



Resolution

To Seek Relief for Internet Radio Broadcasters and Webcasters

- WHEREAS** the United States Congress passed in 1998 a complex revision to U.S. Copyright laws, “The Digital Millennium Copyright Act” (the “DMCA”) that created new rights for the recording industry to limit broadcasters from using the Internet to transmit (“stream”) their programming and message and to extract payment from broadcasters for use of the Internet; and
- WHEREAS** as a result of the DMCA, the public has been blocked from hearing radio and Internet programming and information it desires over a critically important and convenient medium, and broadcasters have, as a practical matter, been unable to provide the public with the convenient access to programming and information it seeks; and
- WHEREAS** the restrictions and conditions on Internet streaming put in place by the DMCA are unjustified and provide no meaningful benefit to the recording industry, but interfere with broadcasters’ ability to use the Internet to reach their listeners; and
- WHEREAS** the fee setting process established in the DMCA was wasteful and burdensome for all parties and resulted in prohibitively high fees for Internet streaming that persists to this day, keeping broadcasters and webcasters from using the Internet, and may incorrectly be seen as precedent, preventing establishment of reasonable fees;
- WHEREAS** the Honorable James Sensenbrenner, Chairman of the House Judiciary Committee, and the Honorable Lamar Smith, Chairman of the House Judiciary Subcommittee on Courts, the Internet and Intellectual Property, led a successful legislative initiative resulting in the simplification of the rate-setting procedure of the DMCA for Internet broadcast streaming and webcasting, “The Copyright Royalty and Distribution Reform Act of 2004” (H.R. 1417) for which Representatives Sensenbrenner and Smith are to be greatly commended; and
- WHEREAS** H.R. 1417, though an important start, did not address the substantive elements of the DMCA that are at the root of the problems for broadcasters and webcasters wishing to use the Internet; and
- WHEREAS** legislative reform of the unreasonable fees and burdensome, unjustified conditions and limitations of the DMCA is essential if broadcasters and webcasters are to be able to provide the public with the Internet programming it seeks; and
- WHEREAS** the Recording Industry Association of America (the “RIAA”), an association to which many members of the Christian recording community also belong, is the chief adversary against reasonable reforms to the DMCA and as such is spending enormous resources to lobby against reform; and

Approved by the Board of Directors February 17, 2006



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WHEREAS

the religious radio broadcasting community, a strong advocate of Internet broadcasting from the medium's beginning because of its vast potential for the spread of the Gospel, will continue to be hindered from using the Internet to its full evangelical potential unless relief from excessive royalties and unreasonable conditions and limitations is achieved: *Therefore, be it*

RESOLVED

by the National Religious Broadcasters that on behalf of the community of religious radio broadcasters, in order to secure their future in Internet broadcasting, we will apply our combined efforts to lobby Congress, to seek cooperation from music industry representatives and to rally grassroots support in order to help reform the unnecessary and counterproductive regulations embodied in the DMCA, and seek to resolve issues which has placed radio broadcasters and record labels at odds, in order to attain the full realization of Internet broadcasting of the Gospel message in music.