

From: Jane Margulis [REDACTED]
Sent: Monday, June 10, 2019 9:03 AM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: DOJ review of ASCAP and BMI decrees

I have become aware that Performing Rights Organizations (PROs) have begun to prey on tiny small-town music venues, small non-profit organizations that occasionally present music at their events (and even on small non-music related businesses) in rural areas.

I live in the tiny Town of Waldport, population 2033 as of the last census, on the Central Coast of Oregon. Our annual and biggest event, Beachcomber Days celebration, was initially cancelled, after 63 years, due to threats from BMI against the event committee and individual members. It was saved by a last-minute decision by the City of Waldport to cover the demanded music performance fees for the private non-profit Beachcomber Days Committee... Even without these additional fees, Beachcomber Days has always depended on donations to survive.

Just to give you an idea...We need donations for our annual July 4th fireworks to occur, which actually takes place on July 3rd because it costs less money than on the 4th...The Chocolate Frog, a locally owned store, almost closed a couple of months ago because they couldn't make the next rent payment due to competition from a Dollar General that opened in town, until chocolate-loving locals donated money to keep it open....You see, our businesses depend on summer tourists to survive the rest of the year.

But small businesses and music venues in my County have been reporting increasing harassment and threats from the PROs in recent years. The richness and variety of our local music scene (along with an important aspect of the area's appeal to visitors) has been significantly diminished as small clubs and restaurants threatened with crippling fines and judgements in the federal courts have simply decided that live music is not worth the risk to their survival.

I ask that you do something to rectify this situation. No one is trying to take advantage here. The regulations just don't seem practical or fair as they are currently written.

Thank you...Jane Margulis

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