

Dear members of Congress:

My name is Bonnie Hayes. I have been a professional musician, songwriter, producer and educator for 35 years. I currently serve as the chair of the songwriting department at the Berklee College of Music in Boston.

I have read with interest the many articles regarding the issue of copyright protection for musical works, particularly in the area of streaming revenues. I hope that my perspective may sway you in your analysis of the matter.

Shortly after I started writing songs, I was awarded a publishing deal, which involved selling the copyrights of my songs to a publishing company in exchange for what in hindsight now seems like a rather small amount of money. Even with this rather bad business arrangement, I ended up making what we call "mailbox money"--money from radio plays, administered by ASCAP, and mechanical royalties from sales, which were collected by the Harry Fox Agency and paid to the record company, then the publishing company, and finally, about a year later, after everyone got finished taking a share, to me. This happened again with my subsequent publishing deals, and I ended up with regular income from these sources that got me through several financial rough patches and is now helping me pay my daughter's college tuition.

What seemed an egregious ripoff at the time now looks like a glorious overabundance to most young songwriters trying to make a living. Terrestrial radio rarely plays songs that aren't on the top 40 playlist. And nobody under 30 buys music any more---they stream it. I confess to being guilty of this as well---I subscribe to spotify, a streaming service that allows me to access any music I want whenever I want. If I can't get the music I want there, I play it from youtube.

If streaming paid what terrestrial radio paid, I probably wouldn't be writing this letter. You can't force people to buy something when they can get it for free. And even though there are all kinds of other businesses that are worthy of being subsidized by the federal government, I know better than to expect our country in the current political climate to place value on the arts, especially art so raw and uncontrollable as popular music. But streaming pays a tiny fraction of the royalties that radio pays. To make minimum wage for the songwriter, a song must be streamed 4 million times in a month. So without mechanical royalties, and without radio royalties, most niche-market or lower level songwriters receive very little mailbox money these days.

I write to you today because this country thrives on diversity, on the idea that anyone can turn their dream into a reality and become a success. If only songs that can get 4 million plays are going to make even the slightest amount of mailbox money, how long will it take before certain types of music, and markets, simply disappear from the culture? Who can afford to spend their lives in horrible

apartments and driving a car with 200k miles on it just so they can play their music? If there's no hope of ever making a living, how many fewer songwriters, musicians, singers, players, arrangers, composers will there be? And what will we do without musical diversity? Music is everywhere. It's a language that crosses all boundaries, that brings people together in spite of religion, ethnicity, race, gender, nationality.

Why should music be free for all listeners, and make enormous profits for the large corporations who exploit musicians because they'd do it for nothing, while people pay for books, movies, apps, and other forms of copyrightable material? And what will be left when you take away the option of a reasonable life for most musicians?

The current copyright laws are outdated and unfair to songwriters, producers and musicians. Please consider taking some time to research this matter. And the next time you're enjoying a piece of music, even in a movie, on TV, in the lounge of a hotel, in the elevator, at the cafe where you buy your coffee---take the time to wonder whether it would exist at all in this world if we aren't willing to pay for it.

Thanks for your time and thank you for your service!

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