

HR 5361

Perform Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Commerce

Introduced: May 11, 2006

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (May 11, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/5361>

Sponsor

Name: Rep. Berman, Howard L. [D-CA-28]

Party: Democratic • State: CA • Chamber: House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bono, Mary [R-CA-45]	R · CA		May 11, 2006
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jun 13, 2006
Rep. Carter, John R. [R-TX-31]	R · TX		Jun 13, 2006
Rep. Ford, Harold E., Jr. [D-TN-9]	D · TN		Jun 13, 2006
Rep. Hyde, Henry J. [R-IL-6]	R · IL		Jun 13, 2006
Rep. Feeney, Tom [R-FL-24]	R · FL		Jun 26, 2006
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		Jun 26, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	May 11, 2006

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
109 S 2644	Related bill	Apr 25, 2006: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3510-3511)

Platform Equality and Remedies for Right Holders in Music Act of 2006 or the Perform Act of 2006 - Requires Copyright Royalty Judges (CRJs) to establish rates for a statutory license for the transmission of sound recordings by organizations that most clearly represent the fair market value of the rights licensed.

Replaces the different processes for setting rates and terms of royalty payments for subscription transmissions by preexisting subscription services, satellite digital radio services, and eligible nonsubscription transmission services with one process for all such transmissions. Directs CRJs, when setting such rates and terms, to consider: (1) the fair market value of the rights licensed; and (2) the degree to which reasonable recording affects the potential market for sound recordings and the additional fees that are required to be paid by services for compensation.

Conditions statutory licensing of transmissions on the transmitting entity using technology that is reasonably available, technologically feasible, and economically reasonable to prevent the making of copies or phonorecords embodying the transmission in whole or in part, except for reasonable recording. (Current law provides for limits on phonorecords of the transmission directly in a digital format.)

Allows a performing rights society or a mechanical rights organization to monitor public performances or other uses of copyrighted works contained in transmissions.

Requires the Register of Copyrights to convene a meeting among affected parties to discuss whether to recommend creating a new category of limited interactive services within certain statutory licenses for subscription transmissions.

Actions Timeline

- **May 11, 2006:** Introduced in House
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- **May 11, 2006:** Referred to the House Committee on the Judiciary.