



August 14, 2019

**Fierce Video**  
**Set-top boxes**  
**from Comcast,**  
**AT&T and**  
**others used a**  
**lot less energy**  
**in 2018**

Q: We live in Grove City and Armstrong Cable supplies the cable programming. We have seen a move away from the Pittsburgh channels, with programming switching to Youngstown. The only Pittsburgh channel we currently receive is KDKA, Channel 2 (CBS). Channels 4 and 11 have been replaced with corresponding Youngstown channels. Can you give any insight on what the rationale is in eliminating the Pittsburgh channels? — Dick, Grove City

**Washington**  
**Post**  
**The head of a**  
**Senate tech**  
**task force**  
**wants to focus**  
**on data privacy**

Rob: Pittsburgh stations are not “must carry” – local market stations a cable company has to carry per government regulations – as Mercer County is part of the Youngstown, Ohio, TV market. Once upon a time, cable companies would carry a second ABC, NBC or CBS channel, but that was before TV stations came to so heavily rely on retransmission payments from cable companies. With TV stations demanding cable operators pay them to pass through their signals, cable companies often will choose to carry only the stations they must carry.

**Associated**  
**Press**  
**CBS, Viacom to**  
**reunite as**  
**media giants**  
**bulk up for**  
**streaming**

“The Youngstown network affiliates have always been part of the cable TV package in that area and historically we were also able to provide access to most Pittsburgh stations as well,” explains Armstrong spokesman Dave Wittman via email. “Unfortunately for consumers in fringe areas like Mercer County all across the country, access to out-of-market signals is vanishing. Armstrong must abide by the multiple federal regulations, especially retransmission consent, that have increasingly made ‘importing’ out-of-market broadcast stations very challenging if not impossible in today’s marketplace. ... We continue to offer KDKA to provide access to Pittsburgh/PA news, sports (including local Steelers broadcasts) and weather (as far as I know we are the only cable/satellite provider in Mercer County to offer any Pittsburgh station).” — Rob Owen’s “TV Q&A” column in *Pittsburgh Post-Gazette*

**Variety**  
**Wall Street Has**  
**Mixed**  
**Response to**  
**Viacom-CBS**  
**Merger**

**Philadelphia**  
**Inquirer**  
**The state ‘has**  
**gone**

[sideways':  
Innovation is  
stagnating in  
Pa., report says](#)

**Politico**  
[Sanders walks  
back  
suggestion  
Bezos meddled  
in Washington  
Post coverage](#)

**Observer  
Media**  
[Op-ed: Why  
America Does  
Not Need a  
Costly Federal  
Broadband  
Internet Plan](#)

**The Hill**  
[Democratic  
contenders  
unload on  
news media](#)

Social media companies have been criticized for disproportionately restricting content that offends political progressives. For example, a Pinterest insider recently leaked documents [showing](#) that the platform censors pro-life speech as “pornography.” Popular “classical liberal” YouTuber [Dave Rubin has complained](#) that his videos are flagged and discriminated against because of alleged “right-wing” content. And Twitter got into hot water last week for suspending the campaign account of Senate Majority Leader Mitch McConnell (R-Ky.) for posting a video of angry protestors assembling outside the senator’s home.

In response, conservative politicians have advocated for greater government regulation and oversight of social media. Last week, reports surfaced that the White House is developing an executive order directed at tech companies such as Facebook and Google, demanding that these sites eliminate “anti-conservative bias.” The exact contours of the executive order are not yet known, but if it in any way resembles recent proposals, anyone who values the free exchange of ideas should run far away from this latest effort to place government oversight on social media and curtail freedom of speech in the name of “fairness.”

Why shouldn’t the government require these companies to allow access to everyone? Because social media companies are private companies, not government actors, and these companies have their own First Amendment right to exclude anyone from their platforms for any reason at all. The government cannot force these companies to open up their sites and associate with viewpoints that their owners and shareholders find objectionable, any more than it can force you to [display government-approved speech](#) on your private property.

Aware of these constitutional limits, critics of Facebook or Twitter have taken a different tack and argued that if social media companies filter content in any way, they should be liable for anything that is posted on their platform. This gives Facebook an awful choice: filter nothing or aggressively filter all content to exclude anything remotely libelous or offensive to anyone. Faced with a choice of being sued or losing the ability to prohibit even the most shockingly immoral material — including such things as neo-Nazi propaganda, dog-fighting videos, or snuff films (which the Supreme Court has said are protected under the First Amendment) — what would you do?

Why would anyone believe this dynamic would lead to more freedom of speech on the internet? It more likely would lead to drastically less freedom of expression as platforms impose far more rigid content filters. Say goodbye to being able to instantly tweet what comes to your mind. Alternative proposals are even worse. Over the summer, Sen. Josh Hawley (R-Mo.) introduced a plan to regulate social media that would impose liability on companies unless they petition for a permit granted by government bureaucrats at the Federal Trade Commission (FTC). The burden would be on the tech companies to prove to the FTC commissioners that none of their policies “disproportionately restrict[] or promote[] access to, or the availability of, information from a political party, political candidate, or political viewpoint.” And these permits would need to be renewed every two years.

Do you trust government bureaucrats to police social media and decide whether content is too politically “biased”? If so, Sen. Hawley’s plan to regulate social media would be right up your alley. But anyone with even a modicum of skepticism of government bureaucrats should see that this is a

truly awful and unconstitutional idea. It would mean that social media companies would be required to cozy up with these regulators to secure a permit. And control of the board fluctuates based on who controls Congress or the White House, so the continued viability of social media players would be up for reexamination every time the political winds change. Aggrieved members of the public would be allowed to submit complaints and the burden would be on social media companies to refute their claims — placing the companies in the impossible position of having to prove their innocence of every charge.

Even worse, we would be trusting these unelected commissioners to determine whether a particular policy has a disproportionate impact on a “political viewpoint.” Maybe you like the idea of President Trump’s appointees deciding what must or must not be posted on social media — but how will you feel if it’s President Sanders, President Warren, or President Biden? The reality is that in our politicized and polarized age, almost anything can be considered “political,” from the places we shop to the movies and music we consume. Every single policy regarding content would therefore come under government scrutiny. And what is permitted would vary based on the whims of unaccountable political appointees.

The First Amendment prohibits government bureaucrats from exercising precisely this type of arbitrary and standardless control over speech. Just last year, the Supreme Court emphasized that point in the important free-speech decision of [Minnesota Voters Alliance v. Mansky](#), a case litigated at the Supreme Court by Pacific Legal Foundation. In that case, the court held that giving government officials the power to decide whether certain speech is “political” in nature is unconstitutional because such a vague, open-ended standard “carries with it the opportunity for abuse.”

Here’s a better way: Rather than trying to force identical speech policies on every social media platform, we should allow the free market to work. Those who are outraged by Facebook’s policies could protest, boycott or start an alternative platform that welcomes voices Facebook excludes. And either Facebook would change its policies to win back alienated speakers, or it would lose market share to those who value a more robust marketplace of ideas. These market forces were at work after Twitter’s blunder in suspending Sen. McConnell’s account, when many Republican Party-affiliated organizations announced they would not purchase advertisements on Twitter.

The internet allows for an endless multiplicity of options. But government intervention creates a one-size-fits-all solution that threatens to destroy the internet and the First Amendment. — ***The Hill***

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It’s easy to say all Americans should be able to use the Internet in the 21st century, which is probably why several leading candidates for the Democratic presidential nomination have done just that. It’s much harder to say how to get there.

Sen. Elizabeth Warren, D-Mass., released a detailed plan this week on getting the country connected, and she is far from alone in her ambition: former vice president Joe Biden, Sen. Amy Klobuchar, D-Minn., and Sen. Bernie Sanders, I-Vt., all want the same thing, though perhaps on different terms. They’re right. The Internet today is a necessity, and America’s smaller towns and communities are in trouble if their people can’t get online.

But more than one-quarter of the rural population and almost one-third of those on tribal lands can't access minimum-speed broadband.

Almost everyone, even on both sides of the aisle in Congress, seems able to agree on the need to fix the maps first. Even that one-quarter number may dramatically underestimate how many Americans are stuck offline. That's because the Federal Communications Commission relies on coverage reports from industry, and carriers have incentive to exaggerate their reach. The system also marks areas as large as hundreds of square miles as serviced even when only a single household has access, and companies are instructed to indicate where they could easily offer broadband rather than where consumers actually use it. All that needs to change.

Better maps will reveal the scope and location of the problem. The next question is what type of technology can best solve it. Warren's plan focuses on running fiber throughout the country, which has plenty of allure: Fiber is fast, powerful and reliable. It's also what researchers call "future-proof" - unlikely to become outdated and even likely to outlast the electronics that run on it today. But fiber is also expensive, which is why others, including Klobuchar, propose supporting a mix of methods, from satellites to unused spectrum, for hooking people up as speedily and cheaply as possible.

Then there's the who. Large providers have channeled existing grants into offering service at inadequate speeds, partly because those grants allow them to. Warren would prohibit for-profits entirely from receiving the \$85 billion in subsidies she hopes to offer for affordable broadband deployment, in favor of subsidizing municipalities and community cooperatives. Shifting the focus to local actors is smart - and state rules that prohibit towns and counties from building their own networks need to go. But the government may get more bang for every buck by upping requirements and accountability for everyone rather than keeping some out altogether. – **Washington Post editorial**

