

Streaming and the DMCA

The Digital Millennium Copyright Act limits what can be streamed: *We cannot stream albums in their entirety*, for example.

The Short Version:

Some of our music falls outside the bounds of this law (which restricts how many songs from one album can be played), and can be aired on our analog signal, but not on the web stream. There's also a rule against downloading music and moving forward and backward through a stream. So the choice is to make it "non-downloadable" and disable "scrolling" of archived music files, or to never archive music programming.

The Long Version:

The Digital Millennium Copyright Act (DMCA) is a U.S. law, passed in 1998, regulating many aspects of Internet activity. It was established to protect the copyrighted material of artists, scientists, writers, etc., in these times of growing technology. Part of this act establishes that the recording industry would have a right to collect royalties for their performers based on Internet "airplay."

It took a while, but in 2003 - amidst much debate and confusion - a set of rules and royalties was established for webcasters to follow. In order to track what songs are played, webcasters must submit thorough reports on every song played by every listener.

We're prepared to do whatever we can to continue streaming.

Some DMCA rules affect any archiving of recorded music, since:

- Archived shows can appear for 14 days consecutively;
- Archived shows must consist of 5-hour-long files.

Some of these DMCA rules outline restrictions on the frequency some songs can be played.

In any 3-hour period, we can webcast:

- No more than 3 songs from one album; no more than 2 played consecutively from one album
- No more than 4 songs from a set/compilation; no more than 3 played consecutively
- No more than 4 recorded songs by the same artist (**live studio appearances are okay**)

Shows from our broadcast past that ventured beyond these limits cannot appear in the archives. Gaps must be created in the live stream for the playing of any entire albums. Said gaps must be filled by other music or other programming.

Another element of the rules states that listeners should not be able to download or call up any particular song on demand; so therefore, no music should be "downloadable" and there should be **no way to "scroll" forward or backward** through the streaming shows that contain recorded music. That feature in Windows Media Player and MP3 must be purposely disabled for music programming.

We have the choice of following the guidelines or giving up our audio presence online.

More info: Here's some more information about the DMCA, and how to let your feelings about the situation be known:

(web links will open in a new browser window)

- The complete text of the [Digital Millennium Copyright Act](#)
- The Recording Industry Association of America: www.riaa.org
- An organized effort in opposition to the DMCA: www.anti-dmca.org
- The Radio and Internet Newsletter: www.kurthanson.com
- The Electronic Frontier Foundation: www.eff.org
- The ['Telecommunications and the Internet'](#) House Subcommittee