

March 19, 2025

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

Re: Media Bureau Docket No. 25-73

Dear Commissioner Carr:

We, the undersigned conservative organizations, write to request the dismissal of the complaint filed by Center for American Rights (CAR) to the Federal Communications Commission (FCC) regarding a *60 Minutes* segment featuring an interview of former Vice President Kamala Harris. The complaint alleged that CBS Broadcasting engaged in news distortion in how it edited the interview, and the FCC put the complaint out for public comment on the issues raised.

While we understand the concerns that motivate the complaint, we nonetheless fear that an adverse ruling against CBS would constitute regulatory overreach and advance precedent that can be weaponized by future FCCs.

To be clear, we do *not* view this complaint in isolation. For years, Democrats and leftwing activist groups have repeatedly worked to weaponize the White House, Congress, the FCC, and other agencies against news outlets, media, and tech companies. These efforts range from attempting to deplatform conservative news channels to jawboning social media companies into censoring conservative users. We note a striking asymmetry—while many pundits and free speech advocates have made breathless claims about this public comment period as a threat to democracy, many of those same commenters were silent when the politics of the parties involved were different.

1. **FCC Investigation of Newsrooms:** In 2014, the FCC initiated a “Critical Information Needs” study to evaluate news content, the decision-making processes behind newscasts, and the relationships between journalists and management.¹ The study was dropped due to First Amendment concerns and backlash, including from then-Commissioner Ajit Pai.²
2. **California Democrats Threaten Pay-TV Providers:** In February 2021, under President Biden, House Democrats threatened cable, phone, satellite, and streaming companies for carrying center-right news networks like Fox News and Newsmax.³ Cable, phone, and satellite pay-TV providers are subject to various regulations,⁴ and the FCC under Biden attempted to impose “net neutrality” regulation on cable and telco broadband providers that also offer pay-TV.⁵
3. **Florida Democrats Attempt to Block Sale of Radio Station:** In April 2021, House Democrats called on the FCC to block the sale of a Spanish-language radio station in South Florida because

¹ *Commissioners at odds on CIN study*, RBR+TVBR (Feb. 26, 2014), <https://rbr.com/commissioners-at-odds-on-cin-study/>

² Meg James, *FCC halts controversial study of newsrooms*, Los Angeles Times (Feb. 28, 2014),

<https://www.latimes.com/entertainment/envelope/cotown/la-et-ct-fcc-cin-study-20140228-story.html>

³ John Hendel, *House Democrats press cable providers on their role in ‘disseminating disinformation’*, Politico (Feb. 22, 2021),

<https://www.politico.com/news/2021/02/22/democrats-conservative-media-misinformation-470863>

⁴ <https://www.fcc.gov/media/engineering/cable-television>; <https://www.fcc.gov/general/satellite-television>

⁵ <https://www.fcc.gov/document/fcc-restores-net-neutrality/rosenworcel-statement-0>

the new owner might air conservative viewpoints to Miami’s Hispanic community.⁶ Then-Commissioner Carr rightly sounded the alarm.⁷

4. **Senate Democrats Grill Broadcasters’ Over COVID Coverage:** In April 2021, a Senate subcommittee chaired by Senator Ben Ray Lujan (D-NM) held a hearing on “vaccine disinformation” in media⁸. One of the witnesses interrogated was Gordon Smith, then-CEO of the National Association of Broadcasters.
5. **FCC Revokes Starlink Award:** In August 2022, then-FCC Chairwoman Jessica Rosenworcel revoked Starlink’s Rural Digital Opportunity Fund grant to provide rural broadband service.⁹ Notably, the decision came as Elon Musk was in the process of buying Twitter and Democrats generally had turned against him politically. As then-Commissioner Carr explained, Musk’s views on free speech likely contributed to the FCC’s decision.¹⁰
6. **Attempt to Revoke Fox’s Philadelphia License:** In July 2023, leftwing group “Media and Democracy Project” petitioned the FCC to revoke the license of a broadcast station owned by Fox due to content that was aired on Fox News, a cable channel owned by Fox.¹¹ Then-Chairwoman Jessica Rosenworcel put the petition out for public comment.¹²
7. **Biden Social Media Jawboning:** Throughout his presidency, President Biden pressured social media companies into censoring disfavored content about COVID-19 and other topics.¹³ During this time, social media companies were facing regulatory threats from several federal agencies.

This list is hardly exhaustive of every instance of politicians attempting to use their power to shape media coverage and silence dissent. Unfortunately, this practice is all too common. And you, Chairman Carr, have been consistent in calling out these efforts and their associated dangers for free speech.

What makes these threats more potent than they otherwise would be is the sheer amount of long-outdated legacy regulation still imposed on broadcasters despite decades of rapid changes in the media and information ecosystem. We understand and appreciate why many conservatives would seek to now “level the playing field” and subject other media organizations—such as CBS’s parent company Paramount—to the same regulatory cudgel that has long afflicted conservative media. However, we believe the right course of action today is to work to insulate the Commission from such pressures, not to replicate them in a different context.

The FCC has broad powers over broadcasters, from license renewals and transaction reviews to arcane rules against “news distortion” and “news hoaxes.” All of these rules and procedures open the door for politicians to play politics with broadcasting. We urge the FCC to help guard against future abuses by Democrats and leftwing organizations by streamlining license renewals and merger reviews and eliminating the news distortion and news hoax rules. Further, while we fully understand and appreciate the frustrations many Americans have with media bias, we believe any adverse rulings against CBS as a result of CAR’s petition would create far more harm than good, including for the future of conservative media.

⁶ <https://www.newsweek.com/hispanic-caucus-members-pressure-fcc-scrutinize-miami-radio-station-sale-1583890>

⁷ <https://docs.fcc.gov/public/attachments/DOC-371715A1.pdf>

⁸ <https://www.lujan.senate.gov/newsroom/press-releases/lujan-chairs-commerce-subcommittee-on-communications-hearing-examining-vaccine-disinformation-in-the-media/>

⁹ <https://docs.fcc.gov/public/attachments/DOC-386140A1.pdf>

¹⁰ <https://www.fcc.gov/document/fcc-reaffirms-decision-reject-starlink-application-nearly-900-million-subsidies/carr>

¹¹ *Media and Democracy Project Petition to Deny*, <https://foxpetition.com/>

¹² <https://docs.fcc.gov/public/attachments/DA-23-752A1.pdf>

¹³ <https://reason.com/2024/08/27/mark-zuckerberg-blames-biden-for-government-pressure-to-censor-facebook/>

We urge you to dismiss the complaint from CAR and take steps to curtail the Commission's ability to engage in content-based regulation and reviews. In doing so, you can help ensure that future FCCs cannot be politicized in harmful ways. Thank you for your leadership and for being a longstanding and consistent defender of the First Amendment and the principles of free speech across all forms of media in this country and around the globe. We stand ready to work with you to achieve these reforms.

Sincerely,

Jeffrey Mazzella
President
Center for Individual Freedom

Phil Kerpen
President
American Commitment

Grover Norquist
President
Americans for Tax Reform

Matthew Kandrach
President
Consumer Action for a Strong Economy

James Erwin
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Tom Giovanetti
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