



Hearing on

**“Balancing the Interests of Local Radio, Songwriters and Performers
in the Digital Age”**

**United States Senate
Committee on the Judiciary
Subcommittee on Intellectual Property**

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Statement of Henry Hinton

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I. Introduction

Good afternoon, Chairman Tillis, Ranking Member Schiff and members of the IP Subcommittee. My name is Henry Hinton and I am a local broadcaster in Greenville, North Carolina. I am the longtime host of the syndicated radio show “Talk of the Town,” and I am proud to work alongside my son at Inner Banks Media, LLC (IBX) where I serve as president. IBX operates five FM radio stations in eastern North Carolina. I am also honored to serve on the National Association of Broadcasters Radio Board of Directors, and I’m here today to testify on behalf of the more than 5,100 free, local, over-the-air radio stations across America that serve your constituents.

Broadcasters across the country have the privilege of playing great music on our stations, introducing artists to new listeners and engaging them with one-of-a-kind interviews in partnership with local performance venues. But we are more than that. For over 100 years, broadcast radio has impacted the lives of Americans in many beneficial and significant ways. We inform, educate and alert listeners to important events, issues and emergencies. We entertain listeners with sports and talk programs. And we are local, involved in our communities and proud to serve the public interest.

Radio stations’ critical role as trusted first informers and emergency lifelines has never been more apparent. At a time of rampant online misinformation and disinformation, and with a seemingly constant deluge of natural disasters and cell phone outages, local radio remains trusted, always on and freely available without an expensive subscription or data service.

I look forward to discussing the enduring value of broadcast radio, the importance of the existing copyright framework that governs it for the benefit of musicians and the public, and how enactment of the American Music Fairness Act (AMFA) would harm the public and fail artists by imposing a new performance royalty that would be economically devastating for local radio stations.

II. Broadcast Radio Remains Unique Among All Communications Media

Having worked in radio since I was in high school in the 1960s, I can tell you first-hand that local broadcast radio does what no other media can. We are the backbone of our communities. Unlike most other media, we live, work and care about these places we call home. Radio personalities are the ones the community calls on to emcee everything from local fundraisers to civic events. As the host of “Talk of the Town,” I’ve interviewed everyone from our mayor to leaders of charities in our community. We often partner with nonprofits and law enforcement to raise funds for families in need.

Radio has – and continues to be – a quintessential part of local communities throughout America. November 2025 marked the 105th anniversary of the first commercial radio broadcast. From the airing of the first baseball game, President Franklin D. Roosevelt’s fireside chats and Dr. Martin Luther King Jr.’s “I Have a Dream” speech, to in-depth coverage of the 9/11 attacks and the COVID-19 pandemic, local

radio has been embedded in our communities through times of triumph and tragedy. The media landscape has evolved dramatically, yet free and local radio has endured, benefiting listeners in every corner of the country as well as the artists we play on our airwaves.

Nearly 226 million listeners tune into U.S. radio stations every month¹ because our programming, service and accessibility remain unique among all entertainment platforms. Our locally-focused content informs, educates and alerts listeners to important events that matter to their communities. Our resilient architecture ensures that listeners will not lose access to their hometown teams in the bottom of the ninth inning, or – more importantly – to an emergency alert during a crisis.

During weather emergencies like hurricanes, wildfires, tornadoes and floods, when all other means of communication fail, local radio stations remain on the air and provide crucial information that helps save lives. The same holds true in national security emergencies. Radio stations across the country have been hardened to withstand attack, so that we are able to disseminate emergency alerts and other critical information to our communities in the most dire circumstances.

Our market in eastern North Carolina sits in the path of nearly every hurricane. That is when radio's resiliency shines. Not only do we inform people of the approaching danger, but we remain on the air during the storm to provide reliable updates when it matters most. In 2016, when Hurricane Matthew ripped apart and flooded entire communities, our stations became the only means of communication for many on the coast, especially when cell service failed. We stayed on the air for days keeping people informed and providing a 24/7 conduit for emergency personnel to communicate with the public. I'll never forget fielding calls from people on Harkers Island asking if the bridges were passable amid reports that some had been washed away. After the emergencies of Hurricane Matthew, our stations raised funds to help the communities rebuild. I personally went from town to town in our listening area, delivering checks to local families and businesses.

Local radio broadcasters do all of this through a service that is completely free to listeners, requiring no monthly subscriptions or expensive data charges. For your constituents who may be unable to pay for quality, trusted local news, radio broadcasters help ensure that no listeners are left behind. Local radio also serves diverse audiences, providing a unique and vital service to non-English speakers who are often underserved by other forms of media. As a result of its popularity, radio continues to be an engine of local economic activity. Local radio stations employ more than 121,000 people nationwide and contribute more than \$470 billion to the U.S. economy through our broad stimulative effect.²

Of course, you cannot talk about broadcast radio without recalling the countless artists whose careers were made when their first song played over our airwaves, or

¹ Nielsen Audience Insights, Q1 2025.

² Local Radio and TV: Helping Drive the United States Economy, Woods & Poole Economics, 2023.

listeners whose memories are indelibly intertwined with a song playing on their favorite station. Countless artists have shared the incredible and unforgettable feeling of hearing their songs on the radio and have credited radio with helping to launch their careers. Broadcast radio continues to drive music discovery for both new musicians and legacy artists.³

When our listeners hear a new artist or song they like on the radio, they often engage with that artist in other ways – by streaming the music, following them on social media, or attending live events. That ripple effect generates significant income for performers through the promotional value of radio. To put the reach of local broadcasting in context, a single song played during the morning drive on Foxy 107.1 and 104.3 WFXC-FM in Raleigh, North Carolina, is the equivalent of 7,800 unique streams on Spotify or Pandora.⁴ On Los Angeles’ Mount Wilson’s Go Country 105.1 KKGO-FM, the same song receives the equivalent of 7,200 plays on streaming platforms.⁵

III. The “American Music Fairness Act” Would Disrupt the Music Licensing Framework Governing Broadcast Radio and Harm the Public Good

Radio’s place in the fabric of American culture is not accidental. It is the product of policy choices and a resulting legal framework that enables broadcast radio to remain completely free and dedicated to local communities. Anyone in the country can access local radio without needing a subscription or internet connection. During emergencies and times when other forms of communication fail, radio is there to deliver critical information to listeners across America.

As a result, 79% of Americans listen to local radio each week.⁶ The mutually beneficial relationship between performers and radio – free airplay for free promotion – continues to thrive, and the laws governing that relationship continue to serve the public good.⁷

³ <https://radioink.com/2022/01/26/will-ethnic-radio-survive-in-the-u-s-a/>

⁴ Based on P6+ Mon-Fri 6a-10a October 2025 PPM data for the Raleigh-Durham MSA for WFXC-FM.

⁵ Nielsen Radio, May 2024.

⁶ RADAR 164 MAR 2025 Copyright Nielsen Audio.

⁷ See On the Radio: Public Performance Rights in Sound Recordings, Congressional Research Service, R47642, Aug. 3, 2023 citing S. REP. NO. 104-128, at 15 (1995)(“performers have ‘benefited considerably from airplay and other promotional activities provided by advertiser-supported, free over-the-air broadcasting’ ...Congress did not wish to alter ‘the mutually beneficial economic relationship between the recording and traditional broadcasting industries’”); see also U.S. GOV’T ACCOUNTABILITY OFFICE, GAO-10-862, TELECOMMUNICATIONS: THE PROPOSED PERFORMANCE RIGHTS ACT WOULD RESULT IN ADDITIONAL COSTS FOR BROADCAST RADIO STATIONS AND ADDITIONAL REVENUE FOR RECORD COMPANIES, MUSICIANS, AND PERFORMERS 13-21 (2010), available at <http://www.gao.gov/assets/310/308569.pdf> (“Most industry stakeholders believe that radio airplay promotes sales for the recording industry, and past and current business practices support this conclusion”).

Some of my fellow panelists have suggested that despite broadcast radio's time-tested benefits to both performers and listeners, Congress ought to overhaul the current music licensing laws that apply to local radio and impose a new sound recording performance royalty on stations by enacting the so-called "American Music Fairness Act." Such an abrupt change in law that governs relationships between incumbent rights holders and users would be wholly inconsistent with Congress' long-held approach to copyright policy. Whether it was the emergence of player piano rolls, copy machines, VHS recordings, streaming services or search engines, Congress has consistently focused its major copyright reforms on updates to law that are needed to account for new or emerging technologies – not media that has existed for more than 100 years. It would be unprecedented for Congress to upend copyright laws that have governed decades-long relationships, on which entire industries have been built to the mutual benefit of stakeholders as well as the public, and where the fundamental nature of each remains intact.

The imposition of a new performance royalty is simply economically untenable for local radio broadcasters. While our critical lifeline service is free to listeners, it is not to those who provide it. Radio operators invest heavily in local programming and the employees who make it unique to our communities. Radio stations also pay countless other fees, including annual FCC regulatory assessments and copyright royalties to performing rights organizations like ASCAP, BMI, GMR and SESAC, and streaming collectives like SoundExchange. AMFA's proponents argue that these fees are not enough, and radio stations should be assessed a new burdensome royalty.

Streaming platforms and satellite radio broadcasters recoup costs like these through the subscriptions and fees they charge to their users. Free, local radio only has the option of cutting elsewhere when new fees are imposed. Stations have to make the choice between covering local football games or paying new fees; between making their payroll or sending more money to big record labels. AMFA's proponents try to minimize this impact by arguing that smaller radio stations would pay "only" a \$500 annual fee. But we all know that once assessed, fees never decrease. Just as a \$500 is real money to a new artist that "breaks" on our radio stations, I cannot stress enough that \$500 is real money to a small market radio operator.

Make no mistake: enacting the AMFA would jeopardize jobs, require radio stations to cut back their involvement in local communities and place more pressure on radio stations already struggling to survive. It would also incentivize radio stations to play less music per hour, shift to non-music formats as a means of economic survival and cause some stations to go out of business altogether. This would hurt not only the radio stations and their local communities, but also the artists who rely on radio's unprecedented reach to engage both new and existing listeners. Lesser known or up-and-coming artists will suffer in particular, with radio stations being forced to air the most popular or larger performing artists in an attempt to draw a larger audience at minimal cost. For these reasons, we are grateful to the 26 Senate and 214 House cosponsors of the Local Radio Freedom Act, a resolution that opposes any new fee or tax on local radio stations.

IV. Recording industry revenues are at an all-time high, while radio revenue continues to decline

When listeners hear a new artist or song they like on the radio, consumers then engage with that artist in other ways, be it by attending live events and participating in “concert tourism,” finding that artist on a streaming platform, or connecting through social media. The promotional value of radio adds up not only to significant income for performers but for the entire performance industry.

AMFA’s proposal comes at a time when the financial picture of the U.S. music and radio industries could not present a starker contrast. Thanks in large part to the continued exposure given to artists on radio, the American recording industry is the largest in the world and recorded music revenues are at an all-time high. According to the most recent statistics from the RIAA, recorded music revenues in the U.S. in 2024 continued strong growth for the eighth consecutive year. Total revenues grew 3% (after growing 8% in 2023) to a record high \$17.67 billion at estimated retail value.⁸ It also comes at a time of significant consolidation between labels and publishers where both the record and the publishing arms of the “big three” music companies⁹ are seeing double-digit profits.¹⁰ The same rings true for music publishers. According to Digital Music News, reporting on the National Music Publishers’ Association president and CEO’s speech at the association’s annual meeting in June 2025, “U.S. music publishing revenue grew by double digits during 2024” totaling \$7 billion (an increase from \$6.2 billion in 2023).¹¹

Simultaneously, the success of touring is at unmatched scale. According to Billboard, “the concert business continued to reach new heights in 2024” in both attendance and ticket sales, and projecting that the “concert business...[is] poised for another 12 months of record growth.”¹² And “concert tourism” or “music tourism” – the trend of concertgoers traveling to a specific location with the intent of attending a music festival or concert – is expected to grow from \$5.91 billion in 2023 to \$14 billion by 2033,¹³ further contributing to state and local economies.¹⁴

⁸ Matthew Bass, RIAA 2024 Year-End Music Industry Revenue Report, available at <https://www.riaa.com/wp-content/uploads/2025/03/RIAA-2024Year-End-Revenue-Report.pdf>.

⁹ Universal Music Group, Sony Music Group, and Warner Music Group constitute the three major music companies.

¹⁰ Tim Ingham, The 3 Major Music Companies are Now Jointly Generating Approximately \$2.9M Per Hour,” May 15, 2023, available at <https://www.musicbusinessworldwide.com/the-3-major-music-companies-are-nowjointly-generating-approximately-2-9m-per-hour/>

¹¹ See <https://www.digitalmusicnews.com/2025/06/23/nmpa-publishing-revenue-2024/#:~:text=U.S.%20music%20publishing%20revenue%20grew,have%20closed%20significantly%20since%202014.>

¹² See <https://www.billboard.com/lists/biggest-live-music-stories-2024-sphere-coachella-live-nation/no-values-festival-launches-in-los-angeles/>

¹³ Music Tourism Market Share, Trend & Forecast by 2033 | FMI (futuremarketinsights.com)

¹⁴ The Rise of Concert Tourism Explained - The Travel Team

Radio stations are often asked by record labels to conduct events featuring their artists, which further contributes to an artist's success. But at the same time as the performance industry hits record revenues, radio's advertising-supported model continues to be stifled by Big Tech's market dominance. Radio revenue is down 20% overall since 2019¹⁵ and our advertising revenue is projected to decline by 5% in 2025, and again by 3.5% in 2026.¹⁶ In spite of these challenges, our stations continue to provide an essential service to your constituents and to the performers played on our airwaves.

V. Conclusion

Thank you for inviting me to testify today. Congress has repeatedly and intentionally declined to interfere with the mutually beneficial relationship between performers and radio – free airplay for free promotion – and should continue to do so today.

Broadcasters are extremely proud of our service to your constituents and the support of our music industry partners. Unfortunately, the AMFA would undermine both.

We look forward to working with this committee in support of balanced music licensing policies that ensure a thriving future for performers while preserving broadcasters' uniquely free and local service.

I look forward to answering your questions.

¹⁵ *Historic and Go Forward Forecast: Local Audio*, BIA Advisory Services, (Aug. 2025) (showing a 20% decline in radio revenue from 2019 to 2025).

¹⁶ <https://www.spglobal.com/market-intelligence/en/news-insights/research/2025/10/broadcast-outlook-2025-challenges-opportunities-facing-us-tv-radio-stations>