

United States Senate  
WASHINGTON, DC 20510

February 1, 2023

John Stankey  
Chief Executive Officer  
AT&T  
208 S. Akard Street  
Dallas, TX 75202

Jon Winkelried  
Chief Executive Officer  
TPG  
301 Commerce Street  
Fort Worth, TX 76102

William Morrow  
Chief Executive Officer  
DirecTV  
2230 E. Imperial Hwy  
El Segundo, CA 90245

Dear Messrs. Stankey, Winkelried, and Morrow:

We are deeply disturbed by DirecTV's recent decision to drop the conservative news network Newsmax. This decision harms millions of Texans, South Carolinians, Utahns, and Arkansans and removes important viewing choices for millions of Americans across our Nation.

It appears that this decision may be the latest example of big business suppressing politically disfavored speech at the behest of liberal Democrats. As members of the Senate Judiciary Committee and as the incoming Ranking Members of the Senate Commerce and Judiciary Committees, which have jurisdiction over the communications industry and civil liberties, respectively, we are writing to request detailed and specific information about DirecTV's actions. Congress and the public have a right to know the extent to which DirecTV's decision to drop Newsmax was politically motivated, including whether the company succumbed to pressure from administration officials or Democrats in Congress.

DirecTV's decision follows recent revelations of collusion between Big Tech companies and Democrat officials to label conservative speech as "misinformation" and censor it. The silencing of conservative speech at the request of government officials is a direct assault on free speech and a threat to democracy. Unfortunately, DirecTV has previously de-platformed another conservative news network in the wake of liberal pressure. In January 2022, DirecTV dropped One America News Network (OANN), less than a year after Democrat leaders in Congress sent a letter pushing the CEO of AT&T, DirecTV's largest shareholder, to stop carrying OANN, Newsmax, and Fox News.<sup>1</sup>

These three networks were the three largest conservative news networks in America, and now—in less than a year—DirecTV has de-platformed two of them.

Beyond the disturbing implications for free speech and democracy, DirecTV's de-platforming of Newsmax also deprives its millions of subscribers of access to an important news source, especially those in rural areas where Internet-based streaming services are less often used.

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<sup>1</sup> Letter from Reps. Anna Eshoo and Jerry McNerney to John Stankey, CEO, AT&T (Feb. 22, 2021) <https://eshoo.house.gov/sites/eshoo.house.gov/files/Eshoo-McNerney-TV-Misinfo%20Letters-2.22.21.pdf>.

DirecTV's claim that Newsmax programming "is already available at no charge to 100% of U.S. households" via streaming<sup>2</sup> is misleading since Newsmax is ending its current free online service this April. It is also of little comfort to those subscribers who lack access to high-speed broadband connectivity.

AT&T owns 70 percent of DirecTV. It maintains that these decisions to de-platform Newsmax and OANN were DirecTV's entirely, and that AT&T had little to no input on these decisions. TPG owns 30 percent of DirecTV. Similarly, DirecTV maintains that TPG does not get involved in its programming decisions. These claims strain credulity.

It has been alleged that DirecTV pays substantial sums to numerous channels that are politically left-of-center, even when those channels have substantially lower ratings than Newsmax. And, it has been alleged that DirecTV refused to pay any net sums whatsoever to Newsmax—and expressly stated that it never would pay any net sums to Newsmax—even though explicitly liberal stations with substantially fewer viewers were receiving millions of dollars from DirecTV. One of those stations allegedly paid by DirecTV, the unabashedly left-wing channel Vice, is partially owned by TPG, and two TPG partners serve on Vice's board.

As part of our investigation into DirecTV's decisions to drop Newsmax and OANN, we ask that you provide responses to the following questions and requests for documents and information no later than February 15, 2023:

1. Did DirecTV, AT&T, or TPG directly or indirectly consult or engage in any communication with any federal, state, or local government officials regarding the decisions to drop Newsmax or OANN, either before or after their implementation regardless of who initiated the communication? If so, please identify all such officials and provide all documents concerning such communications.
2. Did those government officials make any threats, or promise any inducements, to pressure DirecTV, AT&T, or TPG to drop Newsmax or OANN? If so, what specifically?
3. All documents and communications between January 1, 2021 and the present, referring or relating to Newsmax, OANN, or Fox News, that are between or among any employee or contractor of DirecTV, AT&T, or TPG and any individual affiliated with a federal, state, or local government official.
4. All documents and communications between January 1, 2021 and the present, referring or relating to Newsmax, OANN, or Fox News, that are between or among any employee or contractor of DirecTV, AT&T, or TPG and any individual affiliated with the Executive Office of the President.

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<sup>2</sup> Virginia Abram, *House Republicans Urge DirecTV to Reconsider 'Deplatforming' Conservative Outlet*, Washington Examiner (Jan. 23, 2023) <https://www.washingtonexaminer.com/news/house/republicans-urge-direct-tv-newsmax-deplatforming>.

5. All documents and communications between January 1, 2021 and the present, referring or relating to Newsmax, OANN, or Fox News, that are between or among any employee or contractor of DirecTV, AT&T, or TPG and any Democrat member of Congress or any individual affiliated with any Democrat member of Congress.
6. All documents and communications between January 1, 2021 and the present referring or relating to Newsmax, OANN, or Fox News, that are between or among any employee or contractor of DirecTV, AT&T, or TPG and any individual affiliated with the Democratic National Committee, Democratic Senatorial Campaign Committee, or Democratic Congressional Campaign Committee.
7. Did any individuals affiliated with AT&T or TPG have any communications with DirecTV relating to Newsmax or OANN prior to DirecTV's decisions to drop either channel? If so, please identify those individuals and specifically what was communicated.
8. Have members of the DirecTV's board of directors, which includes directors appointed by AT&T and TPG, had any communications relating to DirecTV's decisions to drop Newsmax or OANN? If so, please identify those board members and specifically what was communicated.
9. Does AT&T make it a practice when it is a majority-owner of another company, as it is with DirecTV, to provide no input on major company decisions that may have considerable political consequences?
10. What role did the TPG partners who sit on the boards of both DirecTV and Vice play in DirecTV's decisions to drop Newsmax and OANN?
11. Why did DirecTV decide to drop Newsmax while it continued to carry and pay the liberal news and information channel Vice, which reportedly has much lower ratings than Newsmax?
12. Have any individuals associated with TPG, including the TPG partners who sit on the boards of both DirecTV and Vice, had any communications with DirecTV relating to DirecTV's decisions to carry and pay Vice, including how much to pay Vice? If so, please identify those individuals and specifically what was communicated.
13. The number of channels DirecTV carries that have a higher rating than Newsmax to whom DirecTV pays no fee, and the names of those channels.
14. The number of channels DirecTV carries that have a lower rating than Newsmax to whom DirecTV pays a fee, and the names of those channels.
15. The number of channels DirecTV carried that had a higher rating than OANN to whom DirecTV paid no fee, and the names of those channels.
16. The number of channels DirecTV carried that had a lower rating than OANN to whom DirecTV paid a fee, and the names of those channels.

17. How many carriage deals does DirecTV currently have? Of those deals:

- a. How many of them involve payment of fees by DirecTV?
- b. How many of them involve payment of fees to DirecTV?
- c. How many of them involve no exchange of fees?

18. For carriage deals that expired in the last 24 months but where DirecTV agreed to a new contract term:

- a. How many of those contracts involved an increase in carriage fees?
- b. How many involved a decrease in carriage fees?
- c. How many involved no change in carriage fees?

Your responses should include all requested documents and information, including e-mails, text messages, internal message system messages, calls, logs of meetings, and internal memoranda. This letter also serves as a formal request to preserve any and all documents and information, at DirecTV, AT&T, and TPG, relating to DirecTV's decisions to de-platform Newsmax and/or OANN.

Thank you for your attention to this matter.

Sincerely,



Ted Cruz  
United States Senator



Lindsey O. Graham  
United States Senator



Michael S. Lee  
United States Senator



Tom Cotton  
United States Senator