

February 1, 2022

The Honorable Amy Klobuchar
Chairwoman, Subcommittee on Competition Policy, Antitrust, and Consumer Rights United States Senate
425 Dirksen Senate Building
Washington DC 20510

The Honorable Mike Lee
Ranking Member, Subcommittee on Competition Policy, Antitrust, and Consumer Rights United States Senate
361A Russell Senate Office Building
Washington D.C. 20510

Re: S.673, the Journalism Competition and Preservation Act

Dear Chairperson Klobuchar and Ranking Member Lee:

I write on behalf of The Plain Dealer/cleveland.com, a news organization in Ohio, to support positive and expeditious action on the bipartisan bill S.673/ H.R. 1735, the Journalism Competition and Preservation Act (“JCPA”), that the Subcommittee is considering this week.

You have undoubtedly seen the statistics. The public’s interest in news has never been greater, yet Google and Facebook receive the financial benefit. It’s not just a question of fairness – unless newspapers like ours get paid for our effort, we can’t afford to pay the people who report the news. The net result is a shrinking industry.

This distorted economic outcome – the benefit of advertising revenue made possible by publishers’ news content being received by the platforms – is a direct result of the near-monopoly market power the platforms have and the resultant inability of any one publisher to effectively negotiate with the platforms or to use their legal right to withhold content from the platforms to obtain their fair share of the advertising revenue their content creates.

In supporting the JCPA, we are not asking for a government handout. We are only asking for the ability to join together with other similarly situated news organizations to negotiate with these powerful platforms. The JCPA would to some degree counter the perverse result of smaller, less-powerful entities being prohibited from effectively negotiating with larger, more powerful entities. We believe strongly that antitrust law does not exist to protect monopolists, and that legislation is necessary to level the playing field and achieve an economically efficient outcome.

The JCPA and the process it would create would not favor any particular types of news publishers – it would apply regardless of any political leaning, and would be particularly helpful to smaller, local publishers who are the least able to negotiate with the platforms.

Local newspapers don't just report news of interest to voters, they also report high school sports, local restaurant openings, cultural events, and other matters that help a community remain vibrant and cohesive.

The JCPA would support these important functions merely by restoring a marketplace to its proper function and balance.

We are encouraged by the success of similar efforts in Australia and Europe, which have led the way, showing that similar paths can work. We urge you to adopt the JCPA to help prevent the continued weakening and eventual loss of this key element of our society.

Sincerely,

A handwritten signature in blue ink, appearing to read 'BMA', with a long horizontal flourish extending to the right.

Bradley M. Harmon
President & Publisher
The Plain Dealer/cleveland.com

BMH/ch

cc: Senator Sherrod Brown
Senator Rob Portman