



December 4, 2024

The Honorable Mike Johnson  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Hakeem Jeffries  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Chuck Schumer  
Majority Leader  
U.S. Senate  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, D.C. 20510

Dear Speaker Johnson, Leaders Jeffries, Schumer and McConnell:

On behalf of the musicFirst Coalition, we write to share our concerns regarding the *AM Radio for Every Vehicle Act*, legislation that would direct the Department of Transportation (DOT) to require that new motor vehicles be equipped with AM radio technology. Congress should not mandate the inclusion of such technology unless it also enacts legislation creating a performance right for music played over the radio. Simply put, if radio conglomerates are going to be the beneficiaries of a government mandate – AM radio in motor vehicles in perpetuity – then those conglomerates that profit from music should finally pay the artists that create the music and drive their advertising revenue.

The musicFirst Coalition is a national organization of musicians, recording artists, and other stakeholders, representing the interests of music creators. We are strong supporters of local radio stations, including AM broadcasters. However, we strongly advise against enacting an AM radio mandate until Congress amends the copyright laws to create a performance right for music played over the radio. Due to a gap in the law, music creators have never been paid a performance royalty for AM/FM radio plays. While recognizing the important services that AM radio provides to Americans, we urge lawmakers to first resolve this long-standing inequity that inhibits fair compensation for hard-working artists.

Big radio behemoths—like iHeart Radio—are imploring you to enact a tech mandate which will perpetuate their dominance in the market. It is well documented that consolidation within the radio industry has led to increased ownership of local stations, including AM stations, by national radio corporations. For example, iHeart owns approximately 250 AM radio stations, and AM stations play an estimated 240 million songs per year. Music often provides the foundation of radio's business model, and a congressionally imposed AM radio mandate will benefit broadcasters at the expense of music creators. Without the musical ingenuity resulting from immeasurable amounts of work and dedication that artists put toward their craft, major music format broadcasters would have no advertising revenue. However, iHeart and others shamefully oppose our efforts to create a performance right for music played on the radio.



To be clear, AM radio stations are not averse to paying talented people, such as talk radio personalities, for their hard work that drives advertising revenue. However, iHeart and other radio conglomerates fight reasonable efforts to pay artists for the music they create. It is time Congress updates copyright law to reinforce the most basic of fundamental rights – being compensated for one’s labor. The United States is the only democratic nation that does not require performers to be compensated when their music is played on the radio – an estimated 1 billion songs a year.

Additionally, because artists are not compensated for radio play in the U.S., many foreign performance rights societies do not distribute royalties to American recording artists when their music is played on radio overseas. It is hardly a compliment that we are in league with North Korea, Iran and Cuba as the few countries that deny artists compensation for their work. Even China provides a performance royalty for radio play.

Bipartisan legislation has been introduced in both the House and Senate -- the *American Music Fairness Act* (AMFA) – that takes a common-sense approach to artist compensation. First, it would require terrestrial radio stations, like all other music delivery platforms such as SiriusXM or Spotify, to compensate musicians when their songs are played. Indeed, terrestrial radio stations do pay royalties when they stream the same programming over the internet. Second, it protects truly small, local radio stations by capping what they would have to pay to as little as \$10 to \$500 a year to play music. Third, AMFA would also unlock approximately \$300 million in royalties that foreign countries withhold from U.S. artists when their music is played overseas because the United States doesn’t provide an AM/FM performance royalty.

AMFA has been carefully crafted so as not to impose a significant burden on small local radio stations. Large corporate radio, however, should not be allowed to continue profiting from advertising directed at music listeners without compensating the artists that bring them to the station, and Congress should not mandate technologies that will perpetuate this inequity.

Talk radio and other radio personalities are paid. So too should musical performers. Both the Trump and Biden Administrations have expressed support for creating an exclusive right to public performance for sound recordings over terrestrial radio. Our simple request is that Congress enact AMFA before considering mandating technologies that allow big radio to profit off the backs of music performers.

Sincerely,

The musicFIRST Coalition  
<https://musicfirstcoalition.org/>