



June 27, 2018

The Honorable Chuck Grassley, Chairman
The Honorable Dianne Feinstein, Ranking Member
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Markup of S. 2823, the Music Modernization Act

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of the nation's leading digital music providers, including Amazon, Apple, Google, Napster, Pandora, Spotify, and YouTube, the Digital Media Association ("DiMA") writes to express its strong support for S. 2823, the "*Music Modernization Act*" ("MMA") and to encourage all members of the Senate Judiciary Committee to vote in favor of this important piece of legislation during tomorrow's markup.

As you both are well aware, music licensing is one of the most challenging and complex areas of federal copyright law. The lack of an authoritative and accurate database of music copyright ownership along with rules designed for an analog world have slowed the growth and development of interactive digital music services. One area in which these challenges are especially acute is the licensing of reproduction and distribution rights of musical works (so-called "mechanical rights") under Section 115. Current law requires interactive streaming services to obtain mechanical rights on a song-by-song basis, which is inefficient and ineffective in a digital world in which services are adding tens of thousands of songs every month. Without a clear and reliable source of ownership information, each interactive service is on its own to identify and locate thousands of music publishers and the songwriters they represent.

The MMA creates a blanket licensing system for mechanical rights, which will increase public consumption of licensed music, increase royalties paid out to rights holders, and promote licensing efficiencies.

This blanket licensing system will help empower both existing and new interactive music services to expand their catalogs for consumers to lawfully access the music they love. New innovative and compelling listening experiences, together with broader music selection within services, will generate even greater consumer adoption, which will produce more royalties for songwriters for use of the musical works that make interactive music services possible. To achieve the goals of this legislation, we must also work together to ensure that the system is fair, transparent and accountable.

Thank you once again for all of your leadership on this issue, and we look forward to continuing to work with each of you, along with Senators Hatch (R-UT), Whitehouse (D-RI), Alexander (R-TN) and Coons (D-DE) to get the Music Modernization Act (S. 2823) enacted into law.

Sincerely,

/s/ Chris Harrison

Chief Executive Officer
Digital Media Association
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cc: Members of the Senate Judiciary Committee