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Democracy in the United States is built upon a foundation of constitutional speech protections plus a process of open debate and elections, fueled by independent and diverse media. I believe our democracy cannot survive unless we prevent government from coercing or suppressing protected speech. Nor can it survive without strong competition along independent and diversely owned information and media distribution platforms.

A robust marketplace of ideas requires strong protection against both public interference in open debate and the exercise of private market power that distorts or blocks public discourse. I am concerned that recent statements and actions from government officials, like the Chairman of the Federal Communications Commission (FCC), appear designed to unduly pressure tech platforms and media distribution companies to favor certain speech and suppress the views of others. I am equally concerned that a wave of media consolidation driven by the current FCC's efforts to relax or eliminate ownership rules will concentrate local media power in the hands of a few national companies, reduce the diversity of national media players, and thereby empower a few media tycoons to distort the most popular sources of information in our society.

While strong antitrust enforcement can play a critical role to prevent media monopolization or excessive concentration of ownership, it is not enough to ensure open debate through local and diverse players in the media ecosystem. The Trump Administration's antitrust enforcement cases (which build upon the work of the Biden Administration) against Google's, Meta's, and Apple's monopolization practices are precisely what is needed to break up or restrain tech platform practices that harm competition and impede the free flow of information.

Although many of these cases are still pending, the recent Google search remedy decision illustrates how cautious courts are when confronted with a legitimate request to require asset divestitures or ban on payments that have been found by the courts to be illegal in nature. Courts seem reticent to upend business models, even in the face of blatantly illegal behavior. Furthermore, antitrust was never designed to directly promote democracy by maximizing diverse marketplace voices. Antitrust is a necessary but often insufficient tool to sustain local, diverse media.

That is why Congress's decision to promote local and diverse media through communications policy has always been so important to our democracy. Obviously, the explosion of digital technology has dramatically changed the media landscape. However, a substantial portion of the public still relies upon local broadcast content, regardless of how the content is distributed, for their daily news and information. More importantly, these local media play a critical role in promoting open public debate at the key moments when we select our public representatives.

I am therefore concerned that the FCC is heading down a very dangerous path by suggesting that diverse and locally controlled broadcast media may not matter anymore. It is also disconcerting to see a data gathering giant (Oracle) become financially intertwined with a national television network (Paramount/CBS) which is seeking to purchase a major studio and cable channels through Warner Bros Discovery while picking up a substantial ownership stake in TikTok. Such conglomeration involving

major media companies threatens media diversity and will likely lead to further consolidation among other tech and media players.

Now is the time for Congress to step in and update the Communications Act and expand antitrust tools that can pry open tech platforms and the emerging Artificial Intelligence (AI) market to increase competition. I believe technological changes have blurred the lines between broadcast, cable, streaming, website content, and user generated media like YouTube. Therefore, Congress needs to delineate and update public duties across all media. Congress should treat all forms of media power equally, and establish new standards for independent ownership and control that promote a robust marketplace of ideas. In addition dominant tech platforms must be prevented from discriminating against those dependent on information and services distributed over those platforms.

Given that Google was not constrained by the Federal District Court from making unlimited payments to Apple, Samsung, Motorola, or the wireless phone carriers to promote their search and AI services, it is now imperative that Congress also established guardrails to ensure that neither Google nor anyone else can dominate the exploding AI marketplace.

It is critical that we prevent both government and private players from impeding the free flow of ideas in our society. Our democracy cannot survive without robust media competition and open debate, especially involving public discourse about how we govern ourselves.