



August 21, 2018

Dear Member of Congress,

On behalf of Tea Party Patriots Action, I write today to alert you to the concerns we have regarding the ongoing consolidation of the corporations that control America's entertainment and information options.

Over the past decade, several media companies, including AT&T, Comcast, Time Warner, and NBC Universal, have merged, attempted to merge, or purchase their competitors. In almost every case, the U.S. Department of Justice has either stopped or raised concerns or issued stipulations to ensure these transactions did not violate anti-trust laws. While it is very much the view of our organizations that government intervention in the economy should be limited, what troubles us is the reality that increased consolidation will necessarily translate into fewer points of view available to the public, whether conveyed by news channels, entertainment channels or other means. This trend should raise the ire of any citizen interested in protecting the First Amendment.

In 2011, the U.S. Department of Justice recognized the proposed Comcast – NBC Universal merger as violating anti-trust laws and would only allow the transaction to proceed if it agreed to a series of stipulations that would ensure Comcast offered NBC programming to competing cable systems at a competitive price. Again, the U.S. Department of Justice had concerns over the AT&T – Time Warner merger and sought, but failed, in asking a federal judge to stop it – but only after AT&T agreed to voluntarily enter arbitration to resolve any disputes of the cost of Time Warner programming.

If Comcast's post-merger behavior is any indicator, these mega media conglomerates will use their new power to block competitors from accessing their cable systems – which currently reach more than 20 million Americans. In 2015, Comcast stopped carrying Spanish language programmer Estrella TV regardless of its popular Nielsen ratings in key markets and began running less popular programming from NBC Universal and Telemundo. Today, Estrella is available on most major cable systems but not on Comcast's Xfinity.

Comcast refused to slot Bloomberg TV in the same neighborhood lineup as its newly acquired MSNBC and CNBC or other competing all news channels like CNN or Fox News Channel. Bloomberg fought Comcast in court for three years and won. Bloomberg was successful but there is nothing to make up for the three years lost as an independent programmer in unfavorable broadcast viewership slots. Also, keep in mind that Bloomberg had the means to fight Comcast for those years, most independent programmers do not and thus, stipulations in place to protect them are likely useless due to effort required to enforce them.

Too much power in the hands of giant media conglomerates limits diversity in point of view and the ability of new platforms to compete. It is clear Big Media companies are only looking to grow bigger—and should they be successful, they would own even more must have programming, giving them the opportunity to muscle out competition to their preferred programming.

On behalf of Tea Party Patriots Action, our nationwide network of activists, and everyday Americans, I hope you will strongly consider these concerns. The only way to address these serious concerns is for anti-trust laws to recognize the realities of the modern media marketplace.

Sincerely,

A handwritten signature in black ink that reads "Jenny Beth". The signature is fluid and cursive, with the first name "Jenny" and last name "Beth" clearly legible.

Jenny Beth Martin
Tea Party Patriots Action

