



June 11, 2018

The Honorable Chuck Grassley
135 Hart Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
331 Hart Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein,

We are writing you regarding some concerns we have over the Music Modernization Act. While we understand the need to modernize copyright and performance rights laws and applaud you for taking up the measure, there are several issues that have been brought to our attention that we feel should be addressed before moving ahead with legislation. After surveying the literature and researching the issue, we feel more conversation and research needs to be done before a final bill is passed. We encourage you not to rush this process and give our communities more time to digest the contents and the potential impacts.

To date, we have identified the following issues as areas of concern in the bill as currently drafted:

1. **Fair Compensation:** We believe the bill should protect underserved and disadvantaged communities as a whole. For instance, Black artists in particular have been taken advantage of for decades, as have other under represented groups. We want to see this issue corrected and see that these artists are compensated fairly.
2. **Exemption:** While giving compensation to these artists we want to take into account the impact it could have on poor/underserved/rural communities. The best way to make certain is to have exemptions for schools and libraries that are clear. The current bill does not appear to do this.



3. **Fair Use**: We want to make certain fair use clauses and protections are not compromised in any way.
4. **Termination Rights**: Many artists have been forced to give up the rights to their music in certain states. We need to give termination rights to the pre-1972 artists.
5. **Copyright Registry**: We believe it is imperative that the Registry be fair and accurate for all participants and the underlying organization must be transparent and accountable.
 - Individuals and organizations must be recorded and compensated accurately;
 - The database must be robust and scalable (for example: certain current databases will only allow input of one name. If there are four people that should be receiving compensation only one will be recorded);
 - A policy to deal with monies that haven't been collected and a method to resolve disputes must be included in the registry bylaws;
6. **Costs**: The House version of the Bill adds roughly \$47 million to the deficit. The Senate version fixes this by taking the \$47 million from the Department of Justice Asset Forfeiture program. While the broad merits of Asset Forfeiture are a separate issue, it is hard to imagine how in a time Congress can't find resources to combat the opioid crisis or improve our infrastructure, it can find money to help billion-dollar media companies. It hardly seems prudent or fair to expect taxpayers to foot this bill.

Conclusion

Notwithstanding the laudable goal of modernizing copy and performance rights, Congress must review the provisions to ensure fairness of the policy. Over the next couple of weeks, we will be consulting with experts and community leaders to gain more understanding of how this legislation might impact our communities and ways to improve the bill. It has unfortunately become a common belief that everything Congress does has the effect of empowering and enriching the wealthy at the expense of the rest of us. While not always true, it appears that the MMA may be just another of these actions. We hope you will give us the time to have a meaningful impact on this important issue.



Please do not hesitate to contact us at your earliest convenience should you have any questions related to our position on this matter. We look forward to enjoying a broader discussion of the Music Modernization Act and how it might positively affect poor and disadvantaged communities in the near future. As always, thank you for your leadership.

Sincerely,

Brady J. Buckner
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Charles Brooks, Esq.
Founder, FaithWorks

Alvin Williams
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