

September 19, 2025

Senator Ted Cruz
Chairman
Senate Committee on Commerce, Science, and Transportation
United States Senate
Washington, D.C. 20510

Dear Chairman Cruz:

As ranking member of the Senate Commerce Committee's Subcommittee on Telecommunications and Media, I request that you invite the Federal Communications Commission for an immediate oversight hearing. Oversight of the FCC, a core function of this Committee, is long overdue and recent events suggest that Chairman Brendan Carr has largely abandoned regulatory humility and faithful execution of the law to turn the agency into the President's personal speech police.

Chairman Carr's misconduct targeting media organizations for programming that is unfavorable to the President is simply wrong. We on the Commerce Committee have a responsibility to ensure that the agencies under our jurisdiction operate in good faith under the Constitution and the law. I also request that we consider legislation to reaffirm guardrails on the FCC that will protect private companies and individuals alike from Chairman Carr's attacks on their First Amendment rights. To that end, I invite you to cosponsor my bill, the Broadcast Freedom and Independence Act,¹ and consider it at our next markup. This legislation would prohibit the FCC from revoking broadcast licenses or taking action against broadcasters based on the viewpoints they air – something that, I hope, reflects our shared values and should be noncontroversial.

Chairman Carr's recent public threats against ABC/Disney resulting in the suspension of Jimmy Kimmel's show² are the latest salvos in a long litany of harassing statements, investigations, and administrative actions launched against media organizations. Carr's actions demonstrate a dangerous pattern that erodes trust in our government and undermines the freedom of the press. The Commission has become the President's speech police and attack dog, bluntly executing its agenda to intimidate the press and silence criticism. We must convene an oversight hearing to

¹ See, the Broadcast Freedom and Independence Act of 2025, S. 867,
<https://www.congress.gov/119/bills/s867/BILLS-119s867is.pdf>

² See, Letter from Senator Luján, et al. to FCC Chairman Brendan Carr, <https://www.lujan.senate.gov/wp-content/uploads/2025/09/250918lettertochairmancarr.pdf> (September 18, 2025).

examine Chairman Carr's actions and consider my legislation to prevent further weaponization of the Commission.

The Commerce Committee has a clear responsibility to conduct rigorous oversight of the FCC Chairman. Congress created the FCC as an independent agency with a clear mission to serve the public interest. Congress explicitly included in the FCC's governing statute an express prohibition against the agency engaging in censorship. Indeed, the FCC's own website declares that, rather than suppressing speech, "communications law and policy seeks to encourage responsive 'counter-speech' from others ... even though some views or expressions may be highly offensive."³ Historically, the Commission has operated under this mandate, maintaining a careful distance from executive branch influence and exercising extreme caution when considering complaints targeting content.

Unfortunately, Chairman Carr's tenure as chair has been defined by his censorship efforts, earning him an infamous spotlight rarely enjoyed by FCC chairs. He threatened to launch a "news distortion" investigation against Comcast.⁴ He has also amplified the White House criticisms on ABC/Disney based on coverage of President Trump on the ABC show, "The View," and recently he has renewed calls to investigate the program.⁵ During the Paramount-Skydance merger, Chairman Carr abused his position to benefit President Trump in his lawsuit against Paramount over a "60 Minutes" interview with then-Vice President and Presidential candidate Kamala Harris.⁶ These are just a few of the many examples that require you to schedule an oversight hearing of the FCC.

The credibility of the Commission and the Commerce Committee are at stake. I urge you to convene an oversight hearing without delay and to co-sponsor and add the Broadcast Freedom and Independence Act to our next Commerce Committee markup.

Sincerely,



Ben Ray Luján
United States Senator

³ See, The FCC and Speech, <https://www.fcc.gov/consumers/guides/fcc-and-speech> (last visited Sept. 19, 2025).

⁴ See, Roth, Emma, "Brendan Carr threatens Comcast over coverage of Abrego Garcia," The Verge, April 17, 2020, <https://www.theverge.com/news/650664/fcc-brendan-carr-abrego-garcia-coverage-threats>.

⁵ See, Wardwell, Faith, "FCC chair puts 'The View' under the spotlight after Kimmel pressure," Politico, Sept. 18, 2025, <https://www.politico.com/news/2025/09/18/fcc-brendan-carr-the-view-00572178>.

⁶ See generally, Senators Luján, Markey Slam FCC's Partisan Approval of Paramount, Skydance Merger, July 25, 2025, <https://www.lujan.senate.gov/newsroom/press-releases/senators-lujan-markey-slam-fccs-partisan-approval-of-paramount-skydance-merger/>.