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## **Fair Market Pay For All Music on All Radio Platforms**

**What:** A press conference/photo op to launch pro-artist music reform legislation – the “Fair Play Fair Pay Act of 2015”

**Where:** SAG-AFTRA  
**NYC Headquarters**  
1900 Broadway  
New York, NY 10023  
(between 63rd and 64th streets)

**When:** Monday, April 13, 2015, at 11:00 a.m.

## **Information about the Fair Play Fair Pay Act of 2015**

This will be the most significant federal pro-artist legislation in many years.

**Some Radio Platforms Pay Fair Market Value, Some Pay Below-Market, Some Don't Pay At All:** Performing musicians and vocalists are not paid fairly on all radio platforms for airplay. They receive nothing from AM/FM radio and only below-market royalties on satellite radio thanks to special treatment AM/FM and satellite radio got from Congress in copyright law.<sup>1</sup> Only Internet radio platforms, like Pandora, pay fair market value today.

**The Fair Play Fair Pay Act Would Require All Radio Platforms To Pay Fair Market Value:** Under this bill, Internet radio would continue to pay fair market value. All other radio services would also pay fair market value for all the music they use:

- AM/FM Radio's largest stations would pay a performance royalty for all the music they air under the same fair market value rate standard that Internet radio uses today (called

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<sup>1</sup> Songwriters receive royalties from all radio platforms.

“willing buyer/willing seller”). Truly small and local AM/FM stations would pay just \$500 a year. Public, college and other noncommercial stations would pay only \$100 a year and religious and incidental uses of music would not pay any royalties at all.

- Satellite Radio would no longer be grandfathered under a below-market rate. Instead, they would pay the same “willing buyer, willing seller” fair market rate standard.

**Requires Payment for Pre-72 Music:** Some digital services have decided that the law does not require them to pay for music recorded before February 15, 1972 (when federal copyright protection begins). Three courts have already rejected this view, finding that radio must pay for this music under state law. The bill would resolve this dispute once and for all by requiring all radio services to pay for pre-72 music.

**Brings In \$100 Million or More in Royalties From Other Countries:** By establishing an AM/FM performance right here in the United States, the bill would allow American artists to collect the performance royalties they have earned in other countries. Those royalties are currently held but not paid out because the countries have a performance right and we do not. This could mean \$100 million or more in new royalties for U.S. artists and copyright owners.

**Fair Share And Direct Pay For Artists and Streamlined Payment for Producers:** Under current law, digital performance royalties paid through the compulsory license process are distributed through SoundExchange and artists receive their 50% share directly. This bill would ensure that all royalties from performances eligible for the compulsory license go through SoundExchange and artists directly receive their 50% of royalties. It would also codify existing industry practices and simplify the payment of royalties to music producers.