

Susan Rivers
201 S. York Street
Blacksburg, SC 29702
www.susanjanerive
(704) 618-9833

May 26, 2012

RECEIVED *KMW*

John R. Read
Chief, Litigation III Section
United States Department of Justice
450 5th St NW, Suite 4000
Washington DC 20530

JUN - 5 REC'D 2012

LITIGATION III, ANTITRUST, DIV.
U.S. DEPT OF JUSTICE

RE: Tunney Act; E-Book Price Fixing Case

Dear Mr. Read,

As a published writer and a college English instructor, I have worked hard these past few years to maintain faith that our society will endure as a literate democracy. My faith was shored up by the election of a well-educated, literate, book-reading man as president in 2008, and despite the declension of print media in general and printed books in particular as the primary mode of intellectual and cultural discourse in this country, I have clung to the hope that publishing would adapt to and eventually survive – in some altered form -- the ravenous acquisition of the written word by the internet and internet-based empires. What I could not have foreseen (possibly because I am not a *horror* writer...) was that President Obama's own Justice Department, under the direction of Attorney General Eric Holder, would go after the publishing industry with the kind of zeal one imagines the D.O.J. directing at organized crime, the traffickers of sex-slaves, or the engineers of credit default swaps. As New York Times writer David Carr pointed out so aptly in "*Book Publishing's Real Nemesis*," April 15 2012, it beggars understanding "why the crumbling book business is worthy of so much attention from Justice while Wall Street skates..."

Almost any writer, even one whose work has been singled out for honors or who has shepherded a respectable number of pieces into print, will tell you that in these extraordinary times, when a profit-driven global business environment has extinguished all but the leanest operations in the publishing industry and has forced those surviving organizations to grow ever more restrictive in what they publish (with cost-benefits analysis applied to literary property meaning that the value formerly attached to ideas has necessarily given way more and more to a criteria of mass appeal)...this writer will tell you that he or she considers it more likely to be struck by lightning while hawking peanuts at a baseball stadium (his day job) or while serving mojitos to diners on the restaurant patio (hers) than to be offered a publishing contract for a novel or a collection of poems. The profit margins of publishers are so small and the outlets for their product have evaporated so quickly, thanks in large part to Amazon, that those of us who have clung to the hope of an enduringly literate America are starting to feel deluded. (I currently

live in a county in South Carolina that no longer has a *single* bookstore operating, either independent or chain-based...)

Lower prices for e-books may be what consumers think they want and the D.O.J. believes they should have, but has anyone in Washington given any thought to *who* will be writing books when Amazon's monopolistic suppression of prices insures that there is no longer even a partial living to be made from the proceeds (see 'mojitos,' above) and when all trace has been obliterated of the industry that previously groomed, supported, promoted and paid the best of these authors?

Please consider the implications of this lawsuit to the prospect of a viable market for writers in America, and to the larger questions of literature and literacy. Otherwise, we writers will be asking ourselves: with friends like the Justice Department, who needs enemies?

Sincerely,



Susan Rivers