July 22, 2026

The Honorable Brendan Carr
Chairman
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: Maintaining a Routine and Predictable Broadcast License Renewal Process (MB Docket No. 26-131)

Dear Chairman Carr:

We, the undersigned conservative and free-market organizations, write in continued support of your work to lift the regulatory burdens that have long weighed on America's communications sector. From media and broadband to the space economy, your deregulatory record is helping unleash investment and growth, and we are grateful for your leadership in getting government out of the way.

It is in that same spirit that we respectfully urge the Federal Communications Commission (FCC or "Commission") to preserve the well-established, routine, predictable, and presumptive nature of broadcast license renewal. We ask that the FCC avoid steps that would transform renewal from the largely ministerial process Congress designed into a discretionary checkpoint that would invite the politicization that conservatives, free-market advocates and others have long condemned.

We take no position on the merits of any particular application before the Commission in any pending matter.[1] Our concern is that establishing precedents of non-routine renewal creates a powerful lever that future FCCs—including ones hostile to conservative, religious, or otherwise disfavored broadcasters—would be all too willing to pull. **The surest protection against that future is to keep the renewal process predictable today.**

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[1] *The Walt Disney Co. & Am. Broad. Cos.*, Order, DA 26-416 (MB Apr. 28, 2026); *FCC Reminds Broadcasters of Their Public Interest Obligations*, Public Notice, DA 26-530 (MB May 28, 2026); see *Bridge News, LLC*, Order, DA 26-413 (MB Apr. 27, 2026); *SPB LLC* (WABG(AM), Greenwood, Miss.), Order on Reconsideration, DA 26-434 (MB May 1, 2026).

NATIONAL TAXPAYERS UNION

INNOVATION ECONOMY INSTITUTE
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SBE COUNCIL
Small Business & Entrepreneurship Council

Digital Liberty

ITPC
INNOVATION & TECHNOLOGY POLICY CENTER

Young Voices

Congress settled the basic question a generation ago. In the Telecommunications Act of 1996, it replaced the old comparative-renewal system—which invited parties to file frivolous challenges against broadcast licenses, creating uncertainty and costly proceedings—with a streamlined standard under Section 309(k) of the Communications Act.[2] Under that standard, the Commission *shall grant* a renewal application if the station served the public interest, committed no serious violations of the Act or the Commission's rules, and engaged in no pattern of abuse.[3] The purpose was to make renewal effectively presumptive—a licensee meeting these basic conditions keeps its license without having to re-litigate its fitness every term. That presumption is what allows broadcasters to plan, invest, and serve their communities without the perpetual threat of losing the franchise on which everything else depends.

Consistent with that design, the Commission has historically reserved non-routine renewal for genuinely extraordinary circumstances, such as failures that go to a station's basic capacity to maintain its operation or malfeasance. It designated a renewal for hearing, for example, after a station's on-air contest contributed to a listener's death,[4] and where a station had gone dark for extended periods and operated at reduced power in violation of its authorization.[5] Threats to public safety, and abandonment of service are the kinds of serious failures that have justified closer scrutiny. **Preserving that high and content-neutral bar is precisely what keeps the Commission out of the business of judging speech.**

Conservatives and free-market advocates have learned the danger of the alternative the hard way. For years, Democrats and allied activists worked to

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[2]47 U.S.C. § 309(k)(1); Telecommunications Act of 1996, Pub. L. No. 104-104, § 204(a), 110 Stat. 56, 112 (1996); *Implementation of Sections 204(a) and 204(c) of the Telecommunications Act of 1996 (Broadcast License Renewal Procedures)*, Order, FCC 96-172, 11 FCC Rcd 6363 (1996). Under the pre-1996 comparative-renewal system, a rival applicant could file a competing application for the incumbent's frequency at renewal and force a comparative hearing pitting challenger against incumbent; Section 204 eliminated that process, directing the Commission to evaluate the incumbent's record on its own and to consider competing applications only after a renewal is denied. See David Oxenford, *On Its 20th Anniversary, Looking Back at How the Telecommunications Act of 1996 Changed the Broadcast Regulatory Landscape*, Broadcast Law Blog (Feb. 8, 2016), https://www.broadcastlawblog.com/2016/02/articles/on-its-20th-anniversary-looking-back-at-how-the-telecommunications-act-of-1996-changed-the-broadcast-regulatory-landscape/.

[3]47 U.S.C. § 309(k)(2)–(3); id. § 309(e).

[4]*Entercom License, LLC*, Hearing Designation Order, 31 FCC Rcd 12196 (2016).

[5]*Vandalia Media Partners 2, LLC*, Hearing Designation Order, 36 FCC Rcd 7012 (MB 2021).

turn the Commission's licensing and renewal authority—and the broader threat of government scrutiny—into a weapon against disfavored, right-leaning broadcasters:

1. **Sinclair:** After Democratic officials urged the Commission to investigate Sinclair, and as progressive lawmakers publicly called to "break up" the company, the prior Commission declined to renew nearly any Sinclair license during the Biden Administration—an outcome you have rightly described as unprecedented.[6]

2. **Fox's Philadelphia station:** A left-wing group petitioned in July 2023 to strip a Fox-owned station of its license over content that aired on the Fox News cable channel, which is outside the Commission's jurisdiction. Rather than promptly dismiss it, the prior Chair opened a public comment period and let the petition sit for roughly eighteen months, drawing criticism from you and other conservatives at the time for delaying action. She resolved the matter only in January 2025, after the 2024 election and as she was leaving office.[7]

3. **A Miami radio station.** House Democrats pressed the Biden-era Commission to scrutinize the sale of a Spanish-language station because its new owner might air conservative viewpoints to South Florida's Hispanic community, an effort you sounded the alarm about at the time.[8]

4. **Broadcasters' pandemic coverage.** A Senate subcommittee chaired by Senator Ben Ray Luján hauled the National Association of Broadcasters' chief executive before a hearing scrutinizing the media's COVID-19 coverage and

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[6]See *CNBC Exclusive: Transcript: FCC Chairman Brendan Carr Speaks with CNBC's "Squawk on the Street"*, CNBC (May 18, 2026), https://www.cnbc.com/2026/05/18/cnbc-exclusive-transcript-fcc-chairman-brendan-carr-speaks-with-cnbcs-squawk-on-the-street-today.html; *Applications of Tribune Media Co. & Sinclair Broad. Grp., Inc.*, Hearing Designation Order, 33 FCC Rcd 6830 (2018); Fox News (Sept. 23, 2025), https://www.foxnews.com/media/california-democrat-calls-breaking-up-sinclair-broadcast-group-drawing-rebuke-from-fcc-chair.

[7]Petition to Deny of Media & Democracy Project, WTXF-TV (filed July 3, 2023), https://foxpetition.com; *Media & Democracy Project*, Public Notice, DA 23-752 (2023); *WTXF-TV*, Memorandum Opinion and Order, DA 25-57 (MB Jan. 16, 2025); see Letter from Brendan Carr, Chairman, FCC, to Hon. Yvette D. Clarke (Apr. 29, 2025), https://docs.fcc.gov/public/attachments/DOC-410581A4.pdf (noting that the prior Commission left the Fox petition pending for over a year and dismissed it only after the 2024 election cycle).

[8]See *Hispanic Caucus Members Pressure FCC to Scrutinize Miami Radio Station Sale*, Newsweek (Apr. 16, 2021), https://www.newsweek.com/hispanic-caucus-members-pressure-fcc-scrutinize-miami-radio-station-sale-1583890; Statement of Comm'r Brendan Carr, DOC-371715A1 (Apr. 2021), https://docs.fcc.gov/public/attachments/DOC-371715A1.pdf.

"vaccine disinformation." It did so when Democrats controlled the White House, the FCC, and both chambers of Congress.[9]

In each instance the danger was the same: **once renewal and licensing become discretionary instruments, they can be aimed at whichever broadcasters the party in power happens to dislike.** As a coalition of free-market organizations recently urged the Commission in a related context, the right answer is to insulate the Commission from such pressures, not to replicate them.[10] A renewal process that remains routine and presumptive is the surest guarantee that your successors cannot turn these tools and precedents against broadcasters and their perceived viewpoints.

Presumptive renewal also carries important economic and market implications. Broadcast licenses underpin billions of dollars in investment, lending, and station valuations, and capital is acutely sensitive to regulatory uncertainty. Research on FCC licenses finds that policy uncertainty measurably depresses license value, because investors discount assets whose terms might shift before the license runs its course.[11] When renewal is predictable, owners build, hire, and upgrade. When it becomes a recurring question mark, they defer, hedge, and divert capital elsewhere.

Under your leadership, the Commission has made real progress in getting government out of the way, and broadcasters are responding with new deals and investment.[12] **Keeping license renewal routine, predictable, and**

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[9]*Shot of Truth: Communicating Trusted Vaccine Information: Hearing Before the Subcomm. on Commc'ns, Media & Broadband of the S. Comm. on Commerce, Sci. & Transp.*, 117th Cong. (2021); Press Release, Office of Sen. Ben Ray Luján, *Luján Chairs Commerce Subcommittee on Communications Hearing Examining Vaccine Disinformation in the Media* (Apr. 15, 2021), https://www.lujan.senate.gov/newsroom/press-releases/lujan-chairs-commerce-subcommittee-on-communications-hearing-examining-vaccine-disinformation-in-the-media/.

[10]Letter from Center for Individual Freedom et al. to The Honorable Brendan Carr, Chairman, FCC (Mar. 19, 2025) (Media Bureau Docket No. 25-73), https://www.fcc.gov/ecfs/document/1031942059931/1.

[11]Jeffrey A. Eisenach, *The Equities and Economics of Property Interests in TV Spectrum Licenses* 2 (Navigant Econ. Jan. 2014), http://www.nab.org/documents/newsroom/pdfs/011614_navigant_spectrum_study.pdf (broadcasters invest on "the reasonable expectation that their licenses would be consistently renewed" absent serious violations, such that altering that expectation would discourage station investment); Scott Wallsten, *Is There Really a Spectrum Crisis? Disentangling the Regulatory, Physical, and Technological Factors Affecting Spectrum License Value*, 40 Telecomm. Pol'y 1126 (2016), https://www.sciencedirect.com/science/article/abs/pii/S0167624516000020 (finding that policy uncertainty depresses license value).

[12]Roy Blunt, *Deregulating the Media Is How We Save Local News*, Daily Caller (July 22, 2025), https://dailycaller.com/2025/07/22/federal-communications-commission-deregulation-

presumptive is consistent with that agenda. It protects investment, respects the framework Congress enacted, and serves to deny future Commissions tools and precedents to wield against conservative media.

We thank you for your consideration and for your policies to support free markets, and we look forward to continuing to support your pro-growth agenda.

Sincerely,

Jeffrey Mazzella
President
Center for Individual Freedom

Phil Kerpen
President
American Commitment

Grover Norquist
President
Americans for Tax Reform

Tom Schatz
President
Citizens Against Government Waste

Deborah Collier
Executive Director
Innovation and Technology Policy Center
Citizens Against Government Waste

Ashley Baker
Executive Director
The Committee for Justice

Gerard Scimeca
Chairman
Consumer Action for a Strong Economy

James Erwin
Executive Director
Digital Liberty

Bartlett D. Cleland
Executive Director
Innovation Economy Institute

Tom Giovanetti
President
Institute for Policy Innovation

Pete Sepp
President
National Taxpayers Union

Karen Kerrigan
President & CEO
Small Business &
Entrepreneurship Council

Ross Marchand
Executive Director
Taxpayers Protection Alliance

Casey Given
Executive Driector
Young Voices

modernize-media-former-senator-roy-blunt-missouri/; Nicholas G. Miller, *Nexstar to Buy Tegna for $6.2 Billion*, Wall St. J. (Aug. 19, 2025), https://www.wsj.com/business/deals/nextar-tegna-deal-talks-0e1d7524.