

From: Teri Hitt <ter[REDACTED]>
Sent: Tuesday, August 5, 2014 1:49 PM
To: ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>
Subject: Comment on ASCAP | BMI Decree

Hi,
I'm an American songwriter. I believe that the details of the "Consent Decree" need to be adjusted.

As a practical matter, all American professional songwriters have to join one of ASCAP, BMI or SESAC in order to earn a living. The DOJ has essentially created a single exchange within the federal courts that requires songwriters to join a regulated PRO organization in order to participate in the market.

That means that the vast majority of songwriters are subject to the consent decree from the time they write their first song.

The Single Exchange takes away the right for songwriters to negotiate. It takes property rights without due process or just compensation.

I believe the consent decrees violate the American social contract.

The decrees have become a crutch on which well-funded music service companies, that can afford the litigation, have come to depend. They use the rate courts as a competitive advantage. The operation of these consent decrees has created a single market inside a federal court. This limits access to that market to the number of potential buyers who can afford the millions in legal fees required to participate.

Please do what you can to fix this. The songwriters, the ones that actually create this stuff deserve a fairer shake in all this.

Thanks for your efforts.

Teri Hitt
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