



Statement by the Council of Music Creators Regarding the DOJ's Decision on 100% Licensing

The Council of Music Creators (CMC) strongly rejects the position of the Department of Justice's Antitrust Division that the Consent Decrees governing ASCAP and BMI require "full work" or "100%" licensing and that the Decrees do not need to be amended at this time.

There is no better example of the need for immediate revision than the Department's bizarre interpretation of the antiquated wording of the Decrees, which were conceived and negotiated more than sixty years ago, when the landscape of the music business was still developing, television had not yet been invented, "digital" referred to fingers, and when the vast majority of songs were written by individual writers.

Today's music is a collaborative venture among creative people, knit together by talented teams of writers, performers and producers, all of whom contribute to the final work. The organizations that we, as songwriters and composers, have chosen to license our performing rights (ASCAP, BMI, SESAC, GMR, and others) each license, collect, and distribute royalties from the shares of songs we own and they represent on our behalf.

This method, which is working perfectly and has done so for more than a century, is not what tech giants like Google want for the future. So they've pressured the DOJ, which is now requiring that any licensing organization controlling any part of a musical work must issue a license for the entire work, regardless of whether the organization controls those rights or not. When asked how this chaotic scheme will work, the response from the DOJ was, literally, "You'll have to figure that out."

The DOJ's plan is not just a bad idea, it's a completely unworkable solution to a non-existent problem. It will not only cost all writers hundreds of millions in increased administrative costs, but it will encourage those who use music to shop for the lowest price, driving down the already absurdly low rates they're currently paying and diminishing performing rights revenue forever.

The CMC will fight with all our creative ability to defeat this assault on our profession. We will stand and work with our sister music creator organizations and our allies on the business side. And we will not rest until we have achieved a fair and equitable solution that preserves the rights and the future of all music creators, and music, itself.