

From: Sara Henley <henl[REDACTED]>
Sent: Wednesday, August 7, 2019 10:35 AM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: Keep Antitrust Consent Decrees In Place

To whom it may concern:

Queens University of Charlotte is opening a 1,000 seat performance venue, the Gambrell Center for the Arts and Civic Engagement, in early 2020. I am writing to add comment on the Antitrust Consent Decrees regulating BMI and ASCAP as a presenting arts organization.

The termination of the Consent Decrees would allow BMI and ASCAP to significantly increase rates without any of the judicial or DOJ oversight required under the Consent Decrees, allow differing fees between presenters and give them the ability to decline licenses, potentially giving BMI or ASCAP the ability to control which acts we may hire. This could also create significant uncertainty in how venues and promoters would license performance rights for events going forward. We are concerned that BMI is requesting licensing fees to include percentages of additional revenue including ticket fees, facility fees, merchandise, and other revenue streams.

The possibility of these additional fees that we, as a presenter, would owe to BMI or ASCAP represents a great encumbrance on an already tight nonprofit budget. The purpose of our organization is to enhance student and community learning experiences through the power of music and other arts programs. The prospect of the termination of the Antitrust Consent Decrees does not, in my opinion, serve the public interest in this regard.

Respectfully,

Sara Henley
Director of the Gambrell Center for Arts and Civic Engagement
Queens University of Charlotte
T: 704-337-2466
henleys@queens.edu