

From: Rob Hyman <dubn[REDACTED]>
Sent: Wednesday, July 31, 2019 4:30 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: ASCAP and BMI Consent Decrees

Dear Assistant Attorney General Delrahim:

I have been a professional songwriter for over 40 years now, and a member of ASCAP for every one of them. I co-wrote "Time After Time" with Cyndi Lauper, and in addition to co-leading my band, The Hooters, I've been lucky to work with many of the world's greatest recording artists – including The Band, Joan Osborne, Mick Jagger, The Chieftains, and Roger Waters.

My music has traveled far further than I could ever have imagined while I was writing it. It's an incredible, humbling thing to know that a song that was just an idea swimming around my head, is now giving joy to generations of music fans.

But songwriting is more than just a good feeling for me. It's also my livelihood. That's why I've joined ASCAP in their visits to DC in recent years, speaking with Members of Congress about the importance of protecting the value of music. **And it's why I'm writing today, to ask you to modernize the outdated DOJ consent decrees that govern ASCAP and BMI.**

The Consent Decrees are a vestige of an old-world that bears little resemblance to the way music is listened to today in the digital music era. I was lucky to come up in the late '70s and '80s, when listeners still bought albums, and streaming was still decades away. I had a lot of income sources – including my ASCAP royalties – that all fed into a sustainable career. Now that streaming has eroded album sales, songwriters like myself rely more than ever on our performance royalties.

But we face an uncertain future because the Consent Decrees enable businesses to use our music at less than the fair value of our work. All we are asking for is a fair and level playing field so that songwriters and composers (especially the newer and upcoming ones) have a chance of making it in today's world. It seems out of balance to me that we are among the most heavily regulated individuals in music and the major technology platforms and broadcast conglomerates can use our music for less than it is worth because of federal regulations.

That is why I strongly support ASCAP and BMI's proposals to bring the Consent Decrees into the modern era. Their ideas make sense: 1) Let's negotiate the value of our music in the free market, just like almost every other creative industry, and 2) Let's ensure a smooth transition through a reasonable sunset period during which we can all adapt, but in a way that ensures fairness to music creators as well as to licensees. This is not only a legacy for ourselves but for our families as well...

I hope you agree that these changes to the Consent Decrees will give music creators the chance to get what they deserve for all the hard work behind it - music that is truly enjoyed by everyone all over the world.

Thanks for the opportunity to comment.

Sincerely,
Rob Hyman