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Congress of the United States
House of Representatives
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COMMITTEE ON
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EDUCATION AND LABOR
COMMITTEE ON
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WESTERN CAUCUS
EXECUTIVE COMMITTEE

April 11, 2007

Joe Levi

Dear Joe:

I thank you for contacting my office regarding the Copyright Royalty Board's recent decision to change royalty rates for internet radio. It is always a pleasure to hear from my constituents.

Royalty rates are determined by the Copyright Royalty Board which is comprised of three copyright royalty judges. These judges are appointed by the Librarian of Congress who is appointed by the President and confirmed by the Senate. In 2004 Congress passed the Copyright Royalty and Distribution Reform Act which put into place the Copyright Royalty Board. Previous to this the Copyright Arbitration Royalty Panel determined copyright royalty rates.

Congress is aware of the ever growing use of the internet which has resulted in a new form of cyber crime including fraud, pirating, identity theft, and intellectual property law violations. Copyright and royalty laws are necessary to protect the work of creative minds. I am committed to pass legislation that will protect the intellectual property of authors, artists, musicians and other producers while providing a practical solution to the distribution of intellectual property.

I am, however, concerned with the current system. I contacted the Royalty Copyright Board requesting the appeals process and they replied, "The appeal of our decision is to the United States Court of Appeal for the District of Columbia." This basically means that the appeals process for the Copyright Royalty Board's decisions is only through a Court of Appeals for civil and legal appeals. Three judges appointed by the Librarian of Congress who are not responsible to Congress is a pretty elitist system. This system places too much unchecked and unchallenged power into the hands of these judges.

Once again, thank you for your letter. Please feel free to contact my office with any further questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Bishop".

Rob Bishop
Member of Congress

RB:ND