

JOE BACA

43RD DISTRICT, CALIFORNIA

WASHINGTON OFFICE:

1527 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0542
PHONE: (202) 225-6161
FAX: (202) 225-8671
E-MAIL: CONG.BACA@MAIL.HOUSE.GOV

DISTRICT OFFICE:

201 NORTH E STREET, SUITE 102
SAN BERNARDINO, CA 92401
PHONE: (909) 885-BACA (2222)
FAX: (909) 888-5959



**Congress of the United States
House of Representatives**

COMMITTEES

AGRICULTURE COMMITTEE

CHAIRMAN, SUBCOMMITTEE ON
DEPARTMENT OPERATIONS,
OVERSIGHT, NUTRITION, AND FORESTRY

FINANCIAL SERVICES COMMITTEE

NATURAL RESOURCES COMMITTEE

CAUCUSES

**CONGRESSIONAL HISPANIC CAUCUS
CHAIR**

CHAIR, TASK FORCE ON CORPORATE AMERICA,
TECHNOLOGY, COMMUNICATIONS, AND THE ARTS

November 28, 2007

The Honorable Thomas Barnett
Assistant Attorney General
Antitrust Division
United States Department of Justice
950 Constitution Avenue, NW
Washington, DC 20530

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Assistant Attorney General Barnett and Chairman Martin:

There are times in our Nation when the government's involvement with industry warrants stanch protection of consumers and their rights. Here, we have created laws against monopolies and promulgated other regulations to that end. There are other times in our Nation when the goal of our government's involvement was to foster business in an effort to be innovative or to bolster our economy. It is with the second example in mind that I write you today.

I support the proposed merger between Sirius and XM Satellite Radio. In evaluating this specific industry and technology, I find that the merger will not only maintain an advanced technological innovation, it will bolster the industry thereby strengthening our economy. More families and individuals will have an opportunity to access satellite radio.

It is my understanding from public announcements that after the merger that numerous new packages and programming will be created using merger synergies at a reduced cost and with broader options for consumers. In the past, Sirius and XM have demonstrated a commitment to providing diverse programming that features Hispanic and African American talent.

This satellite audio entertainment market is small, only reaching 4% of the enormous radio listening market. Here, minority ownership issues have not reached a plausible connection to the minority ownership or other issues at stake in the current media ownership rulemaking process. For that additional reason, I am not opposed to the Sirius and XM Satellite Radio merger.

I am also proud to report that I am not alone in my support for the Sirius and XM merger. It is my understanding that such groups as the League of United Latin American Citizens (LULAC), the Hispanic Federation, Latino Coalition, Latinos in Information Sciences and Technology Association (LISTA), and the NAACP have publicly supported the merger. The combination of Sirius and XM is an important milestone in the audio entertainment industry. I look forward to your swift approval of this merger.

Sincerely,

JOE BACA, Congressman
43rd Congressional District