

August 6, 2014

My name is Cece DuBois. I am a songwriter in America; I come from a family of songwriters. We all write and perform music. I am a member of BMI, and am very much aware of the Consent Decrees held by BMI and ASCAP. These decrees have impacted my family directly, have marginalized the income we could have had if these decrees had been less onerous; if, to some extent, we'd been able to negotiate on our own behalf.

Google, Pandora, YouTube, Spotify, Amazon ...these online giants have been given free reign by our government to strip mine our works, and we have no say in the matter. Add the fact that in 2013, 62% of all downloaded music was stolen through websites set up for the sole purpose of music pirating, and the case can be made that the companies listed above have *partnered with the government to legally strip writers of what little is left of the income from their works.*

I'm reminded of the definition of anti-trust:

Anti Trust - Meaning: Of laws and regulations; designed to protect trade and commerce from unfair business practices; the Federal laws forbidding businesses from monopolizing a market or restraining free trade. Synonyms: ***antimonopoly***.

The Consent Decrees that define how BMI/ASCAP do business, in these times, amount to the enforcement of a type of monopoly; the antithesis of "antimonopoly." It IS a monopoly, everyone on both sides of the aisle knows it, and it's legally sanctioned by the government. Every writer has to join either BMI or ASCAP. But by joining, they are legally shackled by this decree that takes from them any control over their own work, and how it's marketed.

Times have changed. And the time has come to return to songwriters their rightful agency. Leave some sort of Consent Decree in place, if you must, but do so in such a way as the writers have the "option" to participate in that ... or not.

Please consider seriously your actions, and your decisions in this matter. While you may not have been able to predict the unintended consequences of these "Consent Decrees," we as songwriters have lived them; they have been horrific. It is time to change course.

Respectfully,
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