

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
<https://oversight.house.gov>

496

September 18, 2025

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

Dear Chairman Carr:

We write to express grave concerns regarding reports of pressure and threats of retaliation by you against Sinclair Broadcasting Group-owned ABC affiliate stations due to recent speech expressed on ABC programming. The Federal Communication Commission's (FCC) apparent weaponization of its federal regulatory authority and ABC's preemption of programming that may be critical of President Trump represents a dangerous escalation in attacks on press freedom and protected speech. This action should serve as a warning to all Americans—the Constitution's right to free speech is under attack by the Trump Administration. This corrupt political intimidation is unacceptable. We condemn these tactics and demand that you cease all actions to weaponize your authority for political gain.

As we defend free speech in the strongest possible terms, we state unequivocally that the escalation of political violence in America in recent years is extremely worrying. The murder of Charlie Kirk was a horrific act. We condemn political violence in all forms, as Jimmy Kimmel did in the immediate aftermath of the shooting when he sent "love to the Kirks" and stated, "Instead of the angry finger-pointing, can we just for one day agree that it is horrible and monstrous to shoot another human."¹

On the evening of September 15, Kimmel criticized President Trump for choosing to blame Democrats for Kirk's death instead of bringing the country together and made the following non-threatening statement to his audience in *Jimmy Kimmel Live!*:

We hit some new lows over the weekend with the MAGA Gang desperately trying to characterize this kid who murdered Charlie Kirk as anything other than one of them and doing everything they can to score political points from it.²

¹ Jimmy Kimmel (@jimmykimmel), Instagram (Sept. 11, 2025) (online at www.instagram.com/p/DOb8B9xjgZJ/).

² *ABC Pulls Jimmy Kimmel off Air After Comments Made about the Charlie Kirk Killing*, National Public Radio (Sept. 18, 2025) (online at www.npr.org/2025/09/18/nx-s1-5544559/abc-jimmy-kimmel-comments-charlie-kirk).

In a podcast interview on the afternoon of September 17, 2025, you appeared to threaten FCC action against ABC-affiliated stations should these stations fail to remove Jimmy Kimmel from the air, saying: “These companies can find ways to change conduct and take action, frankly, on Kimmel, or there’s going to be additional work for the FCC ahead.”³ Later in the day on September 17th, Nexstar Media Group announced that it would “preempt ‘Jimmy Kimmel Live!’ for the foreseeable future beginning with [that evening’s] show.”⁴ On the evening of September 17th, Sinclair followed suit, announcing that it would “indefinitely preempt” *Jimmy Kimmel Live!* and suspend production of the show.⁵ The Trump Administration’s actions this week raise a concern that the Administration is using the FCC as a tool to silence media and commentators who criticize the President or conservative viewpoints.

It appears that the Trump Administration, with your help, in the words of Democratic Commissioner Anna Gomez, “is increasingly using the weight of government power to suppress lawful expression.”⁶ Although genuine “threats” are not protected speech under the First Amendment to the U.S. Constitution, Kimmel’s words were clearly lawful and qualify as speech protected by the First Amendment.⁷ The government’s distaste for the sentiment expressed in his statement does not mean that such speech is inherently threatening.

The U.S. Supreme Court has repeatedly affirmed the fundamental principle that, although the government can prosecute unlawful threats, “[w]hat [it] cannot do ... is use the power of the State to punish or suppress disfavored expression.”⁸ Moreover, the Administration’s abuse of power in singling out speakers with specific viewpoints raises the threat of unconstitutional viewpoint discrimination.⁹

The Trump Administration’s current pressure against newspapers, publishers, and networks stands in stark contrast to Trump officials’ previous comments about speech. For example, on May 2, 2022, you stated on X that “Political satire is one of the oldest and most

³ *ABC Pulls Jimmy Kimmel Off Air for Charlie Kirk Comments After F.C.C. Pressure*, New York Times (Sept. 18, 2025) (online at www.nytimes.com/2025/09/17/business/media/abc-jimmy-kimmel.html).

⁴ Nexstar Media Group, *Press Release: Nexstar ABC Affiliates to Preempt “Jimmy Kimmel Live!” Indefinitely Beginning Tonight* (Sept. 17, 2025) (online at www.nexstar.tv/nexstar-abc-affiliates-to-preempt-jimmy-kimmel-live-indefinitely-beginning-tonight/).

⁵ Sinclair, *Sinclair Says Kimmel Suspension Is Not Enough, Calls on FCC and ABC to Take Additional Action* (Sept. 17, 2025) (online at <https://sbgi.net/sinclair-says-kimmel-suspension-is-not-enough-calls-on-fcc-and-abc-to-take-additional-action/>). See also *ABC Pulls Jimmy Kimmel Off Air for Charlie Kirk Comments After F.C.C. Pressure*, New York Times (Sept. 17, 2025) (online at www.nytimes.com/2025/09/17/business/media/abc-jimmy-kimmel.html).

⁶ @AGomezFCC (Anna M. Gomez), Twitter (Sept. 27, 2025) (online at <https://x.com/AGomezFCC/status/1968406707484144057>).

⁷ *FCC Chairman Praises Jimmy Kimmel’s Suspension, Criticizes Late Night Hosts for “Enforcing a Narrow Political Ideology,”* Variety (Sept. 17, 2025) (online at <https://variety.com/2025/tv/news/fcc-chairman-jimmy-kimmel-suspension-1236522728/>).

⁸ See *Nat’l Rifle Ass’n of Am. v. Vullo*, 602 U.S. 175, 188 (2024).

⁹ See *Iancu v. Brunelli*, 588 U.S. 388, 393 (2019) (“A core postulate of free speech law” is that “[t]he government may not discriminate against speech based on the ideas or opinions it conveys.”)

important forms of free speech. [...] That's why people in influential positions have always targeted it for free speech."¹⁰ On November 17, 2024, you stated, "We must dismantle the censorship cartel and restore free speech rights for everyday Americans."¹¹ On the first day of his second term, President Trump issued an executive order claiming to promote the right to "engage in constitutionally protected speech."¹²

Despite these proclamations, it appears that the Administration's efforts to defend free speech apply only when the speech is aligned with the President's self-image and agenda. Instead of defending legitimate political expression, President Trump has demanded the suppression of speech he opposes and has wielded the government to silence dissent.

Your statements are part of a broader systematic assault on media freedom and protected speech. In July 2025, President Trump filed a lawsuit against the Wall Street Journal and Rupert Murdoch for reporting that President Trump submitted a lewd drawing and note for Jeffrey Epstein's "birthday book," despite the fact that the submission clearly bears the President's signature.¹³ In September 2025, President Trump launched another lawsuit against the New York Times and Penguin Random House, claiming they led a campaign to damage his reputation before the 2024 presidential election.¹⁴

President Trump clearly wishes to silence outlets and networks that he believes have portrayed him unfavorably. Then-candidate Donald Trump criticized ABC's moderation of the 2024 presidential debate.¹⁵ On October 31, 2024, then-candidate Trump filed a lawsuit against CBS regarding its 60 Minutes Interview with then-candidate Kamala Harris, calling the interview "mislead[ing]."¹⁶ While former FCC Chair Jessica Rosenworcel led the FCC in protecting free speech and rejecting Trump's complaints against NBC, ABC, and CBS, you

¹⁰ @BrendanCarrFCC (Brendan Carr), X (May 2, 2022) (online at <https://x.com/BrendanCarrFCC/status/1521117482303602689>).

¹¹ @BrendanCarrFCC (Brendan Carr), X (Nov. 17, 2024) (online at <https://x.com/BrendanCarrFCC/status/1858327922810970327?lang=en>).

¹² The White House, *Restoring Freedom of Speech and Ending Federal Censorship* (Jan. 20, 2025) (online at www.whitehouse.gov/presidential-actions/2025/01/restoring-freedom-of-speech-and-ending-federal-censorship/).

¹³ *Jeffrey Epstein's Friends Sent Him Bawdy Letters for a 50th Birthday Album. One Was from Donald Trump*, Wall Street Journal (July 17, 2025) (online at www.wsj.com/politics/trump-jeffrey-epstein-birthday-letter-we-have-certain-things-in-common-f918d796); *Trump Files \$15 Billion Defamation Suit against New York Times, Penguin Random House*, ABC News (Sept. 16, 2025) (online at <https://abcnews.go.com/US/trump-files-15-billion-defamation-suit-new-york/story?id=125619941>).

¹⁴ *Id.*

¹⁵ *FCC Chair Rebuffs Trump's Post-Debate Call To Strip ABC's License*, Washington Post (Sept. 12, 2024) (online at www.washingtonpost.com/politics/2024/09/12/fcc-chair-rebuffs-trumps-post-debate-call-strip-abcs-license/).

¹⁶ *Trump Sues CBS over "60 Minutes" Interview with Harris. Legal Experts Call It "Frivolous and Dangerous,"* CNN (Nov. 1, 2024) (online at <https://www.cnn.com/2024/11/01/media/trump-cbs-lawsuit-harris-60-minutes-interview>). Note that Paramount settled the "60 Minutes" Lawsuit and agreed to pay President Trump \$16 million and did not include an apology. *Paramount to Pay Trump \$16 Million to Settle "60 Minutes" Lawsuit*, New York Times (July 2, 2025) (online at <http://nytimes.com/2025/07/02/business/media/paramount-trump-60-minutes-lawsuit.html>).

restored these complaints for alleged bias and appear to be abusing the FCC's authority.¹⁷ In July 2025, just one week after CBS canceled *The Late Show with Stephen Colbert*—a move celebrated by President Trump—the FCC approved a lucrative merger between CBS's parent company, Paramount, and Skydance.¹⁸ In late August 2025, Trump called ABC and NBC “FAKE NEWS” and “AN ARM OF THE DEMOCRAT PARTY,” urging your office to revoke their licenses.¹⁹ On September 17, 2025, when cancellation of Kimmel's show was announced, Trump took direct aim at NBC to remove Jimmy Fallon and Seth Meyers' late-night shows, stating “Do it NBC!!!”²⁰

The Administration's assault on free speech has also been taken up by the Trump Justice Department. Attorney General Pam Bondi recently made the incorrect statement that hate speech is not protected speech and threatened to “target you, go after you” if someone expresses protected speech with which the Trump Administration disagrees. We stand with the voices across the political spectrum that condemn the Attorney General's distortion of the founding principles designed to protect our freedoms into subjective rules designed to limit them.²¹

The suspension of *Jimmy Kimmel Live!* appears to be a clear demonstration of you carrying out Trump's demands for retribution against companies that do not align with his agenda by sheer intimidation. It is critical that the public understand the Trump Administration, ABC, and Sinclair's efforts to censor opposition to the President of the United States and his affiliates. As such, we request that you provide the following documents and information no later than October 2, 2025:

1. All documents or communications relating to federal regulatory concerns, pressure, or actions against Sinclair Group and its affiliates from any representative of the executive branch from January 20, 2025, to the present;
2. All communications from FCC Chairman Brendan Carr, FCC Chief of Staff Scott Delacourt, FCC Chief of Staff to the Office of Chairman Carr Greg Watson, FCC Director of Strategic Communications Adam Jackman, FCC Senior Counsel Erin Boone, or FCC Special Counsel Stephanie Chambless to any individuals outside the FCC relating to government business from January 20, 2025, to the present;

¹⁷ *FCC Reinstates Complaints Against ABC, CBS, and NBC for 2024 Election Coverage*, The Guardian (Jan. 22, 2025) (online at www.theguardian.com/us-news/2025/jan/22/fcc-reinstates-complaints-abc-cbs-nbc).

¹⁸ *Kimmel's Suspension Confirms What Many Suspected After Colbert's Cancellation*, Washington Post (Sept. 18, 2025) (online at www.washingtonpost.com/entertainment/tv/2025/09/18/jimmy-kimmel-charlie-kirk-abc-off-the-air/).

¹⁹ *Trump Threatens ABC and NBC over “Bad Stories”*, Axios (Aug. 25, 2025) (online at www.axios.com/2025/08/25/trump-abc-nbc-threats-christie).

²⁰ @realDonaldTrump (Donald J. Trump), Truth Social (Sept. 17, 2025) (online at <http://truthsocial.com/@realDonaldTrump/posts/115222372625104790>).

²¹ *Pam Bondi Needs a Free Speech Tutorial*, Wall Street Journal (Sept. 16, 2025) (online at www.wsj.com/opinion/pam-bondi-free-speech-hate-speech-charlie-kirk-first-amendment-a4f09203?gaa_at=eafs&gaa_n=ASWzDAhQPn2huYrq220LN4w6S41LsMWXG_2iGy2e2JgOHpVpm8_IKKH4zAKatzdhBU%3D&gaa_ts=68cc2658&gaa_sig=ii91brjwjGnIVl37t8sIFENYBeLzpauO_qKjyJKhsLQZuA_8gh0mim8rmEI4pBrxZm9qNwrQT_5wAKvt0j2yng%3D%3D).

3. All communications with the Sinclair Broadcast Group and any affiliates, the Walt Disney Company, and ABC, including any documents, relating to any reporting or coverage on its networks and television shows from January 20, 2025, to the present;
4. All communications with the Sinclair Broadcast Group and any affiliates, the Walt Disney Company, and ABC, including any documents, relating to any broadcast licensing or content matters from January 20, 2025, to the present; and
5. All communications with Department of Justice relating to broadcast licensing or content matters from January 20, 2025, to the present.

We stand ready to work with any media organization willing to resist any attempts of unlawful coercion of editorial decisions and expose any abuse of federal authority to suppress constitutionally protected speech.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this request, please contact Committee Democratic staff at (202) 225-5051.

Thank you for your attention to this matter.

Sincerely,



Robert Garcia
Ranking Member



Maxwell Alejandro Frost
Ranking Member
Subcommittee on Economic Growth,
Energy Policy, and Regulatory
Affairs

cc: The Honorable James Comer, Chairman

The Honorable Eric Burlison, Chairman
Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs