

We submit these comments in support of musicFIRST's Petition for a Declaratory Ruling Regarding the Actions of Certain Radio Broadcasters in Opposition to the Performance Rights Act. We represent an array of recording artists, from global names to emerging artists, across every musical genre. We are seeking the same rights for American artists that artists throughout the rest of the world have, except in countries like Iran, North Korea and China. We support musicFIRST's efforts to pass the Performance Rights Act and to ensure that performers are compensated for their work when it is played over the air. Artists have been seeking this equitable right for over 50 years.

We are tremendously concerned by the actions of broadcasters described in musicFIRST's Petition. While all of these actions are troubling, we're particularly concerned about broadcasters targeting and threatening artists that are among those we represent who wish to speak out in support of the Performance Rights Act. Some of us have direct knowledge of the type of intimidation described in musicFIRST's Petition and, while the specific instances are subject to confidentiality, they speak to a troubling pattern of behavior and efforts at retribution.

Others of us know from experience that this pattern of behavior has a real, direct and harmful impact on the business concerns of recording artists and are not to be taken lightly.

While we respect broadcasters' First Amendment rights, the broadcasters' intimidation is designed to suppress speech that is not even being made on their radio stations. Indeed, artists are being targeted for advocacy in which they engage at public meetings or in the halls of Congress. Broadcasters are taking these actions solely to further their own economic interests. It cannot be in the public interest for broadcasters to use a public resource in this manner.

In addition, the broadcasters' manipulation of information about the Performance Rights Act and their refusal to run advertisements from musicFIRST – all designed to further broadcasters' own economic self-interest – gives the public a warped view of this matter of national importance. That cannot be in the public interest either.

For all of these reasons, the Commission should seriously consider the requests for relief made in the musicFIRST petition.

Respectfully submitted,

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