

## United States Senate

September 13, 2024

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554

Dear Chairwoman Rosenworcel,

I write to ensure that the Federal Communications Commission (FCC) will not use its licensing authority for broadcast stations to retaliate against a broadcaster over its content or coverage. This alarming issue is particularly salient given former President Donald Trump's statement following Tuesday's presidential debate that ABC is "a news organization. They have to be licensed to do it. They ought to take away their license for the way they did that."<sup>1</sup> Former President Trump's threat to revoke an FCC license over his dissatisfaction with ABC's handling of the debate is a serious threat to the First Amendment and antithetical to the FCC's mission. We urge you to denounce this lawless proposal and commit to upholding the First Amendment.

Former President Trump's statement is especially concerning considering his history of attempting to use the federal government's authority to retaliate against news organizations. In October 2017, for example, he tweeted: "With all of the Fake News coming out of NBC and the Networks, at what point is it appropriate to challenge their License? Bad for country!"<sup>2</sup> A year later, he again raised revoking NBC's broadcast license over its journalistic coverage.<sup>3</sup> The former president also reportedly sought to block the merger between AT&T and Time Warner to benefit Fox News.<sup>4</sup> This history suggests that former President Trump views the FCC's licensing authority as a partisan tool to wield against news organizations and his perceived political enemies.

Any weaponization of the FCC would be outrageous and unacceptable. As an initial matter, contrary to former President Trump's comments this week, the FCC does not "license" news organizations but licenses local broadcast stations. The FCC therefore could not revoke ABC News's license because ABC News does not hold an FCC license. More to the point, the revocation of a local broadcast station's license for the reasons former President Trump

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<sup>1</sup> Dan Mangan, *Trump says Harris debate was 'rigged,' ABC should lose license, but 'we did great'*, CNBC (Sept. 11, 2024), <https://www.cnbc.com/2024/09/11/trump-harris-debate-rigged-abc-should-lose-license.html>.

<sup>2</sup> Donald Trump (@realDonaldTrump), X (Oct. 11, 2017), <https://twitter.com/realDonaldTrump/status/918112884630093825>.

<sup>3</sup> Donald Trump (@realDonaldTrump), X (Sept. 4, 2018), <https://twitter.com/realDonaldTrump/status/1036991866124861440>.

<sup>4</sup> Jane Mayer, *The Making of the Fox News White House*, *The New Yorker* (Mar. 4, 2019), <https://www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house>.

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articulated would clearly violate the First Amendment and undermine the FCC's mission, pursuant to the Communications Act, to manage broadcast licenses in the public interest. The Commission should never revoke a broadcast license because a candidate dislikes a station's news coverage.

Given former President Trump's repeated threats to weaponize the FCC's licensing authority, I request that you respond in writing by September 20, 2024 with your commitment to making licensing determinations objectively, based on the standards set forth in the Communications Act, and in a manner that upholds the First Amendment. Americans should have complete faith that each FCC commissioner will carry out their responsibilities objectively and consistent with the Constitution.

Thank you for your prompt consideration of this important matter.

Sincerely,



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Edward J. Markey  
United States Senator



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Ron Wyden  
United States Senator