

**Chief, Litigation III Section  
Antitrust Division  
U.S. Department of Justice  
450 5th Street NW, Suite 4000  
Washington, DC 20001**

**Re: Justice Department Review of the BMI and ASCAP  
Consent Decrees**

**Sirs,**

**As a seven term former president of the Nashville Songwriters Association, the world's largest not-for-profit songwriter organization, I am shaken and appalled at your proposal to add yet another government burden, 100% licensing, to the archaic and restrictive consent decrees that are already decimating America's creative class. We had hoped that in the wake of Register Maria Pallante's insightful and forward thinking copyright review, your reaction might be to REMOVE some of the Consent Decrees' archaic limitations on the ability of songwriters and publishers to operate in a free market, like every other business in America. The post-WW II rate setting process is already making billionaires out of digital services and streaming operators, while starving music creators to the point that there are less than one-third the number of professional songwriters in America as there were only a decade ago.**

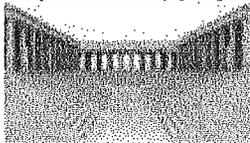
**To add "everybody gets it for the cheapest rate" to the already oppressive rate setting process for our copyright would devastate the last reasonably equitable royalty stream we have, terrestrial radio. We might well have to pay both PROs' administration costs and have our already nine months delayed payments extended even further.**

**How would you like to wait a year and a half for your next paycheck?**

**This idea may be a minor licensing convenience for digital and terrestrial music services, and will drive down their costs slightly, but it will certainly accelerate the ruin of America's creative class. The framers created Copyright laws so that citizens could enjoy the fruits of our creative labors. By starving creators out of business, you would be denying everything Article 1, Section 8 of the Constitution stands for.**

**Sincerely Disappointed and Angry,  
Steve Bogard**

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**The Copyright Forum**

**"Creating balanced conversation on the cultural and commercial value of copyright"**



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