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December 17, 2025

The Honorable Ted Cruz

Chair

Committee on Commerce, Science, and Transportation

U.S. Senate

Washington, DC 20515

The Honorable Maria Cantwell

Ranking Member

Committee on Commerce, Science, and Transportation

U.S. Senate

Washington, DC 20515

Dear Chair Cruz and Ranking Member Cantwell,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the rights of all persons in the United States, and the undersigned organizations, we express our deep concern with the operations of the Federal Communications Commission (FCC) and urge the Committee to conduct vigorous oversight.

We also ask for this letter to be entered into the record of the December 17, 2025, Senate Committee on Commerce, Science, and Transportation hearing conducting oversight of the FCC.

FCC Chair Brendan Carr has weaponized the Commission to fight a culture war on behalf of the presidential administration instead of carrying out the Commission's true mission: to serve the people of the United States. As a chief author of the anti-democratic Project 2025, Chair Carr is committed to a vision of a nation that serves the interests of the powerful few. As civil rights advocates, we are deeply alarmed by his attacks on our values and our communities, and we urge this committee to take seriously its charge to conduct oversight of the FCC.

Censoring the Press and Dissenting Voices: In explicit response to the show's coverage of the death of Charlie Kirk, FCC Chair Brendan Carr pressured American Broadcasting Company (ABC) affiliates to cease carrying Jimmy Kimmel Live. The FCC has significant influence over the broadcasting licenses of the affiliates, influence that should not be abused to silence dissenting voices for political gain.¹ First amendment experts pointed to Chair Carr's rhetoric and the subsequent (temporary) removal of Kimmel's show as a textbook

¹ Press Release, ACLU, ACLU Responds to Trump Administration Move Censoring Jimmy Kimmel (Sept. 17, 2025), <https://www.aclu.org/press-releases/aclu-responds-to-trump-administration-move-censoring-jimmy-kimmel>.

December 17, 2025
Page 2 of 4

example of an undue and violative form of pressure,² and highlighted the many ways in which the FCC has attempted to police speech (both in the issuance of broadcast licenses and the approval of mergers).³ Chair Carr did not learn his lesson to avoid pressuring broadcasters, and went on to share President Trump's post asking for Seth Myers to be fired on Chair Carr's own X account.⁴

Gutting Media Diversity Rules: The FCC's media ownership rules play an important role in preventing individual companies from dominating national or local markets, fulfilling the FCC's obligation to promote media diversity. Eliminating the media ownership rules abdicates the FCC's statutory obligation, allowing it to rubber-stamp the continued exclusion of people of color from broadcast ownership.⁵ Further, relaxing media ownership limits will exacerbate already-low competition, localism, and viewpoint diversity while also harming workers. Several pending mergers, including Nexstar's \$6.2 billion deal to take over TEGNA, would blast through existing ownership rules.⁶ We urge the Committee to ensure that the FCC will follow regular processes in considering both this transaction and the media ownership rules—including conducting a full vote of the FCC Commissioners—a request consistent with prior positions of Chairman Cruz.⁷

Coercing Companies to Pull Back on Diversity and Equity: We also have serious concerns about the ways in which FCC leadership has weaponized the Commission's merger authority to pressure media and telecommunications companies into abandoning their diversity, equity, and inclusion (DEI) programs.⁸ Earlier this year, Chair Carr publicly stated he does not see "a path forward" to approve transactions for companies that maintain DEI programs, encouraging businesses seeking merger approval to "get busy ending" their diversity initiatives.⁹ FCC Commissioner Anna Gomez has condemned these positions as government overreach that stifles free expression, noting that "there is a freedom of speech component to

² Anna Branigin, "How Cancel Culture Came for Everyone," Washington Post (Oct. 1, 2025), <https://www.washingtonpost.com/style/power/2025/10/01/cancel-culture-kimmel/>.

³ Ted Johnson, "Brendan Carr's Threats On Networks May Be 'Jawboning,' And Courts Don't Like It, Legal Experts Say" Deadline (Sept. 19, 2025), <https://deadline.com/2025/09/fcc-brendan-carr-jawboning-jimmy-kimmel-1236549243/>; Tom Wheeler, "Trump's CBS Lawsuit Ties Media Freedom to FCC's Regulatory Power," Brookings (Feb. 19, 2025), <https://www.brookings.edu/articles/trumps-cbs-lawsuit-ties-media-freedom-to-fccs-regulatory-power/>.

⁴ Brendan Morrow, Trump calls for NBC to fire Seth Meyers, FCC Chair Brendan Carr weighs in. USA TODAY (Nov. 17, 2025), <https://www.usatoday.com/story/entertainment/tv/2025/11/17/trump-seth-meyers-fcc-chair-brendan-carr/87315926007/#>.

⁵ George Winslow, "Unions, Civil Rights Groups Argue Localism Will Be Hurt, Not Helped by Eliminating Ownership Caps," TV Tech (Aug. 28, 2025), <https://www.tvtechnology.com/news/unions-civil-rights-groups-argue-localism-will-be-hurt-not-helped-by-eliminating-ownership-caps>.

⁶ Keith Collins and Raj Saha, "How a TV Merger Raised the Pressure on ABC to Suspend Kimmel," New York Times (Sept. 19, 2025), <https://www.nytimes.com/interactive/2025/09/19/business/media/abc-nexstar-kimmel.html>.

⁷ Press Release, Senate Committee on Commerce, Science, and Transportation, At Nominations Hearing, Sen. Cruz Blasts FCC Actions on Standard-General-TEGNA Deal, Calls Out Fraud-Risk in Affordable Connectivity Program (June 22, 23), <https://www.commerce.senate.gov/2023/6/at-nominations-hearing-sen-cruz-blasts-fcc-actions-on-standard-general-teгна-deal-calls-out-fraud-risk-in-affordable-connectivity-program> ("It is incumbent on this committee to only confirm nominees who will stand for procedural fairness, respect taxpayer dollars, and exercise regulatory humility").

⁸ Commissioner Anna Gomez, Remarks at US Hispanic Chamber of Commerce Summit, (March 25, 2025), <https://www.fcc.gov/document/commissioner-gomez-remarks-us-hispanic-chamber-commerce-summit>.

⁹ Cameron Coats, Carr: Broadcasters With DEI Programs Could Get Deals Blocked, Radio Ink, (March 24, 2025), <https://radioink.com/2025/03/24/carr-broadcasters-with-dei-programs-could-get-deals-blocked/>.

December 17, 2025
Page 3 of 4

diversity, equity, and inclusion,” and stating that this approach represents “control of a private company's employment practices,” that “has nothing to do with what we do at the FCC.”¹⁰ Despite plain civil rights mandates and an abject failure to meet them, the FCC has threatened or coerced many companies to eliminate their programs that aimed to ensure fair treatment of and equal opportunity for women, people of color, people with disabilities, and the LGBTQ+ community in order for their mergers to be approved.¹¹ The Leadership Conference made clear earlier this year that our nation's civil rights laws remain in place, and the Chair's efforts to circumvent them is an affront to the nation's commitment to fairness.¹²

Increasing costs and endangering communities by increasing phone and video call prices for incarcerated people: The FCC recently adopted higher prices for consumers that will likely lead to increased recidivism for incarcerated people. The Senate unanimously adopted the Martha Wright-Reed Act in 2022 to lower the costs of phone and video calls from prison, and the Commission implemented that law in 2024. When the FCC proposed the changes in October 2025, members of this committee denounced Chair Carr's rolling back the implementation of the Martha Wright-Reed Act.¹³ The law passed out of Congress on a bipartisan basis, and the FCC's 2024 Final Rule (2024 Rule) was adopted on a 5-0 vote. Recent analysis of the FCC's changes found that they would lead to a 66 percent drop in call minutes, and the rates people would pay will increase by as much as 83 percent—costing consumers hundreds of millions of dollars annually.¹⁴ We urge Chair Carr to roll back the changes made and enforce the 2024 Rule as originally adopted by the Commission.

Aiding Ban on State and Local AI Laws: Chair Carr previously stated that he would be taking a look at how “the FCC may be able to play a role in helping” block state laws regulating artificial intelligence (AI),¹⁵ and the FCC has followed up the Chair's comments by issuing two notices seeking to ban enforcement of state laws regulating AI.¹⁶ While the Chair may be eager to assist the White House in these efforts, the Communications Act does not grant the FCC authority over AI, and it does not have the

¹⁰ Cameron Coats, Gomez: DEI Attacks Part of ‘Censorship and Control’ Under Trump, Radio Ink (April 8, 2025), <https://radioink.com/2025/04/08/gomez-dei-attacks-part-of-censorship-and-control-under-trump/>.

¹¹ Inside Radio, Commissioner Urges Private Companies to Fight FCC Efforts to End DEI, (March 26, 2025), https://www.insideradio.com/free/commissioner-urges-private-companies-to-fight-fcc-efforts-to-end-dei/article_4be2f10e-9b92-46b7-9b0f-e70f019c54ed.html.

¹² Open Letter from the Leadership Conference on Civil and Human Rights to Leaders in Business, Philanthropy, Education, Law, Non-Profits, and Health Care (May 16, 2025), <https://civilrights.org/resource/your-civil-rights-obligations-remain-in-force/>.

¹³ Press Release, Senator Tammy Duckworth, Duckworth Leads Colleagues in Denouncing FCC Chair Brendan Carr's Unlawful Plan to Increase Costs for Law Abiding Americans with Incarcerated Loved Ones (Oct. 28, 2025), <https://www.duckworth.senate.gov/news/press-releases/duckworth-leads-colleagues-in-denouncing-fcc-chair-brendan-carrs-unlawful-plan-to-increase-costs-for-law-abiding-americans-with-incarcerated-loved-ones>.

¹⁴ Press Release, Worth Rises, Worth Rises Releases Impact Analysis of the FCC's Proposed Revisions to Its 2024 Regulations on Incarcerated People's Communications Services and Rebukes the Revisions as Overly Broad and Misguided (Oct. 15, 2025), <https://worthrises.org/pressreleases/2025/10/15/worth-rises-releases-impact-analysis-of-the-fccs-proposed-revisions>.

¹⁵ Chris Teale, “FCC Chair Floats Preempting State AI Laws,” Route Fifty (Sept 30, 2025), <https://www.route-fifty.com/artificial-intelligence/2025/09/fcc-chair-floats-preempting-state-ai-laws/408472/>.

¹⁶ Austin Bonner and Alex Tate, “FCC Kicks Off AI Action Plan Efforts,” HWG (Oct. 1, 2025), <https://hwglaw.com/2025/10/01/fcc-kicks-off-ai-action-plan/>.

December 17, 2025
Page 4 of 4

power to preempt state AI law.¹⁷ Further, public polling has made clear that the public wants more regulation of AI, not less.¹⁸

We stand ready to work with Congress on policies that will protect civil rights, prevent unlawful discrimination, and advance equal opportunity. Should you require further information or have any questions regarding this issue, please feel free to contact Jonathan Walter, senior policy counsel, at walter@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
ORGANIZATIONS

¹⁷ Harold Feld, “Can the FCC Preempt State Laws on AI? No - Especially Not With Broadband As Title I,” Public Knowledge (Sept. 19, 2025), <https://publicknowledge.org/can-the-fcc-preempt-state-laws-on-ai-no/>.

¹⁸ Benedict Vigers and Justin Lall, “Americans Prioritize AI Safety and Data Security,” Gallup (Sept. 16, 2025), <https://news.gallup.com/poll/694685/americans-prioritize-safety-data-security.aspx>.