

From: Russell Wicker <rw [REDACTED]>
Sent: Wednesday, August 7, 2019 2:53 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: ASCAP & BMI Consent Decrees - DO NOT END

August 7, 2019

Dear Department of Justice:

I STRONGLY disagree with the U.S. Department of Justice ending the Antitrust Consent Decrees which have regulated the Performing Rights Organizations (PRO) BMI and ASCAP since 1941.

Ending this decree would SEVERELY adversely impact the Isothermal Community College Performing Arts Center, ALL OTHER NON PROFIT EDUCATIONAL, COMMUNITY, state and national performance venues, and restaurants, hotels, breweries, wineries, and bars ACROSS THE ENTIRE NATION 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 potentially limiting the level of artist a performance venue may present.
- It would allow BMI and ASCAP to not only take a percentage of revenues from ticket prices, but also other, non-related revenue streams vital to the operations of a venue including service charges, concessions, merchandise, parking, sponsorships and advertising, none of which fall under the normal auspices of performance rights (money that goes to support the writers/creators of the music).
- It would endow BMI and ASCAP with the ability to unfairly control the performing artists that venues may hire by giving them the authority to refuse licensing of a venue for a particular artist.

Ending this decree WILL create significant uncertainty in how arts and concert venues and promoters would license performance rights for events going forward. It has the potential to put venues out of business completely.

Please do not end the Antitrust Consent Decrees which regulate Performing Rights Organizations.

Respectfully,

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