

From: Heather Silva <heather.si[REDACTED]>
Sent: Wednesday, August 7, 2019 4:35 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: Antitrust Consent Decrees

Dear US DOJ,

On behalf of the California Presenters organization, 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 non profit, educational, community, state and national performance venues, as well as restaurants, hotels, breweries, wineries, and bars across the US in the following manner:

- it would allow BMI and ASCAP to increase fees, 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. Although the deregulation of these agencies is being done under the guise of giving songwriters additional compensation for their work, ending this decree actually acts inversely to this end because it prevents non-profit presenters from being able to afford to present their work on public stages.

The Performing Arts is an ecosystem that exists within a system of symbiotic and mutually beneficial relationships; ending this decree tips the balance in favor of agencies who profit off of events that are already heavily subsidized in many cases by the presenters who provide artists public platforms in the first case. Ending this decree would mean that artists, patrons and performing arts venues all suffer and it will undoubtedly have an adverse affect on the livelihood of many, including those

presenters who support artists in small communities as the only source of public programming.

If we want to continue to make the arts accessible in ALL communities across the US, I urge you to stop this effort to end the Antitrust Consent Decree.

Sincerely,

Heather Silva

President, California Presenters

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