U.S. artists and sound recording owners lose out twice!
- The Performance Rights Act will correct this injustice by removing the “exemption” that over-the-air radio currently has in the United States and paying performers and recording owners. Note that the PRA will not take any income away from songwriters and publishers and accommodates community radio with minimal fees.
- The income generated by the removal of this exemption would be paid in the same ratio that Satellite and Internet radio pay: 50 per cent to the sound recording owner, 45 per cent to featured artists, and 5 per cent to non-featured artists.

To send a letter of support for the PRA to your Congressional representatives, please go to:

www.grammy.com/musicfirst

For more information please visit

<http://www.musicfirstcoalition.org>