

From: DON FELDER [REDACTED]
Sent: Thursday, July 25, 2019 5:37 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: American Society of Composers, Authors and Publishers

To: U.S. Department of Justice Anti-Trust Division

I am a professional songwriter and a longstanding member of the American Society of Composers, Authors and Publishers. Since 1969, I have been a proud member of this organization and supported their work assisting and advocating for songwriters. I have been fortunate in my career having co-written songs that continue to endure, including "Hotel California" and "Victim of Love." I write today as someone who cares deeply about the future health of our industry for the next generation of music creators.

This year, I visited Washington to speak with policymakers about the issues that continue to make it too difficult for songwriters to earn a reasonable living. It is in this vein that I ask you to modernize the Department of Justice's longstanding ASCAP and BMI consent decrees.

As a veteran of the industry, I have had a front-row seat to the massive changes the music business has endured over the last quarter century. These shifts in how people listen to music - from vinyl to CDs to digital downloads and now to streaming - have drastically adjusted the income streams that professional songwriters rely on to make ends meet. In our current landscape, the public performance royalties that ASCAP helps collect are a crucial part of songwriters' ability to make a living.

Unfortunately, the antiquated constraints that the consent decrees put on those who negotiate our royalties make no sense today. They are completely out of step with the way people listen to music. I'm asking you to terminate these unnecessary regulations so that songwriters can more readily earn the fair-market value they deserve.

I support ASCAP's plan to modernize these decrees with a reasonable transition period to a free market so that the industry has a chance to adjust to a new and more balanced framework. Ultimately, these changes will mean more flexibility for songwriters, but also new opportunities for those who love and use music to share and enjoy their favorite songs.

Thank you for reviewing these outdated rules and for considering my views as you do so.

Sincerely,

Don Felder