



Performing Arts Alliance
the Coalition of Performing Arts Advocates

January 23, 2012

The Honorable John Barrasso
The Honorable Max Baucus
The Honorable Xavier Becerra
The Honorable Kevin Brady
The Honorable Dave Camp
The Honorable Ben Cardin
The Honorable Bob Casey, Jr.
The Honorable Mike Crapo
The Honorable Renee Ellmers
The Honorable Nan Hayworth
The Honorable Jon Kyl
The Honorable Sander Levin
The Honorable Tom Price
The Honorable Jack Reed
The Honorable Tom Reed
The Honorable Allyson Schwartz
The Honorable Fred Upton
The Honorable Chris Van Hollen
The Honorable Greg Walden
The Honorable Henry Waxman

Subject: Conference on H.R. 3630 - the Temporary Payroll Tax Cut Continuation Act of 2011 – and Broadcast Spectrum and the Nonprofit Performing Arts

Dear Conferees:

As the Administration and Congress work to close our nation's budget deficit, various pieces of legislation are being considered which include spectrum auctions, including H.R. 3630. We write to urge you to protect the valuable public benefits produced by our nation's nonprofit performing arts sector as you consider any plan to reallocate or 'repack' the broadcast spectrum. Your decisions could result in unbearable costs to nonprofit performing arts organizations.

As you may know, wireless microphone users, including those in the performing arts, were subject to an FCC Rule that required cessation of operations in the 700 MHz band by June 12, 2010. The Performing Arts Alliance used all its communications mechanisms to encourage users in the performing arts industry to be compliant with the Commission's ruling. For many performing arts organizations, this migration out of the 700 MHz band caused an unanticipated expenditure of \$25,000 to \$100,000 for the purchase of sound equipment which would operate in a different area of the broadcast spectrum.

The performing arts sector has already made an expensive adjustment and we continue to await guidance as to how our members will coexist in the two safe haven channels the FCC has designated for unlicensed wireless microphone users. As Congress reviews options for possible further spectrum auctions, we urge you

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to consider the burden already borne by the performing arts community. Should another move in the broadcast spectrum be deemed necessary, we respectfully request that funding be set aside to defray those costs.

Wireless microphone technology is commonly used in dance, music, opera, orchestra, and theatre productions across the country. Collectively, we reach live audiences of 104 million Americans and represent a \$6.8 billion dollar industry annually. Given the thousands of performances held by arts organizations each year, the use of wireless microphones is both essential to producing high-quality performances and also mitigates against significant public safety concerns. Wireless equipment has been used on stages for more than three decades, freeing performers from cumbersome microphone stands and hazardous wires, creating a safe environment both in front of the curtain and backstage for technical crews and performers.

Performing arts organizations provide demonstrable service to the public in improving quality of life, preserving our cultural heritage, and in providing education, enlightenment, entertainment and, of course, contributing to local economies in every community across this country. Nonprofit performing arts organizations in the United States have made substantial financial investments in their technical equipment, including wireless microphones and communications devices used for backstage communications, in order to produce and present performances of the highest caliber, which our audiences have come to expect. It is this investment in sophisticated sound equipment that helps illustrate professionalism in our sector.

The Performing Arts Alliance is a national network of more than 6,000 organizational members comprising the professional, not-for-profit performing arts and presenting fields. For over 30 years, the Performing Arts Alliance has been the premiere advocate for America's professional not-for-profit arts organizations, artists and their publics before the U.S. Congress and key policy makers. Through legislative and grassroots action, the Performing Arts Alliance advocates for national policies that recognize, enhance, and foster the contributions the performing arts make to America. Our member organizations include American Composers Forum, Association of Performing Arts Presenters, Chorus America, Dance/USA, Fractured Atlas, League of American Orchestras, National Alliance for Musical Theatre, National Association of Latino Arts and Culture, National Performance Network, New Music USA, OPERA America, and Theatre Communications Group.

The Board of Directors of the Performing Arts Alliance respectfully urges Congress to consider the impact of reallocation of the broadcast spectrum on the performing arts sector.

Sincerely,



Roche Schulfer
Chair, Performing Arts Alliance
Executive Director, Goodman Theatre



Mario Garcia Durham, President and CEO
Association of Performing Arts Presenters



Teresa Eyring, Executive Director
Theatre Communications Group



Ed Harsh, President and CEO
New Music USA



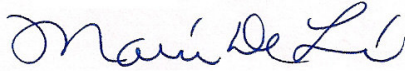
Amy Fitterer, Executive Director
Dance/USA



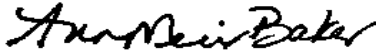
Adam Huttler, Executive Director
Fractured Atlas



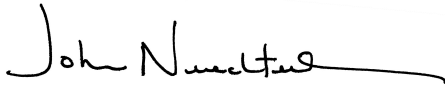
Betsy King Militello, Executive Director
National Alliance for Musical Theatre



Maria Lopez de Leon, Executive Director
National Association of Latino Arts and Culture



Ann Meier Baker, President and CEO
Chorus America



John Nuechterlein, President and CEO
American Composers Forum



Jesse Rosen, President and CEO
League of American Orchestras



Marc A. Scorca, President and CEO
OPERA America



MK Wegmann, President and CEO
National Performance Network