

**OVERSIGHT OF THE FEDERAL  
COMMUNICATIONS COMMISSION**

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**HEARING**

BEFORE THE

**COMMITTEE ON COMMERCE,  
SCIENCE, AND TRANSPORTATION  
UNITED STATES SENATE**

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

DECEMBER 17, 2025

Printed for the use of the Committee on Commerce, Science, and Transportation



Available online: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2026

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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# OVERSIGHT OF THE FEDERAL COMMUNICATIONS COMMISSION

WEDNESDAY, DECEMBER 17, 2025

U.S. SENATE,  
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:08 a.m., in room SDG-50, Dirksen Senate Office Building, Hon. Ted Cruz, Chairman of the Committee, presiding.

Present: Senators Cruz [presiding], Wicker, Fischer, Moran, Sullivan, Blackburn, Young, Budd, Schmitt, Curtis, Capito, Cantwell, Klobuchar, Schatz, Markey, Peters, Baldwin, Rosen, Luján, Hickenlooper, Kim, and Blunt Rochester.

## OPENING STATEMENT OF HON. TED CRUZ, U.S. SENATOR FROM TEXAS

The CHAIRMAN. Good morning.

The Senate Committee on Commerce, Science, and Transportation will come to order. Welcome to today's hearing, "Oversight of the Federal Communications Commission."

The FCC plays a critical role in the lives of everyday Americans, from TV and radio broadcasting to cellular and satellite communications and Internet connectivity.

The Commission sits at the center of the services and technologies that power Americans' daily lives, that project American leadership and influence across the globe, and that form the backbone of our national economy. In other words, the Commission's work is kind of a big deal.

So I am pleased that we are joined today by our witnesses—Chairman Carr and Commissioners Trusty and Gomez—for this important hearing, and especially pleased that they agreed to be here and that this is the first FCC oversight hearing this committee has held since 2020.

I believe Commissioner Trusty was sitting right here staffing then Chairman Wicker at that hearing and so, Commissioner, it is nice to see you have moved 30 feet to the other side of the dais.

We have a lot of important ground to cover today. The pace of change in just the last year, let alone since the last FCC oversight hearing by this committee, has been astounding.

We have seen the deployment of 5G and early groundwork for 6G, major advancements in the satellite industry, particularly the growth of low Earth orbit, high-speed internet, AI, and seismic shifts across the media landscape, and we have seen the enactment of President Trump's Working Families Tax Cut Act which not only

reinstated spectrum auction authority for the FCC for the next decade but contained the largest single-spectrum pipeline, 800 megahertz, ever enacted into law.

This will raise billions of dollars for the taxpayer. It will stimulate billions more in private sector investment as U.S. companies bring faster and cheaper Internet to more Americans, and it will lay the foundation for countless technological innovations.

These benefits will be felt nationwide and, indeed, worldwide across multiple generations of Americans. On day one of the new administration the FCC, under Chairman Carr, hit the ground running and already has an impressive list of accomplishments to show.

These include the delete, delete, delete docket, which continues to clear out the regulatory underbrush, ensuring the integrity of the universal service programs and preventing fraud by illegal aliens, reforming the FCC's satellite licensing regime to help bolster America's position as the global leader in space commerce, streamlining permitting to speed broadband build out, and moving at lightning speed to implement the new spectrum pipeline, already teeing up 100 megahertz of valuable C-band spectrum to be auctioned for commercial use in the near future.

But there is plenty more work to be done. Given the rapid pace of evolution in technology and telecommunications, it is a wonder that the legal regime governing these issues and the Commission's role in regulating them has, largely, not been updated since 1996, and there are any number of issues, from the utility of the so-called public interest standard in the modern era to retransmission consent rules in the streaming era to the current media ownership caps, where a statutory update might be worthwhile.

The world of today, with mobile computers in every pocket and artificial intelligence becoming exponentially more capable, is markedly different from the time when cell phones were the size of footballs, when Gordon Gekko walked on the beach holding a brick to the side of his head, and from the time when AOL was the leading edge of Internet connectivity.

We live in a different world and it is worth considering whether Congress should revisit the Communications Act and update it for the modern age.

On the public interest standard in particular, if my colleagues across the aisle do what many expect and hammer the Chairman over their newfound religion on the First Amendment and free speech, I will be obliged to point out that those concerns were miraculously absent when the Biden administration was pressuring Big Tech to silence Americans for wrong think on COVID and election security.

It will underscore a simple truth, that the public interest standard and its wretched offspring, like the news distortion rule, have outlived whatever utility they once had and it is long past time for Congress to pass reforms.

I am grateful to our witnesses for being here today to talk about what the FCC is doing and how to address some of these important issues.

The energy and focus Chairman Carr has brought to this Commission in just the first year has been productive and refreshing. I am excited for what the next several years will bring.

I now turn to Ranking Member Cantwell.

**STATEMENT OF HON. MARIA CANTWELL,  
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman. Thank you for convening this important oversight hearing, and I thank our witnesses for being here.

The FCC's independence is central to protecting free and diverse press, strengthening our national security, and bringing down the cost of telecommunications and media services.

However, what we have seen this year in costs that Americans are facing, prices are rising. The question is what is the Chairman of the FCC and the FCC doing to bring down costs for consumers?

The American people deserve an FCC that protects them from hidden fees and promotes affordability. The FCC, though, is, in my mind, doing just the opposite in allowing consolidations that reduce competition and can help drive up costs.

Americans are paying more than ever for streaming, cable, wireless services. Streaming costs are up 13 percent this year alone, basic cable costs have more than doubled in the last 10 years, and Americans are paying more than almost any other country for wireless.

And what is the FCC doing to help drive down those costs? Congress passed bipartisan legislation to ensure transparency in billing, but Chairman Carr has proposed to punch holes in those rules to implement that.

He is making it easier for big corporations to tack on hidden fees to your Internet bills. I have even heard consideration by some groups saying that we should take away spectrum from broadcast television stations because maybe they are not getting enough use and maybe we should have even less competition.

So it is clear to me that the FCC, we need to do everything to protect consumers including protecting them from the harms of AI.

So instead I see an FCC that is not focused enough on affordability. That is why today we are releasing a snapshot report from the minority here talking about why consolidation and reduced competition is driving up costs.

So, hopefully, we can ask some questions about that today and focus on what we need to do to keep local journalism, to keep broadcasting, and to make sure that we do not have undue influence.

We now know that this issue, as related to Jimmy Kimmel, quote, "the easy way or the hard way" is just an example, and I certainly appreciate Chairman Cruz's words saying it was "dangerous as hell and right out of Goodfellas."

But I also appreciate Leader Thune and former Majority Leader McConnell agreeing that this went too far. The question is how do we now make sure that we continue to have not so much consolidation?

Because I know, Chairman Carr, you have supported consolidation that makes it easier to have influence and to have less com-

petition. Local news and independent voices matter, and consolidation undermines that independence and drives up costs.

What happens if a merger does take place and CBS and CNN are in the same boat? Are they going to continue to be the same competitive environment or what will we do to make sure that consumers still have a choice?

Earlier this year, Chairman Carr greenlit the Skydance acquisition of Paramount, but not before Paramount agreed to pay \$16 million in a lawsuit.

Using the FCC process should not be used in this kind of extortion process but to focus on what will drive down costs and help consumers in this process.

People across the political spectrum agree there is too much control in a few hands. Chris Ruddy, CEO of NewsMax, has spoken about how corporate consolidation threatens local news.

Chairman Carr, what are we doing to make sure that you are going to continue to protect local media ownership and grow this opportunity?

We do not want to see content that is produced nationally for local broadcast. I am right now suffering from an unbelievable flood that has gone on for days and days.

Today's latest challenge will be a blizzard. They are wall to wall with news. For the safety of the citizenry of Washington, I would hate to see broadcast content interrupted or a station undermined to the point that they cannot do their job in covering this unbelievable flood which is affecting every corner—almost every corner of our state.

But beyond bringing down costs and protecting independent media, I am also concerned about safety. Chinese intelligence orchestrated Salt Typhoon attacks, which then Senator Rubio, Vice Chair of the Senate Intelligence Committee, described as, quote, “The most disturbing and widespread incursion into our telecommunications system in the history of the world,” end quote.

That should have led the FCC to strengthen our defenses. Instead, Chairman Carr, you rolled back the FCC's Salt Typhoon rules, the only major regulatory response to those attacks, and the rush to auction off critical spectrum I believe could undermine military readiness and aviation safety.

Earlier this year, we wrote to Secretaries Duffy and Hegseth outlining those concerns about safety. So I hope that today's hearing can have the proper oversight on these important issues—what are we doing not only to protect consumers from costs but protect them on their safety and security.

Mr. Chairman, it is an important time. Not all of these issues have happened in the last year but, clearly, we need to do our job in continuing to help the American consumer get information in a competitive landscape and also drive down costs.

I thank the Chairman. Look forward to hearing from the witnesses.

The CHAIRMAN. Thank you, Senator Cantwell.

I will now introduce our witnesses. Our first witness is Brendan Carr, the Chairman of the Federal Communications Commission. He was designated as Chairman on January 20, 2025, by President Trump and he has served on the Commission since 2017.

Our second witness is Olivia Trusty, Commissioner at the FCC. She was nominated by President Trump and confirmed by the Senate this past June.

Our final witness is Anna M. Gomez, Commissioner at the FCC. She has served on the Commission since September 2023.

Chairman Carr, you are recognized for your opening statement.

**STATEMENT OF HON. BRENDAN CARR, CHAIRMAN,  
FEDERAL COMMUNICATIONS COMMISSION**

Mr. CARR. Chairman Cruz, Ranking Member Cantwell, distinguished members of the Committee, thank you for the invitation to testify.

It has been a busy and productive year at the FCC with the agency focused on delivering great results for the country. So I welcome the chance to join with my Commission colleagues today and discuss the agency's important work.

While this is not my first time testifying before the Committee, it is my first time appearing before you as Chairman of the FCC.

So I want to thank President Trump for the honor of leading this exceptional agency. I also want to start by saying how proud I am of the FCC's dedicated staff and everything they have accomplished for the American people.

In my view, the FCC's public servants are simply the best in government. At the outset, I would also like to applaud the important work that this committee has accomplished this Congress.

For instance, thanks to Chairman Cruz and many of his fellow committee members, the FCC's spectrum auction authority has now been restored through President Trump's Working Families Tax Cut Act, a historic legislative accomplishment.

In terms of the FCC's work, the agency has been following President Trump's strong leadership and we have moved quickly to execute on an ambitious set of reforms.

We are advancing a build America agenda, a concrete plan to unleash high-speed infrastructure bills, drive down prices for consumers, and restore U.S. leadership in wireless.

We are reinvigorating the agency's consumer protection work including new efforts to crack down on illegal robocalls.

We are strengthening America's national security with work underway that tracks Senator Fischer and Senator Luján's leads on the FACT Act and we are empowering broadcasters to meet their public interest obligations.

I lost my page for a second there. Much of this represents significant change from the Biden years. Indeed, when I took over as Chairman the FCC faced several challenges.

For one, the Biden administration allowed the U.S. to fall behind when it came to one of the most important features of our economic strength, spectrum.

The FCC's spectrum auction authority had lapsed two years earlier. The Biden administration had failed to tee up a single new spectrum band for auction, and the prior administration's spectrum strategy committed to freeing up exactly zero megahertz of spectrum.

On top of this, permitting reform was going nowhere. The Biden administration was layering on heavy-handed regulations that only

inflated prices and made it harder for broadband builders to start turning dirt.

We had to turn things around, and fast. Thanks to President Trump's leadership we are doing exactly that. As I detail in my testimony, the FCC's "Build" agenda focuses on unleashing our Nation's construction crews by advancing several core goals.

For one, we are modernizing permitting rules and cutting red tape. For another, we are freeing up the airwaves that are necessary for America to lead the world again.

Indeed, we now have a massive new spectrum pipeline and are working on multiple new spectrum auctions. In fact, the FCC just voted on a proposal to auction up to 180 megahertz in the upper C-band.

For still another, we are boosting America's space economy and in all of this we are already seeing results. One carrier alone just announced that they lit up spectrum. They gained access to this year to over 23,000 cell sites in record time, boosting 5G speeds by up to 80 percent.

President Trump and the FCC's "Build" agenda are also delivering for America's workers. Providers are now adopting faster payment cycles and fairer pricing, they are closing loopholes that allowed foreign groups to swoop in and undercut U.S. workers, and they are improving safety.

Finally, the FCC is now pursuing the largest deregulatory effort in the agency's history. To date, we have teed up for removal over 1,000 rules or regulations and terminated a record 2,000 inactive proceedings.

Eliminating those costly regulations is part of our affordability work, too. For instance, we shut down a Biden-era plan that could have spiked the price of Internet for millions of Americans living in apartments by up to 50 percent, and in many ways we are just getting started.

I look forward to continuing to deliver on this important agenda and, in closing, I want to thank you again for the opportunity to testify.

I look forward to your questions.

[The prepared statement of Mr. Carr follows:]

PREPARED STATEMENT OF HON. BRENDAN CARR, CHAIRMAN,  
FEDERAL COMMUNICATIONS COMMISSION

Chairman Cruz, Ranking Member Cantwell, and Members of the Committee, thank you for the invitation to testify. I am grateful for the opportunity to join with my Commission colleagues today and provide an update on the FCC's work over the last year. I look forward to sharing with you the priorities we have been advancing at the FCC since January.

While this is not my first time testifying before the Commerce Committee, it is my first time appearing before you as Chairman, and there are a number of new members on the Committee since the last FCC oversight hearing in 2020. So I wanted to begin with a brief introduction.

I first joined the FCC as a staffer in 2012 over a dozen years ago. In the time since, I have had the privilege of serving in a number of different roles at the agency. I started out as an attorney in the FCC's Office of General Counsel. I then worked as a legal advisor for a Commissioner. Following that, I served as the General Counsel of the FCC before President Trump nominated me to serve as a Commissioner in 2017. Having been confirmed by the Senate three times, I am very grateful to President Trump for his decision to designate me as Chairman of the FCC earlier this year.

Working alongside my Commission colleagues here today and leading the talented group of public servants at the agency is the honor of a lifetime. I am proud of the work the agency's dedicated staff have been getting done for the American people. And I am especially grateful for their commitment to public service through the recent government shutdown. It is great to have everyone back in the building again.

I would also like to take a moment to recognize the important work that this Committee has accomplished this Congress. Thanks to Chairman Cruz, and many of his fellow Committee Members, the FCC's spectrum auction authority has now been restored through President Trump's One Big Beautiful Bill. When the FCC's auction authority lapsed for the first time ever back in 2023, it put America's global leadership and our connectivity goals at serious risk. I am glad we are correcting course now. I also want to applaud Chairman Cruz and Senator Markey for their leadership on the AM Radio for Every Vehicle Act. This legislation will help keep AM radio—a linchpin of our emergency response system—in place and ensure that Americans can continue to access local news, information, and entertainment programming.

Following President Trump's strong leadership, the FCC has moved quickly to execute on an ambitious set of reforms. We are advancing a Build America Agenda—a concrete plan to unleash high-speed infrastructure builds, drive down prices for consumers, and restore U.S. leadership in wireless. We are reinvigorating the agency's consumer protection work, including its efforts to crack down on illegal robocalls. We are empowering broadcasters to meet their public interest obligations. We are strengthening America's national security and advancing public safety. We are undertaking the largest deregulatory effort in the agency's history. And we are eliminating waste while improving efficiency and modernizing agency operations.

I detailed much of this agenda for the first time on a visit earlier this year to a tower construction company's training center in Sioux Falls, South Dakota. While Sioux Falls might not be everyone's pick for rolling out a policy agenda for a Federal agency headquartered in Washington, D.C., I could not think of a more appropriate setting. For one, the communities spread across South Dakota are a great reminder of the types of places we have to keep in mind as we develop connectivity policies back here in Washington. For another, I first visited that facility over seven years earlier—it was the first place that I ever put on a harness and hardhat in this job and climbed a tower. So it was a good reminder of the work ahead for America's broadband builders, and why the FCC's agenda should focus on making their jobs a little bit easier.

As I detailed in those remarks, the FCC's Build America Agenda focuses on a number of core priorities. I would like to provide the Committee with an overview of those goals, and the work the FCC is undertaking to advance them and some of the agency's other top agenda items.

### **Unleashing High-Speed Infrastructure Builds**

The FCC is working to unleash high-speed infrastructure builds in communities across the country. We are modernizing permitting rules and cutting red tape. This includes making it easier for providers to retire slow and old copper lines and replace them with the modern, high-speed ones that consumers want. We are accelerating and simplifying the process for extending new lines across existing utility poles. And we are pursuing a range of additional steps that can remove barriers to deployment and streamline regulatory approaches. These actions will free up billions of dollars in capital that can go to work closing the digital divide.

At the same time, we are ending the Biden-era regulatory overreaches that only made it harder to build high-speed infrastructure in this country. This year, for instance, the FCC reversed a Biden-era plan that would have slowed down infrastructure builds by subjecting tower builds to additional, needless, and onerous regulations. We also stopped a Biden-era proposal to regulate so-called "bulk billing" arrangements, which could have increased the price of Internet service for Americans living in apartments by as much as 50 percent. And at the very beginning of this year, a Federal court invalidated the prior FCC's plan to expand government control of the Internet through heavy-handed, Title II regulation.

### **Restoring America's Leadership in Wireless**

The FCC has also been working hard to free up airwaves and restore the country's leadership in wireless. This is key because opening up spectrum for more intensive use drives down prices for consumers, brings families across the digital divide, and strengthens competition. But at the beginning of this year, the FCC had a lot of work to do on this front. Our spectrum auction authority had lapsed two years earlier. And there was no pipeline of spectrum for the agency to auction.

Thanks to President Trump's leadership, we are turning things around—and fast. At my very first meeting as FCC Chairman, we started a proceeding to examine ideas for freeing up a large swath of spectrum in the Upper C-band. The White House then initiated a ten-week “spectrum sprint” to study options for lighting up hundreds of megahertz of spectrum. And President Trump leaned in—making it clear that advancing America's 5G and 6G leadership would be a top priority for the Administration.

Chairman Cruz and many members of this Committee then spearheaded the work to pass the spectrum provisions of the One Big Beautiful Bill. Those provisions restored the FCC's auction authority and established a real spectrum pipeline—one with hard deadlines, clearing targets, and candidate bands.

For our part, the One Big Beautiful Bill requires the FCC to auction at least 100 megahertz of spectrum in the Upper C-band by July 2027 and at least 300 megahertz total by 2034. The FCC has been working hard to implement those provisions in coordination with other Federal agencies and stakeholders. Indeed, just last month, the Commission voted on a proposal to auction up to 180 megahertz of spectrum in the Upper C-band—exceeding the 100 megahertz minimum set by Congress.

Of course, a lot of work remains ahead on the C-band. Success will require continued interagency coordination, especially with our Federal partners at the FAA and NTIA. It also requires extensive cooperation and information sharing between the wireless and aviation sectors. We have been working well with all stakeholders, and I am pleased with the collaboration we've seen to date.

But our work to advance U.S. spectrum leadership is not limited to the Upper C-band or even spectrum auctions alone. In the secondary markets, we are now seeing large swaths of spectrum moving into the hands of competitors that can put it to productive use quickly. On this score, AT&T recently agreed to purchase 50 megahertz of spectrum. And SpaceX has agreed to acquire 60 megahertz more. If approved, the latter transaction could advance America's position as the world-leader in next-generation, direct-to-cell technology. These secondary market moves are already showing results. Indeed, just recently, one carrier announced that they have already built out spectrum they gained access to this year to over 23,000 cell sites in record time—boosting 5G speeds by up to 80 percent.

#### **Boosting America's Space Economy**

President Trump has been clear that the Administration is ushering in a new Golden Age for space innovation in America. And President Trump's leadership could not come at a better time. Our nation is in the midst of what I refer to as a Space Race 2.0. This time around our main competitor is the government of China, which has its sights set on dominating in low-Earth orbit and up and down every orbital location.

To win this second Space Race, the U.S. is going to rely on American innovators. And I have had the chance to see these great businesses firsthand on visits outside the Beltway. Earlier this year, for instance, I visited Midland, Texas, with Chairman Cruz where we saw some of the Nation's leading innovators building next-gen satellites in West Texas.

The FCC's efforts on this front are possible thanks to the Executive Order President Trump signed earlier this year to streamline regulations and foster a competitive commercial space industry. The FCC is following the White House's lead. We are looking to add rocket fuel to our space economy and give the private sector a predictable regulatory framework by focusing on four main principles: speed, simplicity, security, and satellite spectrum abundance. We are already clearing out application backlogs and standardizing procedures in furtherance of that agenda.

#### **Strengthening America's Telecom Workers**

I have had the chance to climb towers, splice fiber, and string lines with some of the country's most talented and hardworking telecom crews. So it is important to me that the FCC do its part to strengthen the Nation's telecom workforce. I am determined to ensure that our nation's tower and telecom crews are rewarded for their work. And they are poised to benefit greatly from President Trump's leadership and the agency's Build America Agenda.

We are already seeing good results. Over the last year, many communications providers have committed to a range of workforce reforms that will result in a more sustainable environment for America's tower and telecom crews. Providers are now adopting faster payment cycles and fairer pricing metrics. They are minimizing layers of subcontracting, which will allow for greater oversight of crews and stronger safety protections. And they are closing loopholes that allowed foreign, fly-by-night groups to swoop in and undercut U.S. crews. The FCC will continue to look out for American workers.

### **Reinvigorating the FCC's Consumer Protection Work**

The FCC has been working hard to reinvigorate and modernize our consumer protection work. Of course, the issue the FCC hears about the most through consumer complaints is illegal robocalls. And on this front, the FCC has started a new campaign to tackle illegal robocalls at every point in the call path. For years, the government's efforts in this area have been described as a game of whack-a-mole. When we address one type of scam, or fine a bad actor, another one pops up using a new workaround.

So we are now looking at every portion of the call lifecycle. We are focusing on prevention—stopping bad actors from ever originating calls in the first place. We are pushing carriers to block more illegal robocalls before they reach consumers. We are giving consumers better tools to distinguish legitimate calls from scams. We are looking to curb scam calls that originate outside of the United States by deterring the use of U.S. area codes for calls originating overseas. And we are stepping up enforcement to make sure every provider doing business in the U.S. takes proactive steps to mitigate robocalls. Indeed, on my watch, the FCC has now removed over 1,200 non-compliant voice service providers from the Robocall Mitigation Database, which functionally disconnects them from the U.S. phone network. The FCC will continue to crack down on shady providers using all of the tools at our disposal.

Our work on consumer protection matters also includes our efforts to help Americans access the right resources during a time of crisis. This year, for instance, we adopted rules requiring wireless providers to develop the capability to transmit georouting data when someone sends a text to 988. This means that someone reaching out for help during a crisis will get the localized help they need.

### **Empowering Local Broadcasters**

The FCC is working to empower local broadcasters to serve the public interest and meet the needs of their communities. As Congress, the Supreme Court, and the FCC have all made clear, broadcasters are different than every other distributor of media. Specifically, broadcasters are required by both the Communications Act and the terms of their FCC-issued licenses to operate in the public interest. This sets them apart from cable channels, podcasts, streaming services, social media, and countless other types of distributors that have no public interest obligation. The FCC's broadcast hoax rule, its news distortion policy, its political equal opportunity regulation, its prohibition on obscene, indecent, and profane content, its localism requirements—all of those and more apply uniquely to broadcasters. Congress has instructed the FCC to enforce public interest requirements on broadcasters. The FCC should do exactly that.

Television broadcasters have this public interest obligation because the government has given them the unique privilege of using a scarce national resource—the public airwaves—and in doing so has necessarily excluded others that might want to broadcast their own programming over that same spectrum. That is why they are required to serve, not just their own narrow interest, but the public interest, including the needs of their local communities.

To ensure that broadcasters can meet their public interest obligations, the FCC has taken a number of actions, including seeking public comment for the first time in more than 15 years on the relationship between the large, national programmers on the one hand and the many local broadcast television stations on the other. Comments in that proceeding suggest that many local broadcasters are concerned that the national programmers have amassed enormous power and influence in recent years and have made it more challenging for local broadcasters to fulfill their public interest obligations.

The FCC is going to continue its efforts to empower local broadcasters to meet their public interest obligations.

### **Promoting National Security and Advancing Public Safety**

The FCC has significantly ramped up its efforts this year to promote our country's national security and advance public safety. For one, at the beginning of my time as Chairman, I stood up a new Council on National Security within the FCC to leverage all of the agency's authorities, expertise, and relevant workstreams to counter the threats posed by foreign adversaries, including the government of China. This Council is already paying dividends. The FCC cracked down on what we call "Bad Labs"—labs that review and approve electronics for use in the United States, but are owned or controlled by foreign adversary governments. The Council on National Security also executed Operation Clean Carts, which worked with e-commerce platforms to take down millions of listings of devices on the FCC's Covered List or otherwise prohibited for sale in the United States.

And that's not all. In May, the FCC started the process of identifying foreign adversaries that hold licenses or authorizations in the communications sector, in line with the policy of Senator Fischer and Senator Luján's FACT Act. In August, the FCC adopted new rules on undersea cable security, following President Trump's America First Investment Policy Memorandum. In those rules, we took action to unleash the build out of undersea cables to ensure the U.S. leads the world on AI infrastructure, as the President's AI Action Plan calls for, while mitigating threats to undersea cables from foreign adversaries. In October, the FCC closed two loopholes that provided no check on old models of covered equipment—potential spy gear—to be imported or sold, as well as allowed devices to be approved that contain covered equipment as module components. And most recently, in the wake of SALT Typhoon, the FCC has worked directly with carriers to ensure that they are adapting their cybersecurity practices and hardening their networks against future attacks, including by working with Federal partners like the FBI, NSA, and CISA to receive technical assistance on networks, rapidly share information, and working together to strengthen cyber defenses.

Beyond threats from foreign adversaries, the FCC also continues to foster network resilience in the face of natural disasters. My first trip as Chairman of the FCC was to Western North Carolina where I visited several of Hurricane Helene's hardest-hit areas and met with emergency management and public safety officials, telecom crews, broadcasters, and other government representatives that worked to rebuild those communities. In July, we hosted a public roundtable focused on collaboration between communications service providers, electric utilities, and emergency management officials. Following the discussion, we published Cross-Sector Best Practices for Hurricane Season in September focused on disaster recovery, "blue sky" coordination efforts, and mutual cross-sector aid and assistance, building on the work of the Mandatory Disaster Response Initiative.

Earlier this year, the FCC also began the process of a ground-up re-examination of the national alert and warning systems, including the Emergency Alert System and Wireless Emergency Alerts. The underlying frameworks of these systems are 31 and 13 years old, respectively, so it is important to ensure the FCC is leveraging the latest technology to save lives.

The FCC has also worked to strengthen and modernize our Nation's public safety systems. In March, the FCC proposed requirements to improve location precision for 911 callers in multistory buildings. We also moved forward with a proposal that would make the transition from legacy 911 to NG911 effective and reliable without creating new vulnerabilities in critical public safety networks.

### **Streamlining Regulations and Modernizing Agency Operations**

Right now, the FCC is also undertaking the largest deregulatory initiative in the agency's history. At the beginning of my tenure as Chairman, I launched an effort titled "In Re: Delete, Delete, Delete." Since then, the FCC has been reviewing every rule, regulation, and guidance document for the purpose of eliminating unnecessary regulatory burdens, and we sought feedback from stakeholders to get their perspectives as well.

I am now pleased to report that to date the FCC has removed or teed up for removal 1,108 rules and regulations, 134,928 words, and 312 pages of the Code of Federal Regulations. The FCC has also worked to close out inactive dockets and has terminated a record 2,048 inactive proceedings. These initiatives further the Commission's goal of promoting good governance, increasing efficiency, and modernizing agency processes.

Improving efficiency at the FCC does not stop with examining the CFR and open FCC dockets. We are also working to be good stewards of the taxpayers' funds. In Fiscal Year 2025, we generated millions of dollars in savings by eliminating or modifying unnecessary contracts. We also brought agency staff back into the building to foster in-person collaboration to deliver on the FCC's mission.

As you can tell, the FCC and its hardworking staff have been moving fast to deliver great results for the American people this year. I thank them for their dedicated service. And I look forward to the important work ahead.

\* \* \*

In closing, I want to thank you again Chairman Cruz, Ranking Member Cantwell, and Members of the Committee for holding this hearing and for the opportunity to testify. I look forward to answering your questions.

The CHAIRMAN. Thank you.  
Commissioner Trusty.

**STATEMENT OF OLIVIA TRUSTY, COMMISSIONER,  
FEDERAL COMMUNICATIONS COMMISSION**

Ms. TRUSTY. Chairman Cruz, Ranking Member Cantwell, and members of the Committee, thank you for the opportunity to appear before you today.

It has been nearly six months since I was sworn in as a commissioner at the Federal Communications Commission. In that time, I have had the privilege of working on policies to expand access to high-speed connectivity, enhance the resilience of the Nation's communications networks, and restore U.S. leadership in next-generation communications technologies.

Critical to my work has been the opportunity to travel across the country and around the world to hear directly from broadband providers, tower engineers, fiber splicers, consumers, and our international partners and allies.

Whether in Jackson, Mississippi; Eek, Alaska; or Baku, Azerbaijan; I heard about the state of the communications marketplace and how access to fixed, mobile, and satellite connectivity is delivering on the promise of job creation, technological innovation, and economic prosperity.

In Jackson, Mississippi, I saw how broadband is delivering quality, life-saving care straight into the homes of Mississippians across the Magnolia state.

Doctors at the University of Mississippi Medical Center are treating chronic illnesses, managing high-risk pregnancies, and delivering mental health care by video to rural communities that would otherwise go without these essential services.

In Bethel and Eek, Alaska, I saw how access to broadband is transforming lives. These Alaskan towns are home to some of the most rugged and hard-to-reach terrain, and broadband is enabling Alaskan Natives and non-Natives alike to contribute to and benefit from the global digital economy while maintaining their treasured culture and way of life.

And this fall I traveled to Baku, Azerbaijan, to represent the United States at the International Telecommunication Union's World Telecommunication Development Conference.

There, ministers and regulators from around the globe highlighted their progress on closing the digital divide within their nation's borders.

They also used this forum to seek U.S. guidance and leadership on maximizing spectrum efficiency, building trusted networks and secure supply chains, and creating a regulatory environment that invites continued innovation, investment, and competition while protecting consumers and enhancing public safety.

These are issues we confront at the FCC in almost every proceeding. They also inform the three priorities guiding my work: universal connectivity, network resilience, and U.S. leadership.

Ensuring that every American has access to communication services has been the FCC's core mission since its founding. Following my confirmation, the Supreme Court affirmed the constitutionality of the Universal Service Fund.

I commend the bipartisan, bicameral, congressional USF working group for taking the initiative to identify reforms to ensure the program's sustainability and continued support for the operation and

maintenance of communications networks in rural and remote areas.

In an era of growing digital hostility, however, achieving universal connectivity requires increased focus on the deployment of trusted and resilient network infrastructure.

Our communications networks are the backbone of both our economy and our defense. From robocall scams to foreign-made network components to infrastructure vandalism and copper theft, the threats are evolving rapidly.

Recent Commission actions to remove foreign adversary-owned labs from our equipment authorization process, to block illegal robocalls from exploiting American consumers, and to garner commitments from broadband providers to harden their network infrastructure will enhance network integrity while allowing us to maintain agility in responding to new and emerging threats.

U.S. leadership in next-generation technologies—6G, AI, emerging commercial services in space, and more—hinges on our ability to deploy high-speed and resilient communications infrastructure to every corner of the country.

Thanks to President Trump and the leadership of Chairman Cruz and the members of this committee, the Commission's general spectrum auction authority has been restored, along with the creation of a long-term spectrum pipeline.

This positions America to lead in wireless innovation and beyond. Our continued success in technological advancement will ultimately be determined by a domestic and international regulatory environment that emphasizes innovation, competition, and global cooperation.

Importantly, U.S. leadership is not inevitable. It must be earned. I look forward to working with members of this committee and our interagency partners to ensure the United States is positioned to capture first-mover advantages in the technologies that will define the future of our economic and national security.

Mr. Chairman, thank you again for this opportunity to testify. I look forward to answering your questions.

[The prepared statement of Ms. Trusty follows:]

PREPARED STATEMENT OF OLIVIA TRUSTY, COMMISSIONER,  
FEDERAL COMMUNICATIONS COMMISSION

Chairman Cruz, Ranking Member Cantwell, and members of the Committee, thank you for the opportunity to appear before you today.

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In an era of growing digital hostility, however, achieving universal connectivity requires increased focus on the deployment of trusted and resilient network infrastructure. Our communications networks are the backbone of both our economy and our defense. From robocall scams to foreign-made network components, to infrastructure vandalism and copper theft, the threats are evolving rapidly. Recent Commission actions to remove foreign adversary-owned labs from our equipment authorization process, to block illegal robocalls from exploiting American consumers, and to garner commitments from broadband providers to harden their network infrastructure, will enhance network integrity, while allowing us to maintain agility in responding to new and emerging threats.

U.S. leadership in next-generation technologies—6G, AI, emerging commercial services in space and more—hinges on our ability to deploy high-speed and resilient communications infrastructure to every corner of the country. Thanks to President Trump and the leadership of Chairman Cruz, and the members of this Committee, the Commission's general spectrum auction authority has been restored, along with the creation of a long-term spectrum pipeline. This positions America to lead in wireless innovation and beyond. Our continued success in technological advancement will ultimately be determined by a domestic and international regulatory environment that emphasizes innovation, competition, and global cooperation. Importantly, U.S. leadership isn't inevitable, it must be earned. I look forward to working with members of this committee and our interagency partners to ensure the United States is positioned to capture first-mover advantages in technologies that will define the future of our economic and national security.

Mr. Chairman, thank you, again, for this opportunity to testify. I look forward to your questions.

The CHAIRMAN. Thank you.  
Commissioner Gomez.

**STATEMENT OF ANNA M. GOMEZ, COMMISSIONER,  
FEDERAL COMMUNICATIONS COMMISSION**

Ms. GOMEZ. Thank you.

Chairman Cruz, Ranking Member Cantwell, and the distinguished members of this Committee, thank you for the opportunity to appear before you today.

As Commissioner, my priorities have centered on expanding reliable and affordable connectivity to every community, maintaining U.S. leadership through smart spectrum policy, preserving localism in a vibrant media ecosystem, and ensuring first responders have the tools they need to reach the public when it matters most.

These priorities reflect longstanding bipartisan goals and they are the areas where I had hoped we would be spending our time and energy with a shared commitment to serving consumers.

Instead, over the past 10 months, the Commission has taken a markedly different approach, one that has undermined its reputation as a stable, independent, and expert-driven regulatory body.

Nowhere is that departure more concerning than in its actions to intimidate government critics, pressure media companies, and challenge the boundaries of the First Amendment.

It is precisely because of these concerns that I launched a First Amendment tour earlier this year, traveling across the country to hear directly from communities.

My goal was simple—to listen, engage, and to reaffirm that the FCC's work must remain grounded in constitutional principles and public trust, and I have found myself aligned with voices across the ideological spectrum, united by a shared belief that the First Amendment is fundamental to our democracy and worth defending, even when doing so is politically inconvenient.

In that spirit, I want to thank Chairman Cruz for speaking out in defense of the First Amendment and for his continued engagement on this critical issue.

One thing I learned during these conversations is that when the FCC strays from its core mission, consumers pay the price. That reality results in higher costs, fewer voices and choices, and missed opportunities to expand access across communications ecosystems.

One clear example of where Congress and the Commission have been aligned is spectrum policy. I want to thank Congress for restoring our spectrum auction authority. This is an important step toward expanding capacity, promoting competition, and maintaining U.S. leadership in wireless innovation.

When spectrum policy is done properly, it lowers costs for consumers and it fuels economic growth. Yet, spectrum is only part of the story. Millions of households have faced rising broadband costs following the lapse of the Affordable Connectivity Program with little action from the Commission focused on affordability or consumer relief.

These missed opportunities reflect a troubling lack of focus on the everyday challenges consumers face in accessing and affording essential communications services. Beyond missed opportunities, the FCC has taken affirmative actions that have raised costs and reduced the choice for consumers.

FCC actions contributed to the loss of a potential fourth competitor on national wireless front, weakening competition and increasing the risk of higher prices.

At the same time, the Commission reversed the work it had previously done under congressional mandate to lower the cost of prison communications and chose to increase the cost of phone and video calls, leaving some of the most vulnerable families paying excessive rates to stay connected with loved ones.

These affordability concerns are especially acute in the media landscape. The FCC has advanced plans that would allow billion-dollar media companies to grow even larger at the expense of local news and community-driven reporting.

This push comes at a time when major media companies are already consolidating across broadcasting, streaming, and content production, raising serious questions about market power, editorial independence, and the future of community-based journalism.

The national television ownership cap is established by law and reflects Congress' judgment about the importance of competition, localism, and viewpoint diversity.

Efforts to sidestep that statutory limit present significant issues concerning the scope of the FCC's authority and the consequences for those it regulates and serves.

Whether in broadcasting or streaming, media consolidation should not erode the independence of the press or diminish the voices of local communities.

I have always believed that the FCC does its best work when it honors the needs of the people it serves. When the agency focuses on lowering costs, expanding opportunity, and protecting the ability of communities to communicate and to be heard, it builds public trust and produces real benefits for consumers.

I look forward to working with this committee to ensure the FCC returns to that mission and continues to serve the American people with integrity and independence.

Thank you, and I look forward to your questions.

[The prepared statement of Ms. Gomez follows:]

PREPARED STATEMENT OF ANNA M. GOMEZ, COMMISSIONER,  
FEDERAL COMMUNICATIONS COMMISSION

Chairman Cruz, Ranking Member Cantwell, and distinguished Members of the Senate Commerce Committee, thank you for the opportunity to appear before you today.

When I was confirmed as an FCC Commissioner just over two years ago, I could not have anticipated the pace or the magnitude of the challenges we now face.

As Commissioner, my priorities have centered on expanding reliable and affordable high-speed connectivity to every community; maintaining U.S. leadership in wireless innovation through smart spectrum policy; preserving localism and a vibrant media ecosystem; and ensuring first responders have the tools they need to reach the public when it matters most.

These priorities reflect long-standing, bipartisan goals that should unite this Committee and the Commission alike. They are the kinds of issues the FCC has traditionally addressed with seriousness and a shared commitment to serving consumers. And they are the areas where I had hoped we would be spending our time and energy.

Instead, over the past ten months, the Commission has taken a markedly different approach, one that has undermined its reputation as a stable, independent, and expert-driven regulatory body.

Nowhere is that departure more concerning than in its actions to intimidate government critics, pressure media companies, and challenge the boundaries of the First Amendment.

It is precisely because of these concerns that I launched a First Amendment Tour earlier this year, traveling across the country to hear directly from communities in Mississippi, Kentucky, Florida, Illinois, Maryland, Washington State, New York, Connecticut, New Jersey, and California. My goal was simple: to listen, to engage, and to reaffirm that the FCC's work must remain grounded in constitutional principles and public trust.

And, I have found myself aligned with voices across the ideological spectrum, united by a shared belief that the First Amendment is fundamental to our democracy and worth defending, even when doing so is politically inconvenient. In that spirit, I want to thank Chairman Cruz for speaking out in defense of the First Amendment and for his continued engagement on this critical issue.

One thing I learned during these conversations is that when the FCC loses its focus and strays from its core mission, consumers pay the price. That reality results

in higher costs, fewer choices, and missed opportunities to expand access across the communications ecosystem.

One clear example of where Congress and the Commission has been aligned is spectrum policy. For years, the FCC was hamstrung by the lack of auction authority, limiting our ability to innovate and bring new spectrum to market. I want to thank Congress for restoring our spectrum auction authority. This is an important step toward expanding capacity, promoting competition, and maintaining U.S. leadership in wireless innovation. When spectrum policy is done properly, it lowers costs for consumers and fuels economic growth. Over the next few months, continued bipartisan engagement on this issue will be critical to getting it right.

Yet spectrum is only part of the story. At the same time, millions of households have faced rising broadband costs following the lapse of the Affordable Connectivity Program, with little action from the Commission focused on affordability or consumer relief. Taken together, these missed opportunities reflect a troubling lack of focus on the everyday challenges consumers face in accessing and affording essential communications services.

Beyond missed opportunities, this FCC has taken affirmative actions that have raised costs and reduced choice for consumers. In the wireless market, FCC actions contributed to the loss of a potential fourth national wireless competitor, weakening competition and increasing the risk of higher prices. At the same time, the Commission reversed the work it had previously done under congressional mandate to lower the cost of prison communications and chose to increase the cost of phone and video calls, leaving some of the most vulnerable families paying excessive rates to stay connected with loved ones.

These concerns are especially acute in the media landscape. The FCC has advanced plans that would allow billion-dollar media companies to grow even larger, likely at the expense of local news and community-driven reporting. This push comes at a time when major media companies are already consolidating across broadcasting, streaming, and content production, raising serious questions about market power, editorial independence, and the future of community-based journalism.

The national television ownership cap is established by law and reflects Congress's judgment about the importance of competition, localism, and viewpoint diversity. Efforts by this FCC to reinterpret or effectively sidestep that statutory limit present significant issues concerning the scope of the FCC's authority and the consequences for those it regulates and serves. Whether in broadcasting or streaming, media consolidation should not erode the independence of the press or diminish the voices of local communities. Taken together, these actions underscore the need for the FCC to refocus on the principles that matter in the real world and the impacts its decisions have beyond Washington.

I have always believed that the FCC does its best work when it honors the needs of the people it serves. When the agency focuses on lowering costs, expanding opportunity, and protecting the ability of communities to communicate and be heard, it builds public trust and produces real benefits for consumers. I look forward to working with this Committee to ensure the FCC returns to that mission and continues to serve the American people with integrity and independence.

Thank you again for the opportunity to join you today. I look forward to your questions.

The CHAIRMAN. Thank you to each of you.

Chairman Carr, let us start with free speech. I think you would agree that the FCC's public interest standard has been weaponized against conservatives in the past.

In 2018, Senate Democrats tried to pressure the FCC to use the public interest standard to stop Sinclair Broadcasting Group from acquiring Tribune Media.

In 2023, leftists sought to stop a routine renewal of a Fox-owned broadcast station over complaints about 2020 election coverage.

Do you agree that that was wrong?

Mr. CARR. Yes, Senator, I agree, and those are cases, in fact, where rather than following FCC precedent the agency broke from it and did so in a weaponized way.

The CHAIRMAN. Now, another area of agreement between you and I is that Jimmy Kimmel is angry, overtly partisan, and pro-

foundly unfunny. That, sadly, is true for most late-night comedians today who seem to have been collectively broken by President Trump's election.

Jimmy's remarks about Charlie Kirk were tasteless, and ABC and its affiliates would have been fully within their rights to fire him or simply to no longer air his program. That was their choice.

But what government cannot do is force private entities to take actions that the government cannot take directly. Government officials threatening adverse consequences for disfavored content is an unconstitutional coercion that chills protected speech.

This is why it was so insidious how the Biden administration jawboned social media into shutting down conservatives online over accurate information on COVID or voter fraud.

My Democrat colleagues were persistently silent over that scandal, but I welcome them now having discovered the First Amendment and the Bill of Rights. Democrat or Republican, we cannot have the government arbitrating truth or opinion.

Mr. Chairman, my question is this. So long as there is a public interest standard should it not be understood to encompass robust First Amendment protections to ensure that the FCC cannot use it to chill speech?

Mr. CARR. Yes, Senator, I agree with you there, and I think the examples you laid out of weaponization during the Biden years are perfect examples.

The Fox case you mentioned was a renewal for a broadcast TV license and petitioners sought to have the FCC not renew it based on content that aired on a separate cable channel.

In a cable context, it is entirely different. There is no license. There is no public interest standard. So first and foremost, we have to make sure the FCC is hewing to precedent.

Similarly, we saw Democrats in Congress write letters to cable companies pressuring them to drop Fox News, OAN, and Newsmax because they disagreed with the political perspectives of those cable channels and there, again, it is cable.

No broadcast license, no public interest standard. So the FCC has to write within the four corners of our precedents to be consistent with the Communications Act and the First Amendment concerns as well.

The CHAIRMAN. All right. Let us shift to spectrum.

One of the biggest economic and national security wins in the Working Families Tax Cut Act was restoring the FCC's auction authority and creating the largest spectrum pipeline—800 megahertz of spectrum—in U.S. history.

It will not just bring faster and cheaper wireless to consumers, but it will keep the United States competitive in the global 6G race against communist China. I am encouraged that the FCC has already begun the process of freeing up potentially as much as 180 megahertz of C-band spectrum.

Chairman Carr, is the Commission on track to meet the law's spectrum deadlines and to fully deliver on the bill's obligations?

Mr. CARR. Yes, Senator, and, again, thank you to you for restoring the FCC's auction authority. We had fallen into a deep spectrum malaise during the Biden years. We were losing our leadership position.

Right now, we are very actively working with our partners across government, Department of Transportation, FAA, NTIA, and we are all aligned to deliver on the statutory deadline of July 2027 for that auction.

The CHAIRMAN. And what will the benefits to consumers be of 800 megahertz of spectrum being made available for auction for the private sector?

Mr. CARR. First of all, this will allow us to catch back up to China. When President Trump left at the end of his Trump 45 administration, we had leapfrogged China and were set up in a very good position.

But then we did not move forward with any new spectrum bands and China moved ahead. So this is important for national security but also for prices for consumers.

The data shows when we free up more spectrum we can allow providers, for instance, to compete for in-home broadband and when they do that with fixed wireless we have seen that cable modem prices drop by 37 percent where they used to have a monopoly.

So it is good for our economy, for innovation, and for prices for consumers as well.

The CHAIRMAN. Commissioner Trusty, how does the spectrum auction pipeline and the Working Families Tax Cut help position the United States for success at the 2027 World Radio Conference?

Ms. TRUSTY. Yes, thank you so much for the question, Senator, and thank you again for your leadership in restoring the FCC's general spectrum auction authority and creating this long-term spectrum pipeline.

I think these spectrum provisions are foundational to developing a unified strategy going into the next World Radio Communications Conference where we can focus on key U.S. interests.

We can work with our international allies in advance to preempt those who are seeking to undermine U.S. interests at the conference in Shanghai, China.

In 2023, at the last World Radio Communications Conference we did not have this kind of legislative backing or support. We did not have auction authority. We did not have a long-term spectrum pipeline, and so we were sidelined on very important conversations.

Now that we have this authority, thanks to your leadership, we can constructively and meaningfully engage in these conversations that I think position us better to come out of this conference with wins that are essential for economic and national security and global leadership in next-generation communications technologies.

The CHAIRMAN. Terrific. Thank you.

Ranking Member Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman.

Commissioner Carr—Chairman Carr—obviously, Salt Typhoon was a major attack on the United States infrastructure, government espionage by them, specifically exploiting the wiretap system built by law enforcement to track millions of Americans, their location, real-time phone calls, text messages, and according to senior officials, breached largely because the telecom companies did not implement basic cybersecurity measures like not putting a patch in place or router vulnerabilities.

At the beginning of the year, the FCC issued a ruling to hold the FCC companies accountable but the FCC rolled that back last month. So are these Chinese hackers still in the American telecom system?

Mr. CARR. Thank you, Senator, for the question.

I agree with you that the Salt Typhoon incident should never have been allowed to happen. At the beginning of the year the Biden administration put forward a declaratory ruling, but no rules themselves were adopted at the time, and the FCC's decision itself did not go through the agency's normal review process.

When I spoke with the career intel officials then they were urging me not to move forward with a rulemaking but instead to work collaboratively and directly with the carriers to make sure they were taking real-time actions to address and remediate.

In fact, that is what we have been doing. We have worked directly with the carriers—

Senator CANTWELL. Do you think there are still hackers in the system?

Mr. CARR. Well, recently over the summer, the FBI's Cyber Director—I will refer you to his remarks that are very specific on this and the Cyber Director for the FBI said that the hackers behind Salt Typhoon are, quote, "largely contained," end quote, dormant in the networks, that they are not actively infiltrating information.

So I would, again, refer you to sort of the FBI which is the lead spokesperson on this issue. What we have done—

Senator CANTWELL. I mean, I know what the FBI and CISA recommended. They said that you should use Signal, that everybody in America should get off of these systems and use other messaging services that had encrypted calling.

So I do not think this issue is solved and I think rolling back the rules that protect Americans—I think in this information age you need to have robust, robust security measures and you need to make sure that the telecom industry is implementing them. Otherwise, we will continue to have these kind of hacks on the system.

And so I do not agree with the rolling back of these issues. I do want to bring up a second issue, which is on cost and, Ms. Gomez, you articulated this as it related to EchoStar Dish, I think, but I think it is bigger than that.

We are seeing this massive amount of consolidation in the marketplace. I think we have a chart back here—if somebody could just hold it up for a second—about how, you know, we pay the most in wireless costs, we pay—or second in the world—the most or second most in broadband costs writ large.

And so the question is what are we going to do to drive down costs for consumers and how are these consolidations basically making it more challenging for us to give consumers real choice in the marketplace without cost?

And while I love spectrum and I want good international competition, I am more impressive with spectrum that does not interfere with DOD.

I am more impressed with spectrum that basically helps expand into rural areas and drives down costs, and more impressed with a spectrum policy that basically takes that low end of the market

that does not have affordable costs and basically does something to help them participate in the market.

Why give more spectrum if the telecom companies float and decide not to do the rules on security and they just become basically richer while the American consumer becomes poorer?

And, again, this is just one example of how the United States is one of the most expensive in the country. But could you help explain a little more on your thoughts about what we do to increase competition and lower costs?

Ms. GOMEZ. Thank you, Senator.

I am a firm believer that robust competition results in benefits for consumers including lower costs, and I am concerned that the level of consolidation in this country is actually reducing the incentives that lead to lower costs for consumers.

And since you raised affordability, I am so glad you raised that because one of the things that I am very concerned about is the lack of a program to provide affordable access to connectivity for consumers throughout this country.

We are spending billions of dollars in order to deploy networks in the hardest to reach areas but we are not going to make sure that they are sustainable if people cannot afford to actually purchase that service. So we need—

Senator CANTWELL. Is that not what has been wrong with spectrum policy writ large is we just—we sell the spectrum, we give it to the telco industry.

They basically expand to the areas that they can have customers but not to the hard-to-serve areas or figuring out a price point that will allow them to deliver a service so we can expand to the whatever it is, 20 million Americans that do not have broadband.

Ms. GOMEZ. Yes, that is exactly right. I mean, it is an incentive, as your economic incentive is where the profits are. So that is where government steps in.

Senator CANTWELL. Well, I do not think that is where the FCC is stepping in.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Fischer.

**STATEMENT OF HON. DEB FISCHER,  
U.S. SENATOR FROM NEBRASKA**

Senator FISCHER. Thank you, Mr. Chairman, and thank you to our Commissioners for being here today.

Congress codified the Universal Service Mission three decades ago. It has been a fundamental building block in providing reliable communications and Internet across this country and in the hardest-to-reach places.

However, communications in the 1990s looked a lot different than they do in 2025.

Chairman Carr, given this reality and ongoing legal challenges to the Fund, would you agree that Congress has a vital role in modernizing the USF?

Mr. CARR. Thank you, Senator, and thanks for your long-time leadership on these universal service issues. I have enjoyed the

chance to visit with you in your state and see the important work that the Universal Service Program has done.

I commend the working group that is ongoing in the Senate looking at this issue, and I think you are right. I think it is time for Congress to take a fundamental look at the program to make sure it is fit for service in the coming years.

Senator FISCHER. And Commissioner Trusty and Gomez, do you have anything you would like to add to that?

Commissioner Trusty.

Ms. TRUSTY. Thank you for the question, Senator. I agree. Thank you for your leadership on these issues. You have been a long-time leader on making sure we can meet connectivity needs in these areas.

I do agree that reforms for USF are very important. This is the cornerstone of the FCC's mission in connecting Americans across the country and USF is a part of that effort.

Senator FISCHER. And, Senator Gomez, anything to add? Any comments about reforms?

Ms. GOMEZ. Yes, thank you, Senator, and, again, also thank you for yours and Senator Luján's leadership on this issue.

I think it is very important for the Senate to help us to make the Universal Service Fund a sustainable program that ensures affordable access for all Americans, and I am really hopeful that what you are able to provide is that sustainable affordability program as part of your—the reforms that you put forward.

Senator FISCHER. Thank you. As co-chair of the working group, I sent the Commission a letter with Senator Luján earlier today and it requests a briefing to help inform Congress' efforts in this regard.

Chairman Carr, will you commit to getting a briefing on the books in January for our staff and the appropriate Commission personnel?

Mr. CARR. Yes, I look forward to working with you on this issue.

Senator FISCHER. Great. Thank you.

The U.S. role in shaping global communications policy is vital for countering foreign threats to our networks and all the assets that they connect, and adding to—an element to this challenge is the upcoming World Radio Communication Conference that will take place in China.

Commissioner Trusty, what will be the biggest risks that this adds to a complex process?

Ms. TRUSTY. Thank you for the question, Senator.

I think security is the business risk that adds to this process, and as, you know, we are working at the FCC to ensure that providers uphold their commitments to patch outdated equipment, to update their access controls, to make sure they are improving threat intelligence sharing to further harden our networks, and I think a part of this process will mean more public-private partnerships so that we can share information, educating providers about how they can harden their networks as well as we travel over to Shanghai to participate in this conference.

I think there needs to continue to be whole-of-government conversations about how to protect our assets in this forum.

Senator FISCHER. I would imagine that those are many of the things that you will take into account as the United States develops its positions at this conference, correct?

Ms. TRUSTY. That is absolutely right.

Senator FISCHER. Thank you.

Senator Cantwell brought up spectrum. I cannot let it go by without also chiming in.

There are a lot of decisionmaking ahead for the Commission as it charts out spectrum resources for both licensed and unlicensed use, and I believe that balance needs to be the key here.

We know that unlicensed and shared spectrum technologies carry up to 90 percent of the U.S. communications each and every day.

Commissioner Trusty, moving forward, how should the Commission ensure that shared technologies can continue to flourish and innovate, and how do you preserve value between the different types of spectrum licensing in striking a balance?

Ms. TRUSTY. Thank you for this very important question, Senator.

I think the FCC has an all-of-the-above approach to looking at spectrum to accommodate a variety of users, use cases, and technologies.

So our immediate priority is the upper C-band, which will result in exclusive license use, but we also need more spectrum for unlicensed uses, for WiFi 7, WiFi 8, to support the Internet of Things and other forms of connectivity that is benefiting all Americans.

We also need spectrum for satellite and space uses so we have the satellite spectrum abundance proceeding where we are looking to make upward of 20,000 megahertz available for satellite and space reasons, and we are looking more intensively at bands above the 24 gigahertz band for fixed satellite services.

So the whole thing is we need an all-of-the-above approach so that we can accommodate a variety of users and use cases and advance U.S. leadership in these technologies.

Senator FISCHER. Thank you very much. I look forward to having conversations with all of you on this in the future.

Thank you.

The CHAIRMAN. Thank you.

Senator Klobuchar.

**STATEMENT OF HON. AMY KLOBUCHAR,  
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. Thank you. I would prefer to be asking questions about the bipartisan work that needs to be done on universal service and broadband and spectrum, and I will ask that in writing, but the events of this year move me to focus on free speech and our democracy.

Chairman Carr, in 2022 you tweeted, "Political satire is one of the oldest and most important forms of free speech. It challenges those in power while using humor to draw more people into the discussion. That is why people in influential positions have always targeted it for censorship."

Yes or no, do you still agree that political satire should be protected speech?

Mr. CARR. Yes, Senator, and whenever that satire or any other programming is over the public airways for broadcasters there is a public interest standard and there is a news distortion rule, a broadcast hoax rule, a political—

Senator KLOBUCHAR. You answered it. You answered it yes and I am just—

Mr. CARR.—equal opportunity rule.

Senator KLOBUCHAR. I am going to go on.

Mr. CARR. That particular instance, too, had to do with speech on social media where Biden administrations were trying to shut down political speech, again, an area where there is no license, there is no public interest standard. We want robust wide-open speech.

Senator KLOBUCHAR. We will get to that in a minute. You know, I believe, too, that there is no place in chilling political satire, but after Jimmy Kimmel's monologue you went on a podcast and suggested that ABC should take Kimmel off the air saying, "We can do this the easy way or the hard way."

Those were your words. Do you think it is appropriate to use your position to threaten companies that broadcast political satire?

Mr. CARR. I think any licensee that operates on the public airways has a responsibility to comply with the public interest standard and that has been the case for decades.

Senator KLOBUCHAR. I asked if you should—if you think it is appropriate for you to use your position to threaten companies, and this incident with Kimmel was not an isolated event.

You have launched investigations into every major broadcast network except Fox. Is that correct?

Mr. CARR. I do not know if that is true or not. We do have investigations going on NPR and PBS. We have a number of investigations that are ongoing.

I think if you step back, over the years I think the FCC has walked away from enforcing the public interest standard and I do not think that is a good thing.

Senator KLOBUCHAR. OK. You brought up social media. So do you think it is appropriate for after a horrific murder and the stabbing—the stabbing of Rob Reiner and his wife—do you think it is appropriate for someone to say that it happened when they know better, reportedly due to the anger he caused others through his massive unyielding and incurable affliction with a mind-crippling disease known as Trump Derangement Syndrome?

He was known to have driven people crazy by his raging obsession of President Donald J. Trump with his obvious paranoia reaching new heights.

Do you think that is appropriate for the President of the United States to do that, and if Jimmy Kimmel would have said that would you have threatened to take him off the air?

Mr. CARR. Senator, look, Democrats on this dais are accusing me of engaging in censorship and now you are trying to encourage me to police speech on the internet. I am simply not going to do it. Broadcast television is—

Senator KLOBUCHAR. Oh, I am just asking what kind of words. I think they are cruel. I think they hurt President Trump to say

that kind of thing. I think it hurts him with trust in the American people.

But this is the kind of stuff that is going on right now, and yet you are going after broadcast stations except for Fox and making threats.

Mr. CARR. Senator, we are applying the law.

Let us step back. Broadcast TV is fundamentally different than any other forms of media, whether it is cable or podcast or a soap-box or a man on the street. There is a public trustee model that Congress has set up. When you are on a podcast—

Senator KLOBUCHAR. So you think there should be no rules in place when it comes to tech platforms then?

Mr. CARR. I think there is no public interest obligation. There is no license. There is no—

Senator KLOBUCHAR. Do you think we should change the laws? Here is one.

Mr. CARR. There is no news—

Senator KLOBUCHAR. Last week, President Trump came out with this dangerous and likely illegal AI rule that preempts all the states from doing anything to try to save people, whether it is kids that are being exposed to content they should not see or fentanyl or political videos that are lies.

So, do you think Congress has the authority to preempt state laws or do you think President Trump and the agencies like yourself have the authority to preempt state law when it comes to the Internet and safety with AI?

Mr. CARR. Well, when it comes to AI in particular there is an executive order. It asks the FCC to initiate a proceeding. We are going to initiate a proceeding. We are open minded on where that goes.

But look, if you want to step back and talk about weaponization, we saw that for 4 years in the Biden administration. Senate Democrats including Democrats—

Senator KLOBUCHAR. Joe Biden is no longer president. You are head of the FCC and Donald Trump is President, and I am trying to deal with this right now.

So I would ask you, Ms. Gomez, what are the risks of the Commission trying to preempt state laws, particularly when there are no Federal guardrails? Because our colleagues, despite some good efforts, refuse to pass any kind of even minimal rules when it comes to AI.

What are the risks of the Commission or a President then trying to preempt state laws that can legally put state laws in place?

Ms. GOMEZ. Thank you, Senator.

I believe that the FCC has very dubious authority to actually preempt state laws in this case, because without a comprehensive Federal framework there is nothing for the FCC to preempt.

The Communications Act did not actually talk about artificial intelligence or provide authority to the FCC to do this preemption. So I am very dubious of our authority to do so.

That said, we have sought comment on this.

Senator KLOBUCHAR. OK. Thank you very much.

The CHAIRMAN. Senator Moran.

**STATEMENT OF HON. JERRY MORAN,  
U.S. SENATOR FROM KANSAS**

Senator MORAN. Chairman Cruz, thank you. Thank you and Senator Cantwell for this hearing. Welcome, Commissioners.

Chairman Carr, I sent you a letter in May urging the FCC to modernize broadcast ownership rules, quote, “to enable local broadcasters to compete with today’s media giants,” and it is my local broadcasters that are at significant risk from competition from media giants, traditional and otherwise.

And in that letter I described the impact of applying legacy media rules to a fundamentally changed media landscape on local broadcasters versus national players.

I firmly believe—there is no question that follows my statement this morning but I want to reiterate this to you today in this hearing.

I firmly believe that local broadcasters are best suited to deliver local journalism and as a small town print journalism has succumbed to even stronger headwinds, the importance of local broadcasters has increased by orders of magnitude.

Across Kansas local broadcasters are hugely important and provide the news, the weather, the sports, and we need to make certain that their viability is enhanced by ownership rules that the Commission has talked about and considering.

I also want to highlight broadband mapping. Seems like *deja vu*, a conversation we have had since 2017 when the maps were first provided to Congress and the country. It was clear that they were desperately or damagingly flawed.

More than five years ago, Congress passed and the President signed the Broadband Data Act which required the FCC to update its approach to broadband data collection, verification, and reporting.

I appreciate the FCC’s work to implement that legislation including operationalizing the broadband data collection platform, the broadband serviceable location fabric, and the national broadband map.

But I notice when I am ever going to—on the occasion I get a compliment it is usually followed by a word but and that is what I am doing here.

But everything that I know from Kansas providers is that while the maps themselves have been improved, providers still face an arduous and outdated challenging process that makes it difficult to update the maps with the most recently available data.

This circumstance is particularly concerning given that NTIA makes use of the FCC’s data in adjusting the eligibility locations for services under broadband.

So I would encourage you to, again, continue your efforts to recover from the mapping process that includes improvements in the ability for those in Kansas and across the country to make changes in the maps based upon actuality and the reality of what we actually provide in service to Kansans.

This is true in cellular coverage and telephone service, and certainly in broadband. The Telecommunications Act of 1996 provided the statutory basis for the Universal Service Fund that Senator Fischer has talked about.

I serve on that, her task force—her working group to make certain that we better empower the FCC to deliver on its universal service mission and I appreciate the answers that you provided to Senator Fischer about your willingness to work with us to accomplish that goal.

Earlier this year my colleagues and I sent you a letter encouraging the Commission to take a balanced approach to implementation of spectrum requirements.

I described—that protect current uses and certain uses of spectrum bands, especially unlicensed users in the 6 gigahertz band.

Again, you have addressed this previously in answers to questions from my colleagues but I, again, highlight the importance of that balanced approach and I know in my conversation with you, Commissioner Trusty, and what you said this morning, again, that balanced approach involving unlicensed spectrum remains an important issue for you and I assume that is true.

Ms. Gomez—Commissioner Gomez—you and I have not had this conversation but I would be happy to have you confirm that you agree with me.

Ms. GOMEZ. Apologies. I am happy to have this discussion with you.

Senator MORAN. Thank you.

Finally, the Federal broadband programs are encumbered by inconsistent coordination between entities on the myriad of programs that offer broadband services to America, provide the support for broadband services to America.

In April, a GAO audit noted that—just that and lamented that the lack of a national strategy on coordinating administration of these programs. Major Federal investments in broadband like BEAD, which is administered by NTIA, will require a focused coordination to make certain that these programs are delivering appropriate levels of service.

Chairman Carr, what specific actions is the FCC taking to coordinate with NTIA in the run up to the broadband deployment under the BEAD program?

Mr. CARR. Thank you, Senator, for the question.

This is a really important issue. As you indicated, there was a GAO report not that long ago that said there was over a hundred different broadband funding programs. They were spread out over more than a dozen different agencies and they were entirely uncoordinated.

Right now, we have got a great working relationship across the FCC, the NTIA, the NEC, and many other agencies that have broadband funding to make sure that we are addressing some of this coordination issue that has been a challenge before.

Senator MORAN. And when you say making certain we address, you are addressing them and there will be a different outcome than what we would expect in the absence of that addressing those problems, true?

Mr. CARR. Yes, sir. Yes.

Senator MORAN. Thank you very much. Thank you, Chairman.

Senator CAPITO [presiding]. Senator Schatz.

**STATEMENT OF HON. BRIAN SCHATZ,  
U.S. SENATOR FROM HAWAII**

Senator SCHATZ. Thank you to all the Commissioners. Thanks to the Committee for conducting this hearing.

Chairman Carr, you and I have actually known each other for maybe 10 years now. We have had several meetings in our office and it is usually—I do not want to say mundane but it is technocratic, it is technical, it is nonpartisan, and all the rest of it. And so I am hoping—

Mr. CARR. We can do that again right here. It is fine.

Senator SCHATZ. I am hoping we can do that again right here but it is a more sensitive topic. So I am just going to ask you a couple of “yes or no” questions.

I do not mind a quick explanation but, you know, I will make a promise to you not to hector you for three or four minutes if you can give me quick yes or nos or at least quick explanations.

Chairman Cruz said, “I think it is unbelievably dangerous for the government to put itself in the position of saying we are going to decide what speech we like and what we do not, and we are going to threaten to take you off the air if we do not like what you are saying.”

Do you see this issue the same way as the Chairman?

Mr. CARR. Well, my position on this is pretty clear. We have a public interest standard that Congress has put into the law and there is a number of very specific rules and doctrines that flow from that—the broadcast hoax rule, the news distortion rule.

Senator SCHATZ. OK. So do you—

Mr. CARR. So my position and I think the Trump administration position is that we should be enforcing those rules and policies. If Congress wants to change it you are free to change it.

Senator SCHATZ. So under the—so you think you have jurisdiction over political satire under the public interest standard and the news distortion standard, just to put a fine point on it?

Mr. CARR. My position is that—

Senator SCHATZ. Just a—that one is a yes or no. Do you have jurisdiction or not?

Mr. CARR. We have jurisdiction with respect to the broadcast airwaves uniquely to ensure that their operations are in the public interest and there is very specific rules here for broadcast hoax and news distortion.

Senator SCHATZ. So if there is a—so if there is a determination by the Federal Communications Commission that satire is not in the public interest you believe you have the authority to revoke the license of the broadcaster?

Mr. CARR. That is not my position at all.

Senator SCHATZ. OK. So but the—

Mr. CARR. My position is if the use of the facility is in the public interest—

Senator SCHATZ. Hold on. Hold on. Let me just—let me clarify the question.

Mr. CARR. Satire that is not broadcast hoax, that is not news distortion policy, is perfectly fine.

Senator SCHATZ. So—

Mr. CARR. But I also do not understand the conversation about—what satire are we talking about? Where was there satire?

Senator SCHATZ. We are not doing the questions in this direction.

Mr. CARR. OK.

Senator SCHATZ. What is the FCC standards for making this kind of evaluation about whether you—whether news has been distorted?

My understanding is that this has been used eight times. The Chairman—and I think he is right—is saying, like, this is rarely invoked and there is a reason for that because, yes, we have a statute that governs what the FCC is supposed to do.

But basically the FCC has decided we need to get out of the business of refereeing what is offensive, and if something is indecent or obscene, that is one thing, right?

If they are violating the terms of their broadcast license that is another thing. If they just say an awful thing on the air it seems to me, Chairman, that is not your jurisdiction.

And I know you are quick and you understand this law backward and forwards. I understand. I remember you when you were Counsel for Chairman Pai. So I do not doubt your ability to race right into how—the architecture of the originating statute.

But I am asking you, do you think it is appropriate for you to have an opinion at all in your official capacity about what a comedian says, as offensive as it may have been?

Mr. CARR. Senator, my job is to implement the law passed by Congress and Congress has said that broadcast is fundamentally different, that there is a public interest standard. There is decades of precedent on this.

Senator SCHATZ. Do you think there are any—do you think there are any conservative commentators or conservative comedians or conservative satirists that ever say anything offensive that you would consider investigating?

Mr. CARR. I am not looking at things that are offensive or awful, to use your words. I am looking at things that are consistent with our public interest rules and regulations. That is the full scope of what we are looking at.

Senator SCHATZ. And in what way—so I am a little confused because it seems to me that in subsequent conversations I forgot after Ted and John Thune and Dave McCormick and others said, oh, this seems like a little much for you, Chairman, that you went out and you said, that was fake news—I did not do that. This is fake news. I am not doing that. I am not going after Jimmy Kimmel.

And now you are saying you have a perfect right to go after Jimmy Kimmel and I am wondering which one it is?

Mr. CARR. No, two different things. Democrats at the time were saying that we explicitly threatened to pull a license if Jimmy Kimmel was not fired. That never happened. That was nothing more than projection and distortion by Democrats.

What I am saying is any broadcaster that uses the airwaves, whether radio or TV, has to comply with the public interest, and licenses are not sacred cows. Yes, you can do things to lose a license.

But if we want to change that that is up to Congress and one idea, for instance, is why do we not put all the broadcast TV li-

censes up for auction and if people want to buy them without the public interest obligation they can do that.

But look, there was a bargain here.

Senator SCHATZ. But you are—I mean, you are kind of tiptoeing through the tulips here, right? Because what you actually said is they have a license granted by us at the FCC that comes with an obligation to operate in the public interest.

We can do this the easy way or the hard way. These companies can find ways to change conduct and take action, frankly, on Kimmel—on Kimmel—or there is going to be additional work for the FCC ahead.

Chairman, my final comment is I have actually enjoyed our relationship. I have praised you behind your back as a solid—someone I disagree with but solid, knowledgeable person.

This stuff, at least up until the last year, has been out of character and it will not age well, and it will not age well on the conservative side of the aisle and the liberal side of the aisle.

This is not American FCC behavior and I am hoping we can recalibrate.

Mr. CARR. Let me try to understand this. Did you have an issue when Senator Markey told the FCC to investigate Sinclair for their news activities? Was there any issue raised there?

Senator SCHATZ. I am going to allow this because I was tough on you. You did ask me a question. This is the first time I am ever going to respond to a question from a witness.

I did not sign that letter.

**STATEMENT OF HON. SHELLEY MOORE CAPITO,  
U.S. SENATOR FROM WEST VIRGINIA**

Senator CAPITO. All right. Thank you.

I am going to continue with the questioning, and I appreciate all of you all being here and your good hard work at the FCC.

A lot of my interests are really along the same lines as Senator Moran, representing a rural state, an underserved state in terms of connectivity and some of the challenges that we have had trying to get us to close the digital divide in a small state like West Virginia.

So, Chairman Carr, he did talk about the mapping issue and the issues of small providers alleviating the barriers that they have and then the possible penalties that they might accrue if some of the maps are inaccurate or if they are unable to—failing to serve locations that do not actually exist and are not residential or their business.

Do you have the necessary data from agencies to be able to have more accurate maps? And, you know, as we get down to the nitty gritty here where we are actually going to get to the last house, the last home, this is going to really be important.

So where are you with the maps and what kind of formulations for improvements have you considered and you as all of you?

Mr. CARR. Thank you, Senator, for your leadership on this issue.

I think we have actually been making some real significant progress on the mapping issue, the fabric itself. The locations are starting to stabilize. We are seeing less than one percent change in terms of iterations of the map. We have solved a lot of issues.

One that is popping up recently and I have heard from you is the challenge process, and it is difficult because some could argue that the original provider would have an incentive to overstate and then others would say that the challenging provider would have incentives to overstate their challenge and we have a regulation of that process, but perhaps we need to do a little bit better job at streamlining that and I am open to looking at that.

Senator CAPITO. Right. Commissioner Trusty, did you have something to say on that issue on the mapping?

Ms. TRUSTY. Sure. One of the issues that I have heard about on mapping just this year testability—how do you test whether or not broadband is available in a particular area—and I know that FCC staff is working very closely with providers to try to make this a more efficient process and less costly.

Senator CAPITO. Thank you. Commissioner Gomez, do you have anything to add there?

Ms. GOMEZ. No, I agree with my colleagues. We still hear complaints, of course, both of where areas are shown as served that are actually not served—

Senator CAPITO. Right.

Ms. GOMEZ.—which is problematic. So the staff continue to update and update and update the map and I—you know, every iteration makes it better but it still needs improvement.

Senator CAPITO. Right, and a lot of these areas are the smaller providers. Capacity is an issue to be able to help verify. So anything that can smooth that process would be very much appreciated.

Commissioner—Chairman Carr, I appreciate the work, and it is interesting to listen to the debate over the broadcasters in terms of consolidation and everything.

I mean, I have a view similar to what Senator Moran expressed in that in the rural areas our local broadcasters are so essential, whether—and he even mentioned the top three: weather, sports, local government.

And they are—try to preserve that local news as we have seen what has happened to our newspapers. Our broadcast is so very important.

You know, we just had a food drive and our local television providers, you know, did this and publicized it so that it was much broader and bigger than it would have been without that local flavor and that local input and involvement.

So a number of senators wrote to you to ask what you are doing to ensure that our local broadcasters are able to compete in this changing landscape and I think he mentioned that as well and he mentioned the letter.

What is the update on the ownership rule proceedings that the Commission has started since we sent the letter over?

Mr. CARR. Well, thank you, Senator. We are, you know, very open minded as to how to resolve that proceeding. We have not made a final decision yet.

I think this is actually one area where I heard some strong alignment between me and Ranking Member Cantwell on this. She talked about the importance and value of local news, particularly when there is natural disasters.

One of the things I am trying to do with our media policy as a general matter is to reempower those local broadcasters to invest in local news because what has happened over the years we have had a consolidation of power into what are national programmers—Comcast, Disney and others—and, effectively, a lot of local broadcast stations are just mouthpieces for that national programming made in New York and Hollywood and I am not sure that is going to be consistent with the public interest, again, when it comes to a natural disaster like in Washington State right now.

So one of the lenses that we are looking at this media ownership proceeding is is that consistent with our goal of constraining the power of some of those national programmers. But we have not made a decision there yet.

Senator CAPITO. Thank you. I will be interested to hear what happens there.

I will say as a compliment when I first started in this role and got very active with rural broadband there was a lot of confusion in a state such as mine as, you know, who is covering this area, can RDOF go? Can ReConnect go? Can BEAD go?

And you mentioned more programs than I even had concept of that are still trying to, as I said, connect that last home and last mile.

We are hearing less about the lack of coordination between all these different entities and I think that is—particularly at the Federal level and I think that is extremely important because, number one, we do not want to overbill but we do not want to under bill, too, and we do not want to squash innovation.

So I thank you all for your efforts in that. I think it has been very helpful and I appreciate that we can keep working on that because I think that will make the dollars go quicker and make the connectivity come faster as well.

So with that, I will recognize Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,  
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you.

Chairman Carr, you are not reinvigorating the public interest standard. You are weaponizing the public interest standard. That is what the Carr FCC is doing every single day.

Behind me are your past tweets declaring your commitment to the First Amendment. You even defended political satire, saying in 2022 it challenges those in power and that is why people in influential positions have always targeted it for censorship.

That is why your threats against ABC and Disney over Jimmy Kimmel’s political monologue was so outrageous, and here is what you said. In September 2025 as the Chairman of the FCC, “We can do this the easy way or the hard way. These companies can find ways to change conduct or take action, frankly, on Kimmel, or there is going to be additional work for the FCC ahead.”

Now, that statement was roundly condemned across the political spectrum. Chairman Cruz called it “dangerous as hell”.

Chairman Carr, do you regret making that statement, yes or no?

Mr. CARR. Senator Markey, thank you for the question. My job is to enforce the law as passed by Congress. That includes a public

interest standard and broadcast TV is fundamentally different than any other media. We have a news distortion rule—

Senator MARKEY. Do you regret making that statement?

Mr. CARR. Senator, my job is to enforce the law.

Senator MARKEY. So you do not regret making that statement?

Well, that is a refusal—

Mr. CARR. Senator—

Senator MARKEY.—to take accountability for your language, for your use—your abuse of power. You will not say that you made a mistake.

For example, in your response to my oversight letter in September on the Kimmel incident you repeatedly stated that the media companies made their own decisions in preempting and suspending Kimmel.

You seem to think that your words, the most powerful communications regulator in America, especially your threats, do not matter.

So just to be clear, your position is that your mafia threats had nothing to do with Nexstar and Sinclair and Disney's decisions to preempt and suspend Kimmel.

Is that your position? Is that your point, that you had nothing to do with the suspension of Kimmel?

Mr. CARR. Senator, if you look at the evidence, the expressed statements by every single company involved from Nexstar to Sinclair to Disney as recently as last week is that they made these business decisions on their own. The record is clear on this.

Senator MARKEY. And, again, you are refusing to take accountability for your own words. You intimidate the companies, they do what you want, and then you say, well, it was up to them.

You are the Chairman of the Federal Communications Commission. Actually, you are now the Chairman of the Federal Censorship Commission, and these broadcasters they feel that censorship. You have broad authority over the media industry, especially broadcasters. Your words and actions matter.

Now I am going to give you another chance to take accountability for your actions. In 2022, you said, quote, "A newsroom's decision about what stories to cover and how to frame them should be beyond the reach of any government official, not targeted by them," by government officials. Do you stand by that statement?

Mr. CARR. This was a letter written by Senate—I am sorry, House Democrats to cable companies pressuring them to drop Fox News, OAN, and Newsmax simply because those Democrats thought they were right wing.

Senator MARKEY. So do you stand by your statement? Do you stand by—do you stand by your statement?

Mr. CARR. Yes, I do. I think it is inappropriate what the Democrats said there.

Senator MARKEY. OK. Well, OK. Good. I just want to—I just want to get your own views out here on the record for people to hear.

So in February, under your leadership the Federal Communications Commission opened an investigation into a San Francisco radio station over its coverage of a Federal immigration raid.

FCC investigation is a big deal for a local station. In a worst case scenario, the FCC could shut down the station by revoking its license. In fact, you have repeatedly suggested over the past year that the FCC could revoke station licenses.

Yet, this investigation was based solely on the news content of the radio station's coverage of an immigration raid. I have the entire news statement that they put out that day.

This happens every day everywhere across the country for broadcast journalists. This investigation was based solely on this very brief statement that is in everyday coverage and I have that transcript, and the anchor was literally reporting on the information that was released by the mayor, by the local city council member, and a community group.

So you are telling me that reporting on statements from public officials and a community group is grounds for an FCC investigation?

Mr. CARR. Senator, the concern there in the report was that there may have been interference with lawful ICE operations and so we were asking questions about what happened.

This was a period of time, remember, when ICE agents were being attacked, their locations—undercover locations were being disclosed—

Senator MARKEY. There is nothing in here that discloses anything. There is no risk to anyone except the risk—

Mr. CARR. And they can provide that to us.

Senator MARKEY. No, no. The risk that is posed here is to you, to the broadcast journalist coverage. That is what really happened. The news journalists were just covering an important news story and some conservatives were upset by the coverage.

So you used your power as FCC Chair to hang a sword of Damocles over a local radio station's head and that is precisely what you warned about in 2022, the government targeting a newsroom's editorial decision.

Well, guess what happened? The station demoted the anchor who first read that news report over the air and pulled back on his political coverage. You got what you wanted.

One former journalist at the station said "chilling effect does not begin to describe the neutering of our political coverage." That is what you wanted, that is what you got, but it affected stations everywhere.

So just let me say again, the neutering of our political coverage this is government censorship, plain and simple.

Was it a mistake in retrospect for you to say that, to instigate an investigation of that San Francisco radio station? Was that a mistake?

Mr. CARR. Senator, broadcasters understand, perhaps the first time in years, that they are going to be held accountable to the public interest, to broadcast hoax rules, to the news distortion policy, I think that is a good thing.

I do not have a poster board but, listen, in 2018 you signed this letter right here to the FCC.

Senator MARKEY. OK. No, you—OK. You are—you are here right—

Mr. CARR. You signed a letter to the FCC asking us to investigate Sinclair's news activities.

Senator MARKEY. You are—you are—OK.

Mr. CARR. You said investigate Sinclair's news activities—

Senator MARKEY. OK. You are here right—

Mr. CARR.—and you know what happened after that?

Senator MARKEY. You are here right now—

Mr. CARR. Over 227 licenses were up for renewal—

Senator MARKEY. This is—Madam Chair, please ask the witness—

Mr. CARR.—or due during the Biden years.

Senator CAPITO. I am going to ask the witness—

Mr. CARR. Almost none of them were renewed after your letter. Your letter produced the results that we are seeking.

Senator CAPITO. Chairman Carr—Chairman Carr—

Senator MARKEY. Madam Chair—

Senator CAPITO. Well, you are well over your time here so in—

Senator MARKEY. Well, a lot of it is because—

Senator CAPITO. Well, no, it is not because I looked at the clock and you were already two minutes over. But—

Senator MARKEY. All right. So I will just finish, Madam Chair. He is turning the Federal Communications Commission into the Federal Censorship Commission.

It is a betrayal of the FCC's mission. You should resign, Mr. Chairman. You are creating a chilling effect on broadcast—

Mr. CARR. Do you regret sending this letter in 2018 asking the FCC to investigate Sinclair's news activities?

Senator CAPITO. Senator Markey, please. There are a lot of people on this committee.

Senator MARKEY. Thank you. Thank you.

Senator CAPITO. Chairman Carr—please suspend, Chairman Carr. We will move to the next question.

Senator Sullivan.

**STATEMENT OF HON. DAN SULLIVAN,  
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Madam Chair, and Mr. Chairman and the other commissioners.

I am going to turn back to the topic that Senator Capito, the Chair was talking about and that is rural broadband, which is really important to so many of us. There is rural broadband, Mr. Chairman, as you know, and then there is Alaska, which is super rural.

So I want to commend you in particular on your sustained focus on my state during your tenure first as a commissioner, now as Chairman.

As you know, you, Commissioner Trusty, Commissioner Gomez—all the FCC Commissioners—have come up to Alaska and I just want to give some statistics here, which I think are important.

The Alaska Connect Fund Order from the FCC through 2023 is—according to the fund order that was in front of the Commission the Alaska plan helped deploy and upgrade broadband to more than 96,000 previously unserved locations, delivered new or improved 4G LTE or better wireless services to, roughly, 65,000 Alas-

kans, and laid the groundwork for the Alaska Connect fund to carry that success forward with added flexibility.

So I want to thank the FCC's leadership, in particular you, Mr. Chairman, who has enabled this strong coordination with other Federal programs and to help what is in the law, which is to be able to connect all Americans to broadband and Internet connectivity regardless of if you live in a city, in the lower 48, or a rural native village in Alaska.

So can you speak to how this Alaska-specific approach has helped drive these outcomes which have been very positive, and why continuing this model is so important for connecting rural and remote Alaskans?

And, again, Mr. Chairman, I know you are taking a lot of incoming here. I want to compliment you on the good work that you have done as Chairman and as a Commissioner on the issues of focusing on my state, who are Americans who have very challenged communications issues because our state is so big and remote, and I think you have done an exceptional job.

So can you talk to those issues?

Mr. CARR. Yes. Thank you, Senator, and, frankly, I do not think people understand the change in trajectory that you have brought to Alaska in terms of connectivity.

I remember the very first time you had me come up to Alaska which, again, I agree with you, it is the only really way to understand the challenges that are up there. Frankly, in my view, I do not think the FCC had been taking the appropriate lawful approach with respect to Alaska there.

Senator SULLIVAN. And by the way, this is not some earmark. It is in the law, right?

Mr. CARR. And we brought that to you as well.

Senator SULLIVAN. Required for all Americans and my constituents are Americans.

Mr. CARR. And you brought that to my attention and others. When I went up there in 2018, I had a chance to visit Unalaska, Dutch Harbor. It is an island part of the way out the Aleutian chain.

There had been some talk about maybe bringing an undersea fiber cable across the Aleutians but the plans were getting scuttled because of uncertainty caused by the FCC's, in my view, sort of missed application of the Communications Act.

And you worked with the agency over a period of time with diligence and corrected that, and that created the stability to be able to see that investment. In fact, the phase one of that undersea cable is now complete.

Unalaska is getting connected to next-gen high speed Internet thanks to that. There is a phase two that is coming. It is just not there.

On a subsequent visit, you took me to a small village Napaskiak, which you would only reach by boat, and it was a place that had been long left behind in terms of the digital divide, and we had a multi-billion dollar effort to close the divide. But Napaskiak was not even on the national broadband map.

Senator SULLIVAN. Yes.

Mr. CARR. The FCC acted and Commerce Department back then in the Biden years acted like it did not even exist, and after you took us there—

Senator SULLIVAN. From their perspective it did not exist. It was not on the map. You and I were in there. We did a town hall, 600 people, and we looked at everybody saying, according to the maps back in D.C., this town and all of you people from Alaska do not exist.

So I am glad you mentioned that one.

Mr. CARR. Look, there is obviously a long ways to go still but the digital divide has been closing in Alaska and, again, you know, Senator, I do not think we would be in the position where we are in Alaska right now with connectivity but for the leadership you have had on this committee.

Senator SULLIVAN. Well, look, it has been your leadership and others. I want to thank Commissioner Trusty. I am glad you were up in Alaska, Commissioner Gomez. It is an issue I think that unites the FCC, all the commissioners.

Can you very quickly—maybe each one of you very quickly speak to how the FCC's Alaska specific funding frameworks, including the Alaska plan and the Alaska Connect fund, will help ensure that projects like the one you just mentioned, the Unalaska project.

And, again, if you look at a map, this is the Aleutian Island chain. It goes way out in the Pacific, actually crosses the international dateline, which a lot of people do not know. But these are Americans out there and it is a very strategic part of our country, very close to China and Russia and Japan and our allies.

But can I just very quickly, because I am running out of time here, to just help these specific programs to continue delivering reliability in terms of connectivity in rural, remote parts of the state?

Can I just get your commitment to continue to working on that, all of you?

Mr. CARR. Yes, Senator.

Ms. TRUSTY. Absolutely.

Senator SULLIVAN. Commissioner?

Ms. GOMEZ. Yes, Senator.

Senator SULLIVAN. OK, great. Thank you, Madam Chair.

Senator CAPITO. Certainly.

Senator Baldwin.

**STATEMENT OF HON. TAMMY BALDWIN,  
U.S. SENATOR FROM WISCONSIN**

Senator BALDWIN. Thank you, Madam Chair.

I need to echo the concerns of my Democratic colleagues.

Chairman Carr, in September you used your position within the Federal Government to take Jimmy Kimmel off the air in a clear attempt to chill free speech.

You told ABC, "We can do this the easy way or the hard way." The FCC is not a political weapon to be used against the President's critics and, yet, you have also used it to go after "60 Minutes," "Saturday Night Live," and Seth Meyers, all because the President did not like their criticism or because they gave airtime to his opponents.

Your Twitter account before 2025 would seem to align with what I am saying. It is filled to the brim with statements defending freedom of speech as well as stating that the FCC does not have a roving mandate to police speech in the name of public interest.

Sadly, those principles seem to have evaporated into thin air. There are many things that Chair Cruz and I do not agree on but when he said that your actions have been, quote, “dangerous as hell,” that I can agree with.

So your attempts to coerce private companies to censor speech that you and the President did not want to hear is really a blatant attack on the First Amendment, a foundational principle of American democracy.

The Trump administration has been attacking free speech across the government since day one. President Trump and Secretary Hegseth have expelled all legitimate journalists from the Pentagon.

President Trump and Secretary McMahan have curtailed academic freedom in research and stifled lawful protests. President Trump and Attorney General Bondi have rolled back protections that allow journalists to protect their sources.

President Trump and Senate Republicans defunded the Corporation for Public Broadcasting and NPR. You have become a parrot for President Trump and diminished the independence of the FCC.

So the FCC has an incredibly important role in reviewing market consolidation in local broadcasting, cable, broadband, telephone, and wireless industries.

We know that consolidation in any industry often results in a bad deal for consumers: higher prices, fewer choices, and reduced incentives for companies to compete.

Chairman Carr, you have repeatedly signaled your desire to use merger reviews to force companies to enact policies favored by the Trump administration. This summer the FCC approved the merger between Paramount Global and Skydance Media.

This approval only came after Paramount agreed to pay the President \$16 million to settle a frivolous lawsuit and Paramount agreed to change its news editorial policies.

And then just this month, the FCC approved AT&T's purchase of U.S. Cellular's wireless license, just one day after AT&T terminated their diversity, equity, and inclusion, or DEI, policy.

If the timing of this announcement was not suspicious enough, Chairman Carr, you took to X to boast about AT&T's decision.

Commissioner Gomez, you voted against both of these mergers. Can you share why you opposed them?

Ms. GOMEZ. Thank you for your question, Senator.

I have had strong concerns about the strong-arming by the FCC of these companies, using its power over these merger approvals and transactions in order to delve into what is really private employment matters completely unrelated to the transactions themselves.

Traditionally, when the FCC has concessions as part of a merger review it does so to address a harm that is caused by that particular transaction.

The Paramount transaction had this voluntary concession to appoint an ombudsperson reporting to the President of Paramount to police concerns about bias and content. That is completely unprece-

dented, and I know what my colleagues would say—there was an ombudsperson in the Comcast merger.

That ombudsman's job was to make sure that the corporation did not interfere with news decisions of the news division. That is completely different than saying you are going to become a bias monitor.

So I had strong concerns about us using our authority in order to demand these types of concessions from the companies.

Senator BALDWIN. Thank you. I yield back, Mr. Chairman.

The CHAIRMAN [presiding]. Thank you.  
Senator Blackburn.

**STATEMENT OF HON. MARSHA BLACKBURN,  
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. Thank you, Mr. Chairman.

Chairman Carr, I want to chat with you for a minute about the new form of payola, or showola, as some of our entertainers in Tennessee call it, and what has happened is broadcast stations use events in exchange for airplay and they particularly like to couple this with threats of reduced airplay if the band or the artist cannot give them these free events.

Now, in the opinion of so many of our musicians, that violates the FCC's payola rules, and I know that you have looked at this coerced performance issue and wanted to know if you have any update and if you could speak to that for a moment?

Mr. CARR. Well, thank you, Senator, for your leadership on this.

Historically, there has been a law on the books that prevents radio stations from accepting or seeking unreported payment of money or any other compensation to influence airplay, the time that music is played on the stations.

One concern that you brought to my attention early on including through a letter earlier this year is that a lot of radio stations are holding music festivals and the concern that has been raised is that they are effectively pressuring musicians—that could be, you know, ones that are well off or ones that are just getting started—to perform for free under threat that they may suffer airplay on radio stations if they do not do that.

I think that is a concern. We issued an enforcement advisory right after being aware of this from you and we are going to be, and are, investigating some issues around this.

Senator BLACKBURN. Thank you very much for that.

Ms. Trusty, thank you so much for your time yesterday. We talked a little bit about the World Radio Communication Conference and, Ms. Gomez, I know last year you kind of struggled. You had two jobs on your plate and it was hard to prepare for that.

But, Ms. Trusty, I know that it is going to be essential to prepare for it because it is going to be in China. So give me a minute about what you are going to do in preparation for that conference?

Ms. TRUSTY. Sure. Thank you so much for the question, Senator. Thank you for your leadership on spectrum policy.

The WRC is a really important forum for the United States to promote American values, our economic competitiveness, and our national security, and thanks to the spectrum provisions in the Working Families Tax Cut Act, we now have the ability to develop

a unified strategy where we are working and focusing on key U.S. priorities, and we can work with our international allies in advance to preempt those seeking to undermine U.S. interests in Shanghai, China.

As I mentioned a little bit earlier, in 2023 at the previous World Radio Communications Conference we did not have this kind of legislative support. We did not have auction authority, which really set us back.

And so I think with the restoration of auction authority and a long-term spectrum pipeline we are positioned to emerge from that conference with wins so that we are the leader in the next generation of communications technologies.

Senator BLACKBURN. Thank you.

Staying on spectrum, Mr. Chairman, coming to you, looking at mid-band spectrum, about 60 percent of our mid-band is held by government agencies and about 5 percent is licensed commercial users and, of course, with 5G and 6G we absolutely cannot afford this.

So I have advocated for years for a full inventory of government spectrum licenses and Senator Moran and I have had the Spectrum Inventory Act, and I think it is important for the record for you to speak about the importance of freeing up the spectrum, getting it in the hands of commercial users.

And then also talk a little bit about how the FCC and NTIA, which is responsible for the inventory, can work together and move this auction forward, that 800 megahertz that the Big Beautiful Bill allowed for?

Mr. CARR. Well, thank you, Senator, for your leadership on this.

I agree that we have to have a balanced spectrum policy and if you step back, though, particularly over the Biden years, we sort of walked into a bit of a cul-de-sac where we over leveraged to some extent with respect to unlicensed spectrum, with respect to shared spectrum, and to some extent government spectrum as well because we have a very small sliver of spectrum that is truly exclusive use, high power, the type of stuff you want to build 5G and 6G on.

So that is what we are addressing in the near term, particularly in the C-band, working very well across the administration. The NTIA Administrator Arielle Roth is doing a fantastic job. They are going to be identifying some additional bands for us to move on.

But I also think, to your point, we have to make sure we have intensity of use of spectrum, not just buildout. One of the things we push for is to encourage providers to make sure they are actually loading their spectrum up and, again, I think that is part of why you see AT&T now, you know, quickly putting new spectrum on 23,000 cell sites.

And I should say, I mean, in terms of the wireless services, I was a bit surprised to see some of the remarks earlier. If you look at the data, the prices for wireless phone services are actually down 2 percent year over year.

In fact, they are down 5 percent over Biden-era highs. It is not where, you know, we want to keep driving down by eliminating inflationary prices but we are heading in the right direction. We just have to keep at it.

Senator BLACKBURN. Thank you. Thanks.  
 The CHAIRMAN. Thank you.  
 Senator Luján.

**STATEMENT OF HON. BEN RAY LUJÁN,  
 U.S. SENATOR FROM NEW MEXICO**

Senator LUJÁN. Thank you, Mr. Chairman.

Chairman Carr, yes or no—and please, yes or no—is the FCC an independent agency?

Mr. CARR. Senator, thanks for that question. I think—

Senator LUJÁN. Yes or no is all we need, sir. Yes or no, is it independent?

Mr. CARR. Well, there is a test for this in the law and the key portion of that test—

Senator LUJÁN. Just yes or no, Brendan.

Mr. CARR. The key portion of that test is—

Senator LUJÁN. OK. I am going to go to Commissioner Trusty.

So just so you know, Brendan, on your website it just simply says, man, the FCC is independent. This is not a trick question. Is it yes or no?

Mr. CARR. OK. The FCC is not. Is not.

Senator LUJÁN. OK.

Mr. CARR. Is not an independent—

Senator LUJÁN. So is your website wrong? Is your website lying?

Mr. CARR. Possibly. The FCC is not an independent agency because—

Senator LUJÁN. OK. Can I read this to you? The FCC's mission—on the home page of the FCC, man—an independent U.S. Government agency overseen by Congress. Is that factual or is that a lie?

Mr. CARR. The FCC is not formally an independent agency.

Senator LUJÁN. Is this true or is this a lie?

Mr. CARR. I can—I am happy to answer your question.

OK. The sine qua non of independence would be removable by the President.

Senator LUJÁN. Mr. Chairman, I will get back to you.

Chairman—Chairman, I have a little bit of time. I will get back to you, sir.

Mr. CARR. The FCC is not an independent agency, formally speaking.

Senator LUJÁN. Appreciate you saying that and being honest with the American people.

Commissioner Trusty.

Ms. TRUSTY. Senator, thank you for the question.

The President is the Chief Executive vested with all executive power in our government and FCC commissioners are not—we do not have for cause removal protections, which means that we are not independent.

Senator LUJÁN. So is the—is your website lying?

Ms. TRUSTY. I cannot speak to the website. I have not seen that.

Senator LUJÁN. You all are the Commissioners in charge of this place, right? So this stuff has to be approved by one of you. If this is lying then you should just fix it.

Let me just say that. That was not even my gotcha question. I am surprised that I have burned up 3 minutes talking about this damn thing.

Commissioner Gomez.

Ms. GOMEZ. Yes, and we should be.

Senator LUJÁN. I appreciate that.

Well, Mr. Chairman, if I could just submit the printout of the homepage of the FCC into the record that says it is an independent agency.

And if it is not true then change it.

The CHAIRMAN. Without objection.

[The information referred to follows:]

The screenshot shows the FCC website's 'About the FCC' page. The navigation bar includes the FCC logo, a search bar, and links to 'Browse by CATEGORY' and 'Browse by BUREAUS & OFFICES'. The main navigation menu lists: 'About the FCC', 'Proceedings & Actions', 'Licensing & Databases', 'Reports & Research', 'News & Events', and 'For Consumers'. The page content is organized into three columns:

- About the FCC:** A sidebar menu with 'About the FCC Overview' (highlighted), 'What We Do', 'Rulemaking Process', 'Leadership', 'FCC Initiatives', 'Organizational Charts', 'Privacy Policy', and 'Accessibility'.
- The FCC's Mission:** A section describing the FCC's role in regulating interstate and international communications by radio, television, wire, satellite, and cable in all 50 states, the District of Columbia, and U.S. territories. It notes that the FCC is an independent U.S. government agency overseen by Congress.
- Advisory Committees:** A section explaining that in 1972, Congress passed the Federal Advisory Committee Act to ensure that advice by advisory committees is objective and accessible to the public. It includes a link to 'View All Advisory Committees >'.
- Leadership:** A section listing three commissioners:
  - Brendan Carr, Chairman
  - Anna M. Gomez, Commissioner
  - Olivia Trusty, Commissioner

Senator LUJÁN. I appreciate that, sir.

Chairman Carr, with that being said, does Congress need to clarify that the FCC is an independent agency?

Mr. CARR. Well, it is up to Congress to pass any legislation. The Constitution is clear that all executive power is vested in the President and Congress cannot change that by legislation.

Senator LUJÁN. Yes or no, is it appropriate for the FCC to revoke broadcast licenses based on the viewpoint of the licensee?

Mr. CARR. It is appropriate for the FCC to take action under our public interest standard and hold broadcasters accountable to things like broadcast hoax, news distortion, localism. Those are things that we should be taking action on and enforcing.

Senator LUJÁN. Commissioner Trusty, same question to you. Is it appropriate for the FCC to revoke broadcast licenses based on the viewpoint of the licensee?

Ms. TRUSTY. Senator, my job is to enforce the law as it relates to broadcasters. Broadcasters have public interest obligations and it relies on a case-by-case basis.

As you know, the FCC does have the authority to revoke licenses and the conditions for which are spelled out in Section 312 of the Communications Act.

Senator LUJÁN. Commissioner Gomez?

Ms. GOMEZ. Absolutely not. The First Amendment applies to broadcasters regardless of whether they use spectrum or not, and the Communications Act prohibits the FCC from censoring broadcasters.

We should not be revoking licenses based on their viewpoint. In fact, what we should be doing is ensuring more viewpoints because if you do not like speech the answer is more speech.

Senator LUJÁN. I appreciate that. I think that is something that this body would agree with.

Chairman Carr, you supported the broadband label that the FCC adopted back in 2022. Is that correct?

Mr. CARR. Yes, Senator.

Senator LUJÁN. Even though broadband providers, as you are aware, they have been displaying these broadband labels for over a year, you recently proposed changes to making it harder for consumers to understand what plans they are subscribed to or what they are paying for at the end of the month.

As you know, it is hard to understand why this action would have been taken. You also want to eliminate the requirement that broadband labels be translated in the languages in which the providers are already marketing their services. Is that correct?

Mr. CARR. That is not correct, sir.

Senator LUJÁN. So you will reverse the notion that these labels will not be done in English and other languages?

Mr. CARR. No. What I am saying is consumers want clear, concise, accurate information. I think we agree on that. We have started a proceeding to make sure that they are not overwhelmed by irrelevant information.

We have not made any decision to eliminate any particular feature of this. We are open minded. We have sought comment on different portions of the existing process.

Senator LUJÁN. So, Chairman, just to be clear, there will be no action taken by the Commission that prevents these companies from putting that information—the same languages used in marketing, those languages can be used in other ways?

Mr. CARR. Yes, we will not take any action to prevent them from doing that.

Senator LUJÁN. I appreciate that clarity. Do you think then, consumers benefit from seeing the full price they pay at the end of the month with no hidden fees?

Mr. CARR. Yes, we want clarity. We want transparency. We want just like nutrition labels. Again, the concern is did we strike the right balance or did we add information that effectively put in wheat and chaff. We want to separate the wheat from the chaff and make it clear for consumers.

Senator LUJÁN. Mr. Chairman, I hope you keep your word there and that there is more information, not less information, in these labels and that—

Mr. CARR. We want clarity. We want clarity. I do not know if it is more or less.

Senator LUJÁN. Amen, brother. I just hope that it is more, better information, however you want to talk about it, that whatever the Commission—the action that you all take that you just do not make it harder.

Mr. Chairman, I have other questions that I was hoping to get to but my little back and forth on this web page got me stuck, sir.

Just so you know, I will be submitting some questions into the record about caps. I have a question associated with if it is Congress or if it is the FCC that can change those caps on consolidation.

I have questions about USF. I was proud back in May 2023 with Leader Thune to introduce the framework around the bipartisan bicameral working group and I certainly hope that the word that was given to Senator Fischer to work together that we just commit to do this one together and that we all work together to get this done. It is too important not to get right.

So I appreciate the time today. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Young.

**STATEMENT OF HON. TODD YOUNG,  
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Chairman Carr, earlier this month during a telecommunications subcommittee hearing I raised the growing challenge of the illegal cutting of subsea cables and the danger that it poses to our many critical infrastructures.

In response, we were told the best way to ensure our subsea cable infrastructure is more resilient is by creating more cables. Makes sense to me, but more redundancy in the system.

That would foster a more diverse ecosystem of cables, increasing the number of American-owned cables, expanding the capacity of American ships to fix and repair any damages, which without deviating too much that is the focus of my SHIPS for America Act and, last, by sending a message to our adversaries that such cuttings, again, of our undersea cables will be treated as an attack on our critical infrastructure.

So in line with this can you speak, Mr. Chairman, to why accelerating and streamlining subsea cable deployment is important to U.S. economic and national security and how the rule that you adopted earlier this year helps move the process toward clear, timely decisions?

Mr. CARR. Thank you, Senator, and thanks for your work on all those important legislative efforts that you are working on.

Undersea cables are sort of the unsung hero of global communications. They carry, roughly, 99 percent of all Internet traffic. They can be vulnerable to disruption.

One of things that we have taken as part of our “Build America” agenda is put new policies in place to invest in additional buildout of undersea cables as we do so, making sure that they are secure

as well including looking at foreign ownership issues related to undersea cables to make sure we are not introducing risks.

And, again, if we are going to lead the world in AI and many other vectors we have to have that infrastructure to carry it and so I think we are heading in a good direction now.

Senator YOUNG. Thank you, Chairman.

Commissioner Trusty, do you have any thoughts on this?

Ms. TRUSTY. Absolutely, Senator. Thank you for your leadership on undersea cables.

I do think that streamlining permitting processes can help with redundancy, resiliency, and efficiency, and I think that goes to support economic growth, our technological leadership, and secure communication.

So I think we are all headed in the right direction on this regard.

Senator YOUNG. Thank you. I wish Congress could learn from the leadership of the Commission in streamlining the permitting process of critical infrastructure. Perhaps we will in coming months.

Commissioner Trusty, in that same rule the FCC established requirements for applicants and licensees to create a cybersecurity and physical security risk management plan.

How can that create a more resilient subsea cable network and what else should we as Congress be doing to secure this infrastructure?

Ms. TRUSTY. Senator, thank you for the question.

I think with respect to these risk management plans we can identify threats, we can help reduce vulnerabilities, and to the extent there is sabotage or some kind of compromise we will have ready-made response plans in place to address these types of issues.

In terms of what more Congress can do, I think Congress can promote more U.S.-led cable projects. I think that will be helpful to get foreign adversaries out of these types of networks.

I also think we should look to diversify traffic patterns so we do not have a single point of failure in the event there is compromise or sabotage, and I think we can strengthen emergency response plans and disaster recovery initiatives so that we can have more secure critical infrastructure.

Senator YOUNG. Thank you. Good answer.

Chairman Carr, the media marketplace has evolved drastically since its early days in the 20th century and, as a result, we have seen legislative and regulatory reforms advance to keep pace with the market.

Over the past year, I have heard from many different stakeholders, including small and local broadcasters in Indiana, regarding potential action by the FCC to modify the current broadcast ownership cap.

Can you explain to the Committee what the impact to local broadcasters will be should the broadcast ownership cap be expanded?

Mr. CARR. Thank you, Senator.

We are looking at these issues and have not made a decision but, you know, there is a couple of potential guide stars here.

One, if you look at local newspapers, they have been shutting by the thousands all across the country, and so if we care as a public

interest matter about local news and local reporting, I think we have to start to look at policies that can create more incentives for investment there.

And so one of the concerns that I have in media policy as a general matter is you have got the national programmers—Comcast, Disney, and others—that are increasingly dominating with respect to those local broadcasters.

So we want to make sure that they do have the ability to invest in local news gathering because it is also more trusted. Local news is more trusted than the national media that is out there, and so we are balancing a couple of different policies there and, you know, we will see where we land.

Senator YOUNG. I completely agree with you. It is not just a matter of trust, however. It is also a matter of content. I think you would—most everyone would agree.

When seemingly every issue gets nationalized, when national issues get far more play than local issues, and when we have an electorate—a citizenry—who have absolutely no idea what is happening in the local council meetings and in school boards and all the rest because the information is not being circulated for whatever reason, you have to question whether some of the fundamental predicates for, like, having a democracy—a functioning democracy—and voting for local officials are being laid.

I could not tell you in little Bargersville, Indiana, where I live—and I am probably more active than most in terms of my citizenry and my attentiveness to the news—but I could not tell you what is happening at the local school board and all the rest.

Yet, I still show up to vote for these local offices. My own approach is to skip those that I know nothing about but it is, I think, an indictment on our news ecosystem and it may take some intentionality to fix it.

Mr. CARR. Senator, this is one issue we are looking at, too. As you look—turn of the TV, you know, in the evening hours, again, a huge percentage of that time now is programmed by the national program, again, out of New York and Hollywood.

And so one idea that we are looking at is how we empower those local TV stations to reclaim more of that nightly news time for actual local news and programming, and we are looking at ideas for that.

Senator YOUNG. Count me interested. Thank you, Chairman, for indulging me well over my time.

The CHAIRMAN. Thank you, Senator Young, and I will say I am glad the Senate does not follow your philosophy on voting. If senators did not vote on things we know nothing about there might be a number of votes without a single yea or nay cast.

Senator Kim.

**STATEMENT OF HON. ANDY KIM,  
U.S. SENATOR FROM NEW JERSEY**

Senator KIM. Thank you, Chairman. Thank you to the three of you for coming out here.

Chairman Carr, I guess I just wanted to start with you. I was confused after hearing your response to one of my colleagues about

the status of the FCC. I want to read you a quote here and see if you agree with it.

Congress long ago determined that the FCC is an independent expert agency. Is that correct or not?

Mr. CARR. Senator, there has been sort of a sea change in sort of the law and the approach since I think I wrote that sentence, I am assuming, because you gave it to me.

Senator KIM. Yes, you did. You said it in front of Congress.

Mr. CARR. Right. The view has been that the Communications Act was passed in 1934, one year before Humphrey's Executor, and so Congress did not include in the Communications Act "for cause removal of FCC commissioners, so I can be fired by the President for no reason or any reason at all".

The theory had been that courts would read for cause removal into the statute and that was the basis for that viewpoint. I think now it is clear that that is not the case and so, formally speaking, the FCC is not independent because we do not have that key piece, which is for cause removal protection.

Senator KIM. So when you are talking about all power vested in the President, I mean, I just want to read this a little more because you are saying not just that it is an independent agency but you are saying that Congress did not want these technical decisions to be made in a haphazard manner or based on misinformation or short-term political interests.

You specifically said it placed the authority outside of the Executive Branch for a reason. So you were not just stating what was the law at the time; you were stating the benefit that comes with the independence.

So I guess I am just trying to get a sense from you, if you do not think that the FCC is independent then is President Trump your boss?

Mr. CARR. President Trump has designated me as Chairman of the FCC. I think it comes as no surprise that I am aligned with President Trump on policy. I think that is why he designated me as Chairman. But ultimately—

Senator KIM. Do you consider him your boss?

Mr. CARR. Ultimately, the President designated me as Chairman. I can be fired by the President. The President is the head of the Executive Branch. The decisions of the Commission—

Senator KIM. So he is your boss?

Mr. CARR. Look, the decisions of the Commission are going to be based on a vote of the three of us right here. So there are some things that are different about that, and our decisions are based on the facts and the law in the record.

Senator KIM. You swore an oath when you came into your job, right? Does the oath have the word president in it?

Mr. CARR. Senator, again, I am not tracking this line. What I am saying is every decision—

Senator KIM. Do you remember the oath that you took?

Mr. CARR. Yes. Every—

Senator KIM. You swore an oath to protect what?

Mr. CARR. Sir, every single decision I made—

Senator KIM. What is it that you are protecting?

Mr. CARR.—in this job was based on the facts, the law, and the record consistent with the Constitution.

Senator KIM. The Constitution of the United States. I am just—look, this is not a test here. I am just trying to get a sense of how you are trying to operate here. So I guess I would just like to be a little bit more direct here.

Have you ever had a conversation with the President or senior administration officials about using the FCC to go after critics?

Mr. CARR. Well, first of all, Senator, I do not get into the specifics of conversations that I have with the President.

Senator KIM. OK. Well, let me reframe it then. Would it be appropriate for the President or senior administration officials to give you direction to pressure media companies?

Mr. CARR. Look, Senator, I am not going to get into hypotheticals. What I can tell you is, again, the decisions by the Commission—

Senator KIM. Well, look, the easy answer is no.

Mr. CARR. The decision of the—

Senator KIM. It is not a hypothetical. It is literally just trying to determine whether or not you are understanding your job being—belonging to the American people. Trump is not your boss. The American people are your boss.

Mr. CARR. The basis for the Commission—

Senator KIM. And here is just one example I want to give on this. This is one—

Mr. CARR. The basis for the Commission decisions are going to be based on a vote of the three of us.

Senator KIM. Let me finish—let me finish my comment here, OK?

The reason I raise this is because whether or not you had that conversation in the Oval Office or on a phone call, what we do is we see it all out in front.

On August 24, Trump wrote, “ABC and NBC fake news. They are simply an arm of the Democratic Party and should, accordingly to many, have their licenses revoked by the FCC. I would be totally in favor of that because they are so biased and untruthful and an actual threat to our democracy.”

So this is not hypothetical, like you said. He did intentionally try to pressure you and direct you to be able to use your power in the FCC against media companies that he thought were biased against him.

So that is why I just want to say this is not hypothetical. This is not theoretical. This is real, and I was trying to get a sense of whether or not you thought this behavior was appropriate or not, and your failure to be able to directly dictate a line and show that there is integrity in this process concerns me because these—before the FCC comes all of these decisions. All of these decisions.

And when you cannot tell me directly that Trump is not your boss, that the American people are your boss, I do not trust you that you can make these decisions with the independent mind that is needed and directed by Congress.

And with that, I will yield back, Chairman.

Mr. CARR. When we take—when we make decisions at the Commission it is a vote among the three of us. It is a product of the

three of our votes, and we all can suggest edits and change items and you can see for yourself the basis in reasoning for it—

Senator KIM. So would it be appropriate then for the President to try and remove and replace any Commissioner because he disagrees with the decisions made by that Commission?

Mr. CARR. The President can remove any member of the Commission for any reason or no reason at all.

Senator KIM. I know that but do you think that is appropriate?

Mr. CARR. It is up to the President to decide.

Senator KIM. OK. Well, then we got your answer. With that, I yield back.

The CHAIRMAN. Thank you. I would note Senator Kim asked multiple questions about whether it is appropriate for politicians to try to pressure the FCC to silence their critics.

My answer to that is unequivocally no, but that happens to be my answer whether those politicians are Republicans or Democrats, and I would like to now enter into the record a letter dated April 11, 2018, and it was directed to the then-Chairman of the FCC Ajit Pai and it says, “We write to express our grave concerns regarding Sinclair Broadcasting Group’s conduct. This conduct affects its fitness to hold its existing broadcast licenses and its fitness to acquire even more broadcast licenses through the proposed merger with Tribune Media Company.”

And what the signatories of this letter was concerned about is that Sinclair had their local anchors warn the populace of the dangers of, quote, “one-sided news stories plaguing our country.”

In other words, Sinclair spoke out against bias in journalism. Apparently, our Democrat colleagues did not like that and in writing they urged the FCC to strip the licenses and block the merger, and this letter is signed by Maria Cantwell, by Patty Murray, by Ron Wyden, by Richard Blumenthal, by Bernie Sanders, by Tammy Baldwin, by Tom Udall, by Elizabeth Warren, by Ed Markey, by Tina Smith, by Jeff Merkley, and by Cory Booker.

And so I am going to enter this letter into the record. Without objection, it is so entered.

[The information referred to follows:]

**United States Senate**  
WASHINGTON, DC 20510

April 11, 2018

The Honorable Ajit V. Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Pai:

We write to express our grave concerns regarding Sinclair Broadcasting Group's (Sinclair) conduct. This conduct affects its fitness to hold its existing broadcast licenses and its fitness to acquire even more broadcast licenses through the proposed merger with Tribune Media Company (Tribune).

In particular, we have strong concerns that Sinclair has violated the public interest obligation inherent in holding broadcast licenses. Sinclair may have violated the FCC's longstanding policy against broadcast licensees deliberately distorting news by staging, slanting, or falsifying information (traditionally known as the news distortion standard).<sup>1</sup> Multiple news outlets report that Sinclair has been forcing local news anchors to read Sinclair-mandated scripts warning of the dangers of "one-sided news stories plaguing our country," over the protests from local news teams.<sup>2</sup>

As strong defenders of the First Amendment, guarantees of free speech and freedom of the press, we are alarmed by such practices. In the United States, the airwaves belong to the American people. The Federal Communications Commission (FCC) is responsible for ensuring that broadcast licensees use the public airwaves to serve the public interest. We call on the FCC to investigate whether Sinclair's production of distorted news reports fails the public interest test.

These Sinclair actions also undermine the legitimacy of non-Sinclair news outlets. In fact, following the recent wave of stories about scripted broadcasts, a Sinclair commentator asserting the neutrality of Sinclair's news content said (in another must-run segment), "[t]he same [objectivity] cannot be said for cable and broadcast news hosts who inject their opinions and bias into news coverage all the time without drawing any lines between them."<sup>3</sup>

Furthermore, must-run dictates from Sinclair harm the freedom of the press guaranteed in the First Amendment by turning local journalists into mouthpieces for a corporate and political

<sup>1</sup> <https://www.fcc.gov/consumers/guides/broadcasting-false-information>.

<sup>2</sup> <https://www.npr.org/sections/thetwo-way/2018/04/02/598794433/video-reveals-power-of-sinclair-as-local-news-anchors-recite-script-in-unison>; <https://www.nytimes.com/2018/04/02/business/media/sinclair-news-anchors-script.html>.

<sup>3</sup> <http://www.foxnews.com/entertainment/2018/04/04/sinclair-political-analyst-boris-epshteyn-defends-experience-in-white-house-trump-campaign.html>.

agenda. In the context of our strong commitment to the First Amendment, guarantees of free speech, and freedom of the press, we are troubled by such practices. These Sinclair must-run segments must be reviewed in the context of recent steps taken at the FCC to further enable Sinclair to expand the scope and scale of its news distortion operations. Specifically, in the last past 18 months:

- The FCC has implemented a series of media ownership rule changes that directly benefit Sinclair;
- The FCC inspector general commenced an investigation of whether a disturbing pattern of meetings and communications between Sinclair, the Trump Administration, and you, suggests a quid pro quo that violates the public interest mission of the FCC;<sup>4</sup>
- President Trump has publically praised Sinclair while attacking every other media outlet that publishes stories he views as critical;<sup>5</sup> and
- Sinclair has proposed merging with Tribune and that transaction is currently pending at the FCC.

Because of these concerns, we are requesting that the FCC review both Sinclair's fitness to retain its existing broadcast licenses and whether it is in the public interest to permit it to acquire more broadcast licenses through the proposed merger with Tribune.

As you know, the FCC is required to base its broadcast licensing decisions on "the determination of whether those actions will serve the public interest, convenience, and necessity."<sup>6</sup>

Moreover, the FCC recognizes that:

[A]s public trustees, broadcast licensees may not intentionally distort the news: the FCC has stated that "rigging or slanting the news is a most heinous act against the public interest." The Commission will investigate a station for news distortion if it receives documented evidence of such rigging or slanting, such as testimony or other documentation, from individuals with direct personal knowledge that a licensee or its management engaged in the intentional falsification of the news. Of particular concern would be evidence of the direction to employees from station management to falsify the news.<sup>7</sup>

We are concerned that Sinclair is engaged in a systematic news distortion operation that seeks to undermine freedom of the press and the robust localism and diversity of viewpoint that is the foundation of our national broadcasting laws.

Because of the new facts that have come to light with regard to Sinclair's misconduct and abuse of the public trust pertaining to its existing broadcast licenses, we believe it is appropriate to

<sup>4</sup> <http://thehill.com/policy/technology/374001-fcc-inspector-general-investigating-chairman-over-sinclair-report>.

<sup>5</sup> <https://twitter.com/realDonaldTrump/status/981117684489379840>.

<sup>6</sup> <https://www.fcc.gov/media/radio/public-and-broadcasting#REGULATION>.

<sup>7</sup> <https://www.fcc.gov/media/radio/public-and-broadcasting#LAWPOLICY>.

pause the pending Sinclair-Tribune merger review and reopen the agency record on the transaction<sup>8</sup> so that the FCC can receive another full round of robust public comments.

We are concerned that if the Sinclair-Tribune merger continues without a thorough review of these new facts, Sinclair's practices of news distortion will proliferate to even more local stations, which Americans rely upon every day for fair and impartial news.<sup>9</sup> Currently, Sinclair owns 193 stations in 89 markets.<sup>10</sup> A Sinclair-Tribune merger, if approved, would create a broadcasting giant with 223 TV stations serving 108 markets (including 39 of the top 50), covering 72% of United States households. Given the recent and partisan changes to the media ownership rules, such as elimination of the main studio rule,<sup>11</sup> Sinclair would have new tools to use in its quest to centralize its news operation and alter local broadcasting in ways that contravene the public interest.

For these reasons, it is imperative that the FCC investigate Sinclair's news activities to determine if it conforms to the public interest. This investigation should, at a minimum, examine whether the scripting of local news programs is tantamount to news distortion.

More generally, these new facts about how Sinclair operates its stations suggest that it may not be complying with the public interest obligations inherent in holding broadcast licenses.<sup>12</sup> An affirmative finding could disqualify Sinclair from holding its existing licenses and should disqualify it from acquiring additional broadcast licenses.

Consistent with FCC precedent, extra weight should be given to evidence of the direction to employees, from Sinclair, to skew or falsify the news. FCC investigators should speak with current and former personnel at stations that have openly challenged Sinclair's directions to broadcast scripted segments or segments produced by Sinclair's national news operations.<sup>13</sup>

We further request that the results of this investigation be made public and included in the record of the FCC consideration of the Sinclair-Tribune merger transaction.

Sincerely,

<sup>8</sup>Application to Transfer Control of Tribune Media Company to Sinclair Broadcast Group, Inc., (Sinclair and Tribune), MB Docket 17-179, <https://www.fcc.gov/transaction/sinclair-tribune>.

<sup>9</sup><http://www.journalism.org/fact-sheet/local-tv-news/>.

<sup>10</sup><https://www.vox.com/2018/4/4/17190240/sinclair-local-tv-map-data>.

<sup>11</sup><https://www.fcc.gov/document/media-bureau-announces-effective-date-main-studio-rule-elimination>.

<sup>12</sup><https://www.nytimes.com/2018/04/04/business/media/sinclairs-boss-responds-to-criticism-you-cant-be-serious.html?smid=tw-share>.

<sup>13</sup> There are at least three examples of local stations challenging Sinclair's direction to air content on the basis that the content did not comport with the public interest.

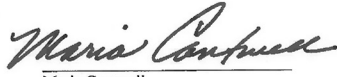
1. Madison, Wisconsin's WMSN/FOX47 refused to air a Sinclair segment, stating that it wanted to stay true to its commitment to provide viewers local news, weather, and sports of interest to them.

<https://www.rawstory.com/2018/04/local-affiliate-station-rebelled-sinclair-broadcasting-viewers-loved/>.

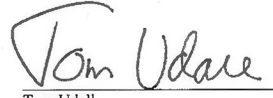
2. KHGI TV in Nebraska's TV producer resigned in protest of what he calls the company's bias.

<http://money.cnn.com/2018/04/04/media/sinclair-producer-resigns-protest/index.html>.

3. Seattle local station KOMO made it obvious that it was reading Sinclair's produced news content by standing apart from the usual speaking desk, looking at the camera, and reading from a teleprompter.



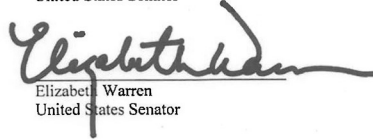
Maria Cantwell  
United States Senator



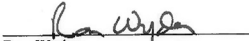
Tom Udall  
United States Senator



Patty Murray  
United States Senator



Elizabeth Warren  
United States Senator



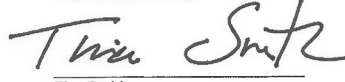
Ron Wyden  
United States Senator



Edward J. Markey  
United States Senator



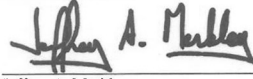
Richard Blumenthal  
United States Senator



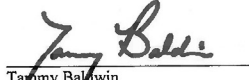
Tina Smith  
United States Senator



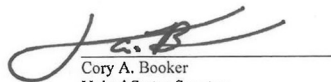
Bernard Sanders  
United States Senator



Jeffrey A. Merkley  
United States Senator



Tammy Baldwin  
United States Senator



Cory A. Booker  
United States Senator

The CHAIRMAN. And I would point out the principles ought to apply to both sides evenly.

Senator KIM. I appreciate your comments. Can I say a quick rebuttal here?

The CHAIRMAN. Sure.

Senator KIM. I just want to say this is another attempt to muddy the waters. Chairman Carr's threats to companies he directly regulates are not the same thing as a letter from Congress requesting an agency examine a matter of public concern.

Members on both sides of the aisle frequently write similar letters. That is the proper oversight role of Congress.

As one example now, Secretary of State Rubio and other Republican senators wrote to the FCC in 2022 urging the agency to thoroughly scrutinize a proposed sale of Spanish-language radio stations concerned it would, quote, "silence political viewpoints."

So I hope my colleagues, we stop trying to distract from the clear and present attacks right now upon our First Amendment. Chairman Carr has targeted threats against the licensees he directly regulates and we can hear from Chairman Carr without further delay.

The CHAIRMAN. So, Senator Kim is factually incorrect. This letter is calling for the FCC to block the licenses, to block the merger, because the Democrats who signed this disagreed with the content on that station.

And the difference—I was on that committee then. When this happened I spoke out against it at the time and you know what? Not a single Democrat on this committee had a word to say about it.

I was also on this committee at the time that Democrats tried to go after Fox and deny a routine license renewal, again, because Democrats did not like what Fox News says.

You know what? I do not like what MSNBC says but I am not urging the Commission to take away MSNBC's license. And so suddenly when the current administration and FCC makes comments about Jimmy Kimmel, comments that, as you know, I disagreed with and spoke out against—suddenly Democrats have discovered the First Amendment and my request would be maybe remember it when Democrats are in power, that the First Amendment is not simply a one-way license for one team to abuse the power and the other not. Instead, we should respect the free speech of all Americans regardless of party.

Senator KIM. I agree with that statement you made, a lot of what you just said. I was not on the Committee at that time and I hope, going forward, as I am on this committee with you that we can work together to show that we do this regardless of who is violating, that we try to show that integrity to the process.

The CHAIRMAN. That would be a wonderful development. I hope so as well.

Senator Curtis, I believe.

**STATEMENT OF HON. JOHN CURTIS,  
U.S. SENATOR FROM UTAH**

Senator CURTIS. Thank you, Mr. Chairman. I am sure everybody will be disappointed. I am actually going to change subjects.

Chairman, you were good enough to come to my office a few days ago and we talked about Section 230, and in that meeting I tried to bifurcate. I know a lot of people when you hear 230 think of censorship, and for a minute just set that aside. I am not going to try to solve that. That is a very complex issue.

But you and I talked about algorithms, and for those who were not there, the analogy that kind of comes to mind is the digital billboard. Originally, social media companies were to provide the venue for a digital billboard.

Somewhere along the line that model changed. We compared it to the Post Office. If the Post Office is delivering a letter from you to me we, obviously, do not hold them responsible for that content.

But if the Post Office opened that letter, read it, and then said, "We are actually going to send this to a hundred million people," that is a different conversation.

So my question for you is, from your perspective are we underestimating the dangers of algorithm-driven content?

Mr. CARR. Senator, thank you for the question. I have gone back since our meeting and taken a look at your legislation again and I am happy to continue to meet and discuss with you on that.

I do think I have expressed concerns over the years about how courts have sort of misinterpreted and given expansive new readings to Section 230 that are not in the statutory text, and I think there are some of those issues in your legislation as well that are worth looking at.

Senator CURTIS. Thank you. And to kind of, here again, bring everybody else up to speed that has not had the chance to do that, the question is should Section 230 protections apply to social media companies that employ harmful recommendations or cause harm by their recommendations, going beyond just the digital billboard but actually taking those now and sending them out to hundreds of millions of people?

Mr. CARR. Yes, Senator, there is a debate to some extent in the courts as well about part of Section 230 that talks about platforms being liable if they have contributed even in part to the development and it is sort of a live issue—how does algorithms play into the contributed in part portion of that analysis.

Senator CURTIS. Yes, and as everybody here knows, Section 230 goes decades and decades back and I do not think—I think it is clear to say we did not really see the world that we are in today, and so I just introduce that to you and to others as something that we need to start thinking about.

Also, when you were in my office we talked about permitting reform and would love to ask you—you have had a chance to think about this—what is the role of Congress in assisting you in your permitting reform goals and what can we be doing on our side to make sure that we can actually complete these projects in a responsible way that are so important to you to complete?

Mr. CARR. Well, thank you, Senator.

Look, I think it is—there is no question that it costs too much and it takes too long to build out not just broadband infrastructure but almost any infrastructure in this country and I think that is probably one of the most significant economic development efforts

that this Congress can do is to continue to codify and streamline permitting regulations.

We have a proceeding underway at the FCC. We are looking at NEPA, the environmental regulations, and how perhaps they have been misapplied in onerous ways over the years.

We are looking at state and local requirements where potentially their fees and permitting structure might not align with the cost-based approach that we have used before. But we have to get back to turning dirt—and this is going to be an important work stream for us.

Senator CURTIS. Commissioner Trusty, how do you see permitting reform and how important is it that we figure this out?

Ms. TRUSTY. It is essential. It is essential to meeting our universal connectivity goals. You know, as the Chairman mentioned, we have been working on simplifying rules, reducing regulatory burdens on businesses, and streamlining licensing and permitting processes to better advance broadband providers' buildout efforts.

So we are looking at pole attachments, making those processes more cost effective and transparent. He mentioned environmental and historic reviews, making sure that those reviews are more predictable and efficient.

And we are also looking at opening up access to rights of way, another barrier to employing broadband, deploying broadband and connecting homes and businesses across the country.

Senator CURTIS. Commissioner Gomez, do you agree with your colleagues?

Ms. GOMEZ. Senator, I think getting access to affordable broadband as quickly as possible is very important.

Senator CURTIS. I am pleased that on our side this seems to be a bipartisan issue. There are still some hurdles, moving forward, but figuring out here again how to do it responsibly. Nobody is suggesting we should be irresponsible.

Chairman Carr, in the few seconds I have left can you maybe educate us on what happens if we do not figure out permitting reform?

Mr. CARR. Well, communities that have been stuck on the wrong side of the digital divide are going to remain there. The cost of building is going to be higher.

That could raise prices, and it will slow down the buildout of these BEAD infrastructure projects that I think are going to be really important to the country. So we have got to get going.

Senator CURTIS. I would agree. I think we all agree. I would also point out this is not just in your world. In the energy sector, we have the same problem and we are really struggling as a country figuring out how to be able to allow things to move forward in a responsible way and I hope that here in the Senate we can figure out a path forward for everybody that needs this.

Thank you, Mr. Chairman. I yield my time.

Senator BUDD [presiding]. Thank you.

Senator Blunt Rochester.

**STATEMENT OF HON. LISA BLUNT ROCHESTER,  
U.S. SENATOR FROM DELAWARE**

Senator BLUNT ROCHESTER. Thank you, Mr. Chairman, and thank you to the witnesses.

I come from the state of Delaware. We are—like many of my colleagues we are urban, we are suburban, we are rural, and we are also coastal.

For me and a lot of members here, we have been working on the digital divide for a very long time and that is everything from investing in connectivity to looking at modernizing our maps.

We have places in Delaware where you will drive and your call will drop. You know exactly where that spot is going to be.

But the bottom line is if you have access but you cannot afford the services then you really do not have it, and so we are in the midst of an affordability crisis. Everything from rent to groceries to broadband Internet has gone up and it is clear that we have to be laser focused on affordability.

So my first question is for you, Commissioner Gomez.

Commissioner Gomez, Democratic leadership at the FCC in the past has emphasized affordability, competition, transparency, and closing the digital divide.

Commissioner, from your perspective how do affordability policies under the previous Democratic-led FCC compare to the current administration's affordability policies and how specifically it relates to consumer outcomes?

Ms. GOMEZ. Thank you, Senator, for that question.

This administration has really lost its focus on consumer issues and particularly on affordability. We have not seen any action to address affordability.

When we lost the Affordable Connectivity program millions of consumers lost their service—lost their support for their service. We are spending billions of dollars to deploy networks, but we are not going to have sustainable networks if people cannot afford to actually subscribe to the service.

We need seniors to have access so that they can get health care services. We need students to have access to broadband so that they can prepare themselves for this AI economy that is coming. We need people to be able to access the Internet for jobs.

I was just listening this morning to the head of the National Economic Council who said we are not going to have a problem with finding jobs because they can be found on the internet.

And my thought at the moment was if you have access to the Internet schools and libraries need to have access to the internet.

Instead, this Commission took back the ability to provide hotspots through libraries so that people could have Internet at home and so that students could have hotspots through their schools.

Same thing with WiFi on school buses. We are not ensuring that people who cannot afford to be connected can get access to the internet.

Senator BLUNT ROCHESTER. So not only will people not be able to afford the services and the tools that they need, but more people will be left behind?

Ms. GOMEZ. Correct.

Senator BLUNT ROCHESTER. Commissioner, as connectivity expands through the Internet of Things, AI, the future 6G networks, cybersecurity risks to consumers grow significantly.

Do you believe the FCC has taken the appropriate steps to future proof the cybersecurity of everyday Americans in an increasingly complex telecommunications ecosystem and why?

And, Commissioner Trusty, I am going to ask you a similar question.

Ms. GOMEZ. So this Commission has had a lot of focus on security, but at the same time it also has taken away the regulatory backstop to ensure that the companies actually have cybersecurity policies.

This just happened with regard to the response to Salt Typhoon. This administration has been very concerned about Chinese equipment and it has looked for every opportunity in order to make sure that we do not have Chinese equipment and insecure equipment in our network.

But when China actually hacks our networks this administration took away the rulemaking that would have actually required carriers to make cybersecurity front of mind.

I am also concerned that we have put a pause on the cyber trust mark which is a way—a market-driven mechanism which I would think my Republican colleagues would actually really appreciate, a market-driven mechanism in order for consumers to have information about whether the devices they are using come from businesses that use good cyber hygiene.

So I am hopeful that we will be able to get that going again because that is a really important public-private partnership in order to ensure security.

Senator BLUNT ROCHESTER. I have very limited time.

Commissioner Trusty, I am going to ask you this question for the record, which is you spoke about the need for the U.S. to keep pace with international telecommunications trends including cybersecurity and I was going to ask if you agree with Commissioner Gomez on her assessment and what else you would like to add? So I will follow up with you on that.

But I do, in the interest of time, want to spend a moment because I am very, very concerned about, Chairman Carr, your focus on ending the——

Was that you, Mr. Chairman?

Senator BUDD. It was.

Senator BLUNT ROCHESTER. Mr. Chairman, if you will give me a point of personal privilege because every single member before me went over time—like, every single member.

Senator BUDD. Briefly, please, and then you will submit that for the record.

Senator BLUNT ROCHESTER. Thank you. And so I want to make sure that I say this on the record because I think when Commissioner Gomez talked about private companies doing employment matters, these are employment matters and your focus on diversity, equity, inclusion, and celebrating the real withdrawal of that I think has had an impact on women, veterans, people with disabilities, religious minorities.

And I will ask of the record for Commissioner Gomez to explain how conditioning FCC approvals on the elimination of DEI programs undermines job opportunities, weakens our economy, and our competitiveness.

With that, I will yield back.

Senator BUDD. Thank you.

Senator Schmitt.

**STATEMENT OF HON. ERIC SCHMITT,  
U.S. SENATOR FROM MISSOURI**

Senator SCHMITT. Thank you, Mr. Chairman.

I have to say, every so often in this place it almost feels like you are having an out-of-body experience where you are, like, watching something happen and you cannot believe it is happening.

So the idea that my Democrat colleagues are so offended that the First Amendment may be or may not be violated by some comment you made I think is just extraordinary given the last four years that we lived through.

I happen to know something about it. I filed the Missouri versus Biden lawsuit that a Federal judge—a Federal judge—ruled was the most massive attack against free speech in U.S. history where entire agencies—and we sat through the depositions—were weaponized against the American people on the instruction of the Federal Government, and not just one agency but a leviathan of agencies that had words and phrases that you shall not utter in the United States of America or you were censored.

So you do not get to censor speech. You do not get to outsource that censorship to universities or social media companies, which is exactly what was happening, and go so far as to actually create—and I would challenge anybody in this committee if they raise the objection to this—literally a disinformation governance board in the United States of America.

You remember the Mary Poppins character who was singing? That is what I am—in the United States of America, not like in 1898, not in 1799, like, three years ago.

And so to sit here and listen to all this stuff about, you know, wearing the white hat on free speech is laughable. Laughable.

So anyway, that is not—I just—I cannot help myself sometimes. I just—I wanted to get to these questions first but just listening to this is incredible.

So anyway, Mr. Carr, I do want to ask you about something that is—I do not think has been asked about. Currently, there is a draft piece of legislation currently being considered by the European Commission, the European Union Space Act, which as currently drafted would impose a regulatory framework that would apply not just to EU firms but also U.S. satellite operators providing services to European customers.

It appears specifically targeted at U.S. companies due solely to their size and their success that they have had. From the FCC's perspective, what concrete impacts would these proposed requirements have on U.S. licensed systems operating globally, particularly where the EU rules may duplicate or conflict with current U.S. requirements?

Mr. CARR. Senator, thanks for the question.

You know, we all know that for years Europe has been engaged in protectionist conduct. They have been going after U.S. technology companies simply for being successful U.S. technology companies. What we are now seeing is the specific application of that same approach into the satellite sector.

European regulators are using the rubric of European satellite sovereignty to suggest that you effectively have to be a European satellite company to do business in Europe.

Unlike the technology space, there actually are national champion satellite providers in Europe that do business in America, and so if Europe continues to go down this protectionist path we are going to have to make sure that there is reciprocal and fair treatment.

But it ultimately is holding back Europe itself and it is harmful to these U.S. businesses that are trying to have global operations. So there is significant pushback right now on this sovereignty effort taking place in Europe.

Senator SCHMITT. Well, and it is I think part and parcel of something much broader that is happening in Europe right now, which is under the NATO flag the United States is supposed to have sort of unconditional support no matter what.

We are partners and this is an alliance. But when the EU flag goes up all of a sudden it is a very, very different story.

And I hope you do sort of push back on this idea. Very I think ill-timed and likely illegal but we have levers in the toolbox, too. It should not be the case. But if they are going to go down this road, hopefully you all will make it clear to our European friends that this is not appreciated.

I do want to briefly in the time I have left, Mr. Carr, the U.S. already has a—before that licensing framework that we currently have in the U.S. what is the status of securing a kind of equivalence decision if equivalency is not granted?

Staying on the European track here, how would overlapping EU requirements affect FCC licensed systems operating globally?

Mr. CARR. Well, for one, we are always going to look out for the interests of America and our consumers. So, for instance, we are looking at power level issues where perhaps Europe is in a different position than America.

Europe may hold back on power levels in Europe but we can authorize them here in America so that our consumers at least continue to get better, faster satellite services including high-speed internet.

We are also working inside the building to go much faster on processing satellite applications. When I took over as Chairman we had a massive backlog.

We have already cut through about half of that backlog and we are changing our approach inside the building to be much more assembly line, like, clear, bright line rules.

If you hit those you are going to get a green light from the FCC pretty quickly and, again, I think that is going to set us up to lead the world in these next-generation satellite technologies.

Senator SCHMITT. Thank you. Thank you, Mr. Chairman.

Senator BUDD. Thank you.

Senator Peters, you are recognized.

**STATEMENT OF HON. GARY PETERS,  
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Thank you, Mr. Chairman, and to our witnesses today, thank you, all three of you, for being here today.

Chair Carr, in 2019 you tweeted—I am just going to quote your words directly from the tweet. You said, quote, “Should the government censor speech it does not like? Of course not. The FCC does not have a roving mandate to police speech in the name of the public interest,” end of quote.

That was your tweet in 2019, and I will say I agree with that. I think that was a good tweet in 2019. I think government censorship is absolutely dangerous to our democracy.

In fact, according to a book which you may have read, “How Democracies Die,” written by two eminent political scientists, historically, one of the key markers of a slide toward authoritarianism is attacks on freedom of the press. Part of the playbook.

We have seen it over and over again, and that is why I was concerned about your actions this year. This fall alone you have suggested that the FCC go after broadcasters that do not punish comedians—we have heard that here in the hearing—do not punish comedians who make comments that the President does not like.

In one case, you specifically mentioned the broadcaster’s public interest obligation. You said, quote—in this instance, quote, “We can do this the easy way or we can do this the hard way,” unquote.

That may have been a line I saw in “The Godfather.” I am not sure, but that is—it is pretty similar to that when you threatened to use the FCC to do the very thing you said in 2019 that the FCC should not ever do via a roving censor.

So I hate to say this but ensuring broadcasters are operating, quote, “in the public interest” I do not believe that means ensuring that no one on TV is ever mean to the President or says something the President may not like.

To act otherwise is to basically take a leaf out of the authoritarian playbooks that we have seen around the world. Vladimir Putin comes to mind as someone who openly intimidates and threatens folks in a similar matter, and this cannot happen, not in our democracy.

So I am just going to ask you just a simple yes or no question. Will you commit here today that you will not move to revoke any media license for broadcasters or retaliate in any way against broadcast companies merely for choosing to host content that is critical of the President or says something that he may not like? Yes or no, very simple.

Mr. CARR. Senator, any broadcaster that complies with the public interest standard is not in any risk at all. If a broadcaster is engaging in broadcast hoax or violation of news distortion policy or political equal opportunity there is going to work for the FCC potentially there.

Senator PETERS. So this should be a pretty easy question. Do you think the FCC should protect free speech?

Mr. CARR. Yes.

Senator PETERS. OK. So you will not revoke licenses? So we can go back that you will do it? You will not revoke licenses or retaliate if they are simply engaging in free speech?

Mr. CARR. Senator, first of all, the Supreme Court has expressly said there is no First Amendment right to an FCC license and the Supreme Court has said that the FCC enforcing the public interest standard on licensees is not a violation of the First Amendment or censorship.

Senator PETERS. And you get to determine what is the public interest. So if the President is offended you think, wow, that is the public interest. No one should ever offend a president.

That seems to be counter to our whole history in this country. People are always critical. I do not care who the president is—a Democrat or a Republican, we should be able to make fun of them.

That is what a healthy democracy is, you can make fun of your leaders—and speak truth to power so I do not understand that. This should be fairly easy, sir.

Mr. CARR. When you say make fun of the President are you talking about the Kimmel issue? Make fun of—

Senator PETERS. I am talking about any president. If you have somebody as a comedian—you can use his example.

Mr. CARR. Kimmel was not making fun of the President. What Kimmel said is we hit some new lows over the weekend with the MAGA gang trying to characterize this kid who killed Charlie Kirk as anything other than one of them.

It appeared to be an effort to mischaracterize the motivations of one of the most significant political assassinations, it is not.

Senator PETERS. We also know that the President does not like that kind of—and I do not want to make just the issue of the comedian because it is broader than that.

Mr. CARR. That had nothing to do with the President.

Senator PETERS. The public interest is a lot broader than that and it should not be you that determines that. That is called the—in a democracy people are free to—

Mr. CARR. But, Senator, Congress—

Senator PETERS. They are free to say things that you may not like, I may not like—

Mr. CARR. But, Senator, Congress—

Senator PETERS.—but that is why we always defend that. I am running out of time.

Commissioner Gomez—I am running out of time. Commissioner Gomez, it is in—

Mr. CARR. Congress passed a law—Congress passed a law charging with the FCC with the enforcing of the public interest standard. If they want something different then they need to change the law.

Senator PETERS. Mr. Carr, I have got limited time here.

Senator BUDD. The Senator's time has expired.

Senator PETERS. Commissioner Gomez—could I have a few moments, Chair, given the filibuster here?

Commissioner Gomez, it is true that the FCC has not actually followed through on threats to revoke broadcasters' licenses over content that the Trump administration disagrees with despite the Chairman's threats to do so.

Could you discuss how public comments and actions taken so far by the FCC related to major broadcaster editorial choices have

been received by the media and do you think the FCC actually needs to revoke licenses in order to have a chilling effect?

Ms. GOMEZ. Thank you for that question, Senator.

This administration has been on a campaign to censor content and to control the media and others, any critics of this administration, and it is weaponizing whatever levers it has in order to control that media.

That includes using the FCC to threaten licensees and broadcasters are being chilled. We are hearing from broadcasters that they are afraid to air programming that is critical of this administration because they are afraid of being dragged before the FCC in an investigation. It will be costly.

It is still unconstitutional to revoke licenses based solely on content that the FCC does not like. And let us be clear, we need to define what we mean by operating in the public interest if we are just going to use it as a means to go after any content we do not like.

Broadcast hoaxes, that rule was put in place because of Orson Welles and the "War of the Worlds," and our news distortion policy does not mean any content we do not like. It requires a very specific circumstance in order to be used, which is why it is really never used.

The First Amendment governs what we do as does the Communications Act prohibition on censorship and this Commission is abusing that.

Senator BUDD. Thank you, Senator.

Mr. CARR. Senator, look, if broadcasters are hesitating today before running broadcast hoaxes or news distortions or the news I think that is a good thing.

Senator ROSEN. It is my time.

Senator PETERS. I did not address a question to you.

Senator BUDD. Thank you. I am going to recognize myself. Thank you.

Senator ROSEN. Wait.

**STATEMENT OF HON. TED BUDD,  
U.S. SENATOR FROM NORTH CAROLINA**

Senator BUDD. Thank you. Let us talk about robocalls. I do not think you have talked about that today.

You know, your testimony mentioned the work that you and the FCC are doing to protect the integrity of the robocall mitigation database, Chairman, and at nearly every telephone town hall that I do and including one last week the folks always bring up robocalls.

They feel overwhelmed by them. They feel that they perpetrate real harm. They give examples. As I am around the state people talk about robocalls, huge concerns, especially as we have things like AI-generated personalized voices and the scams become more and more sophisticated and easier to carry out.

So, Chairman, again, thank you all for being here. Chairman, what can the FCC do to proactively protect folks and how can you stay ahead of the curve with these changing criminal tactics?

Mr. CARR. This is the number-one consumer complaint we get at the FCC. Historically, it felt like a game of whack-a-mole. We

would put a technology solution in place. We would go after a single bad actor. But this would just pop up in another way.

What we are doing right now is we are taking an approach where we are tackling illegal robocalls at every single portion of the call lifecycle. We are making it harder to get access to telephone numbers.

We are making it more difficult for foreign robocalls to enter the U.S. We are looking at potential loopholes, including ones for non-IP networks, and one issue we have recently teed up is taking a look at any robocall, legal or otherwise, that originates from a call center overseas.

Right now, when that comes up to your phone it can show up with a U.S. area code to fool you into thinking the call center or the call is here in America. And so we are looking at changing that so it would accurately display that it is a foreign call center.

If United or any other business wants to put a call center abroad then they should be able to disclose that to the consumer, and if this helps with onshoring then that might be a good thing as well.

But we are taking a real new approach including kicking out over 1,200 providers from our robocall mitigation database, which effectively cuts them off from the systems. We are trying to really tackle this at every portion of the call.

Senator BUDD. Thank you for that. I think you are talking about the SIM farms that we have seen recently. A lot of that is foreign originated. But is there any specific limitations that prevent your agency from doing more in this area?

Mr. CARR. As of right now, we have a fair amount of legal authority in this area. It is simply about, you know, tracking down every single loophole that folks are exploring.

We are working increasingly with state AGs on this. We are deepening our partnership and collaboration with FTC, the Nation's premier consumer protection agency, and we are going to keep at this issue.

Senator BUDD. Thank you.

Shift gears a little bit, Chairman. You know, one of your first stops when you were confirmed was to western North Carolina after the devastating Hurricane Helene about 14 months ago and it devastated communications infrastructure.

So one of the most difficult aspects of the immediate response was that folks they could not get a signal out to reach loved ones. They could not reach emergency services when they need.

Can you highlight some of the work that you and the FCC are doing to enhance communication resiliency during and after natural disasters, please?

Mr. CARR. Well, thank you, Senator.

As you noted, my first trip as Chairman was to western North Carolina which was still hit hard and engaged in recovery. Went to Chimney Rock and that portion where it was total devastation.

We are doing a couple of things. One, we have put into place before a new mechanism where carriers can more easily roam on each other's networks so if one provider does have service more people can connect that way.

We are also looking at recovery efforts. What you see is oftentimes the telecom networks will survive the initial storm but as power and road crews come in to clear the way they can cut lines.

And so we have been working to make sure that those different portions of recovery crews are collaborating better and communicating so they do not step on each other as much. There is a range of additional actions we are taking, too, to harden the networks.

Senator BUDD. Commissioner Trusty, how will the FCC's "Build America" agenda increase network resiliency? I think we talked about that in the office a little bit. If you would like to elaborate, please.

Ms. TRUSTY. Sure. Thank you for the question, Senator.

We are doing a lot through the "Build America" agenda to enhance network resiliency. We are embracing new technologies like satellite connectivity.

So we are doing a lot to overhaul our earth and space station licensing framework to expand access to satellite connectivity, which can help enhance redundancy and resiliency.

We are also pushing forward the IP transition. So we are streamlining copper retirement processes and legacy service discontinuance requirements to make room for IP-based networks that are more reliable and more resilient.

We are also doing a top to bottom review of our emergency alert systems to make sure we can get Americans the information they need that is potentially life-saving in emergencies and disasters.

I think all of that is covered under the "Build America" agenda.

Senator BUDD. Great work. Is there any way that Congress can be a better partner in that mission that you are working on so diligently right now?

Ms. TRUSTY. Sure. I think it all goes back to permitting reform.

You know, when networks are destroyed or when they are compromised, not having to work through permitting delays and other bureaucratic issues is really helpful when trying to restore these communication services for Americans.

Senator BUDD. Thank you, all.

Senator Rosen, you are recognized.

**STATEMENT OF HON. JACKY ROSEN,  
U.S. SENATOR FROM NEVADA**

Senator ROSEN. Thank you, Mr. Chairman.

I want to remind the witnesses here today that the Constitution stands. The Constitution overrides regulatory bodies. The First Amendment is what we base our communications on. The Constitution and the Bill of Rights stands above all.

I am going to build a little bit upon what Senator Peters talked about and others did, too, because I am worried about a threatening environment for our media and so I will say following Jimmy Kimmel's monologue on September 16, Chairman Carr, you publicly said this, "We can do it the easy way or the hard way."

Now, maybe you like movies. Maybe you do not. Maybe you have never seen "The Godfather" but we all have. So I am going to just ask an additional question and I want you to clarify yes or no, please, because my time is limited here.

Was this an implicit threat to ABC and its affiliates to take Jimmy Kimmel off the air or ABC and its affiliates face consequences such as losing broadcasting license or having proposed mergers blocked? Is this how government works now, the threat of losing your license? Yes or no, please, because I have more questions.

Mr. CARR. Senator, thank you for the question. I was very clear there was no threat in there to revoke a license.

Senator ROSEN. Yes or no, please. Was it a threat to revoke the license? Was it an implied threat to invoke?

Mr. CARR. There was no threat to revoke a license there. What I have been talking about was the FCC's news distortion policy.

Senator ROSEN. I will take that as a no, please. Thank you. Thank you. Thank you. I appreciate that. I am going to move on to another question about edited interviews.

Earlier this year, you reinstated a closed FCC inquiry into CBS News for alleged edits of an interview with Kamala Harris that Donald Trump claimed was done to help her. Many interviews are edited to fit in a time-frame of the news program.

This is nothing new. CBS News ended up paying Donald Trump millions in the settlement over his dispute. Earlier this year, it came to light that Fox News also edited an interview that Donald Trump did last year in the middle of a Presidential campaign in which he was asked if he would release the Epstein files. The edited interview ends after Trump says, "Yes, I would."

But the unedited version shows Trump hedging his support for releasing the files.

So Chairman Carr, yes or no, please, given that this edit by Fox News was clearly meant to make Donald Trump look good right in the middle of a Presidential campaign. Will you commit to opening an investigation into Fox News for its deceptive editing of this clip?

Again, yes or no, please, because I have questions for the other witnesses.

Mr. CARR. No.

Senator ROSEN. No. So you are an elected bureaucrat. You are deciding that some investigations should go on and others should not, and are you basing this solely on the target or are you basing this—what are you basing this on?

Can you answer that question? This was clearly edited. Why is one edit fine and one edit not in the middle of a Presidential campaign?

Mr. CARR. Senator, it is based on the law. The Fox News interview was on cable. There is no public interest standard. There is no broadcast hoax rule. There is no news distortion. There is no role for the FCC there.

Senator ROSEN. Well, I think there is a rule for fairness and the American public understand what is fair and just and the same rules apply.

Mr. CARR. Do you think there is a broad fairness rule that we should apply at the FCC to cable companies?

Senator ROSEN. So I am going to go on to mergers. I am going to go on to merger threats then, Chairman Carr.

Is there a law that directs the FCC to consider editorial conduct when reviewing mergers? Yes or no because I have a follow-up question there?

Mr. CARR. The FCC's job under the Communications Act for reviewing mergers is to make sure that they are in the public interest and that is the standard that we apply.

Senator ROSEN. And so can you clarify for us the lens through which you review public interest? Is there a set of principles? Is there a set of something that is applied the same equally and to every single merger that you look at?

Are you using the same template? Because if you are not, then I have concerns with that. So can you share with us how you consider editorial conduct when you are looking to approve the mergers that—well, maybe they will get them, maybe they will not based on what? Your personal opinion?

Mr. CARR. Well, again, the standard is the public interest standard and the FCC's decisional document approving mergers walks through all of the standards.

It applies them and it is right there in black and white for everyone to do when we apply normal precedent.

So, for instance, we have accepted commitments on—

Senator ROSEN. Well, I want to ask Commissioner Gomez, though, if Congress passed a law—so if we passed a law based on this directing the FCC to consider editorial conduct in a merger review, would that law violate the First Amendment and be considered unconstitutional?

Ms. GOMEZ. In all likelihood, yes, the law would violate the First Amendment because the First Amendment protects against government interference with editorial decisions.

Senator ROSEN. Do you think that Nexstar made decisions regarding its editorial comment because it was concerned that the FCC might not approve its merger with Tegna—excuse me, if it aired content that the Trump administration opposed?

Ms. GOMEZ. I think that the—that it was trying to curry favor with the administration by preempting Jimmy Kimmel when it did.

Senator ROSEN. Do you think the FCC used merger approval? They used merger approval as a lever to exert pressure on media corporations to threaten free speech in our democracy?

Ms. GOMEZ. Without a doubt the FCC is leveraging its authority over mergers and enforcement proceedings in order to influence content.

Senator ROSEN. Thank you.

Mr. CARR. If I could just add real quick to that answer.

Senator ROSEN. You are our witness here, sir. We ask the questions. Thank you.

My time is up. I think it is on to Senator Hickenlooper.

The CHAIRMAN [presiding]. Thank you.

Senator Hickenlooper.

**STATEMENT OF HON. JOHN HICKENLOOPER,  
U.S. SENATOR FROM COLORADO**

Senator HICKENLOOPER. Thank you, Mr. Chair. Thank you all for your time and your service.

The United States is remaining a global leader in innovation including AI. I think that is a goal that is broadly bipartisan.

As a former Governor in Colorado, I recognize that states are, rightfully, the laboratories of democracy. The President's recent executive order on AI directs the FCC to consider withholding funds to states that have AI laws that could be in conflict with stated goals.

Obviously, I think the FCC does have a role in how AI is involved in managing communication networks or blocking robocalls. I think it is questionable at best whether the FCC can regulate how AI models are used or developed.

So let me start with Commissioner Gomez. Does the FCC have explicit jurisdiction under the Communications Act to preempt state AI laws? Why or why not?

Ms. GOMEZ. The Communications Act does not grant explicit authority to the FCC to preempt AI laws. I am dubious of our authority simply that to be able to preempt AI laws simply because telecommunications carriers use AI in their networks.

I think that what we would need in order for the FCC to have preemption authority is for there to be a comprehensive Federal framework of AI regulation that grants that authority to the FCC.

Senator HICKENLOOPER. Exactly.

Chairman Carr, do you state or perceive AI laws that have been enacted in states like Texas or Utah do these raise concerns for you?

Mr. CARR. Thank you for the question, Senator.

I agree with you that I think we want the United States to continue to be the global leader when it comes to AI.

In terms of the FCC, there is an executive order that asks us to initiate a proceeding to determine whether or not to adopt Federal reporting in disclosure standards for AI models and whether that would preempt conflicting, and we will start that proceeding and we will take comment on all sides of the issue.

Senator HICKENLOOPER. Would that mean that the FCC could withhold Universal Service Fund funds from states that are—these are the funds that are meant to help low-income consumers and rural hospitals, schools, with their connectivity. Could those funds be interrupted as a consequence of this?

Mr. CARR. Well, the issue I have heard raised there is with BEAD funds, which are going to be administered by Commerce. I have not heard that with respect to FCC USF funds at this point.

Senator HICKENLOOPER. OK. This year we have seen a wave of tariffs on various imports in the United States and while trade negotiations may continue to reduce tariffs, that does not necessarily mean that the economic uncertainty that they create does not continue to impact manufacturers including those who manufacture electronics and communications equipment.

So, Chairman Carr, is the FCC in the process or have they evaluated whether escalating tariffs on information and communications technology hardware has either lengthened time lines to build modern communication networks or raised operating costs for providers or consumers in rural areas?

Mr. CARR. I think, Senator, in terms of hardwares, BLS CPI data shows that prices for smart phones themselves are down 7 percent. I am sorry—are down over 7 percent year over year.

And so we are not seeing a negative impact in that sector at this point.

Senator HICKENLOOPER. So I was thinking more of building out the networks, the towers and the other communications equipment.

Mr. CARR. I think if we see it there we potentially would have seen it in all forms of equipment. That is the data set that I have seen. But, look, generally, we are trying to find ways to drive down the prices for these services.

Senator HICKENLOOPER. Good. I am glad to hear that.

And then the last question for you, Chairman Carr. In 2021, the Marshall fire really devastated Boulder, Colorado, and forced countless number of families to evacuate their homes.

The Marshall fire and numerous other disasters across the country has really shown a bright light on the key role that the Federal Government and first responders play in distributing key information during these types of emergencies.

Oftentimes, that information saves lives. A lot of this includes or should include, has included, the National Weather Service and the FCC.

The Marshall fire spurred action at the FCC, which we appreciate, to improve the location accuracy for how wireless emergency alerts—WEAs—are delivered to Americans and I think that action is welcomed. More work needs to be done.

But just to make sure our communities receive timely information during disasters, what message would you share, Chairman Carr, with Americans on the FCC's work to improve these wireless emergency alerts?

Mr. CARR. Thank you, Senator.

This is important and we are pushing hard to always increase location accuracy, and one related issue to this actually has to do with GPS and this is an issue where, you know, Chairman Cruz has been leading for a long time.

A lot of the location data some of it is cell site but some of it is GPS. And it is a great system but it is vulnerable and so we have been taking actions at the FCC to look up standing up either complementary or alternatives or secondary ways of getting that precision navigation and timing information that today is displayed by GPS.

And so we are going to look at potentially next steps in trying to invigorate that work.

Senator HICKENLOOPER. I appreciate that. Thanks to all three of you again for your service. I yield back to the Chair.

The CHAIRMAN. Thank you very much.

Thank you to all the Commissioners for your testimony here today. Senators will have until the close of business on December 19 to submit questions for the record. The witnesses will have until the close of business on January 7 to respond to those questions.

This concludes today's hearing. The Committee stands adjourned. [Whereupon, at 12:48 p.m., the hearing was adjourned.]

## A P P E N D I X

THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS  
*Washington, DC, December 17, 2025*

Hon. TED CRUZ,  
Chair,  
Committee on Commerce, Science, and Transportation,  
U.S. Senate,  
Washington, DC.

Hon. MARIA CANTWELL,  
Ranking Member,  
Committee on Commerce, Science, and Transportation,  
U.S. Senate,  
Washington, DC.

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 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 Federal Communications Commission.

Federal Communications Commissioner (FCC) Chair Brendan Carr has weaponized the Commission to fight a culture war for the 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 urge this committee to take seriously its charge to conduct oversight of the FCC.

*Censoring the Press and Dissenting Voices:* FCC Chair Brendan Carr's pressured American Broadcasting Company (ABC) affiliates to not carry 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.<sup>1</sup> First amendment experts pointed to Carr's rhetoric and the subsequent (temporary) removal of Kimmel's show as a textbook example of an undue and violative form of pressure,<sup>2</sup> 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).<sup>3</sup> Carr did not learn his lesson to avoid pressuring broadcasters, and shared President Trump's post asking for Seth Myers to be fired on his own X account.<sup>4</sup>

*Gutting Media Diversity Rules:* The FCC's media ownership rules play an important role in preventing individual companies from dominating national or local mar-

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<sup>1</sup>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>.

<sup>2</sup>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/>.

<sup>3</sup>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/>.

<sup>4</sup>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/#>.

kets and fulfilling the FCC's obligation to promote media diversity. Eliminating the media ownership rules abdicates the FCC's statutory obligation, continuing to exclude people of color from broadcast ownership.<sup>5</sup> 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.<sup>6</sup> We urge the Committee to ensure that the Commission will follow regular process and consider this transaction, and the media ownership rules, with a vote of the FCC Commissioners, a request consistent with prior positions of Chairman Cruz.<sup>7</sup>

*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.<sup>8</sup> 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 FCC merger approval to "get busy ending" their diversity initiatives.<sup>9</sup> FCC Commissioner Anna Gomez has condemned this as government overreach that stifles free expression, noting that "there is a freedom of speech component to 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."<sup>10</sup> 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.<sup>11</sup> The Leadership Conference made clear earlier this year that our Nation's civil rights laws remain in place and the Chairman's efforts to circumvent them is an affront to the Nation's commitment to fairness.<sup>12</sup>

*Increasing costs and endangering communities by increasing phone and video prices:* The Commission recently adopted higher prices for consumers which will likely lead to increased recidivism for incarcerated people. The Senate unanimously adopted the Martha Wright Reed Act in 2022 to lower rates and the Commission implemented that law in 2024. When the FCC proposed the changes in October, members of this committee denounced Chair Carr's rolling back the implementation of the Martha Wright Act.<sup>13</sup> 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—

<sup>5</sup> 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>.

<sup>6</sup> 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>.

<sup>7</sup> 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-tegna-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").

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

<sup>9</sup> 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/>.

<sup>10</sup> 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/>.

<sup>11</sup> 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](https://www.insideradio.com/free/commissioner-urges-private-companies-to-fight-fcc-efforts-to-end-dei/article_4be2f10e-9b92-46b7-9b0f-e70f019c54ed.html).

<sup>12</sup> 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/>.

<sup>13</sup> 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>.

costing consumers hundreds of millions of dollars annually.<sup>14</sup> 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,<sup>15</sup> and the FCC has followed up the Chair’s comments by issuing two notices seeking to ban enforcement of state laws regulating AI.<sup>16</sup> While the Chair may be eager to assist the White House in these efforts, the Communications Act does not grant the FCC authority over artificial intelligence, and it does not have the power to preempt state AI law.<sup>17</sup> Further, public polling has made clear that the public wants more regulation of AI, not less.<sup>18</sup>

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](mailto:walter@civilrights.org).

Sincerely,

The Leadership Conference on Civil and Human Rights  
Lawyers’ Committee for Civil Rights Under Law  
UnidosUS  
United Church of Christ Media Justice Ministry  
Asian Americans Advancing Justice—AAJC  
Common Cause  
Communications Workers of America  
Hispanic Federation  
League of United Latin American Citizens (LULAC)  
National Action Network  
National Association of Broadcast Employees and Technicians (NABET—CWA)  
National Consumer Law Center, on behalf of its low-income clients  
National Hispanic Media Coalition  
National Urban League

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED CRUZ TO  
HON. BRENDAN CARR

*Question 1.* Last month, the Federal Communications Commission (FCC) rescinded Chairwoman Rosenworcel’s January 2025 *Salt Typhoon* Declaratory Ruling, which relied on a 1994 wiretap law to impose cyber requirements. That legal authority was, at best, creative, and the rules were issued outside the Administrative Procedure Act (APA) process and *after* my pencils-down letter. The FCC is not a cybersecurity agency—it lacks real-time threat intelligence. It does not directly respond to network intrusions, as agencies like Cybersecurity and Infrastructure Security Agency (CISA), National Security Agency (NSA), and the Federal Bureau of Investigations (FBI) do.

a. Given these limitations, along with the growing cyber threats from nation-state actors and criminal groups, do you agree that the FCC should not take the lead in developing cybersecurity regulations when it lacks both the operational expertise and statutory authority to do so? If you agree, please feel free to elaborate.

Answer. Yes, I agree. National security agencies tasked with cybersecurity should take the lead in establishing cybersecurity standards. Instead of creating another set of standards that would potentially undermine and contradict the efforts of national security agencies, the FCC should work closely with carriers to ensure they can respond collaboratively and in real time when attacks occur.

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<sup>14</sup> 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>.

<sup>15</sup> 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/>.

<sup>16</sup> 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/>.

<sup>17</sup> 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/>.

<sup>18</sup> 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>.

b. What risks could emerge from granting the FCC—an agency that wields broad regulatory powers over communications carriers—with new powers in cybersecurity?

Answer. Instead of providing full transparency to Federal partners, carriers may try to obfuscate real problems to avoid adverse regulatory actions.

c. What would be necessary for the FCC to instantly gain the technical threat intelligence necessary to provide effective guidance to telecom carriers?

Answer. The FCC should be encouraging carrier to continue and deepen their collaboration with expert cybersecurity agencies.

*Question 2.* The last few years have seen incredible growth in space commerce and satellite business cases. It is vital that the United States be the world leader in space commerce and innovation. The FCC regulates commercial satellite systems, and these systems frequently have to coordinate their spectrum use with government entities through an interagency process when applying for FCC authorizations.

a. How would you assess the current state of coordination between FCC and other Federal agencies on spectrum usage, and how are you working to improve interagency coordination?

Answer. The FCC works closely and collaboratively with NTIA and other Federal agencies to provide the maximum regulatory certainty in the most efficient manner. But there is room for improvement. Too much interagency review can lead to unnecessary delays. The FCC will continue to work with our Federal partners to streamline the interagency coordination process.

b. How would you assess current efforts to improve the review and processing of space station license applications?

Answer. When I became Chairman there was a major backlog of satellite applications, but we have since cut that backlog in half. We are reducing the time from filing to approval—the FCC recently approved a SpaceX application for a Next-Gen satellite constellation in less than half the time it took for the FCC to push through SpaceX's previous authorization for their Gen2 system. We recently launched a proceeding to look at ways to modernize the Commission's space and earth station licensing rules to meet the needs of the space economy for today and tomorrow.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO  
HON. BRENDAN CARR

*Question 1.* The Universal Service Fund's high cost program is the lifeblood for many of South Dakota's telecom providers. What steps is the FCC taking to strengthen the high cost program and ensure that local telecom providers who are investing in their home states have the certainty they need from the program to connect unserved areas in rural America?

Answer. The FCC's Universal Service Fund plays a key role in bridging the digital divide. Over the next couple of years, several of the FCC's legacy high cost programs will expire. So the FCC should be thinking about a future for the programs so that the agency continues to deliver on its statutory responsibilities to rural America.

*Question 2.* Will you commit to working with Congress on legislative reforms to the Universal Service fund and ensure this critical program continues?

Answer. Yes. The FCC is looking forward to briefing the bipartisan, bicameral USF working group at the end of January.

*Question 3.* What steps have the FCC already taken or can take to address waste, fraud, and abuse and improve efficiency across Universal Service Fund programs?

Answer. Over the last year, the FCC has been aggressively pursuing bad actors that are defrauding the FCC's USF programs. Furthermore, we have been undertaking a review of the programs to determine ways to address waste and abuse. First, we recently revoked California's ability to opt-out of the National Lifeline Accountability Database (NLAD) for the Federal Lifeline program. California passed a state law that prohibits the state from requiring the collection of social security numbers, which could be used to ensure that program recipients are legal residents, and from sharing relevant information with Federal agencies. Revoking California's opt-out status ensures that Federal dollars aren't paying for the state to abuse the Federal Lifeline Program. We are also teeing up a comprehensive review of the Lifeline Program to ensure that Lifeline dollars go to eligible Americans.

*Question 4.* As Chairman, will you commit to opening Notice of Public and Comment Rulemaking proceedings to explore the efficiency and future needs of each of the four programs, including Lifeline, E-Rate, High Cost, and Rural Health Care.

Answer. The FCC commits to conducting a comprehensive review of its USF programs to explore how each can be made more efficient. And some of these reviews are already underway. Separately, I am aware of the Congressional Working Group that is looking to put the four programs on sustainable footing from both the distribution and contribution perspective. I know they are receiving input from industry, and I trust they will find ways to make the four programs efficient and address the future needs of the program.

*Question 5.* In July 2025, you unveiled your “Build America Agenda” in Sioux Falls, South Dakota. Can you further detail the steps you have taken as Chairman to reduce regulatory burdens and strengthen the workforce for telecom infrastructure companies?

Answer. With respect to reducing regulatory burdens, we have:

- Streamlined the process for retiring decades-old copper networks so that providers can transition consumers to new, high-speed networks on a faster timeline.
- Proposed a systematic overhaul of the FCC’s outdated environmental and historic permitting rules that slow down wireless and space infrastructure builds.
- Updated pole attachment rules to make broadband deployment faster and more efficient. The new rules promote collaboration between broadband providers and utility pole owners, reduce delays, and help accelerate high-speed Internet access nationwide.

With respect to strengthening the workforce, we have:

- Worked with communications providers, and America’s tower and telecom crews on facilitating workforce reforms that will result in a more sustainable environment.
- Through merger approval process, secured valuable commitments by three major U.S. wireless carriers, Verizon, T-Mobile, and AT&T, to America’s tower and telecom crews, including faster payment cycles and fairer pricing metrics.
- Secured new provider commitments to minimize layers of subcontracting, which will allow for greater oversight of crews, stronger safety protections, and closing loopholes that allowed foreign, fly-by-night groups to swoop in and undercut U.S. crews.

*Question 6.* The historic Working Families Tax Cuts Act mandated the auction of 800 megahertz of spectrum. What steps has the Federal Communications Commission taken to meet this mandate? Additionally, please outline the benefits of bringing this spectrum into commercial use, particularly how those living in rural areas may benefit.

Answer. The Working Families Tax Cuts Act specifically directed the Commission to grant licenses through systems of competitive bidding, before the expiration of the general auction authority for not less than 300 megahertz, including by completing a system of competitive bidding not later than 2 years after the date of enactment of this Act for not less than 100 megahertz in the band between 3.98 gigahertz and 4.2 gigahertz, which is known as the Upper C-Band. In light of this directive, the FCC has moved fast to execute, and in November we adopted the Upper C-Band NPRM to begin the auction.

This auction will bring prices down, boost speeds, and bring expanded access to advanced wireless services, including 5G and, eventually 6G, to the American people, particularly those in rural areas.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER WICKER TO  
HON. BRENDAN CARR

Continuity of the Global Positioning System (GPS) depends on protecting its spectrum from interference. GPS interference may result from radio emissions in adjacent bands, intentional or unintentional jamming, or naturally occurring space weather. In 2020, President Trump issued an Executive Order directing Federal agencies to pursue complementary positioning, navigation, and timing (PNT) capabilities to improve resilience in the event of GPS disruptions. The Federal Communications Commission (FCC) has recognized the significance of this issue, including in a March 2025 Notice of Inquiry.

Chairman Carr, you have noted that the Commission is seeking to improve GPS and location data that support first responders, and you have acknowledged the GPS system’s vulnerability to jamming, spoofing, and other disruptions. I believe this effort is important and will require a cross-agency approach. Can you provide

details on how the FCC plans to move forward to address these issues while avoiding unintended consequences? Additionally, how would you engage industry, public safety, and civil stakeholders in this process?

Answer. As you referenced, the FCC issued a Notice of Inquiry in March 2025 to start building the record to understand what alternatives are out there and weigh the various pros and cons, as well as anticipate any of the consequences. Each of the various GPS alternatives will require different levels of coordination with unique groups of stakeholders. The NOI has given potentially impacted parties the opportunity to weigh in on how to work together to mitigate unintended consequences.

The FCC is conducting its required four-year review of broadcast ownership rules under Section 202(h) of the Telecommunications Act of 1996 through a Notice of Proposed Rulemaking (NPRM). Federal law limits a single entity from owning stations nationwide that reach more than 39 percent of U.S. television households. This limit is known as the national audience reach cap. The NPRM does not propose any conclusions; rather, it examines whether the rules governing local television, local radio, and network ownership should be retained, modified, or repealed.

Chairman Carr, the Consolidated Appropriations Act of 2004 (P.L. 108–199) set the national ownership cap at 39 percent. Do you believe the FCC has the authority to change the cap? If so, could you detail the statutory or FCC rulemaking basis that grants the Commission this authority?

Answer. The FCC has a number of proceedings underway where we have sought public feedback on both the FCC’s legal authority and the relevant policy considerations.

One of the primary functions of the FCC is to manage spectrum assignments and protect spectrum rights in the United States. This includes monitoring the unlawful use of, and interference with, exclusive-use spectrum.

Chairman Carr, is the FCC working to resolve any Notices of Violation regarding carriers unlawfully using a third party’s exclusive-use spectrum? Do you agree that if a company continues to ignore such violations, it could negatively impact the value of exclusive-use spectrum and revenues from future spectrum auctions?

Answer. Exclusive-use spectrum is important because it provides licensees with the certainty to build and invest in networks that won’t encounter interference from others. The FCC is periodically made aware of allegations regarding RF interference or unlawful use of spectrum. The FCC’s Enforcement Bureau investigates those allegations in the normal course.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DEB FISCHER TO  
HON. BRENDAN CARR

*Question 1.* In January 2025, the Commission withdrew its Notice of Proposed Rulemaking that considered a possible ban on bulk billing agreements for broadband services in multi-dwelling housing. Would you please explain how the Commission arrived at this decision, including any evidence found in support of bulk billing models?

Answer. In March 2024, prior FCC leadership circulated a bulk billing NPRM that would have banned bulk billing agreements. The FCC has previously determined that these bulk billing arrangements benefit families living in apartments, condos, public housing, and other multi-tenant buildings because they allow them to take advantage of lower cost broadband services by enabling building owners to leverage their purchasing power. If these agreements had been banned, at least one study showed, Americans living in apartments could have seen their bills go up by as much as 50 percent.

*Question 2.* Many NTIA BEAD subgrantees providing fixed wireless Internet services will rely on the Citizens Broadband Radio Service (CBRS) spectrum band, particularly the General Authorized Access tier, as part of their long-term network plans. Is the Commission examining any changes to the existing CBRS framework that could interfere with these plans and impact the ability of BEAD subgrantees to meet their buildout requirements?

Answer. Back in 2024, the FCC sought comment on potential changes in the CBRS band that would allow for higher power operations. Any issues raised in that proceeding remain pending at the agency.

*Question 3.* I appreciate the Commission’s work to ensure the U.S. leads in satellite communications innovation globally. Within this effort, preserving the robustness of satellite operations for systems essential to our military and national

security remains a crucial responsibility. What assessments so far has the Commission made to understand and recognize impacts on the mission readiness of the U.S. government users that depend on commercial satellite resources—including any changes to equivalent power flux density limits?

Answer. The FCC has an active rulemaking proceeding to consider how complementary technologies can be leveraged to improve operational resilience. In April 2025, the FCC sought comment on whether to modify the EPFD limits for NGSOs in light of the tremendous technical advances since the current rules were established in the 1990s.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JERRY MORAN TO  
HON. BRENDAN CARR

*Question 1.* On November 20, the Commission adopted a Notice of Proposed Rulemaking proposing to make as much as 180 megahertz of the Upper C-band (3.98–4.2 GHz) available for terrestrial wireless flexible use via auction toward compliance with provisions of PL 119–21 requiring the FCC to auction 800 MHz of spectrum. In that NPRM, the Commission notes the time constraints imposed by PL 119–21 will require “broad-based and proactive engagement from relevant industry stakeholders as well as our Federal partners.” As the NPRM goes on to communicate, those stakeholders include Upper C-band incumbents and adjacent band equities, particularly in the 4.2–4.4 GHz band, which is used by aviation stakeholders for operating radio altimeters. Please describe the Commission’s engagement with industry and Federal aviation stakeholders, including the Federal Aviation Administration, to support continuity of operations for radio altimeters that currently use the 4.2–4.4 GHz band.

Answer. Completing an auction of the upper C-band on schedule requires seamless interagency coordination. The FCC is coordinating directly with stakeholders like the FAA. The FCC is also addressing other Federal equities through NTIA. President Trump has made it clear that getting results on these issues is a top priority. The FCC will continue to focus on efficiency and execution, including accommodating relevant incumbent users within a reasonable budget and completing a generational upgrade of radio altimeters through new standards that are fully resilient to 5G services for years to come.

*Question 2.* Earlier this year, the Commission withdrew a Notice of Proposed Rulemaking that proposed banning bulk billing agreements, which are arrangements between Internet service providers and rental housing providers to enable bulk purchasing of Internet services for residents of multiple dwelling units (MDUs). How did the Commission arrive at this decision, and what are the Commission’s plans with respect to bulk billing going forward?

Answer. In March 2024, prior FCC leadership circulated a bulk billing NPRM that would have banned bulk billing agreements. The FCC has previously determined that these bulk billing arrangements benefit families living in apartments, condos, public housing, and other multi-tenant buildings because they allow them to take advantage of lower cost broadband services by enabling building owners to leverage their purchasing power. If these agreements had been banned, at least one study showed, Americans living in apartments could have seen their bills go up by as much as 50 percent.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO  
HON. BRENDAN CARR

*Question 1.* Maintaining our country’s leadership in the race to 5G and then 6G is critical for both our economic and national security. That is why this committee pursued such a robust spectrum agenda in the One Big Beautiful Bill Act. The spectrum mandates are purposely bold, and we need to ensure that they are implemented swiftly. One portion of the legislation provided funds for NTIA to study the 200 megahertz between 2.7 and 2.9 GHz. I understand that good progress is already being made in determining how and when to convert that band. Based on the work already being done, I’m hopeful that NTIA and the FCC can move even more quickly on that band than the One Big Beautiful Bill Act requires. The faster that this spectrum is made available, the quicker industry can begin using it to continue the United States’ path to 6G leadership. If NTIA and the FCC act quickly on analyzing this band, will the FCC be ready to auction the 2.7–2.9 band, even if you are conducting auctions of other spectrum during that time period?

Answer. If NTIA determines that Federal incumbents are able to relocate out of the 2.7–2.9 band, the FCC will move quickly to take the necessary steps to auction that spectrum.

*Question 2.* The Upper C-Band proceeding involves a wide range of stakeholders and important technical considerations, including aviation safety. Can you describe how the FCC is coordinating with the FAA and other agencies to ensure those considerations are fully addressed as the proceeding moves forward? In addition, the Commission has received requests from some stakeholders regarding the current comment deadlines. How is the FCC evaluating whether the existing timeline provides sufficient opportunity for a complete and well-informed record, given the goal of finalizing the auction by July 2027?

Answer. The FCC is coordinating directly with stakeholders like the FAA, as well as the aviation industry. The FCC is also addressing other Federal equities through NTIA. President Trump has made it clear that getting results on these issues is a top priority. The FCC will continue to focus on efficiency and execution to meet the statutory deadline of July 2027.

*Question 3.* In the past you've talked about the changed media marketplace and the inequities that exist right now for local broadcasters in that larger ecosystem. It's incredibly important for my constituents across Alaska that our local, community-based broadcasters are able to thrive. You've critiqued prior FCC leadership for not upholding Congress' deregulatory mandate when it comes to media ownership. How is the FCC evaluating whether existing national and local broadcast ownership rules are keeping pace with changes in the media marketplace, while still protecting localism, competition, and diverse viewpoints—particularly in rural and remote states like Alaska?

Answer. We have pending proceedings to evaluate these rules. My guiding principle when it comes to media policy is promoting localism and empowering local broadcasters.

*Question 4.* What is the FCC doing to make sure that non-trusted PRC-made devices that could pose cybersecurity or data transfer risks are vetted before they receive equipment authorization?

Answer. We've taken a series of actions to ensure non-trusted PRC-made devices do not receive equipment authorizations. First, the FCC has cracked down on "Bad Labs," which are labs that review and approve electronics for use in the United States, but are owned or controlled by foreign adversary governments. The FCC also maintains the Covered List of communications equipment that is prohibited from receiving equipment authorization, because they threaten national security. The FCC rigorously enforces this prohibition.

Additionally, late last year, the FCC took steps to close loopholes in the Covered List by prohibiting authorization of devices containing certain "covered" components and allowing the FCC to prohibit the import or sale of already-authorized devices.

Beyond that, the FCC has also taken action to crack down on devices that try to enter the U.S. without equipment authorization. We also executed 'Operation Clean Carts', in which the FCC worked with ecommerce platforms to take down millions of listings of devices on the FCC's Covered List or otherwise prohibited for sale in the United States.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TODD YOUNG TO  
HON. BRENDAN CARR

*Question 1.* Chairman Carr, I have heard about the growing incidents of, and attempts, at GPS spoofing and jamming. In the past, the Department of Transportation published a request for information seeking "technology capable of providing critical infrastructure users and operators positioning and/or timing information that is derived independently from Global Navigation Satellite Systems." Has the FCC contemplated alternatives to GPS, and if so, has the FCC conducted any work to examine the feasibility of the technology?

Answer. The FCC issued a Notice of Inquiry in March 2025 to start building the record to understand what alternatives are out there and weigh the various pros and cons, as well as anticipate any of the consequences. Each of the various GPS alternatives will require different levels of coordination with unique groups of stakeholders. The NOI gives impacted parties the opportunity to weigh in on how to work together to mitigate unintended consequences.

*Question 2.* Chairman Carr, In Indiana, Fort Wayne station WODP-LD recently completed a year of experimental 5G Broadcast operations, demonstrating that 5G Broadcast can coexist with existing TV stations while delivering services to Hoo-

siers. As the FCC moves forward with implementing the spectrum auction authorities provided under the One Big Beautiful Bill Act, can you explain how local broadcasters can currently use existing spectrum allocations for their 5G broadcast operations like WODP-LD has done with their Low Power TV broadcasts and has the FCC contemplated any actions with respect to 5G LPTV broadcasts?

Answer. I'm interested in examining the benefits of new technologies and giving licensees the ability to deploy their spectrum in innovative ways. In July, we sought comment on a petition from HC2 Broadcasting Holdings Inc. to allow low-power television stations on a voluntary basis to use the 5G Broadcast transmission standard as an alternative to the currently authorized ATSC 1.0 and ATSC 3.0 transmission standards. We are considering the record in that proceeding.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ERIC SCHMITT TO  
HON. BRENDAN CARR

*Question 1.* Mr. Carr, as you know, I led an effort of 24 Members of the Senate and House to file a brief in the Sixth Circuit supporting parties seeking to overturn the Biden-era FCC's data breach rules. I was pleased to learn that your administration has committed to review and repeal those rules. Can you elaborate on your position regarding whether the breach reporting rules violate the Congressional Review Act (CRA), confirm that the FCC plans to roll back these rules that flout congressional intent, and provide a sense of when the FCC will address this important issue?

Answer. I dissented on the Biden-era data breach rules because they violated both the CRA and the APA. The Biden FCC made no real attempt to explain how the data breach rule it adopted was not the same or substantially similar to the one nullified by the House, the Senate, and President Trump in the 2017 CRA. On October 7, 2025, the Sixth Circuit agreed to hold a case challenging the data breach rules in abeyance while the FCC considers how best to revise its rules.

*Question 2.* Mr. Carr, thank you for your continued leadership in protecting American consumers from harmful foreign actors. Some threats are easy to identify—Huawei and ZTE, for example—but we are increasingly seeing foreign Communications Platform as a Service (CPaaS) providers and (Mobile Virtual Network Operators (MVNOs) acquire U.S. entities in ways that let them present themselves as domestic companies. These acquisitions carry real risks: they can raise costs for legitimate U.S. businesses, and some of these foreign-owned entities appear to be contributing to the very problems you've been a national leader in combating—illegal robocalls and robotexts. Mr. Chairman, will you commit to examining whether certain foreign companies, operating under the guise of U.S. ownership, are exploiting the U.S. market, and whether their continued authorization to operate remains in the public interest?

Answer. Yes, the FCC will continue to examine foreign-owned actors operating in U.S. communications networks. In fact, just this month the FCC will vote to adopt rules on Foreign Adversary Control, requiring all FCC licensees to certify whether they are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary—allowing the Commission to expose actors with opaque ties to foreign adversaries.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. SHELLEY MOORE CAPITO TO  
HON. BRENDAN CARR

*Question 1.* Having the most accurate understanding of where there is and is not broadband service in is imperative, especially in West Virginia. This is particularly true for mobile service, where measuring mobile service can be complicated by terrain and topography. Incorrect data affects everything from Federal funding for future deployments to real-time emergency services capabilities. Will you commit to requiring and using established mobile data for Federal programs that support mobile deployment? And how are you ensuring that coverage areas are accurate and not overexaggerated by providers, particularly by use of stationary data which currently qualifies under mobile metrics?

Answer. Consistent with the requirements of the Broadband DATA Act (see 47 U.S.C. § 642(c)(2)(B)), the FCC will rely upon mobile data submitted in the Broadband Data Collection (BDC) when making decisions for funding programs that support mobile broadband deployment.

To ensure the mobile availability data providers are reporting in the BDC are accurate the FCC has relied on the mobile challenge, verification, and audit processes

that Congress instructed the Commission to develop. Since the National Broadband Map launched in 2023, consumers and other entities have successfully created over 400 cognizable challenges against providers' reported coverage, which require the challenged provider to either submit on-the-ground evidence to rebut the challenge or to concede the challenge and remove its claimed coverage from the map. In addition to challenges submitted by consumers and other stakeholders, the Commission can also initiate a verification where there is a credible basis to believe the reported coverage may be inaccurate. Recently, challenge speed test data collected by an entity in Alaska provided staff with a credible basis to initiate a verification against a provider in Alaska, which remains ongoing. Crowdsourced speed test data, even those not submitted for purposes of challenging coverage, have also resulted in FCC-initiated verifications.

FCC staff also proactively review provider-reported mobile coverage from each filing round to identify significant changes in coverage and other potential anomalies in the data. In one case where staff identified large increases in a nationwide provider's 5G coverage, we initiated multiple verification requests to validate the accuracy of the newly claimed coverage. The provider collected and submitted substantial on-the-ground speed test data in accordance with our sampling instructions and successfully verified its new 5G coverage.

Additionally, we have used the mobile audit process to randomly audit mobile coverage in counties across the United States. To ensure that coverage is not overstated, during an audit FCC staff and contractors review provider infrastructure data and conduct an engineering analysis of the providers' mobile coverage maps.

*Question 2.* We spoke a little bit on the issues related to the challenge process, and I appreciate the willingness of the Commission to look at this issue. To get a better understanding of the current state of mapping, I had a few questions as it relates to the current status of challenges. Does the FCC still accept visual evidence of location fabric challenges?

Answer. The Broadband DATA Act requires that the Commission ensure the BDC challenge processes are "user-friendly" and designed to mitigate "the administrative burdens placed" on challengers, 47 U.S.C. § 642(b)(5)(A), (b)(5)(B)(i)(III). In accordance with these statutory requirements, FCC staff periodically the efficacy of the challenge processes and the associated burdens imposed on challengers.

Since the launch of the Fabric, or location, challenge process, every request to add or remove a location has undergone a visual verification that involves images of the location in question being shown to multiple reviewers to determine if the location is a broadband serviceable location. Visual verification remains part of the FCC's challenge review process.

To reduce the burden on bulk Fabric challenge process participants, the FCC decided in December 2024 to stop accepting evidence file submissions from bulk challengers. This change is not limited to visual evidence. Concurrent with this change, the FCC also began working closely with the FCC's Fabric vendor to identify internal process improvement opportunities, such as building in capacity for heightened staff review of challenge outcomes.

We continue to review and refine our processes with the goal of balancing the burden and ensuring that Fabric challenge results are accurate.

*Question 3.* Are you able to detail the total number of location challenges, as well as percentage of successful challenges, that have been made by reporting cycle and by state?

Answer. Please refer to the attached "Fabric Challenge Counts" (*attached*) spreadsheet for the requested metrics. We also make the data on particular location challenge outcomes publicly available each month on the data downloads page of the Broadband Map (<https://broadbandmap.fcc.gov/data-download/challenge-data>).

*Question 4.* How does the FCC and any relevant contractor provide feedback to challenges to the National Broadband Maps, and how are you ensuring that providers receive the proper feedback they need to fix their challenges moving forward?

Answer. When resolving location challenges, each challenge is assigned a "response code" that corresponds with a particular reason why the challenge was accepted or rejected. For bulk challenges, each unique request to add or remove a location, or to update the address, unit count or other information associated with the location receives its own response code. For more details, please refer to the following BDC Help Center article here: <https://help.bdc.fcc.gov/hc/en-us/articles/17077103993371-Fabric-Challenge-Response-Codes>.

Similarly, when resolving mobile or fixed availability challenges, the FCC assigns an adjudication code with the reasoning behind the adjudication decision. These outcomes are made available directly to the user submitting the challenges either within the BDC system's Filer or Broadband Map interfaces for users that have logged

in, and we also send information via e-mail when the challenge is closed out. Lastly, the outcome of each challenge is made available in a publicly-accessible data download generated at the beginning of each month.

The FCC provides technical assistance, support, and feedback to challengers and providers the BDC Help Center. The BDC Help Center staff is available to answer any questions or address concerns regarding submitting challenges or understanding challenge outcomes, and more complicated questions are escalated to and addressed by FCC staff with relevant BDC subject matter expertise.

FCC staff have also met with a variety of providers and industry groups to discuss the challenge processes and how to improve location challenge process outcomes in particular. Feedback from those interactions has been used to inform the challenge process improvements discussed in our previous (above) response.

The FCC remains committed to providing support to entities interested in filing challenges and those that have questions about previous challenge results. Please have anyone seeking assistance contact our Broadband Data team.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CYNTHIA LUMMIS TO  
HON. BRENDAN CARR

*Question 1.* How would you assess the current state of coordination between the FCC and other Federal agencies on spectrum policy, and how are you working to improve interagency coordination, particularly when it comes to satellite permitting?

Answer. The FCC works closely and collaboratively with NTIA and other Federal agencies to provide the maximum regulatory certainty in the most efficient manner. In order to meet the ambitious spectrum auction timelines of the Working Families Tax Cut Act, the FCC will need to be in lockstep with our partners across the Federal government. At the beginning of 2025, the FCC began engaging and coordinating with our partners at NTIA, FAA, Department of Transportation, the Pentagon, and elsewhere to ensure we are in lock stop as we begin the auction process. The FCC continues to work with our Federal partners to improve the interagency coordination process.

*Question 2.* What steps is the FCC taking to ensure the U.S. maintains leadership in ITU forums including WRC-27?

Answer. The FCC, in coordination with NTIA and the State Department, is already preparing for WRC-27. It is expected that space issues will dominate WRC-27. The leadership and clear vision of the Trump Administration will allow the U.S. to reestablish our leadership at WRC-27.

*Question 3.* How will we ensure that U.S. delegates and sector members are able to attend WRC-27 safely?

Answer. The FCC, along with other components of the Executive Branch, are actively working on plans to make sure that the U.S. delegation will be able to participate safely and securely at the WRC-27 in Shanghai.

*Question 4.* Rip and Replace is a critical effort to secure American infrastructure. Due to permitting, workforce access constraints, and other factors, carriers not only in Wyoming but across the United States may require extensions to complete the work required. How does the FCC intend to ensure successful completion of the Rip and Replace program, and what actions might be considered to enable that success?

Answer. When the Wireline Competition Bureau approved applications to participate in the Rip and Replace Program in 2022, demand exceeded available funding, which resulted in a significant funding shortfall. Between 2022 and 2024, recipients indicated that the funding shortfall was a significant impediment to their ability to timely complete their removal, replacement, and disposal projects. Congress authorized additional funding at the end of 2024. In May 2025, the Bureau issued an initial disbursement of the additional funds and gave recipients in Priority 1 until May 2025 to complete their projects. When allocating the additional funding, the Bureau encouraged recipients to move swiftly to complete their work under the Rip and Replace Program.

Pursuant to the Secure Networks Act, a recipient may request an extension of time for “up to” or “not more” than six months if a recipient can show that it is unable to meet the deadline due to no fault of its own. In light of the additional funding, we expect the need for such extensions will lessen. However, recipients may request an extension if circumstances beyond its control impede its ability to finish the work. The Commission will closely scrutinize extensions on a case-by-case basis. The facts and circumstances supporting an extension request must include the specific obstacles faced by the recipient, how those obstacles, through no fault of the recipient, affected the recipient’s ability to meet its term deadline, steps taken

by the recipient to mitigate the impacts of the obstacles, and whether the recipient expects to meet a future deadline, if an extension is granted.

*Question 5.* The Commission has emphasized that securing U.S. communications networks is both a national security and consumer privacy imperative. What concrete steps have you taken to harden infrastructure and better coordinate across the Commission on national security, and how have you improved supply chain transparency so providers, customers, and the public can understand and manage adversary exposure?

*Answer.* The Commission has taken a range of actions to harden U.S. networks and coordinate on national security across the FCC's work. One of my first acts as Chairman was to set up a new Council on National Security within the FCC to leverage all of the agency's authorities, expertise, and relevant workstreams to counter the threats posed by foreign adversaries, including the government of China. With regard to transparency, just this month, the FCC will vote to adopt rules on Foreign Adversary Control, requiring all FCC licensees to certify whether they are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary—allowing the Commission to expose actors with opaque ties to foreign adversaries.

The FCC has also taken a variety of other national security actions:

- Cracked down on “Bad Labs”—labs that review and approve electronics for use in the United States, but are owned or controlled by foreign adversary governments.
- Executed ‘Operation Clean Carts’, in which the FCC worked with ecommerce platforms to take down millions of listings of devices on the FCC's Covered List or otherwise prohibited for sale in the United States.
- Adopted new rules on undersea cable security, following President Trump's America First Investment Policy Memorandum to accelerate the buildout of undersea cables, while protecting them from foreign adversaries.
- Closed two loopholes that provided no check on old models of covered equipment—potential spy gear—to be imported or sold, as well as allowed devices to be approved that contain covered equipment as module components.
- Banned authorizations for new models of foreign-produced Uncrewed Aerial Systems (UAS) and their components to protect American Airspace Sovereignty.
- Worked directly with carriers to ensure that they are adapting their cybersecurity practices and hardening their networks against future attacks, in the wake of Salt Typhoon.

*Question 6.* Chairman Carr, you have promoted “Delete, Delete, Delete” initiative to remove regulations that are outdated or unnecessary. How and in what ways has the public benefited so far from the initiative, and how do you expect it to in the future?

*Answer.* Eliminating unnecessary regulation has facilitated and encouraged American companies' investment in modernizing their networks, developing infrastructure, and offering innovative and advanced capabilities.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO  
HON. BRENDAN CARR

**Affordability.** Chairman Carr, the question I keep coming back to is simple: what are you doing to drive down costs for consumers? This week, I released a report showing how costs are going up across the board—broadband, wireless, cable, streaming—and you're not doing a thing about it.

In the last year alone, streaming bills have increased by 13 percent. Basic cable bills have more than doubled over the last ten years. Americans pay more for wireless service than almost every other peer country. And 23 million low-income households lost support on their broadband bills, and you've proposed nothing to replace it.

In wireless, you called Dish/EchoStar's spectrum licenses into question, forcing EchoStar to sell them off and shut down its network, which was the fourth largest in the country. Your colleague, former Republican FCC Commissioner Nathan Simington, said, “As a true fourth national network, EchoStar protects consumer choice and lower consumer prices. The FCC threatens such severe sanctions that they put EchoStar's financial viability in question and threaten to kill the company. This places every holder of a spectrum license in a riskier position and will raise consumer prices by forcing every licensee, not just EchoStar, to charge higher risk premiums.”

*Question 1.* Yes or no, do you agree that when there is less competition in a marketplace, and companies have more market power, consumers pay higher prices?

Answer. The FCC is advancing policies to increase competition and drive down prices for consumers.

*Question 2.* Chairman Carr, since you took over, the fourth national wireless carrier has been eliminated. You've also proposed eliminating broadband labeling requirements that make it easier for consumers to spot hidden fees. And you're moving to approve more media consolidation. Which of those actions helps consumers pay less?

Answer. The FCC is working on several fronts to increase competition and drive down prices for consumers.

**Broadband Affordability.** In August, the Commission began its annual review of the pace and cadence of broadband deployment to assess whether broadband "is being deployed to Americans in a reasonable and timely fashion," as required by Section 706 of the Telecommunications Act of 1996. As part of that review, you proposed to ignore the importance of affordability. For many Americans, the cost of broadband services is a greater barrier to closing the digital divide than the lack of availability.

*Question 1.* After the demise of the Affordable Connectivity Program (ACP) and in the midst of a cost-of-living crisis, why did the FCC exclude affordability from this year's review of broadband deployment in the United States?

Answer. The FCC's 706 Report will comply with the relevant statutory provisions.

**Broadband Labels.** Congress passed bipartisan legislation to ensure transparency in billing. Chairman Carr, despite having previously voted in favor of the FCC's rules to implement that legislation, you have proposed to punch holes in the rules to implement that law, making it easier for big corporations to tack on hidden fees to Internet bills. In defending your actions, at the December 17, 2025, FCC Oversight hearing, in response to questions from Senator Luján, you stated "[w]e want clarity" in the labels.

*Question 1.* Chairman Carr, as costs are rising across the board, how does reducing the amount of information required in broadband labels and making them harder to access provide greater "clarity" for consumers?

Answer. The FCC has sought comment on potential changes to the existing regulations but has not made any final decisions.

**Merger Authority.** Chairman Carr, you infamously said, "We can do this the easy way or the hard way," which led to Nexstar and Sinclair, the two largest broadcast ownership groups, preempting Jimmy Kimmel's late-night show for over a week, including on KOMO in Seattle.

At that time, Nexstar had announced a \$6 billion merger with Tegna, and Sinclair had also shown interest in acquiring another station group—deals that would require FCC sign-off to complete. Weeks earlier, you had held up the Paramount-Skydance merger until Paramount paid \$16 million to settle a frivolous lawsuit filed by the President and appointed an ombudsman to oversee its news coverage.

These broadcasters recognized that you control their fates and that they needed to fall in line, and that failure to comply risked you killing their deals.

*Question 1.* Chairman Carr, yes or no, do you believe it's appropriate for a regulator to threaten a regulated entity, to threaten to take away their licenses, and to threaten to reject a merger—because of a joke?

Answer. I don't think that we agree on what took place. Please see my letter for additional information: <https://docs.fcc.gov/public/attachments/DOC-415483A6.pdf>

*Question 2.* Yes or no, is it appropriate for a regulator to force a regulated entity to pay the president millions of dollars in order to get a merger approved?

Answer. No and to the extent that your question suggests that something like that took place here recently, please see my answer above.

You've cited the 2011 Comcast-NBCUniversal deal as precedent for requiring a "bias ombudsman" as a condition of the Paramount-Skydance merger. But in 2011, the FCC simply preserved an ombudsman that the company had already created as an internal firewall between the owners and the newsroom. In Paramount-Skydance, Paramount created a new position explicitly tasked with evaluating "bias" in news content and policing speech.

*Question 3.* How are these comparable uses of the FCC's merger authority?

Answer. In both cases, the FCC approved a transaction after the parties committed to establishing an ombudsman.

*Question 4.* Have you spoken with the Paramount ombudsman?

Answer. Despite some social media posts to the contrary, the ombudsman does not report to me or the President of the United States.

*Question 5.* Do you expect to receive regular updates from the Paramount ombudsman about CBS's news coverage?

Answer. As noted above, the ombudsman does not report to me or the President of the United States.

**Merger Commitments.** Traditionally, FCC merger conditions relate directly to the company's ability to serve the public—such as requiring expanded coverage, infrastructure investments, or service obligations. But you have used merger review to extract concessions and leverage companies to change their internal hiring policies.

*Question 1.* What specific language in the Communications Act authorizes the FCC to regulate a company's human resources or hiring practices through merger conditions?

Answer. In 2021, the Biden FCC accepted as a merger commitment the extension of DEI practices.

**FCC Independence.** Chairman Carr, you previously testified to Congress that the FCC was “an independent, expert agency.” You also testified that Congress placed the FCC's “authority outside of the Executive Branch for a reason,” such as not wanting technical decisions “to be made in a haphazard manner or based on misinformation and short-term, political interests.”

*Question 1.* Do you stand by your congressional testimony that Congress placed FCC authority outside of the Executive Branch to avoid being based on short-term political interests?

Answer. As I have testified, Congress passed the Communications Act before the Supreme Court's decision in *Humphrey's Executor*. And Congress chose not to include “for cause” removal protections for FCC Commissioners.

*Question 2.* Do you believe it is appropriate for the FCC's technical decisions to be based on the political interests of the Executive Branch?

Answer. The FCC's decisions are based on the facts, the law, and the agency's record.

In 2021, you issued a public statement calling on your FCC colleagues to reject an “attempt to inject partisan politics into our licensing process” and called it a “deeply troubling transgression of free speech and the FCC's status as an independent agency.”

*Question 3.* Do you still agree with your public statement, and if not, why did you change your mind?

Answer. It was wrong for Democrats in Congress to pressure the FCC to block the sale of a broadcast station license on the grounds that Democrats thought the sale would hurt them in the midterm elections.

During the December 17, 2025, FCC Oversight hearing, Senator Kim asked you if you've ever had a conversation with President Trump or senior administration officials about using the FCC to go after his critics, and you declined to answer because you “don't get into the specifics of conversations that I have.” Setting aside whether the substantive deliberative content of your conversations with President Trump is privileged, factual information such as the existence of such a conversation and the identities of its participants is not privileged.

*Question 4.* Consistent with the above, have you ever had a conversation with President Trump or senior White House officials relating to the FCC penalizing or taking any adverse action against one of President Trump's critics? If so, how many conversations were there, and for each conversation, who participated in them, when, and where did they occur?

Answer. Consistent with longstanding practice, I do not discuss conversations *vel non* with the President.

*Question 5.* Consistent with the above, have you ever had a conversation with President Trump or senior White House officials relating to the FCC potentially revoking the station licenses for the owned-and-operated stations of any major news network, including but not limited to ABC, NBC, or CBS? If so, how many conversations were there, and for each conversation, who participated in them, when, and where did they occur?

Answer. See answer above.

*Question 6.* President Trump has made multiple public statements about FCC matters, such as license revocation and other directives. If the President is not satis-

fied with your performance implementing his direction or suggestion, does he have the right to fire you?

Answer. A President can fire any Commissioner at any time.

*Question 7.* Are you concerned that not implementing the President's directions or suggestions on FCC matters to target his political critics could result in your termination or dismissal?

Answer. The FCC is focused on delivering great results for the American people.

**C-Band Spectrum.** Chairman Carr, the FCC is planning to commence an auction of the Upper C-Band. Under current law, the auction is supposed to conclude with licenses awarded by 2027.

I'm deeply concerned that this auction could literally cause planes to fall out of the sky. Former FAA officials and NTIA, in its comments to the FCC, have warned that new civilian and military altimeters need to be installed on likely all aircraft before cell companies can start using this band. Those new altimeters are still under development, and the standards are not even slated to be finished by 2027—the year this process is supposed to conclude. Given the previous C-Band auction nearly grounded air travel in the United States to a halt, I'm deeply concerned that we are about to see the same story unfold—but with far more dire consequences.

*Question 1.* Has the FCC coordinated with the Department of Defense on the NPRM that the FCC released?

Answer. Yes, the FCC has been running the appropriate interagency process.

*Question 2.* How much will it cost to retrofit military and other government aircraft with new altimeters?

Answer. The FCC's proceeding is ongoing and asks about a range of different issues.

*Question 3.* Who is going to pay for those upgrades, and how long will that process take? Answer. The FCC's proceeding is ongoing and seeks comment on a range of issues.

*Question 4.* Are you concerned that this process will negatively impact military readiness, given that the Chinese are anticipated to attack Taiwan in 2027?

Answer. The FCC's proceeding is ongoing and seeks comment on a range of issues.

*Question 5.* As military and civilian aircraft radio altimeters must be upgraded to address interference from any expansion of wireless service, do you commit to providing the aviation and defense industry the necessary time and space to safely retrofit the fleet operating within the United States?

Answer. The FCC's proceeding is ongoing and seeks comment on a range of issues.

**AI.** The Trump Administration won't take no for an answer on a moratorium on state AI laws without a Federal standard. First, they tried to put it in the reconciliation bill, and we stripped it out by a 99–1 vote. Then they tried to attach it to the NDAA. Now they're directing agencies like the FCC to attempt to preempt state laws through an Executive Order.

Instead of trying to preempt laws that protect against AI fraud or theft, we need to be protecting consumers. Chairman Carr, you have been skeptical of the FCC's authority over new technologies in the past. In 2024, you said that "Congress does not operate like a sieve—inadvertently spilling grants of new authorities. Congress's delegation of authority in these types of cases can no longer be implicit, it must be explicit."

*Question 1.* Yes or no, does the FCC have the authority to preempt state AI laws under Title I of the Communications Act?

Answer. The *Ensuring a National Policy Framework for Artificial Intelligence* Executive Order calls on the FCC to commence a proceeding to determine whether to adopt a Federal reporting and disclosure standard for AI models that preempts conflicting State laws.

*Question 2.* Is that what Congress intended when it rewrote a portion of the Communications Act in 1996, 25 years before ChatGPT was released?

Answer. The *Ensuring a National Policy Framework for Artificial Intelligence* Executive Order calls on the FCC to commence a proceeding to determine whether to adopt a Federal reporting and disclosure standard for AI models that preempts conflicting State laws.

*Question 3.* Chairman Carr, given your prior statements regarding your skepticism of the FCC's authority over the Internet as a Title I service, where specifically in the text of the Communications Act do you find the authority for the FCC to preempt state AI laws, particularly post-*Chevron* deference?

Answer. The *Ensuring a National Policy Framework for Artificial Intelligence* Executive Order calls on the FCC to commence a proceeding to determine whether to

adopt a Federal reporting and disclosure standard for AI models that preempts conflicting State laws.

*Question 4.* Yes or no, does the FCC have the authority to adopt a Federal reporting and disclosure standard for AI models?

Answer. The *Ensuring a National Policy Framework for Artificial Intelligence* Executive Order calls on the FCC to commence a proceeding to determine whether to adopt a Federal reporting and disclosure standard for AI models that preempts conflicting State laws.

*Question 5.* How many technical AI experts does the FCC have on staff?

Answer. The FCC has a range of different professionals on staff.

**Investigations.** Chairman Carr, you have opened and reopened investigations into several broadcast networks for the content of their programming.

*Question 1.* How many investigations have you opened or reopened because of the content of a news program or other program?

Answer. Any ongoing FCC investigations are based on the relevant portions of the Communications Act as well as FCC rules and precedent.

*Question 2.* What is the status of these investigations?

Answer. The FCC's open investigations remain pending.

*Question 3.* How much staff time has been devoted to these investigations?

Answer. The FCC's open investigations remain pending.

*Question 4.* Have you updated the other Commissioners on the status of these investigations? If so, provide the dates of each status update and the individuals involved.

Answer. I meet regularly with my Commission colleagues, and we discuss a range of FCC matters.

**Local News.** Harvard's Shorenstein Center found that broadcast stations owned by large ownership groups produced more news at the regional or national level rather than locally. On the other hand, independent stations produced more news content locally. I am concerned that further consolidation could lead to more news production outside of the station's community and result in the closure of local newsrooms.

*Question 1.* What is the FCC doing to ensure that local newsrooms stay open?

Answer. The FCC is working to empower local broadcasters to meet their public interest obligations, including serving the needs of their local communities.

**Net Neutrality.** Because the FCC refuses to protect consumers against unfair practices by broadband providers, my own state of Washington and other states have acted to protect their consumers with net neutrality laws. These laws protect consumers from harmful practices such as blocking and throttling of legal content and paid prioritization.

*Question 1.* Chairman Carr, is the FCC planning to try to preempt state-level net neutrality laws?

Answer. The FCC generally announces the agenda for any Commission-level, open meeting votes three weeks before any such vote.

*Question 2.* Does the FCC have any authority to do so?

Answer. The FCC has the authorities that have been delegated to it by Congress.

*Question 3.* If the FCC has no authority to impose net neutrality conditions under Title I, as you have argued, where specifically in the text of the Communications Act do you find the authority for the FCC to stop Washington from doing so, particularly in a world without *Chevron* deference?

Answer. The FCC has the authorities that have been delegated to it by Congress.

**Section 230.** In your Project 2025 chapter, you wrote that the FCC should issue an order that interprets Section 230.

*Question 1.* Do you still believe the FCC has authority to reinterpret the scope of Section 230 immunity under current law?

Answer. I wrote that chapter in my personal capacity, consistent with guidance from FCC ethics staff. So, I have to be careful about discussing questions about it when I am responding in my official capacity.

*Question 2.* If so, please identify the specific statutory provision you believe gives the FCC that power.

Answer. Please see my answer above.

**Public Interest Standard.** Chairman Carr, in your letters and tweets, you've identified several kinds of reporting that you see as not in the public interest, but you haven't explained what kind of reporting is in the public interest.

*Question 1.* How do you define the "public interest" standard?

Answer. The FCC has defined the public interest standard on numerous occasions.

*Question 2.* Will you commit to completing a Commission-level rulemaking specifying the contours of the "public interest" standard for broadcasters?

Answer. The FCC has defined the public interest standard on numerous occasions.

**DOGE Staff at FCC.** Chairman Carr, on April 30, 2025, wrote in a letter responding to my March 31, 2025, letter that you had "invited the Department of Government Efficiency (DOGE) into the building to get fresh eyes on the way we operate" and "two people from DOGE officially joined the FCC." However, recent reporting by *The Verge* based on 1,000 pages of FCC FOIA documents indicates three DOGE employees—Tarak Makecha, Jordan Wick, and Jacob Altik—were still listed in the FCC's public directory as of December 16, 2025.

*Question 1.* How many DOGE employees did you invite into FCC's building and officially hire, and if it was not just two people, what explains the discrepancy with what you wrote in April 2025?

Answer. As stated in my earlier letter, two people from DOGE officially joined the FCC and complied with applicable ethics rules. The FOIA documents reflect the fact that there was discussion early on about a third person joining the FCC, but only two people joined the FCC as previously stated.

**IPCS.** At a time when the country is reeling from an affordability crisis, the FCC's own analysis shows that your recent order on implementation of the Martha Wright-Reed Act would cost families approximately \$50 million in higher phone rates.

*Question 1.* Doesn't this decision put company profits above making it affordable for children to speak with their parents?

Answer. No.

**Salt Typhoon.** Last month, you rolled back an FCC declaratory ruling and rulemaking adopted earlier this year in response to the Salt Typhoon attacks, the worst cyberattack on U.S. telecom networks in history. I requested the following documents and information from you no later than November 25, 2025:

1. A copy of any cybersecurity assessment the FCC conducted before moving to repeal its prior ruling. Please provide any documents.
2. Any documents the telecommunications companies shared with you that support their claims that they removed Salt Typhoon hackers from their networks, including, but not limited to, Mandiant digital forensic reports.
3. Documents and information sufficient to demonstrate the FCC's collaborative approach to cybersecurity with telecommunications providers "continues to be effective."

As of December 18, 2025, you have not responded to my request.

*Question 1.* When do you intend to respond to the request, and when do you intend to provide documents?

Answer. I provided a written response to your letter on January 21.

*Question 2.* Do you believe you have a duty to respond to congressional oversight requests, especially on topics critical to our national security and public safety?

Answer. I believe that I or the FCC have already responded to every or nearly every congressional inquiry that we have received.

**Shutdown Operations.** According to the FCC's September 2025 plan for orderly shutdown prior to a lapse in Federal appropriations, you anticipated that "1,044 employees, or approximately 81 percent of [staff] on board before the plan was implemented, will have been furloughed and sent home." The 244 employees, or approximately 19 percent of staff, retained under the plan were limited to specific tasks or exemptions, including protection of life and property, staff in the Office of Inspector General, auction staff whose salaries are not provided through appropriations, and certification of Universal Service Fund and Telecommunications Relay Service disbursements. However, on October 28, 2025, the FCC held an open meeting, at which it considered nine items ranging from nearly every Bureau in the agency. From the tentative agenda announcement on October 7 to the public release of the items following adoption at the October 28th meeting, each item required an opportunity for public comment, input from stakeholders, and staff to review and implement any necessary changes before the Commission's vote.

*Question 1.* Did the FCC comply with the September 2025 shutdown plan?

Answer. The FCC continued to perform and carry out limited functions during the shutdown consistent with the law and FCC guidance.

*Question 2.* Please provide a breakdown of how many staff, regardless of furlough status, worked between October 1, 2025, and November 13, 2025; how many hours that staff worked; what the source of funds was to pay that staff; and how much funding was used to pay that staff.

Answer. The FCC continued to perform and carry out limited functions during the shutdown consistent with the law and FCC guidance.

In prior lapses of appropriations, such as in 2018–2019, the FCC utilized holdover funds to keep the whole agency open until those funds were expended. Yet during the Fall 2025 shutdown, you apparently chose when and how to utilize holdover funds to maintain certain operations funded through appropriations while allowing other operations to cease until an additional appropriation was provided.

*Question 3.* What legal authority do you, as the FCC Chair, have to determine which FCC directives or authorizations from Congress remain operational during the lapse in appropriations? Please cite the specific provision(s) of law.

Answer. The FCC has those authorities that have been delegated to it by Congress.

The lapse in appropriations also appeared to impact the operations of and public access to FCC online databases, such as the Universal Licensing System, Equipment Authorization System, and functionality of the broadband map.

*Question 4.* Please list which of the FCC's online databases were reduced in operations between October 1 and November 13, 2025, including any reduction in maintenance or public access, and which databases were fully operating.

Answer. The FCC continued to perform and carry out limited functions during the shutdown consistent with the law and FCC guidance.

*Question 5.* Please also explain your rationale for determining which databases were at full operations and which were at reduced operations, if applicable.

Answer. The FCC continued to perform and carry out limited functions during the shutdown consistent with the law and FCC guidance.

*Question 6.* What were the factors you considered in making the decision to close FCC online databases, while you used carryover funds to continue to work on other appropriation-supported activities, including Commission-level votes to increase the rates paid by incarcerated people and their families, and opening a proceeding to repeal broadband consumer protections required by Congress?

Answer. The FCC continued to perform and carry out limited functions during the shutdown consistent with the law and FCC guidance.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO  
HON. BRENDAN CARR

*Question 1.* In October the Commission voted to move forward with a rulemaking on eliminating broadband labeling requirements. How will eliminating requirements that Internet Service Providers tell consumers exactly how much they are being charged, including by providing an itemized list of fees, increase transparency efforts and bring prices down for consumers?

Answer. The FCC has sought comment on potential changes to the existing regulations but has not made any final decisions.

*Question 2.* Do you agree that transitioning to Next Gen 911 is a national security imperative that should remain a top priority for both the FCC and Congress?

Answer. Completing the transition to NG911 will enable significant public safety benefits. The FCC has been taking actions to help promote the transition.

*Question 3.* Would you support putting the proceeds from the Federal Communications Commission's spectrum auctions towards modernizing our 9–1–1 infrastructure?

Answer. I defer to Congress on any changes in the law regarding the spending of auction proceeds received by the FCC or the Federal government.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO  
HON. BRENDAN CARR

**FCC Public Interest Authority**

*Question 1.* What is the FCC's standard for evaluating programming under the public interest standard and news distortion policy?

Answer. The FCC has defined the public interest standard and the news distortion policy on numerous occasions.

*Question 2.* What conditions would trigger the FCC to investigate or take action against the speech of comedians, satirists, or commentators under the public interest standard or news distortion policy?

Answer. The FCC's public interest regulations apply to licensed broadcasters.

*Question 3.* Following the preemption of the Jimmy Kimmel Live! show in September, you said we are ". . . in the midst of a massive shift in dynamics in the media ecosystem for lots of reasons, again, including the permission structure that President Trump's election has provided. And I would simply say we're not done yet with seeing the consequences of that." Please elaborate on what you meant by "the massive shift in dynamics in the media ecosystem." Does this include future decisions pertaining to programming?

Answer. The FCC is working to empower local broadcasters to meet their public interest obligations.

*Question 4.* In your testimony, you indicated that you consider Jimmy Kimmel's September comments to be in violation of the news distortion policy. Given that in that case there was no extrinsic evidence of an intent to mislead, is the FCC now adopting a standard that an opinion or mistake on broadcast television can constitute news distortion, even without malintent?

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's news distortion policy.

*Question 5.* If there is evidence that FCC action, or the threat of FCC action, towards broadcast television impacts programming decisions on non-broadcast media through financial ties between companies, would you consider this to be censorship?

Answer. The Supreme Court determined that the FCC's enforcement of the public interest standard does not violate the First Amendment.

*Question 6.* Please describe whether the FCC would consider the following scenarios on broadcast television as being in violation of the public interest standard or news distortion policy. If you cannot comment on these scenarios, please explain how programs can receive clarity about how to abide by the FCC's public interest standard and news distortion policy:

a. A comedian, commentator, or satirist insults the President in a manner that is not obscene, profane, or indecent.

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard and news distortion policy, which apply to licensed broadcasters.

b. A comedian, commentator, or satirist makes offensive statements pertaining to violence or assault.

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard and news distortion policy, which apply to licensed broadcasters.

c. An artist has a performance that could be considered an insult to the President's policies or political positions.

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard and news distortion policy, which apply to licensed broadcasters.

d. A politician states that a murder victim "deserved" their death because of their hatred for said politician.

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard and news distortion policy, which apply to licensed broadcasters.

*Question 7.* Do you endorse President Trump's calls to NBC to fire Seth Meyers?

Answer. NBC makes its own decisions about its employees.

### **FCC Independence**

*Question 8.* If the President determines that broadcast programming content does not abide by the public interest standard or the news distortion policy, will you defer to the President's opinion? What if the President's opinion departs from FCC's precedent of interpretation?

Answer. The FCC bases its decisions on the law, the facts, and the record.

*Question 9.* If, as you stated, the President can fire you for "any reason," how can companies and broadcasters trust that your judgement will be fair, and not merely serve as a reflection of the President's opinions?

Answer. The FCC bases its decisions on the law, the facts, and the record.

### **Tribal Spectrum Windows**

*Question 10.* Will the FCC commit to continuing to hold Tribal priority windows in future spectrum auctions?

Answer. Commission decisions are determined through a vote by the members of the Commission.

*Question 11.* Please provide 1) the number of locations associated with individual Tribal areas; and 2) an aggregated rollup of the number of Tribal locations and Tribal broadband availability nationwide within the National Broadband Map, or to incorporate this information into a separate Tribal National Broadband Map that includes data on Tribal areas only?

Answer. The requested data is published as data downloads on the National Broadband Map. Specifically, the data downloads page on the National Broadband Map provides summary information about fixed or mobile broadband in Tribal areas, specifically in the Fixed Broadband Summary by Geography Type and Mobile Broadband Summary by Geography Type downloads: <https://broadbandmap.fcc.gov/data-download/nationwide-data>

*Question 12.* Will you direct ONAP to provide educational outreach and technical assistance to Tribes to assist them with submitting challenges to the National Broadband Map, especially for those Tribes that have not submitted challenges?

Answer. ONAP plans and leads the Commission's outreach to Tribal governments and organizations, with the objective of increasing their awareness of, and participation in, Commission programs and proceedings.

### **Local Programming Carriage**

*Question 13.* Does the FCC plan to review any issues pertaining to the pricing of carriage for local broadcast stations by streaming services?

Answer. The FCC publicly discloses Commission meeting items approximately three weeks before any such votes.

### **Upper C-Band Auctions**

*Question 14.* Will the FCC extend the public comment period for the Notice of Proposed Rulemaking regarding the implementation of the Upper C-Band rules for 2027 auction?

Answer. On December 19th, the FCC granted a 15 day extension of the comment and reply comment dates in the Upper C-Band proceeding.

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#### RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO HON. BRENDAN CARR

In one of your first acts as FCC Chairman, you reinstated a complaint alleging that WCBS violated the FCC's news distortion policy in airing a CBS interview with then-Vice President Kamala Harris on 60 Minutes. The previous FCC dismissed this complaint, rightfully concluding that the agency had no role in policing WCBS's editorial decision-making. Moreover, for the FCC to find a violation of this policy, it must find evidence that the broadcast station "deliberately distorted a factual news report." In addition, in its *Hunger in America* proceeding, the FCC further required a complainant to provide "extrinsic evidence" demonstrating an intent to distort the news.

*Question 1.* Have you identified any extrinsic evidence of an intentional news distortion to justify this investigation?

Answer. The relevant complaint remains pending at the FCC.

*Question 2.* When does the FCC intend to make a determination about whether to proceed with or close this proceeding?

Answer. The relevant complaint remains pending at the FCC.

*Question 3.* Have FCC career staff provided any internal opinions or other materials on the validity of the complaint in this proceeding? If so, what was their determination?

Answer. The relevant complaint remains pending at the FCC.

*Question 4.* Have you had any private communication with President Donald Trump about this investigation? If so, has President Trump instructed you to take any specific action with respect to this investigation?

Answer. Consistent with longstanding practice, I do not discuss conversations *vel non* with the President.

In February, the FCC opened an investigation into KCBS's coverage of a Federal immigration raid. In an interview on Fox News at the time, you suggested that the radio station could have been in violation of its public interest standard obligation.

*Question 1.* What is the status of this investigation?

Answer. I do not have any new information to provide you at this time beyond what has been previously disclosed.

*Question 2.* What evidence was the grounds for opening this investigation?

Answer. See answer above.

*Question 3.* Please describe how KCBS may have violated its public interest standard obligation. In particular, what aspects of its news programming may not have been in the public interest?

Answer. See answer above.

*Question 4.* In your Fox News interview, you appeared to suggest that KCBS may have violated its public interest obligation because it was reporting on the car models and location of immigration officers. There is no evidence that this reporting was inaccurate or a hoax. Has the FCC ever instituted an investigation or penalized a broadcast station for accurately reporting the news? If so, please provide examples.

Answer. The FCC enforces the public interest standard.

*Question 5.* If your concern with KCBS's coverage was that it may have interfered with immigration enforcement operations or endangered the life of Federal officers, has the FCC ever launched an investigation or penalized a broadcast station for such purposes? If so, please provide examples.

Answer. The FCC enforces the public interest standard.

Chairman Carr, before President Trump's second term, you were a vocal supporter of the TikTok ban, also known as the *Protecting Americans from Foreign Adversary Controlled Applications Act*. For example, in 2022, you stated, "I do not see a path forward for anything other than a ban. So, it is time for the Administration to act with the urgency that this national security threat demands." In fact, in March 2024, you wrote a letter to the House Energy and Commerce Committee in support of the legislation. Although the Federal Communications Commission is not charged with implementing the law, you remain an important advisor to President Trump on technology and telecommunications policy. Your views on the Trump Administration's implementation of the TikTok ban remain important.

*Question 1.* Over the past year, President Trump has signed five executive orders directing the Department of Justice (DOJ) to not enforce the TikTok ban against service providers (such as Apple, Google, Oracle, and others) who continue providing services to TikTok in violation of the *Protecting Americans from Foreign Adversary Controlled Applications Act*. Do you believe that the DOJ has the authority to explicitly instruct companies that it will not enforce a law enacted by Congress?

Answer. I would refer you to the DOJ for questions about the DOJ's authority.

*Question 2.* You previously said the Biden administration should "act with the urgency that this national security threat demands" by banning TikTok. Would you classify President Trump's actions on TikTok as him "acting with urgency"?

Answer. President Trump has acted with urgency on many matters.

#### **Public Interested Standard**

*Question 1.* Please define your interpretation of the public interest standard.

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard.

*Question 2.* Does the public interest standard include any test or rule around ideological or political bias?

Answer. The FCC has provided definitions and decisions regarding the contours of the agency's public interest standard and related policies.

#### **Pole Attachments**

*Question 1.* The FCC has made progress streamlining the pole attachment process. What additional reforms is the FCC pursuing to ensure that broadband and telecommunications providers can obtain timely and cost-effective access to poles?

Answer. Thank you for your support of these important efforts. The FCC is pursuing a range of actions to accelerate and streamline the cost-effective build out of infrastructure.

#### **AM Radio**

*Question 1.* Chairman Cruz and I have been working to pass our AM Radio for Every Vehicle Act, which would require vehicles to have broadcast AM radio. Our legislation has nearly four hundred cosponsors in the Senate and House. Does AM

radio continue to play an important role in delivering emergency alerts across the country?

Answer. Thank you for your leadership on this important matter. I support your legislation and agree that AM radio continues to play an important role in communities across the country.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO  
HON. BRENDAN CARR

*Question 1.* Last month you chose to withdraw a Notice of Proposed Rulemaking established in response to Salt Typhoon—one of the largest and most damaging cyberattacks in U.S. history. The proposed regulations held covered companies responsible for basic cybersecurity practices, but you voted to roll back these protections, stating this was because providers have already “demonstrated a strengthened cybersecurity posture.” What, if any, do you think the FCC and Congress should be doing more to help prevent future lapses that allow our adversaries to infiltrate our networks?

Answer. The decision that the FCC reversed was neither a lawful nor effective response. While I defer to Congress on the nature of any legislation, it is important that the private sector continue to take actions that harden and strengthen networks based on the evolving nature of cybersecurity threats.

*Question 2.* Earlier this year, the FCC requested comments on the Bureau of Industry and Security’s rule related to connected vehicles and connected vehicle technologies, specifically whether and how to add certain technologies to the FCC’s covered entities list. I strongly support the Bureau of Industry and Security’s rule and believe we must keep Chinese connected and autonomous vehicles and vehicle components from entering our market. I believe the FCC must work closely with the automotive supply chain to ensure any action it takes in this space does not conflict with the BIS rule and achieves our goals of protecting our national and economic security.

Will you commit to working with my office and the automotive supply chain industry as you decide what actions to take on this issue?

Answer. I would be happy to work with you on these issues.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY BALDWIN TO  
HON. BRENDAN CARR

*Question 1.* Tribal communities face some of the most severe challenges in accessing reliable and affordable broadband internet. In Wisconsin, we host the Tribal Libraries, Archives, and Museums (TLAM) Project at the University of Wisconsin, and libraries are an important connector for communities when home without sufficient broadband. In the last few years, the FCC has taken steps to improve tribal library participation in E-Rate, updating the definition of library and creating a program—called T-LEAP, or the Tribal Library E-Rate Advocacy Program—to support Tribal applications for E-Rate. The Commission concluded it would issue data about the status of tribal E-Rate applications, yet we have not yet seen this data. A preliminary analysis of the E-Rate data available shows that while 79 percent of libraries in Wisconsin applied for E-Rate, only 1 of eight tribal libraries in Wisconsin applied for E-Rate. What is the current progress of this program?

Answer. T-LEAP is in its third year of providing support throughout the E-Rate application and invoicing processes to Tribal libraries that have opted to participate. Tribal libraries are able to join any time during the year and receive individualized support. In funding year 2024, 294 Tribal libraries participated in the E-Rate program, and they received over \$13.7 million in funding (disbursements).

*Question 2.* Robocalls and ever increasingly sophisticated scams pose a serious threat to millions of Americans, especially to our seniors. These scams can lead to significant financial losses including people losing their life’s retirement savings, breach of sensitive personal information, and loss of peace of mind as people are bombarded by these spam communications. What is the FCC doing to support victims of these scams and prevent these calls in the first place?

Answer. The FCC has been reinvigorating its work to crack down on illegal robocalls. We are now looking at every portion of the lifecycle of a call and taking actions that make it harder for bad actors to place illegal robocalls.

*Question 3.* How would you define illegal Diversity, Equity, and Inclusion (DEI)? How have you determined which companies to investigate for potential illegal DEI programs?

Answer. In the very first section of the Communications Act, Congress stated that it created the FCC for the purpose of regulating interstate and foreign commerce in communication “without discrimination on the basis of race, color, religion, national origin, or sex,” 47 U.S.C. § 151. Promoting invidious forms of discrimination runs contrary to the Communications Act and deprives Americans of their rights to fair and equal treatment under the law.

*Question 4.* Will you investigate companies that do not have a formal DEI program, but the make-up of the company appears that they have a de facto discrimination in hiring or promotion decisions based on race or gender—for example if it were all-white or all-male? If not, what is your justification for not considering it but launching investigations into DEI programs?

Answer. The FCC will apply its regulations in a fair and even-handed manner.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JACKY ROSEN TO  
HON. BRENDAN CARR

*Question 1.* Please clarify how you determine what the FCC deems the public interest with regard to broadcast programming.

Answer. The FCC has defined the public interest standard on numerous occasions.

*Question 2.* How do you determine alignment with the public interest when considering mergers? Is there a standard applied the same to every single merger that the FCC reviews?

Answer. The FCC has articulated the standard of review and public interest framework that applies to transactions pursuant to Section 310(d) of the Communications Act.

*Question 3.* Is it your view, as you seemed to express during the hearing regarding KCBS, that local reporting on ICE operations does not align with the FCC’s public interest standard? Please elaborate on what specific statute or public FCC guidance related to the public interest standard that KCBS potentially violated which prompted the FCC to open an investigation.

Answer. The FCC has defined the public interest standard on numerous occasions.

*Question 4.* If you think KCBS’ coverage of ICE crossed the line, how should local news outlets cover ICE operations in their communities?

Answer. The FCC has defined the public interest standard on numerous occasions.

*Question 5.* Please clarify to those who want to avoid violating the public interest standard—reporters, journalists, editors—how does one report in the public interest under this FCC? Do you plan to issue clear guidelines to specifically define what actions align or violate the public interest standard?

Answer. The FCC has defined the public interest standard on numerous occasions.

*Question 6.* The FCC has an open proceeding on SIP Interconnection. IP interconnection is a critical component in modernizing our telecommunications networks and realizing some of the innovations that can improve everything from public safety to combatting robo- and spam calls from fraudsters who prey on vulnerable Americans. As the FCC considers this proceeding, will you commit to addressing some of the causes of continued delays by carriers who have resisted this modernization?

Answer. Yes.

*Question 7.* Will you consider incorporating policies to maintain competition in rural areas, prevent anticompetitive conduct even while the proceeding is pending, and setting reasonable protections for IP to IP interconnection to maximize the benefits to consumers?

Answer. The FCC is examining all of the relevant issues.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO  
HON. BRENDAN CARR

**FCC Independence**

(1) On the morning of December 17, 2025, I printed out and quoted the Federal Communication Commission’s page “About the FCC” which stated that the Federal Communications Commission is “[a]n independent U.S. government agency overseen by Congress.” As of the afternoon on December 17, 2025 the same webpage states the Commission is a “U.S. government agency overseen by Congress” removing the word “independent” after you stated at the hearing that, “the FCC is not formally an independent agency.”

- When was the decision made to change the FCC’s website?

Answer. The FCC’s website is almost constantly changing.

- Who directed FCC staff to change the website while you were testifying? Was the decision made at your direction during the hearing? If not, who made that determination?

Answer. As I noted above, the FCC’s website is almost constantly changing and getting updated.

- How many individual web pages and/or documents did the FCC change to remove the word “independent” before, during, and after the December 17, 2025 hearing?

Answer. See answer above.

- Please provide an archival screenshot of the page(s) before and after the change(s).

Answer. The FCC’s website is publicly available for review and viewing.

- How many staff members and staff hours were used to change the website page(s)?

Answer. See answers above.

(1) Please provide a list with citations and hyperlinks to all testimony, statements, speeches, opinion pieces, and law review articles that you authored or co-authored that state, mention, or in any way describe the Federal Communications Commission as an independent agency.

Answer. Please see this page for links to my posted statements, op-eds, speeches, and related materials: <https://www.fcc.gov/about/leadership/brendan-carr>

### **National Ownership Cap**

In the Consolidated Appropriations Act of 2004 Congress set the national audience reach cap to 39 percent. Congress set this limit, not the Federal Communications Commission, yet recently you sought comment on whether to modify the national ownership cap. In November, President Trump posted on Truth Social and said he “would not be happy” if the FCC lifted the national ownership cap to “allow the Radical Left Networks to ‘enlarge’”. Please explain why the FCC is seeking comment on modifying the national ownership cap. Does the FCC or Congress have the power to raise the national ownership cap?

Answer. The FCC’s proceeding has sought comment on a range of different issues. The FCC has not reached a final decision.

### **Broadcast Licenses**

President Trump has called upon the FCC to revoke licenses of ABC (Disney) and NBC for news reporting he deems unacceptable. In 2021—you said, “a newsroom’s decision about what stories to cover and how to frame them should be beyond the reach of any government official.” Can you explain what statutory authority the FCC has to revoke licenses based on disagreement with editorial choices?

Answer. The FCC has those authorities that have been delegated to it by Congress.

In January 2025, the FCC dismissed complaints against CBS, ABC, and FOX stations. As Chairman, you unilaterally reopened the complaints against CBS and ABC but left the FOX complaint closed, even though the FOX matter involved proven falsehoods about the 2020 election. What objective criteria justified reopening only the complaints involving coverage unfavorable to President Trump?

Answer. Please see the letter available at this link for detailed information that responds to your question and sets the record straight: <https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf>

### **Public Interest Standard**

On “The FCC and Speech” page of the FCC’s website it states: “The limitations on the FCC’s power to restrict or ban speech begin with the First Amendment to the U.S. Constitution, which decrees that the Federal government ‘shall make no law . . . abridging the freedom of speech, or of the press.’ Accordingly, Congress through Section 326 of the Communications Act, 47 U.S.C. § 326, explicitly declared that nothing in the statute ‘shall be understood or construed to give the Commission the power of censorship over the [broadcast] communications or signals transmitted by any [broadcast] station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of [over-the-air] broadcast communication.’ Pursuant to these legal mandates, the FCC has long held that ‘the public interest is best served by permitting free expression of views.’”

You have frequently cited the public interest standard as the law you are enforcing, but never fully defined what it means. Please state how you define “the public interest standard.”

Answer. The FCC has defined the public interest standard on numerous occasions.

### **U.S. Cyber Trust Mark**

In March 2024, the FCC adopted rules establishing the framework for the U.S. Cyber Trust Mark program. On June 13, 2025, UL Solutions submitted recommendations on Technical Standards and Testing Procedures, Label Design, and Post-Market Surveillance for the U.S. Cyber Trust Mark. What is the current implementation status of the U.S. Cyber Trust Mark? Please provide an updated timeline for implementation detailing the next steps.

Answer. On December 19, UL Solutions filed a Notice of Withdrawal as Lead Administrator for the U.S. Cyber Trust Mark Program. In early January, the FCC opened an application window so parties interested in being the new administrator can apply.

### **Broadband Labels**

The FCC recently adopted a Further Notice of Proposed Rulemaking during the October 2025 Open Meeting that would seek to roll back key requirements for the broadband labels. In that FNPRM you sought comment on a proposal to eliminate the requirement that providers display the label in the languages in which they market their services.

(f) Do consumers benefit from seeing the full price they will pay at the end of the month, with no hidden fees?

Answer. The FCC has not made any final decision in this proceeding.

(f) Will you commit to keeping the rules that require broadband providers to publish the broadband label in the languages in which they market their services?

Answer. The FCC has not made any final decision in this proceeding.

(f) How is the FCC monitoring providers compliance with the current broadband label rules? Please provide details and how many staff hours have been used to monitor compliance.

Answer. The FCC has not made any final decision in this proceeding.

(f) Did the FCC do any studies of the broadband labels prior to its most recent proposals to modify or remove key price transparency requirements from the labels?

Answer. The FCC has not made any final decision in this proceeding.

(f) How many consumer complaints has the FCC received regarding the broadband labels since the labels went into effect in 2024? Are the consumers complaining that broadband labels are hard to find? Are providers hiding the labels behind icons and/or links?

Answer. The FCC has not made any final decision in this proceeding.

(f) Please summarize all consumer complaints received to date on the broadband labels, organize them into categories, and provide samples of each.

Answer. There is an open data platform for consumer complaints: [https://open.data.fcc.gov/Consumer/CGB-Consumer-Complaints-Data/3xyp-aqkj/about\\_data](https://open.data.fcc.gov/Consumer/CGB-Consumer-Complaints-Data/3xyp-aqkj/about_data)

### **Cybersecurity**

In January 2025, the Commission adopted a Declaratory Ruling that affirmatively required telecommunications carriers to secure their networks from unlawful access or interception of communications. The FCC also proposed rules to require covered communications service providers to submit an annual certification attesting that they have created, updated, and implemented cybersecurity and supply chain risk management plans. You have since reversed that ruling and withdrawn the proposed rules.

(3) What are the Commission’s plans to ensure that our networks remain secure from foreign threats?

Answer. The FCC is taking action on several fronts to protect our networks from foreign threats.

(3) Is it possible to win the AI race against China if providers are constantly leaking our IP to them through hacks in our telecom networks?

Answer. The FCC is taking action on several fronts to protect our networks from foreign threats.

(3) Does the Commission need additional authority to ensure the security of our communications networks?

Answer. I want to thank you again for your leadership on legislation like the FACT Act. Legislation like that includes forward-thinking ideas that can promote the security of our networks.

### **Public Safety**

(3) Emergency alerts are critical tools for protecting the public during disasters, but their effectiveness depends on reaching the right people at the right time, with clear, actionable information. Last month, the FCC concluded the comment period on a Notice of Proposed Rulemaking to comprehensively review the alerting framework and expressed an intent to modernize alerting systems from the ground up. Do you believe the FCC has sufficient authority under current law to adopt and implement the reforms it has proposed?

Answer. I agree with you on the value and importance of emergency alerting. As the FCC continues to review the record in this proceeding, I will be mindful of areas where additional legislation would be helpful.

(3) When an outage affects the public's ability to reach 9-1-1, emergency communications centers need timely, actionable information about the nature, scope, and location of the outage. Yet 9-1-1 professionals often lack the detailed information necessary to respond effectively. This is why I supported the Enhancing First Response Act, which unanimously passed the Senate in September and included a provision directing the FCC to review the current outage notifications rules. In 2022, the Commission directed the Public Safety and Homeland Security Bureau to collect information on 9-1-1 outages, including the volume of 9-1-1 outages that go unreported and possible alternative outage reporting thresholds.

(b) What is the status of the Bureau's efforts to collect this information, and will the FCC be putting forth any public analysis or recommendations based on the information collected?

Answer. The Bureau is continuing to consider this issue, and the agency has issued detailed reports on major 911 outages, including here: <https://www.fcc.gov/document/fcc-issues-report-nationwide-att-mobility-outage>

(b) How will you ensure that 9-1-1 call centers receive useful information about the status of 9-1-1 outages, and what measures will the FCC take to prioritize these needed reforms?

Answer. The FCC is consistently working to ensure that 911 call centers have the actionable information they need.

(3) At the beginning of the year, the Association of Public-Safety Communications Officials International, the National Emergency Number Association, and the National Association of State 9-1-1 Administrators jointly submitted a proposal outlining ways to improve outage notifications to 9-1-1 centers by incorporating visual representations of the outages and real-time information from service providers. They also requested additional rule changes to strengthen the outage notification framework. Can you provide an update on the status of the FCC's consideration of this proposal and the related rulemaking requests.

Answer. The FCC is continuing to review a range of ideas for improving outage notifications.

### **Multilingual Wireless Emergency Alerts**

In a recent Federal Register publication, the Federal Communications Commission set the compliance date for multilingual Wireless Emergency Alerts (WEA) as June 12, 2028. However, that same Federal Register publication states that "47 CFR 10.480 (amendatory instruction 2) and 47 CFR 10.500(e) (amendatory instruction 3) are delayed indefinitely." Please explain why these rules are "delayed indefinitely" and what steps the FCC will take to secure a compliance deadline for those rules.

Answer. The compliance date for the multilingual WEA template requirement is June 12, 2028. The rules that are "pending indefinitely" are minor rule changes adopted in the January 2025 order, but because of the long lead time to compliance in 2028, the pending rules should be approved in the normal course well before compliance is required.

### **Universal Service Fund**

On December 17, 2025, I sent a letter with Senator Fischer and Representatives Matsui and Hudson requesting a briefing from your staff to help inform our bipartisan, bicameral Universal Service Fund Working Group. I look forward to that briefing taking place no later than January 30, 2026. Ahead of that briefing, please provide a list of any current or future rulemakings/reforms to the USF programs under consideration by the Commission.

Answer. The FCC is looking forward to this briefing.

### **Tribal Connectivity**

The Affordable Connectivity Program delivered tremendous benefits to tribal members in my state and across the country during the pandemic, increasing access to telehealth, education, and other opportunities. Many tribal households cannot afford two telecom subscriptions and their only connection to the Internet is through a mobile device. So, even if BEAD investments eventually get improved broadband out to these remote lands, affordability remains a tremendous challenge. And it is not just in my state of New Mexico. There are remote tribal lands with tremendous demographic challenges in Arizona, Washington, Montana, Oklahoma, North and South Dakota, and others as well. Should the FCC invest its universal service support funding to support Tribal areas?

Answer. Yes.

### **Independent Programmers**

As consolidation continues across Big Tech, the telecommunications and entertainment industries, these large players gain even stronger leverage to negotiate with smaller and independent players. Nowhere is this more apparent than in the Pay TV market, where carriage in both the linear and streaming sectors continues to be difficult to negotiate for the smaller, independent programmers that are often more diverse in content and ownership. Would you consider taking a new look at the market and current negotiating practices to explore if there is a viable approach to address this issue?

Answer. One step the FCC has recently taken on this front is opening a proceeding that asks about the relationship between licensed local broadcasters and national programmers.

### **vMVPDs**

Last Congress, I led a letter, joined by 19 other senators requesting that the FCC examine the growth of streaming and the impact on local stations, given that these stations do not control pricing of the payments paid by the streaming services for carrying their stations. I remain concerned about this issue. Can the FCC examine the video marketplace and establish policies that address this vMVPD issue to ensure the viability of local broadcast stations?

Answer. As noted above, the FCC recently asked for comment on the dynamics that are relevant to the relationship between licensed local broadcasters and the national programmers.

### **Robocalls**

(1) We continue to see large volumes of robocalls and fraudulent activity originating from outside the United States. Many of these calls use U.S. communications networks and SIM farms to reach American consumers.

(b) What steps is the FCC taking to prevent foreign-originated fraud and scams from reaching U.S. consumers?

Answer. The FCC has proposed and is pursuing a number of actions that would focus specifically on the problem of foreign-originated illegal robocalls.

(b) Are there specific limitations that prevent the FCC from doing more in this area? If so, can the FCC explain these constraints?

Answer. The FCC is continuing to review the record regarding these proposals and will examine whether additional legislation would aid in the agency's efforts.

(1) The Commission recently removed a large number of voice service providers from the Robocall Mitigation Database.

(b) Since this purge, has the FCC observed a measurable decrease in fraudulent robocalls targeting American consumers? If so, can you quantify the results?

Answer. The FCC is taking a number of actions that aim to reduce the number of illegal robocalls that Americans would otherwise have faced.

(b) If not, what further enforcement actions does the FCC plan to take to achieve meaningful results for American consumers?

Answer. The FCC is pursuing a number of additional actions aimed at cracking down on illegal robocalls.

(1) Some international gateway providers continue to transmit high volumes of illegal foreign-originated traffic onto U.S. networks, often with inadequate know your customer (KYC) practices.

(b) What steps is the FCC taking to identify providers that repeatedly allow this type of traffic into the US, and what enforcement measures are being used to hold these providers accountable?

Answer. The FCC should continue to enhance and strengthen its KYC regulations.

(b) What limitations prevent the FCC from imposing foreign ownership limits on, or even prohibiting foreign ownership of, international gateway providers?

Answer. The FCC is looking at a number of ideas for cracking down on illegal robocalls from abroad.

(1) All-IP networks enable more effective use of tools like STIR/SHAKEN and caller ID authentication, both of which are critical in identifying and blocking foreign-originated fraud and scams. What additional actions can the FCC take to accelerate the transition to all-IP networks and ensure these protections are implemented quickly and at scale across all providers?

Answer. The FCC is pursuing a number of steps to accelerate the transition to all IP networks, including through our actions on copper retirement.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN HICKENLOOPER TO  
HON. BRENDAN CARR

**Low-Power Television (LPTV)**

5G innovation continues to unfold as expansive uses of 5G come to market. These solutions provide enhanced programming, datacasting, and connectivity for those who are often left out of cutting-edge technologies. One of these solutions is 5G LPTV Broadcast. Colorado is home to 38 LPTV stations, all of which represent opportunities to bring enhanced programming and new 5G connectivity options directly to Coloradans through new broadcast technologies. Allowing LPTV stations to pursue this technological step requires only permission from the FCC, with no mandates or impacts on other technologies.

*Question 1.* How is the FCC ensuring that its regulatory processes are not delaying or discouraging innovative uses of spectrum, including 5G LPTV broadcast technologies that could improve spectrum efficiency?

Answer. The FCC has been working to empower local broadcasters to find innovative uses of their spectrum.

**Privacy**

As cyberattacks and data breach threats continue to evolve, we have seen repeated breaches of communications providers. With each breach, sensitive consumer proprietary network information (CPNI) could be exposed. These instances shine a spotlight over how the FCC exercises strong enforcement over data security and privacy rules versus securing quick settlements and voluntary commitments through consent decrees.

*Question 2.* Why has the FCC relied on consent decrees in response to data-privacy violations—including those involving geolocation data—instead of imposing stronger penalties to deter repeat offenses?

Answer. The FCC has issued CPNI penalties and has a range of enforcement actions it can take.

*Question 3.* What incentives is the FCC creating to better promote data security, minimize unauthorized breaches, and better protect CPNI?

Answer. The FCC has specific regulations that govern CPNI.

**Artificial Intelligence**

During your testimony, we discussed the President's recent Executive Order entitled, "*Ensuring A National Policy Framework for Artificial Intelligence*" (Executive Order on AI). We specifically discussed the Executive Order's directive in Section 6 requiring the FCC to "*initiate a proceeding to determine whether to adopt a Federal reporting and disclosure standard for AI models that preempts conflicting State laws.*" Additionally, Section 5(b) requires "*Executive departments and agencies (agencies) shall assess their discretionary grant programs in consultation with the Special Advisor for AI and Crypto and determine whether agencies may condition such grants on States either not enacting an AI law that conflicts with the policy of this order.*"

*Question 4.* Does the FCC have explicit statutory authorization to adopt a Federal reporting and disclosure standard that specifically applies to AI models, in accordance with the Executive Order on AI? If yes, provide statutory justification.

Answer. The FCC will be initiating a proceeding to explore the issues raised by the Executive Order.

*Question 5.* During your testimony, you specifically stated the FCC is *not* an independent agency. As such, would the requirements for Executive Departments and Agencies within Section 5(b) of the Executive Order on AI apply to the FCC? Yes or no?

Answer. I stated in the hearing that the FCC is not an independent agency, formally speaking.

*Question 6.* Will the FCC consider withholding any amounts from the Universal Service Fund (USF) from eligible recipients in states with AI laws implicated by Section 5(b) of the Executive Order on AI? Yes or no? Please explain.

Answer. The FCC has no relevant withholdings under consideration.

**Spectrum Relocation Fund (SRF)**

The FCC has a coordination role with the Department of Commerce when Federal spectrum bands are transitioned to be available for commercial users. The Spectrum Relocation Fund (SRF) only allows a Federal department or agency to recover costs related to modifying systems using spectrum up to a “comparable capability.” The FCC plays a contributing role in overseeing the SRF as a member of the Technical Panel, along with the Office of Management and Budget (OMB) and the National Telecommunications & Information Administration (NTIA).

*Question 7.* If the SRF were amended by Congress so Federal agencies were able to recover additional relocation costs beyond a “comparable capability” in order to best fulfill their Federal mission, would the FCC continue to have successful commercial auctions of spectrum?

Answer. There are a lot of considerations that go into whether a particular FCC auction will be successful.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO  
OLIVIA TRUSTY

*Question 1.* Will you commit to working with Congress on legislative reforms to the Universal Service fund and ensure this critical program continues?

Answer. Yes.

*Question 2.* What steps have the FCC already taken or can take to address waste, fraud, and abuse and improve efficiency across Universal Service Fund programs?

Answer. In my time at the FCC, the agency has taken action at both the full Commission level and on delegated authority to ensure universal service support only is provided in accordance with program rules and requirements. These Commission actions include: coordination with other Federal agencies to eliminate duplicative spending, denying unlawful support requests, and requiring reimbursements for overpayments.

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RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. ROGER WICKER TO  
OLIVIA TRUSTY

*Question 1.* The FCC collects data from broadband providers and from state, local, and Tribal governments, as well as through a newly established crowdsourcing process, to ensure more accurate and reliable broadband mapping. The FCC uses these maps when awarding funds, and other agencies are encouraged to use them for their programs.

Commissioner Trusty, accurate mapping is essential to ensuring broadband funds are allocated where they are needed most. I know you are committed to ensuring the FCC’s Broadband Data Maps reflect consumers’ real-world experiences. Significant progress has been made in improving both accuracy and accountability for Federal investments. What metrics should the Commission, working with this Committee, prioritize to continue refining and approving these maps?

Answer. One important metric is the stability in the broadband serviceable locations fabric. The ultimate goal should be for that fabric to require updates only to reflect new on-the-ground developments like new construction, which is consistent with the low level of changes currently being seen across different iterations of the fabric—approximately 1 percent. We’ve made significant progress on this issue and we need to ensure we maintain that consistency.

We also need to continue improving the broadband availability challenge process. Based on what we’ve been hearing from stakeholders, the Commission, working with this Committee, should explore ways to streamline the challenge process and make it less costly and more efficient to test locations, ensuring timely updates to the maps to reflect the realities of where service is provided.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO  
OLIVIA TRUSTY

*Question 1.* PRC domestic law and cybersecurity infrastructure opens all devices made in the PRC or by PRC companies to the risks of the CCP's military civil fusion program, cybersecurity law, and counterespionage law, which require certain data be transferred to the government and infrastructure to be available to the government in times of conflict, regardless of whether it is located in the Mainland or abroad. In your view, does this domestic regulation mean that all PRC connected devices or PRC devices that transmit data or connect to a broader telecommunications infrastructure is at risk of CCP meddling?

*Answer.* This is consistent with what other agencies have found. Equipment and services closely tied to the foreign adversaries, like China, and can allow the CCP to surveil Americans, disrupt communications networks, and otherwise threaten U.S. national security. The Commission continues to make updates to the Covered List of equipment and services that have been determined to pose unacceptable risks to the national security of the United States and its citizens.

*Question 2.* The FCC's Covered List includes large PRC telecommunications companies like Huawei and ZTE. Given the explosion of PRC-made connected home devices that plug into this telecommunications infrastructure, should this list expand to include connected consumer products like routers, smart TVs, and home security systems?

*Answer.* The Commission is concerned about the potential risks from technological devices linked to foreign adversaries, but we would defer to national security experts in Congress or throughout the Executive Branch to make specific determinations as to risks from certain equipment or services.

*Question 3.* PRC manufacturers often produce devices sold under different brand names, making it hard to identify true origin. Or, PRC manufacturers engage in "white labeling"—or manufacturing a product that another company then rebrands and sells under a non-PRC name. How does the FCC handle equipment authorization when the actual manufacturer is obscured?

*Answer.* The Commission has made clear that re-branding or "white labeling" of any covered equipment does not change the status of whether the equipment is covered equipment. Covered equipment is still covered equipment even if it is sold under a different brand. If the FCC learns of white-labeling it can and will revoke equipment authorizations and take enforcement actions against those entities involved.

*Question 4.* When looking at the supply chain around these devices and the need for the actual physical OLED and LCD displays and components that go into them, there are concerns over the potentially lower quality of PRC produced components getting into devices under different brand names. Companies like BOE and Tianma being key examples with an outsized hold over the global display component supply chain. What is the FCC doing to raise awareness and counteract this aspect of the connected devices ecosystem?

*Answer.* I am monitoring this issue, and I am always willing to work with public and private national security experts to develop the best response to security concerns.

*Question 5.* Many of the companies across the PRC connected devices supply chain like TP-Link, BOE, Hisense, Xiami, Tianma, or TCL, have manufacturing facilities capable of multiple purposes beyond connected device production. BOE in particular has potential to shift their fabrication plants from OLED display production, to potentially advanced semiconductor production. How is the FCC thinking through the various other lanes of national security that these companies may impact? How is the FCC coordinating with the rest of the U.S. Government to tackle these concerns as well?

*Answer.* The Commission is always working with other government agencies to monitor threats to the communications supply chain and network infrastructure from foreign adversaries.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO  
OLIVIA TRUSTY

**AI.** The Trump Administration won't take no for an answer on a moratorium on state AI laws without a Federal standard. First, they tried to put it in the reconciliation bill, and we stripped it out by a 99-1 vote. Then they tried to attach it to the NDAA. Now they're directing agencies like the FCC to attempt to preempt state laws through an Executive Order.

Instead of trying to preempt laws that protect against AI fraud or theft, we need to be protecting consumers. Chairman Carr has been skeptical of the FCC's authority over new technologies in the past. In 2024, Chairman Carr said that "Congress does not operate like a sieve—inadvertently spilling grants of new authorities. Congress's delegation of authority in these types of cases can no longer be implicit, it must be explicit."

*Question 1.* Does the FCC have the authority to preempt state AI laws under Title I of the Communications Act?

Answer. Under Executive Order 14365, the FCC has been directed to initiate a proceeding to seek comment on whether to adopt a Federal reporting and disclosure standard for AI models and preempt conflicting State laws. I'm open-minded about both the Commission's authority and the policy merits of any action regarding AI reporting and disclosure, and I look forward to reviewing the record before making any decision.

*Question 2.* Is that what Congress intended when it rewrote a portion of the Communications Act in 1996, 25 years before ChatGPT was released?

Answer. I'm open-minded about both the Commission's authority and the policy merits of any action regarding AI reporting and disclosure, and I look forward to reviewing the record before making any decision.

*Question 3.* Does the FCC have the authority to adopt a Federal reporting and disclosure standard for AI models?

Answer. I'm open-minded about both the Commission's authority and the policy merits of any action regarding AI reporting and disclosure, and I look forward to reviewing the record before making any decision.

**Public Interest Standard.** Chairman Carr has publicly identified several kinds of reporting that he sees as not in the public interest, yet has not explained what kind of reporting is in the public interest.

*Question 1.* Would you support the Commission opening a rulemaking specifying the contours of the "public interest" standard for broadcasters?

Answer. Historically, the public interest standard has been implemented for broadcasters through a combination of requirements specified under the Act and FCC rules and individual decisions creating a body of precedent regarding that standard in the licensing context. Although that approach gives considerable guidance to broadcasters, I'd keep an open mind if the Commission wished to consider alternative procedural approaches to construing and applying the public interest standard in the future.

**Local News.** Harvard's Shorenstein Center found that broadcast stations owned by large ownership groups produced more news at the regional or national level rather than locally. On the other hand, independent stations produced more news content locally. I am concerned that further consolidation could lead to more news production outside of the station's community and result in the closure of local newsrooms.

*Question 1.* What is the FCC doing to ensure that local newsrooms stay open?

Answer. To ensure local broadcasters can survive, the Commission is working to modernize and update the broadcast regulatory framework to help broadcasters better compete against Big Tech for viewers, programming, and advertising revenues.

**Universal Service.** Schools and libraries serve as anchor institutions in communities around the country—they are where students learn, job seekers apply for employment, and veterans seek care.

*Question 1.* Please explain the role that E-Rate plays in ensuring that these anchor institutions have the connectivity they need to serve their communities.

Answer. The E-Rate program provides discounts for telecommunications, Internet access, and internal connections to eligible schools and libraries. It helps to connect students, teachers, and consumers to jobs, life-long learning, and information in the global digital economy.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO  
OLIVIA TRUSTY

*Question 1.* In your testimony you spoke about the importance of the USF working group instituting reforms to support rural communications networks. What steps should Congress take to make sure the USF program continues to help the most rural networks maintain the most secure and up-to-date networks?

Answer. While I generally defer to the USF working group to take the lead on modernizing universal service, our Alaska Connect Fund program illustrates some helpful principles, including support for ongoing expenses of operating networks in rural areas and seeking to meet Americans' connectivity needs where they live, work, and travel.

*Question 2.* How is the Commission working to improve data sharing and coordination between Federal agencies with broadband programs to ensure that the broadband maps being used for BEAD and other Federal funding programs are as accurate and up to date as possible?

Answer. As discussed in a GAO report last Spring (GAO-25-107207), the FCC and other Federal agencies with broadband programs have been improving their coordination, but there still is more that can be done. The GAO report identified a number of recommendations, which the FCC agreed with and is working to implement.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO  
OLIVIA TRUSTY

*Question 1.* What is the FCC's standard for evaluating programming under the public interest standard and news distortion policy?

Answer. Assuming the focus is on programming broadcast by FCC licensees, as directed by the Supreme Court, the FCC's approach to determining the public interest is a function of the purposes of the Communications Act, the requirements it imposes, and the statutory context. The public interest also includes the obligation for stations to meet the needs of their local communities and to not distort the news under the news distortion policy.

*Question 2.* What conditions would trigger the FCC to investigate or take action against the speech of comedians, satirists, or commentators under the public interest standard or news distortion policy?

Answer. For clarity, unless the comedians, satirists, or commentators were Commission licensees they would not be governed by the public interest standard, including the news distortion policy.

In the case of FCC licensees that broadcast the speech identified in the question, because the initiation of investigations generally does not come up for a vote of the full Commission, I would direct you generally to the standards in provisions such as section 403 of the Communications Act and sections 0.111 and 0.311 of the Commission's rules.

As a general matter, any Commission action against a broadcast licensee under the public interest standard, including the news distortion policy, would turn on the evidence of whether a violation occurred, coupled with the burden of proof and required procedure governing the action at issue (*e.g.*, declaratory ruling, cease-and-desist order, denial of a license, license revocation, financial penalty).

*Question 3.* If there is evidence that FCC action, or the threat of FCC action, towards broadcast television impacts programming decisions on non-broadcast media through financial ties between companies, would you consider this to be censorship?

Answer. There are a wide array of legal and colloquial definitions of "censorship," and a wide range of facts that might be relevant to applying a particular standard, so without more it is not possible to opine definitively.

As an FCC Commissioner, my primary focus is on implementing the Communications Act, consistent with the First amendment, long-standing legal doctrine, and Supreme Court precedent.

*Question 4.* Please describe whether the FCC would consider the following scenarios on broadcast television as being in violation of the public interest standard or news distortion policy. If you cannot comment on these scenarios, please explain how programs can receive clarity about how to abide by the FCC's public interest standard and news distortion policy:

- a. A comedian, commentator, or satirist insults the President in a manner that is not obscene, profane, or indecent.
- b. A comedian, commentator, or satirist makes offensive statements pertaining to violence or assault.
- c. An artist has a performance that could be considered an insult to the President's policies or political positions.
- d. A politician states that a murder victim "deserved" their death because of their hatred for said politician.

Answer. Given the range of obligations imposed on broadcast licensees, without more context and information it is not possible to definitively opine on whether a broadcaster's decision to broadcast such programming would violate obligations imposed on broadcast licensees under the Act or FCC rules or precedent.

If a broadcaster wants guidance about how to comply with its public interest obligations, including with respect to the news distortion policy, it can look to the obligations imposed under the Act and FCC rules and precedent. It also is free to seek guidance or an interpretation from the Commission regarding a specific factual scenario.

#### **FCC Independence**

*Question 5.* If the President determines that broadcast programming content does not abide by the public interest standard or the news distortion policy, will you defer to the President's opinion? What if the President's opinion departs from FCC's precedent of interpretation?

Answer. As a FCC Commissioner, my job is to vote on matters that come before the Commission based on facts in the record, FCC precedent, and the law. I remain committed to that.

#### **Tribal Spectrum Windows**

*Question 6.* Will the FCC commit to continuing to hold Tribal priority windows in future spectrum auctions?

Answer. I can commit to reviewing the record in future proceedings to determine if a Tribal priority window is in the public interest.

*Question 7.* Please provide 1) the number of locations associated with individual Tribal areas; and 2) an aggregated rollup of the number of Tribal locations and Tribal broadband availability nationwide within the National Broadband Map, or to incorporate this information into a separate Tribal National Broadband Map that includes data on Tribal areas only?

Answer. This request is best directed to FCC Chairman Carr.

*Question 8.* Will you direct ONAP to provide educational outreach and technical assistance to Tribes to assist them with submitting challenges to the National Broadband Map, especially for those Tribes that have not submitted challenges?

Answer. I support ONAP's continued efforts, consistent with its role and available resources, and in collaboration with the Broadband Data Task Force, to provide information and technical assistance to Tribes regarding the National Broadband Map and the challenge process, as part of the FCC's broader goal of ensuring that all Americans, including Tribal communities, are accurately reflected and served.

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#### RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. GARY PETERS TO OLIVIA TRUSTY

*Question 1.* Earlier this year, the FCC requested comments on the Bureau of Industry and Security's rule related to connected vehicles and connected vehicle technologies, specifically whether and how to add certain technologies to the FCC's covered entities list. I strongly support the Bureau of Industry and Security's rule and believe we must keep Chinese connected and autonomous vehicles and vehicle components from entering our market. I believe the FCC must work closely with the automotive supply chain to ensure any action it takes in this space does not conflict with the BIS rule and achieves our goals of protecting our national and economic security.

Will you commit to working with my office and the automotive supply chain industry as you decide what actions to take on this issue?

Answer. Yes.

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#### RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. TAMMY BALDWIN TO OLIVIA TRUSTY

*Question 1.* During the hearing, I referenced the concerning trend of the FCC approving mergers immediately after enacting policies favored by the Trump administration. Specifically, I highlighted the timing of the Paramount Global and Skydance Media merger coming only after Paramount agreed to pay the President \$16 million to settle a frivolous lawsuit and Paramount agreed to change its news editorial policies, and the approval of AT&T's purchase of U.S. Cellular's wireless license just one day after AT&T terminated their diversity, equity, and inclusion policy. Do you feel the perception that companies need to make political concessions to the Trump administration undermines the independent of the FCC?

Answer. My decision-making approach always involves applying the law and FCC policy to the facts before me, regardless of the parties involved. In the items I vote on, including the *Paramount-Skydance Merger Order*, the full justification for my decision is set forth in the item.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JACKY ROSEN TO  
OLIVIA TRUSTY

*Question 1.* What can Congress do to ensure that the U.S. has a strong and unified strategy in international communications policy, especially as we go into the next World Radio Conference?

Answer. In advance of WRC-27, Congress can work to promote alignment among public and private sector interests; encourage pre-WRC coordination with international allies; and ensure the U.S. delegation to the WRC-27 has the resources to support technical and diplomatic representation.

*Question 2.* How does inconsistent spectrum policy damage our ability to promote U.S. leadership globally?

Answer. A consistent spectrum policy is important for promoting U.S. investment and innovation in allocated bands, and due to the spectrum provisions in the “Working Families Tax Cuts Act” and the Presidential Memoranda on “Winning the 6G Race”, we’re well positioned to promote U.S. leadership in spectrum policy.

*Question 3.* How should we promote U.S. leadership on spectrum policy globally? What steps should we take to promote American innovation and build policy around trusted providers?

Answer. To promote U.S. leadership, American innovation, and network integrity, the focus should be on the following: ensuring a predictable domestic spectrum policy by maintaining FCC auction authority and a long-term spectrum pipeline; leading in international standard-setting bodies; maintaining strong interagency coordination; and developing a regulatory environment that promotes investments in AI technologies to increase spectrum efficiency and network security.

*Question 4.* Earlier this month, I launched the bipartisan Senate Wi-Fi Caucus with my colleague, Senator Ricketts. Wi-Fi is a uniquely American innovation, allowing spectrum sharing in real time and enabling new smarter tech like IoT. The U.S. has long been a leader in innovative spectrum uses. How can we build trust and enable more efficient uses of spectrum, without compromising critical defense uses?

Answer. Artificial intelligence and capabilities, such as Integrated Sensing and Communications, or ISAC, can help increase spectrum efficiency without compromising Federal spectrum users.

*Question 5.* What do you see as the future of U.S. spectrum innovation? How can we build on the successes of CBRS and other spectrum innovations?

Answer. The U.S. has long been a leader in innovative uses of spectrum and CBRS is a model of that. Putting spectrum to its highest and best use and finding opportunities to increase the utility of unlicensed spectrum, by accommodating more unlicensed devices, can promote more spectrum innovation.

*Question 6.* Having secure and resilient communication networks is critical to our national security. However, I am concerned that recent actions taken by the FCC could place these critical systems at risk without proper oversight. As Ranking Member on the SASC Cybersecurity Subcommittee, I understand the need to be able to react quickly and with increased flexibility to cyber threats from our adversaries. How can the FCC balance the need for flexibility while ensuring companies are improving their cybersecurity posture?

Answer. The FCC can balance the need for flexibility in responding to emerging cyber threats and ensuring companies are improving their cybersecurity posture by engaging in public private partnerships and education campaigns to share threat intelligence information and share cybersecurity best practices.

*Question 7.* How can we make sure we take a proactive response rather than reactive in securing our networks?

Answer. A proactive response to malicious cyber actors includes engagement in public private partnerships, education campaigns, whole-of-government efforts regarding deterrence, and investments in artificial intelligence to automate threat detection and response strategies.

*Question 8.* What milestones, goals, or objectives should the FCC have in place to ensure that these providers are making timely and meaningful cybersecurity updates to their networks?

Answer. Malicious cyber actors are sophisticated and persistent, and constantly evolving their tactics to exploit vulnerabilities and weaknesses. Providers should remain vigilant, agile, and adaptable in responding to these threats, which may require routine or periodic updates to a provider's cybersecurity practices, depending on the provider's size, risk, and organizational posture.

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RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. BEN RAY LUJÁN TO  
OLIVIA TRUSTY

*Question 1.* In the Consolidated Appropriations Act of 2004 Congress set the national audience reach cap to 39 percent. Congress set this limit, not the Federal Communications Commission, yet recently the FCC sought comment on whether to modify the national ownership cap. In November, President Trump posted on Truth Social said he “would not be happy” if the FCC lifted the national ownership cap to “allow the Radical Left Networks to ‘enlarge’”. Does the FCC or Congress have the power to raise the national ownership cap?

Answer. Congress certainly has the power to raise the national ownership cap, and the Obama FCC concluded that the FCC also has the authority to do so. This issue is pending in a 2017 NPRM in which the Media Bureau recently refreshed the record, and I look forward to reviewing the complete record in reaching any decision.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. LISA BLUNT ROCHESTER TO  
OLIVIA TRUSTY

*Question 1.* Commissioner Trusty, you recently spoke about the need for the U.S. to keep pace with *international telecommunications* trends, including cybersecurity. Commissioner Trusty, do you believe the FCC has taken the appropriate steps to future proof the cybersecurity of everyday Americans in an increasingly complex telecommunications ecosystem?

Answer. The FCC has taken great strides to protect our telecommunications ecosystem from malicious cyber threat actors. This includes efforts to enhance the supply chain integrity of telecommunications components, coordinate with national security agencies on emerging threats, and information sharing with international allies on network security matters.

*Question 2.* Is there anything specific you think the FCC must implement to protect consumers' cybersecurity in this space?

Answer. In the past year, the FCC has adopted a number of proceedings to help protect consumers' cybersecurity by improving the integrity of the communications supply chain integrity, boosting coordination with national security agencies and the private sector, and enhancing device and network security.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO  
ANNA M. GOMEZ

*Question 1.* PRC domestic law and cybersecurity infrastructure opens all devices made in the PRC or by PRC companies to the risks of the CCP's military civil fusion program, cybersecurity law, and counterespionage law, which require certain data be transferred to the government and infrastructure to be available to the government in times of conflict, regardless of whether it is located in the Mainland or abroad. In your view, does this domestic regulation mean that all PRC connected devices or PRC devices that transmit data or connect to a broader telecommunications infrastructure is at risk of CCP meddling?

Answer. The issues you cite highlight the risk that Americans' data and access could be compelled from PRC-based companies, including for products sold abroad. While not every device may present the same level of threat, there is always the potential for coercion or interference when a device transmits data, receives updates, or connects into broader communications infrastructure. That is why we should approach PRC-connected devices with heightened scrutiny and a risk-based posture.

The FCC can help reduce risk by strengthening the integrity of the equipment authorization ecosystem and by giving consumers clearer information about baseline cybersecurity. The Commission's bipartisan “bad labs” action is an example of closing a real vulnerability in the authorization process by preventing untrustworthy actors from exerting control over testing and certification. The Cyber Trust Mark is another practical tool designed to promote baseline cybersecurity in wireless con-

nected products and to help consumers make informed choices. That effort, however, has stalled, and returning to and advancing that work would provide consumers with clearer information while encouraging stronger cybersecurity practices across the market.

*Question 2.* The FCC's Covered List includes large PRC telecommunications companies like Huawei and ZTE. Given the explosion of PRC-made connected home devices that plug into this telecommunications infrastructure, should this list expand to include connected consumer products like routers, smart TVs, and home security systems?

Answer. It is worthwhile to consider whether and how the Commission's existing tools, including the Covered List, can keep pace with the rapid growth of connected consumer products that plug into communications networks and handle sensitive personal data. Any such consideration should be grounded in clear statutory authority, a strong evidentiary record, and an understanding of how these products interact with networks and pose security risks.

At the same time, not every concern is best addressed through this approach. The Cyber Trust Mark was intended to complement other national security tools by promoting baseline cybersecurity and informed consumer choice, but its delayed implementation by this current FCC has postponed those benefits, and the Commission should work to get that program back on track.

*Question 3.* PRC manufacturers often produce devices sold under different brand names, making it hard to identify true origin. Or, PRC manufacturers engage in "white labeling"—or manufacturing a product that another company then rebrands and sells under a non-PRC name. How does the FCC handle equipment authorization when the actual manufacturer is obscured?

Answer. The Commission relies on accurate certifications, FCC recognized testing and certification bodies, and clear identification of the responsible party to ensure compliance with its rules. When the actual manufacturer is obscured, that undermines transparency and raises legitimate concerns about supply chain risk. Strengthening oversight of testing and certification, alongside renewed efforts to provide consumers with clearer security information through initiatives like the Cyber Trust Mark, would help address these challenges in a practical and scalable way.

*Question 4.* When looking at the supply chain around these devices and the need for the actual physical OLED and LCD displays and components that go into them, there are concerns over the potentially lower quality of PRC produced components getting into devices under different brand names. Companies like BOE and Tianma being key examples with an outsized hold over the global display component supply chain. What is the FCC doing to raise awareness and counteract this aspect of the connected devices ecosystem?

Answer. Concerns about the quality and reliability of components used in connected devices, including displays and other key inputs, are part of a broader supply chain challenge with implications for security and consumer trust. While the FCC does not regulate component manufacturing directly, it can play a role by promoting greater transparency and cybersecurity assurance at the device level. The Cyber Trust Mark was designed to do just that by signaling that a product meets baseline security standards, but delays in launching the program and the recent withdrawal by its lead administrator after months of unexplained scrutiny by this FCC have slowed its impact. Moving forward with this initiative would help raise awareness and encourage better practices across the connected device ecosystem.

*Question 5.* Many of the companies across the PRC connected devices supply chain like TP-Link, BOE, Hisense, Xiami, Tianma, or TCL, have manufacturing facilities capable of multiple purposes beyond connected device production. BOE in particular has potential to shift their fabrication plants from OLED display production, to potentially advanced semiconductor production. How is the FCC thinking through the various other lanes of national security that these companies may impact? How is the FCC coordinating with the rest of the U.S. Government to tackle these concerns as well?

Answer. The FCC has long coordinated with other Federal agencies on national security matters, and that coordination is essential to addressing risks related to supply chains, emerging technologies, and foreign influence. The FCC will continue to work closely with interagency partners on the broader set of national security challenges these technologies present.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO  
ANNA M. GOMEZ

**AI.** The Trump Administration won't take no for an answer on a moratorium on state AI laws without a Federal standard. First, they tried to put it in the reconciliation bill, and we stripped it out by a 99–1 vote. Then they tried to attach it to the NDAA. Now they're directing agencies like the FCC to attempt to preempt state laws through an Executive Order.

Instead of trying to preempt laws that protect against AI fraud or theft, we need to be protecting consumers. Chairman Carr has been skeptical of the FCC's authority over new technologies in the past. In 2024, Chairman Carr said that "Congress does not operate like a sieve—inadvertently spilling grants of new authorities. Congress's delegation of authority in these types of cases can no longer be implicit, it must be explicit."

*Question 1.* Does the FCC have the authority to preempt state AI laws under Title I of the Communications Act?

Answer. The Communications Act does not provide the Commission with express authority to preempt state laws governing artificial intelligence. Title I does not contain a general preemption provision, and the Commission's ancillary authority is limited to actions that are reasonably tied to explicit statutory mandates.

Given those constraints, I am skeptical that the FCC has the authority to broadly preempt state AI laws under Title I. The Commission is seeking comment on this issue, and I look forward to reviewing that record. But any assertion of preemption authority would require a clear and compelling statutory basis, which does not appear to exist today.

*Question 2.* Is that what Congress intended when it rewrote a portion of the Communications Act in 1996, 25 years before ChatGPT was released?

Answer. When Congress updated the Communications Act in 1996, it did not contemplate artificial intelligence as it exists today. The statute does not reference AI, machine learning, or algorithmic decision-making, and there is no indication that Congress intended to grant the FCC authority to broadly preempt state laws governing AI technologies.

Absent clear congressional direction, the Commission should be cautious about asserting nationwide preemption in this area. Decisions about displacing state AI laws are more appropriately made by Congress.

*Question 3.* Does the FCC have the authority to adopt a Federal reporting and disclosure standard for AI models?

Answer. The FCC has authority to act on Federal reporting and disclosure of artificial intelligence within certain narrow areas, just as it has exercised its authority in the past under the Communications Act, as amended by the Bipartisan Campaign Reform Act, to propose increased transparency through disclosure requirements related to political advertisements on television and radio. In contrast, adopting a broad Federal approach that would preempt state AI laws raises serious legal concerns and is a decision best left for Congress.

**Local News.** Harvard's Shorenstein Center found that broadcast stations owned by large ownership groups produced more news at the regional or national level rather than locally. On the other hand, independent stations produced more news content locally. I am concerned that further consolidation could lead to more news production outside of the station's community and result in the closure of local newsrooms.

*Question 1.* What is the FCC doing to ensure that local newsrooms stay open?

Answer. Large corporate parents of local broadcast stations are advocating that the FCC raise or waive the Congressionally established nationwide audience reach cap (a single ownership group can reach no more than 39 percent of the households in the United States) and the local ownership cap (a single ownership group can own no more than 2 broadcast stations in a single DMA) to facilitate further consolidation based on the misconceptions that the relevant market is the entire media ecosystem and that consolidation will allow economies of scale to support more local news.

The assertion that the relevant market is the entire media ecosystem because local broadcasters compete with national digital media platforms for advertisers and audience share is an oversimplification that ignores the complexity of the broadcast ecosystem. The regulatory structure underlying broadcasting is designed to, on the one hand, ensure a diversity of viewpoints are represented by precluding one entity from dominating the voices available in a community and, on the other hand, support a balance of negotiating power between large broadcasting networks that produce news and entertainment content targeting a national audience and locally

licensed broadcasting stations that produce news and entertainment content that is targeted locally.

The structure is further complicated by the impact of consolidation on broadcasters' negotiations with Multichannel Video Programming Distributors (MVPDs) for retransmission consent payments for the distribution of the broadcasters' content. These payments are an additional important source of support for free over the air programming. The MVPD community asserts that allowing consolidation into larger broadcast ownership groups will result in increased retransmission consent fees that will be paid by consumers.

These arguments further ignore the longstanding policy goals of the Commission's media ownership rules that require broadcasters to operate in the public interest. The public interest for local broadcasters has long been defined as facilitating localism, diversity of viewpoints and competition.

- Localism means providing programming that serves the interests of the station's community of license;
- Diversity of viewpoints means that different broadcast station owners or ownership groups bring such owners' individual priorities in what programming to deliver to their communities of license. It is focused on the absence of common ownership, not any particular viewpoint.
- Competition means that having a diversity of viewpoints competing to serve local communities will result in programming that serves the interests of the local community because the broadcasters need to compete for their audience.

The economies of scale broadcasters intend to use to save money include, among many things, the following:

- Using single studios for broadcast for multiple stations;
- Sharing equipment;
- Sharing reporters across stations;
- Sharing management personnel across stations; and
- Stations reporting to executives that are responsible for stations across geographically and demographically varied communities of license. Such management decisions are driven by profitably serving the corporate parent in light of all their stations.

There are no simple answers for how to balance the interests of the public in the continued provision of locally generated news with the challenges of changes to the media ecosystem. The Commission should be examining these issues in their full complexity and working with Congress to target changes to further longstanding public interest goals.

**Broadband Affordability and Universal Service.** A broadband connection is essential for life today. But for millions of Americans, the cost of connectivity is out of reach. Just last year, the Affordable Connectivity Program ended, leaving 23 million households without the support they needed to get and remain online. Now, families in every state and community are struggling to afford the connections they need for work, school, health care, banking, and more.

*Question 1.* What is the FCC's role in ensuring service is accessible and affordable?

Answer. Since I became a commissioner over two years ago, one of my top priorities has been working to close the digital divide and ensuring that everyone, everywhere has access to high quality, affordable broadband—regardless of income, background, or geography.

As outlined in the Communications Act, the duty of the FCC is to make available for all people of the United States, “without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nationwide, and worldwide wire and radio communication service with adequate facilities at reasonable charges.”

Access to reliable high-speed Internet is a catalyst for economic growth and development. I see investment in broadband as an investment in the next generation's ability to learn, in rural communities' access to healthcare, and in working families' ability to thrive in an increasingly digital world.

Moreover, global leadership on AI has been expressed as a clear bipartisan priority. For us to be leaders on AI, we must ensure that everyone, everywhere in the United States can access affordable broadband. We cannot expect to be leaders in this space if we do not build a strong digital workforce and equip people with the tools they need to develop digital skills.

To achieve these goals, the FCC should take initiative in addressing accessibility and affordability concerns for consumers.

**Universal Service.** With the end of programs that aimed to connect families at home, like the ACP and Emergency Connectivity Fund (ECF), connectivity at community anchor institutions, including schools and libraries, is more important than ever before. Libraries in particular serve as the most welcoming place for the whole community to learn, grow, and seek care.

*Question 1.* Has the end of ACP and ECF made FCC support for anchor institutions through the E-Rate program even more important?

Answer. Certainly. Broadband is the infrastructure of opportunity. Across the political spectrum, lawmakers have acknowledged the existence of the digital divide—the gap between those who have access to affordable, reliable broadband and those who do not.

For more than 25 years, the FCC’s E-Rate Program has helped us narrow the digital divide by making telecommunications and information services more affordable for schools and libraries. It has connected library patrons, empowered teachers, and equipped students with digital skills.

The ACP and ECF programs previously provided broadband support to low-income households. Since funding for these programs has lapsed, families have had to make tough decisions like deciding whether to buy groceries or to pay their Internet bill. In the absence of ACP and ECF, the FCC’s long-standing E-Rate program’s support for anchor institutions became all the more important.

The Commission has long held that as technology changes, E-Rate funding needs to expand to cover new services, including those that provide off-site connectivity. Recognizing this need, the FCC under the last administration wisely chose to allow the use of E-Rate funding for hotspot lending to allow students and library patrons to use broadband at home and for Wi-Fi on school buses to allow children to complete their homework and continue learning on their commute to and from school.

Tragically, in September, the FCC rolled back funding for hotspots and Wi-Fi on school buses. The decision ignored our Nation’s educational landscape today and the need to equip students with digital skills for the future. Failing to provide this type of support to anchor institutions will make it harder for students to learn, harder for libraries to serve their community, and harder for us to close the digital divide.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO  
ANNA M. GOMEZ

*Question 1.* In your testimony you said, “Whether in broadcasting or streaming, media consolidation should not erode the independence of the press or diminish the voices of local communities.” What role should the need to preserve local journalism play in evaluating proposed mergers under the FCC’s public interest standard?

Answer. The FCC should consider the harms that will likely arise as a consequence of a merger, including the impact on local journalism.

Large corporate parents of local broadcast stations are advocating that the FCC raise or waive the Congressionally established nationwide audience reach cap (a single ownership group can reach no more than 39 percent of the households in the United States) and the local ownership cap (a single ownership group can own no more than 2 broadcast stations in a single DMA) to facilitate further consolidation based on the misconceptions that the relevant market is the entire media ecosystem and that consolidation will allow economies of scale to support more local news.

The assertion that the relevant market is the entire media ecosystem because local broadcasters compete with national digital media platforms for advertisers and audience share is an oversimplification that ignores the complexity of the broadcast ecosystem. The regulatory structure underlying broadcasting is designed to, on the one hand, ensure a diversity of viewpoints are represented by precluding one entity from dominating the voices available in a community and, on the other hand, support a balance of negotiating power between large broadcasting networks that produce news and entertainment content targeting a national audience and locally licensed broadcasting stations that produce news and entertainment content that is targeted locally.

The structure is further complicated by the impact of consolidation on broadcasters’ negotiations with Multichannel Video Programming Distributors (MVPDs) for retransmission consent payments for the distribution of the broadcasters’ content. These payments are an additional important source of support for free over the air programming. The MVPD community asserts that allowing consolidation

into larger broadcast ownership groups will result in increased retransmission consent fees that will be paid by consumers.

These arguments further ignore the longstanding policy goals of the Commission's media ownership rules that require broadcasters to operate in the public interest. The public interest for local broadcasters has long been defined as facilitating localism, diversity of viewpoints and competition.

- Localism means providing programming that serves the interests of the station's community of license;
- Diversity of viewpoints means that different broadcast station owners or ownership groups bring such owners' individual priorities in what programming to deliver to their communities of license. It is focused on the absence of common ownership, not any particular viewpoint.
- Competition means that having a diversity of viewpoints competing to serve local communities will result in programming that serves the interests of the local community because the broadcasters need to compete for their audience.

The economies of scale broadcasters intend to use to save money include, among many things, the following:

- Using single studios for broadcast for multiple stations;
- Sharing equipment;
- Sharing reporters across stations;
- Sharing management personnel across stations; and
- Stations reporting to executives that are responsible for stations across geographically and demographically varied communities of license. Such management decisions are driven by profitably serving the corporate parent in light of all their stations.

The Commission therefore must ensure that any proposed mergers further the Commission's goals of ensuring localism, diversity of viewpoints, and competition.

*Question 2.* The Bipartisan Infrastructure Law included over \$14 billion for the Affordable Connectivity Program (ACP), which provided subsidies for Internet service to low-income households, helping more Americans get connected. The ACP ended in June 2024 due to a lack of funding. What reforms should the USF working group implement to make sure affordability remains a top priority?

Answer. Affordability has been one of my top priorities since I became a Commissioner over two years ago. The Universal Service Fund (USF) is a key part of ensuring both access and affordability. The USF has become all the more important in the absence of ACP funding. However, the USF must be reformed to ensure long-term sustainability of the fund and its programs.

USF reform should prioritize expanding the existing Lifeline support program. While Lifeline provides a crucial benefit for consumers, \$9 a month is insufficient for families struggling to afford broadband. This subsidy should be increased to match the ACP's previous offering of \$30 per month per household. I also strongly believe that any changes to the contributions base should not increase costs for consumers.

Another technical reform for the program should eliminate the requirement for broadband providers to be deemed Eligible Telecommunications Carriers in order to participate in the Lifeline program. The ACP and ECF did not include this requirement, which enabled more providers to participate in the program.

Importantly, Congress should be the one to reform the USF. I was encouraged by the proposals put forward last Congress by the bipartisan, bicameral USF working group. I stand ready to provide technical assistance to this Congress, and thank you for your leadership on this important issue.

*Question 3.* What can we do to make our broadband data collection more efficient, including by ensuring that the Commission is addressing legitimate challenges to the broadband maps?

Answer. To win the AI race and give every American the tools they need to succeed in a more inclusive digital economy, we must have accurate and reliable data showing where broadband is and is not available nationwide. Over the last few years and throughout multiple Administrations, the FCC has worked diligently to implement the Broadband DATA Act, resulting in the most granular broadband availability data in our history.

In the past, the Commission relied on census block-level reporting, which assumed that if even only a single location in a census block was served, the entire block was served. That approach overstated deployment and made it difficult to identify communities that were truly unserved or underserved. Today, using the au-

thority Congress provided, the FCC collects broadband availability data on a location-by-location basis and publicly discloses it through the National Broadband Map.

The current framework also allows state, local, and Tribal governments, as well as consumers and other stakeholders with on-the-ground knowledge, to challenge reported data. The Commission regularly updates the map to reflect these challenges and supplements this process with audits and verification efforts to improve accuracy. Because this is an iterative process, the map continues to improve over time.

At the same time, the FCC has learned important lessons through this implementation and is always seeking opportunities to make the data collection and the challenge processes more efficient, more user-friendly, and more responsive to legitimate concerns raised by communities. That is why the Commission is seeking comment on potential improvements to its mapping, challenge, audit, and verification processes. I look forward to reviewing that record.

Accurate broadband maps are an ongoing effort, and I urge Congress to ensure the FCC has the resources it needs to address legitimate challenges and continue improving the data that underpins our broadband policy decisions.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO  
ANNA M. GOMEZ

#### **FCC Public Interest Authority**

*Question 1.* What is the FCC’s standard for evaluating programming under the public interest standard and news distortion policy?

Answer. Any actions that the FCC takes based on broadcaster programming must be grounded in the First Amendment and Section 326 of the Communications Act, which prohibits the FCC from censoring broadcasters.

The Commission has long construed its public interest standard to include consideration of whether the action at issue (*e.g.*, broadcast license renewal or adoption of rules applicable to broadcasters) furthers localism, viewpoint diversity, and competition.

A violation of the Commission’s news distortion policy “must involve a significant event and not merely a minor or incidental aspect of the news report.” In weighing the constitutionality of the policy, courts have recognized that the policy “makes a crucial distinction between deliberate distortion and mere inaccuracy or difference of opinion.” As a result, broadcasters are only subject to enforcement if it can be proven that they have deliberately distorted a factual news report. Expressions of opinion or errors stemming from mistakes are not actionable.

I released the following news distortion policy statement: *Press Statement—Commissioner Gomez on CBS Fishing Expedition.docx*

*Question 2.* What conditions would trigger the FCC to investigate or take action against the speech of comedians, satirists, or commentators under the public interest standard or news distortion policy?

Answer. The FCC is prohibited by law (Section 326 of the Communications Act) from engaging in censorship or infringing on First Amendment rights. Those protected rights include, but are not limited to, a broadcaster’s selection and presentation of news or commentary.

The FCC has authority to investigate when a broadcaster:

- Violates the Commission’s news distortion policy. News distortion “must involve a significant event and not merely a minor or incidental aspect of the news report.” In weighing the constitutionality of the policy, courts have recognized that the policy “makes a crucial distinction between deliberate distortion and mere inaccuracy or difference of opinion.” As a result, broadcasters are only subject to enforcement if it can be proven that they have deliberately distorted a factual news report. Expressions of opinion or errors stemming from mistakes are not actionable.
- Violates the Commission’s rules prohibiting obscene or limiting indecent or profane programming. It is a violation of Federal law to air obscene programming at any time. It is also a violation of Federal law to broadcast indecent or profane programming during certain hours. The FCC defines indecent speech as material that, in context, depicts or describes sexual or excretory organs or activities in terms patently offensive as measured by contemporary community standards for the broadcast medium.
- Violates the Commission’s children’s programming rules. The Children’s Television Act requires each U.S. broadcast television station to air programming specifically designed to serve the educational and informational needs of chil-

dren. It also limits the amount of time broadcasters, cable operators, and satellite providers can devote to advertisements during children's programs.

- Violates the Commission's sponsorships identification rules. When a broadcast station transmits any matter for which money, service, or other valuable consideration is paid or promised to, or charged or accepted by such station, Federal law and FCC rules require the broadcaster to announce, at the time of the broadcast, that such matter is sponsored, paid for, or furnished and the identification of the sponsor.
- Violates the Commission's political programming rules. The FCC's political programming and campaign advertising rules generally govern the circumstances under which broadcast stations and other regulatees air political-related advertisements. Broadcast stations, cable system operators, DBS providers, and SDARS licensees are required to maintain public inspection files, of which political files are a part.

*Question 3.* If there is evidence that FCC action, or the threat of FCC action, towards broadcast television impacts programming decisions on non-broadcast media through financial ties between companies, would you consider this to be censorship?

Answer. Yes. I am concerned that this FCC's unprecedented threats against broadcasters are already suppressing free speech by sending the message that media companies, including non-broadcast licensee affiliated entities, hosting content critical of the Administration will invite government retaliation. That is censorship and not what America stands for.

*Question 4.* Please describe whether the FCC would consider the following scenarios on broadcast television as being in violation of the public interest standard or news distortion policy. If you cannot comment on these scenarios, please explain how programs can receive clarity about how to abide by the FCC's public interest standard and news distortion policy:

a. A comedian, commentator, or satirist insults the President in a manner that is not obscene, profane, or indecent.

i. Answer. No, this is protected speech.

b. A comedian, commentator, or satirist makes offensive statements pertaining to violence or assault.

i. Answer. No, this is protected speech.

c. An artist has a performance that could be considered an insult to the President's policies or political positions.

i. Answer. No, this is protected speech.

d. A politician states that a murder victim "deserved" their death because of their hatred for said politician.

i. Answer. No, this is protected speech.

### **FCC Independence**

*Question 5.* If the President determines that broadcast programming content does not abide by the public interest standard or the news distortion policy, will you defer to the President's opinion? What if the President's opinion departs from FCC's precedent of interpretation?

Answer. No. I swore and oath to support, defend and bear true faith to the U.S. Constitution and my actions as a Commissioner will be consistent with that oath.

### **Tribal Spectrum Windows**

*Question 6.* Will the FCC commit to continuing to hold Tribal priority windows in future spectrum auctions?

Answer. I support holding Tribal Licensing Windows in future auctions. The Federal government's Trust Responsibility to Tribal Nations is a legal obligation established by the Constitution, Tribal Treaties, and more than a hundred years of Supreme Court precedent.<sup>1</sup> As part of the Federal government, the FCC bears this responsibility.

Pursuant to this responsibility, the FCC engages with Tribal Nations and Native Hawaiians on a government-to-government basis, a practice known as the Trust Relationship, and is charged with carrying out the law in a manner that supports Tribal sovereignty.

With regard to spectrum policy, the unique legal framework and relationship between the Federal government and Tribal Nations requires us to ensure that Tribal

<sup>1</sup>See U.S. Const. art. I, §8, cl. 3; *Cherokee Nation v. Georgia*, 30 U.S. 1, 16 (1831); *Seminole Nation v. United States*, 316 U.S. 286, 296-97 (1942); *See generally*, Cohen's Handbook of Federal Indian Law § 5.04(3) (Nell Jessup Newton ed., 2012).

Nations, including Native Hawaiians, have a fair and meaningful opportunity to secure spectrum rights essential to their economic development, public safety, and cultural preservation. With respect to spectrum access over Native Hawaiian Homelands, the FCC granted a waiver of the “eligible entity” requirement that allowed the Department of Hawaiian Homelands to obtain licenses during the 2.5 GHz Tribal Priority Window.

I believe that holding a Tribal Licensing Window is consistent with and acknowledges our Trust Responsibility, and I support holding such windows in future auctions. A Tribal Licensing Window can occur before or concurrently with an auction because the tools that we would utilize to facilitate such a window have already been created by the Commission.

Furthermore, and importantly, Tribal Licensing Windows help us close the digital divide and extend connectivity to the least served areas in the United States such as Tribal Lands. Absent a Tribal Licensing Window, Tribal Lands become part of larger license service areas and are often the last areas to see service, if at all. But with a Tribal Licensing Window, Tribal Nations get access to a license limited to the boundaries of their Tribal Lands which allows them to begin providing connectivity to residents rather than being forced to wait for a carrier to develop a business case to do so.

*Question 7.* Please provide 1) the number of locations associated with individual Tribal areas; and 2) an aggregated rollup of the number of Tribal locations and Tribal broadband availability nationwide within the National Broadband Map, or to incorporate this information into a separate Tribal National Broadband Map that includes data on Tribal areas only?

Answer. I understand that the Chairman’s office is providing materials responsive to this question. I would be glad to assist your office with any follow up questions on this material.

*Question 8.* Will you direct ONAP to provide educational outreach and technical assistance to Tribes to assist them with submitting challenges to the National Broadband Map, especially for those Tribes that have not submitted challenges?

Answer. The Office of Native Affairs and Policy (ONAP) is responsible for planning and leading outreach to Tribal Nations and organizations at the Federal Communications Commission. The goal of such outreach is to increase Tribal Nation awareness of and participation in the FCC’s proceedings and programs, such as the National Broadband Map, which ensures that Native views and interests are accounted for in the decision-making process. I support ONAP providing educational outreach and technical assistance to Tribal Nations in order to encourage their participation in the National Broadband Map, including assistance with submitting challenges to the map. I believe this is a prime example of the value and role of ONAP at the FCC.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO  
ANNA M. GOMEZ

*Question 1.* Earlier this year, the FCC requested comments on the Bureau of Industry and Security’s rule related to connected vehicles and connected vehicle technologies, specifically whether and how to add certain technologies to the FCC’s covered entities list. I strongly support the Bureau of Industry and Security’s rule and believe we must keep Chinese connected and autonomous vehicles and vehicle components from entering our market. I believe the FCC must work closely with the automotive supply chain to ensure any action it takes in this space does not conflict with the BIS rule and achieves our goals of protecting our national and economic security.

Will you commit to working with my office and the automotive supply chain industry as you decide what actions to take on this issue?

Answer. I am committed to working closely with your office and with the automotive supply chain industry as the Federal Communications Commission considers this issue, particularly given the serious national security and consumer privacy risks that can arise from connected vehicle technologies tied to China.

Protecting Americans’ sensitive data and safeguarding our communications and transportation ecosystems requires close coordination with Federal partners, including the Bureau of Industry and Security, and careful engagement with industry to ensure actions are effective and do not conflict with existing rules.

These challenges transcend party lines, and I believe our approach to national and economic security, especially where consumer privacy is at stake, should continue to be bipartisan and grounded in collaboration across government and industry.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY BALDWIN TO  
ANNA M. GOMEZ

*Question 1.* In 2021, Congress enacted the Infrastructure Investment and Jobs Act which created “broadband labels,” similar to food nutrition labels, that would allow consumers to quickly understand the costs and services provided. However, in October, the FCC adopted proposals to reverse several elements of the “broadband label” requirements. Can you walk us through why you objected to these proposals and what approach you believe the Commission should have taken?

Answer. The broadband labels are about empowering consumers. The goal of the labels is to provide critical information to consumers to help them understand their Internet bill and service, thus empowering them to make informed choices about the services they buy. But in October 2025, the Commission proposed to remove several requirements that provide transparency.

First, the FCC proposed to undo the requirement that service providers read labels to customers that shop for broadband over the phone. The Commission proposed to do this by redefining the meaning of “point of sale” to exclude phone calls. In the 2022 Broadband Labels Order, the Commission defined “point of sale” as “both ISP websites and any other channels through which their service is sold, including ISP-owned retail locations, third-party owned retail locations, and over the phone.”<sup>2</sup> That definition acknowledges the reality that some consumers looking for broadband service do not currently have it and thus rely on phone calls to find information about potential service plans. The practical result of the change the Commission proposed is that if a consumer calls a broadband service provider to ask about what is included in the cost of broadband Internet access service in their area, the company would no longer be required to provide the details to which they would have access via the label because the FCC believes sales do not occur over telephone calls.

The Commission also proposed to eliminate the requirement that providers itemize fees that they choose to pass through to customers. These are fees that broadband providers are not required to pass on to customers, but they choose to add to customers’ bills so they can collect them without including them in their marketed price. With this proposed change, the FCC would allow companies to no longer explain these fees, line by line, or disclose them in detail, thus reducing price transparency for consumers.

In the October NPRM, the FCC also proposed to eliminate the requirement that companies display broadband labels on customers’ online account portals. This matters because at the time the NPRM was adopted, a broadband label is only available to consumers in two ways: at the “point of sale” when they are shopping for broadband service, and via an online account portal once the consumer has become the customer of a broadband provider that offers online account portals. Notably, a broadband label is not required to be displayed on a customer’s monthly bill.<sup>3</sup> I believe that if this proposal is adopted, much of the information that Congress wanted to ensure consumers could access to make fully informed decisions about the cost of their broadband service would no longer be available to them via their online customer portal.

And finally, the FCC proposed to no longer require that a company provide its customers the label in a language other than English even if the provider marketed the service to that customer in a language other than English. This means that companies that have sought out and convinced customers to choose their service in Spanish, French, Vietnamese, or any language other than English would no longer have to provide this important consumer information about the service their customers are paying for, in that language. For this proposal, the FCC did not even explain why it was necessary or at the very least not harmful to consumers.

If these proposals were to be adopted, the label would only be available to consumers at the point of sale which would no longer include purchases made over the phone; would no longer be available to consumers via their online customer portal; would not disclose every fee that a broadband provider chooses to pass through to customers; and would no longer be available in a language other than English even when the provider marketed the service in that language. I opposed these proposals because I believe that they are antithetical to transparency, consumer protection, and the spirit of the law that Congress directed us to implement.

Instead of scaling back the information that consumers already receive, the Commission could have focused on making the labels more accessible to consumers—are they easy to find? Are they buried deep inside a company’s website? I believe that

<sup>2</sup>2022 *Broadband Label Order*, 13714, para. 88.

<sup>3</sup>2022 *Broadband Label Order*, 13717, para. 98.

information is power, and that the FCC plays an important role empowering consumers with the information provided in the broadband labels.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY DUCKWORTH TO  
ANNA M. GOMEZ

*Question 1.* The October decision to gut the Martha Wright-Reed Just and Reasonable Communications Act will increase the rates paid by incarcerated people and their families by up to 83 percent compared to the 2024 final rule. In fact, more than three quarters of prisons across the United States were already in compliance with the 2024 rate caps required under the law, meaning that most prisons can and do provide services under the 2024 rate cap. The FCC’s reason for this was that the 2024 final rule created “unintended consequences.”

a. Can you outline any facts supporting this vague threat of undefined “unintended consequences”?

Answer. The facts were slim. As far as I could discern from the record of the proceeding, the Commission heard from two IPCS providers that the 2024 rate caps resulted in reduced access to revenue and the safety and security measures that providers offer to correctional facilities, which left some prisons considering stopping the provision of IPCS.<sup>4</sup> But to be clear, the 2025 FCC Order does not cite to any incidents demonstrating unsafe conditions at correctional facilities as a result of the 2024 rate caps. Instead, the Commission relied on providers’ claims of isolated facilities warning that they would not be able to pay for safety and security measures for IPCS services.

The 2025 Order cites a letter that points to a single facility in Arkansas that reported terminating access to IPCS—the Baxter County Sheriff’s Office, which posted this decision on February 25, 2025 on its website.<sup>5</sup> Additionally, in that same letter, Pay Tel asserts it “was forced to cease IPCS services to four small jails in Arizona and New Mexico,” and Securus asserts it was “forced to end service to three smaller facilities for economic reasons,” without specifying the location.<sup>6</sup> Finally, both providers point to statements made by a North Carolina Sheriff and the Montana Sheriffs and Peace Officers Association that budgetary constraints in their jails would “lead to a reduction in service.”<sup>7</sup> That is all the evidence provided.

This slim evidence is belied by the fact that, by one estimate, 76 percent of prison systems across the country had already been in compliance with the 2024 rate caps, and only three states—Florida, Kentucky, and Oklahoma—have rates above the interim rate caps the Commission adopted in the 2025 FCC Order.<sup>8</sup> This means that the majority of the prisons in the country can and do provide IPCS services within the 2024 rate caps.

b. Would you characterize the rates set by the 2024 rule as just and reasonable to families of incarcerated people and telecom providers?

Answer. I believe the rate caps set in the 2024 Order were just and reasonable to both the families of incarcerated peoples and IPCS providers.

c. Can you explain why you strongly opposed and voted against Chairman Carr’s order that violates clearly defined statutory requirements governing the implementation timeline for my Marth Wright-Reed Just and Reasonable Communications Act?

Answer. The October 2025 Order claims that the FCC lacked sufficient data to support the decisions made in 2024, and yet without receiving additional or new data, the FCC decided to grant higher rate caps and provide additional benefits such as a two-cent additive and an inflation factor to the monopoly companies that have provided the supposedly insufficient data. The 2025 Order allows IPCS providers to recover costs that have nothing to do with making the calls, which violates the Martha Wright Reed Act.

d. Do you know how old the survey was used that justified an additional two-cent-per-minute additive?

<sup>4</sup>Letter from Michael Pryor, Counsel for Securus Technologies, LLC, and Marcus Trathen, Counsel for Pay Tel, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 23–62 and 12–375 (filed Apr. 3, 2025) (Securus and Pay Tel Apr. 3, 2025 *Ex Parte*).

<sup>5</sup>Securus and Pay Tel Apr. 3, 2025 *Ex Parte*, at 3. See also John Montgomery, *Inmate Phone System Will Not Be in Use After March 30th* (Feb. 25, 2025), <https://www.baxtercountysheriff.com/press-releases/inmate-phone-system-will-not-be-in-use-after-march-30th>.

<sup>6</sup>Securus and Pay Tel Apr. 3, 2025 *Ex Parte*, at 4.

<sup>7</sup>Securus and Pay Tel Apr. 3, 2025 *Ex Parte*, at 3.

<sup>8</sup>Letter from Bianca Tylek, Executive Director, Worth Rises, to Marlene H. Dortch, Secretary, FCC (filed Sept. 15, 2025).

Answer. To the best of my knowledge, the survey is over 10 years old as it was conducted in 2015.

e. Did the survey collect data from prisons, or solely jails?

Answer. To the best of my knowledge, the survey included data solely about jails.

*Question 2.* In 2022 I was proud to lead the Senate to a unanimous vote in support of the Martha Wright Reed Act to lower predatory rates for phone and video calls with incarcerated people. Last year the FCC acted, as directed, to adopt rules implementing that law. The record showed that loved ones calling people in prisons, for example, would pay 6 cents per minute for calls.

You—and Chairman Brendan Carr—voted for that decision. While Chairman Carr expressed concern over whether very small jails required different rates, he nevertheless both voted for the 2024 rule *and* when the FCC’s unanimous decision was challenged in court, directed his General Counsel defend the rule—resulting in Chairman Carr’s General Counsel, ironically, filing an extremely strong brief defending the FCC’s decision in April.

Then, suddenly, on June 30, 2025, FCC staff suspended all the rules implementing the Martha Wright Reed Just and Reasonable Communications Act without any valid reason, or even an explanation. This sudden, unexplained surrender was perplexing and surprising—since not a single industry filing submitted before the June 30, 2025, ruling asked for such a dramatic change.

Chairman Carr’s spineless surrender foreshadowed his flip-flop in reversing the FCC’s position on the litigation—months after directing his General Counsel to draft and file a strong brief defending the FCC. Then, Chairman Carr ordered the FCC to notify the Federal circuit court that the FCC would adopt a new order, and Chairman Carr promised to share the draft proposed order with the court when it was released to the public.

However, four days before the draft order was released to the public, Chairman Carr issued a press release that included quotes from outside organizations.

a. Are you troubled that the FCC Chairman appears to be engaging in undisclosed contact with outside stakeholders that have key equities regarding pending FCC orders, and that this contact appears to involve Chairman Carr improperly sharing information with parties appearing before the agency?

Answer. I am not aware of any undisclosed contact. To protect the fairness of FCC proceedings and ensure that FCC decisions are not influenced by impermissible off-the-record communications, the FCC’s *ex parte* rules require stakeholders to disclose their communications with agency staff directed to the merits or outcome of a proceeding.<sup>9</sup>

An *ex parte* is “a communication directed to the merits or outcome of a proceeding that, if written, is not served on all of the parties to the proceeding and, if oral, is made without giving all the parties to the proceeding advance notice and an opportunity to be present.”<sup>10</sup>

In “Permit-but-disclose” proceedings, such as the IPCS rate caps proceeding, *ex parte* presentations to Commission decision-making personnel are permissible but subject to certain disclosure requirements such as the requirement that a copy of written presentations and a summary of oral presentations must be filed in the record. Additionally,

- Copies of written presentations or summaries of oral presentations must generally be filed no later than two business days after the presentation.<sup>11</sup>
- Copies and summaries should be filed electronically using the FCC’s Electronic Comment Filing System (ECFS).<sup>12</sup>
- The summaries of oral presentations must list all persons present and describe the substance of the new data or arguments presented (or provide a citation to prior written filings containing the data or arguments) and not merely list the subjects discussed. Generally, more than a one or two sentence description is required.<sup>13</sup>

<sup>9</sup> See FCC, *Ex Parte Resources* (Jan. 5, 2026), <https://www.fcc.gov/proceedings-actions/ex-parte/general/ex-parte-resources>.

<sup>10</sup> *Id.*

<sup>11</sup> 47 C.F.R. § 1.1206(b); See also FCC, *How to File a Notice of an Ex Parte Presentation* (Jan. 5, 2026), <https://www.fcc.gov/reports-research/guides/how-file-notice-ex-parte-presentation>.

<sup>12</sup> *Id.*

<sup>13</sup> 47 C.F.R. § 1.1206(b)(2); See also FCC, *How to File a Notice of an Ex Parte Presentation* (Jan. 5, 2026), <https://www.fcc.gov/reports-research/guides/how-file-notice-ex-parte-presentation>.

b. Has Chairman Carr provided you a clear and honest explanation of how private actors with business before the FCC were informed of the Chairman's plans and actions—even *before* the circuit court reviewing the FCC's 2024 rule was notified of Chairman Carr's flip-flop surrender?

Answer. I have not had any conversations about this with Chairman Carr.

c. Given Chairman Carr's current belief—which repudiates his own prior beliefs when serving as a Commissioner—that then-Commissioner Carr was wrong when he passionately and forcefully defended the importance of the FCC maintaining its independence as an independent Federal agency, do you believe that Chairman Carr coordinated his actions with political appointees at the White House or the U.S. Department of Justice?

Answer. The FCC was created by Congress as an independent, expert agency to implement communications law. However, an *executive order* released on February 18, 2025, claims to eliminate the FCC's independence and directs the agency to “submit for review all proposed and final significant regulatory actions to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President *before* publication in the Federal Register.”

*Question 3.* This Committee's Chair, Senator Ted Cruz of Texas, has been very critical of the FCC's decision to take actions at the Bureau level, which appears designed to avoid judicial review and sidestep the regular order of business.

In June 2025, the FCC's Wireline Bureau acted in just this manner, overturning a full Commission order which implemented legislation adopted unanimously in the Senate and overwhelmingly in the U.S. House of Representatives.

a. Are you considered that Chairman Carr is empowering unelected and unappointed staff at the bureau level to block and overturn FCC rules necessary to ensure compliance with Federal law?

Answer. In this instance, the Bureau waived the rules established by the full Commission in 2024. It is not uncommon for a Bureau to act on delegated authority, at the direction of a Chair. That is because the volume of decisions that the FCC must make in order to implement the law is vast and it would become prohibitive for the full Commission to gather to vote on every decision. However, a Bureau *cannot* make new or novel decisions even on delegated authority. A Bureau implements the decisions that the full Commission has made, but does not have the authority to make new decisions. Similarly, a Bureau cannot reverse the decisions on which the full FCC voted. In this instance, the Bureau, at the direction of the Chair, waived enforcement of the 2024 rules, but eventually it was the full FCC that decided to reverse the rule. I dissented from this reversal.

b. Did Chairman Carr explain to the other Commissioners whether he directed the Wireline Bureau to take this action?

Answer. My office received notice less than 24 hours before the Bureau's decision was released.

c. Are you troubled that Chairman Carr may abuse bureau level action to conduct major actions, such as merger approvals, in a secretive manner that undermines transparency and bypasses full Commission processes, policies and procedures?

Answer. While it is common for a Bureau to act on delegated authority at the direction of a Chair, a Bureau *cannot* make new or novel decisions or reverse the decisions the full FCC has made. A Bureau's role is to implement the full Commission's decisions. However, I am concerned that a Bureau's waiver of a rule posits a hurdle for stakeholders seeking recourse in court. Stakeholders can only seek review of a final Commission decision. Stakeholders cannot go to court to seek judicial review of a bureau order waiving a rule because it is not a final agency decision. This is a concern with bureau level decisions in the merger context as well.

d. Have you requested that Chairman Carr ensure the FCC provides the parties impacted by his reconsideration of the FCC's compliance with the Martha Wright-Reed Just and Reasonable Communications Act, with due process, including access to judicial review of the bureau level actions that reverse full Commission decisions?

Answer. All stakeholders should have full access to judicial review and recourse through our court system. I am concerned that this Administration's use of delegated authority is leaving parties without recourse because they will have to wait for an agency to make a final decision on their requests, a process that can take years. Inaction can lead to a delay on accessing judicial review. And justice delayed is justice denied.

*Question 4.* I am concerned that Chairman Carr has only paid lip-service to ending the pernicious practice of kickbacks or site commissions in the procurement of contracts for carceral facilities. For example, while I welcomed the FCC barring site

commission payments, Chairman Carr paired this action with authorizing a new fee that appears to effectively be a site commission by another name.

Answer. In addition to increasing per minute rates, Chairman Carr added two cents per minute to every phone and video call in the country. Supposedly these fees are to reimburse facilities for costs, but Chairman Carr failed to require providers submit evidence confirming the provider incurs costs necessitating reimbursement through a de facto site commission fee.

a. Do you share my alarm that Chairman Carr’s new fee may result in facilities being reimbursed for costs that never actually occurred?

Answer. Yes, I do.

b. Can you elaborate on the threat of waste, fraud and consumer abuse that will likely result from forcing Americans to pay fees authorized under the pretext of reimbursing facilities for unsubstantiated costs that lack documentation?

Answer. I am concerned that the October 2025 Order will result in adding costs to the IPCS rate caps for functions that have nothing to do with the provision of IPCS. In 2024, the Commission allowed costs for CALEA compliance and Communications Security Services to be incorporated into the rate caps.<sup>14</sup> In the 2025 Order, the FCC expanded the types of costs that providers can recover from the families of incarcerated persons and included five additional categories: Law Enforcement Support Services, Communication Recording Services, Communication Monitoring Services, Voice Biometric Services, and Other Safety and Security Measures.

Based on information provided by IPCS providers themselves, the Law Enforcement Category includes expenses for “search warrant processing” and “FOIA request processing.”<sup>15</sup> The Communications Recording Services Category includes expenses for “storing recorded communications, transcribing such recordings, and converting recordings into digital formats to support investigation and litigation activities.”<sup>16</sup> And the Communications Monitoring Services Category is now predominantly “used to aid investigations related to detention facilities,” “aid corrections and law enforcement agencies in investigation and litigation activities,” and “provide for skilled investigators.”<sup>17</sup> None of these functions serves to facilitate the actual provision of IPCS.

Additionally, in September of 2025, the FCC adopted a Notice of Proposed Rule-making (NPRM) that proposes to allow correctional facilities to use jammers to block communications from contraband phones. The policy goal for this NPRM is to combat criminal activity aided by contraband phones in correctional facilities. While I support advancing this policy goal, should this proposal become a rule, I am concerned that the expenses that a correctional facility will incur in order to jam signals from contraband phones will inevitably be incorporated into the IPCS rate caps and thus passed on to the families of incarcerated people. Once again, asking the families of incarcerated people to cover the costs of functions that are unrelated to the actual provision of IPCS.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JACKY ROSEN TO  
ANNA M. GOMEZ

*Question 1.* What is the threat to free speech and our democracy if journalists and broadcasters do not have a clear understanding of what is a violation of the public interest standard under this FCC?

Answer. The First Amendment to the Constitution provides (emphasis added):

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

A key way in which broadcasters serve their local communities is through the provision of local news. Local broadcast journalism is a central element of the United States’ civic infrastructure that keeps our democracy strong.

This FCC appears to be initiating investigations into potential violations of the “public interest” standard without defining what that means by making vague references to the Commission’s news distortion policy as potentially applicable to any reporting that is critical of the Administration.

<sup>14</sup> 2024 IPCS Order, 39 FCC Rcd at 7825–7826, para. 339

<sup>15</sup> 2024 IPCS Order, 39 FCC Rcd at 7857, para. 394.

<sup>16</sup> 2024 IPCS Order, 39 FCC Rcd at 7861, para. 398.

<sup>17</sup> 2024 IPCS Order, 39 FCC Rcd at 7864, para. 403.

A violation of the Commission’s news distortion policy “must involve a significant event and not merely a minor or incidental aspect of the news report.” In weighing the constitutionality of the policy, courts have recognized that the policy “makes a crucial distinction between deliberate distortion and mere inaccuracy or difference of opinion.” As a result, broadcasters are only subject to enforcement if it can be proven that they have deliberately distorted a factual news report. Expressions of opinion or errors stemming from mistakes are not actionable.

The fear of an FCC investigation or threats to revoke a license will chill free speech because they likely cause the license holder to instruct their employees to “be careful” or “not provoke” the Administration. This is because revoking a broadcaster’s license will end the broadcaster’s business, including the provision of local news, as it cannot broadcast without a license. Additionally, litigation can be financially debilitating even if the broadcaster ultimately prevails.

*Question 2.* Is there statutory authority or legal precedent for the FCC to revoke broadcast licenses because a station reported on law enforcement activity?

Answer. No. The Commission’s authority to revoke broadcast licenses is constrained by the First Amendment and Section 326 of the Communications Act, which specifically prohibits the Commission from censoring broadcasts.

*Question 3.* As a member of the USF Working Group, I’m interested in how we can ensure people not only have access to a reliable Internet connection, but that they can also afford it. What parts of the Affordable Connectivity Program were successful, and what should Congress consider when reforming Lifeline, the affordability component in USF?

Answer. Affordability has been one of my top priorities since I became a Commissioner over two years ago. The Universal Service Fund (USF) is a key part of ensuring both access and affordability. The USF has become all the more important in the absence of funding for the Affordable Connectivity Program (ACP). The USF must be reformed to ensure long-term sustainability of the fund and its programs.

The ACP was the most successful tool our country has ever had to address the digital divide. There are a few aspects of ACP that the USF Working Group should consider adding to the Lifeline program as it develops a proposal. The Lifeline support amount was set at a level sufficient to support plain old telephone service and is simply insufficient for broadband. While Lifeline provides a crucial benefit, \$9 a month is not enough for families struggling to afford broadband. This subsidy should be increased to match the ACP’s offering of \$30 per month per household.

Further, many broadband providers currently do not qualify for Lifeline support because they are not considered “Eligible Telecommunications Carriers.” This requirement stands in the way of more providers being able to offer an affordability support to the consumers that need it.

And most importantly, any reforms made to the USF contributions base should not increase costs for consumers.

*Question 4.* How do demand-side support programs ensure the success of broadband deployment programs like BEAD?

Answer. When it comes to broadband, access is only one piece of the puzzle. Affordability and digital literacy are the others. The pandemic highlighted the importance of affordability, a lesson we cannot forget now. Failure to ensure affordability would disproportionately impact those who need connectivity the most, deepening economic and social inequalities. And to participate in the AI economy, digital literacy skills will be paramount.

Through the Bipartisan Infrastructure Law, Congress invested billions of dollars in broadband infrastructure. Now, support for affordability and digital literacy are key to ensuring that this massive investment in infrastructure is put to its best use. Even if we build the fastest, most efficient network we possibly could, our efforts to close the digital divide will fall flat without support for affordability and digital literacy. And without this support, we risk having stranded investments and an unsustainable network. For these reasons, demand-side support programs are a crucial complement to BEAD.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO  
ANNA M. GOMEZ

*Question 1.* In the Consolidated Appropriations Act of 2004 Congress set the national audience reach cap to 39 percent. Congress set this limit, not the Federal Communications Commission, yet recently the FCC sought comment on whether to modify the national ownership cap. In November, President Trump posted on Truth Social said he “would not be happy” if the FCC lifted the national ownership cap

to “allow the Radical Left Networks to ‘enlarge’”. Does the FCC or Congress have the power to raise the national ownership cap?

Answer. Only Congress has the power to raise the national ownership cap. As you correctly note, the Consolidated Appropriations Act of 2004 (2004 CAA) set the national audience reach cap at 39 percent and did not provide the Commission with authority to modify the cap.

The Telecommunications Act of 1996 created both an initial national audience reach cap and a process that required the Commission to consider whether such cap continued to be in the public interest. In 2003 the Commission raised the national audience reach cap to 45 percent as part of the required review. In response, in the 2004 CAA, Congress modified the relevant sections of the Telecommunications Act of 1996 in three key respects. First, it directed the national audience reach cap be set to 39 percent in the Commission’s rules. Second, it removed review of the national audience reach cap from the required, now quadrennial, review. Finally, it prohibited the Commission from forbearing from the national audience reach cap. The forbearance prohibition language makes clear that the other two actions, lowering the audience reach cap and removing it from the established review process, were intended to prohibit the Commission from modifying or otherwise relaxing the 39 percent audience reach cap.

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RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. LISA BLUNT ROCHESTER TO ANNA M. GOMEZ

*Question 1.* Commissioner Gomez, Chairman Carr *ended* the FCC’s promotion of DEI in January, 2025. Since then, the FCC has *approved* mergers and major transactions conditioned on companies eliminating internal DEI programs, an approach Chairman Carr has publicly *celebrated*. DEI initiatives have long supported opportunities for women, veterans, people with disabilities, and religious minorities. Veteran hiring preferences in the Federal government are one clear example.

Commissioner Gomez, can you explain how conditioning FCC approvals on the elimination of DEI programs undermines job opportunities and weakens America’s long-term economic competitiveness?

Answer. Conditioning FCC approvals on the elimination of voluntary Diversity, Equity, and Inclusion programs risks undermining job opportunities by discouraging lawful, good-faith efforts to promote fair access to employment and to recruit from the broadest possible pool of qualified workers. Diversity and inclusion initiatives are fundamentally about fairness and equal opportunity, and many companies adopt them voluntarily to reduce barriers and reflect the communities they serve. When companies are pressured to abandon such efforts as a prerequisite for regulatory approval, particularly without any finding of unlawful conduct or failure to meet a defined public interest obligation, it sends a troubling signal and chills legitimate workplace practices.

This approach also raises concerns about the appropriate scope of the Commission’s transaction review authority and its implications for long-term economic competitiveness. Using FCC approval processes to influence internal workplace policies unrelated to the transaction at hand introduces uncertainty, deters investment, and risks politicizing routine regulatory decisions.