

From: Harry Riskin <HR [REDACTED]>
Sent: Friday, August 9, 2019 11:29 AM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: Comment Regarding Performing Rights Organizations (PRO) BMI and ASCAP Proposed Regulation

Hello,

I am expressing my opposition to any change to the Antitrust Consent Decrees that have regulated the Performing Rights Organizations (PROs), including Broadcast Music Inc. (BMI) and the American Society of Composers Authors and Publishers (ASCAP), since the early 1940s.

This change could cause irreparable harm to the music industry, especially in the nonprofit sector.

The termination of the Consent Decrees would allow the PROs to significantly increase rates without any judicial or DOJ oversight. It would also allow the PROs to charge different fees to similar presenters. It would give the PROs the ability to decline licenses, in effect giving the PROs control over which acts are available to specific communities nationwide.

BMI is in the Rate Court right now requesting the addition to their licensing fees of ancillary incomes from that have nothing whatsoever to do with the creation or performance of music and art. Although we do not know how the Rate Court will decide this issue, without judicial oversight under the Consent Decrees, it will be much easier for the PROs to pursue these claims.

Thank you for your consideration of this matter. –Harry J. Riskin [trustee :Mayo Performing Arts Center]