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**Sent:** Tuesday, August 6, 2019 5:31 PM  
**To:** ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>  
**Subject:** ASCAP and BMI consent decree - OPPOSE termination or weakening

Back in 2018 BMI issued a license cancellation letter to a number of venues along with a new license extension agreement. The new agreement stated that rates would be determined and retroactive back to July 2018. Many venues protested – many were not willing to sign an agreement with undisclosed rates and also opposed the retroactive action.

This week venues received another letter from BMI demanding that the license extension be signed. This new extension agreement more than triples the current rate and is assessing the rate on not only ticket sales but concessions, parking, merchandise, ticketing fees and VIP lift. Please see the attached and refer to Section 1, paragraph g. As you can imagine this places an undue burden on the venue.

BMI operates under a consent decree which forces BMI not to collude with ASCAP in order to raise rates nor can they pick and choose who can be a license holder. The elimination of the consent decrees would have far reaching impact for if BMI is allowed to determine who holds a license any non-license holder is prohibited from playing BMI music.

We strongly oppose the termination or weakening of these consent decrees.

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