

From: Info Cedar Mesa Music <info@cedar-mesa.com>
Sent: Tuesday, August 5, 2014 4:06 PM
To: ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>
Subject: Consent Decrees Limit Individual Artist Rights to Self Determination

I am an American composer/performer, a member of BMI. I own my own publishing company and label. I'm submitting this comment on my own behalf in opposition to the ASCAP and BMI consent decrees. I believe these government actions essentially are a compulsory license outside of the Congress and take away songwriters' rights to due process of law.

Under consent decrees I lose the freedom and ability to negotiate for myself and my works as do other small, independent artists. We are lumped into a larger pool in which, due to our smaller size we have no voice.

Currently artists, if they want to participate in collection royalties, we must join a PRO, like BMI or ASCAP. This also forces me to consent decrees which are subject to the rate court. I have no say in the matter.

The DOJ has essentially created a single exchange within the federal courts that requires songwriters to join a regulated PRO in order to participate in the market. This limits my right to negotiate, either by myself or in a group of my peers.

This lack of artists to negotiate on their own stifles competition and forces me to allow others to use my works for their financial gain for very small compensation. Some of these entities have then turned around and lobbied congress to make the current compensation even smaller. Under the current consent decrees artists do not have the ability to choose to remove their works from these entities.

It is my desire that Consent Decrees be modified to allow rights holders to permit ASCAP or BMI to license their performance rights to some music users but not others.

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