

From: Steven Todd Larian <slerian@calpoly.edu>
Sent: Wednesday, August 7, 2019 6:32 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: ASCAP/BMI Antitrust Consent Decrees

Dear Department of Justice:

We strongly disagree with the U.S. Department of Justice ending the Antitrust Consent Decrees which have regulated the Performing Rights Organizations BMI and ASCAP since 1941.

Ending this decree would severely adversely impact Cal Poly Arts as well as all other non profit, educational, community, state and national performance venues, as well as restaurants, hotels, breweries, wineries, and bar ACROSS THE ENTIRE NATION in the following manner:

- it would allow BMI and ASCAP to increase fees and inappropriately assess new fees on other revenue sources such as merchandise sales, sponsorships and concessions sales without any judicial or DOJ oversight, to every performance venue, thereby raising tickets prices for consumers; and
- it would endow BMI and ASCAP with the ability to unfairly control the performing artists that venues may hire.

Ending this decree will create significant uncertainty in how arts and concert venues and promoters would license performance rights for events going forward.

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