

# Congress of the United States

Washington, DC 20515

May 15, 2026

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

Dear Chairman Carr:

We write to express serious concern about recent actions and statements by the Federal Communications Commission (“FCC” or “Commission”) that suggest the agency may use its regulatory authority to pressure private companies to alter lawful internal corporate diversity, equity and inclusion (DEI) policies exceeding far beyond congressional intent.

The FCC holds significant authority over the communications marketplace by approving mergers and acquisitions, reviewing broadcast license transfers, and regulating telecommunications providers in interstate commerce. Congress granted this authority to ensure communications services serve the public interest, convenience, and necessity, not to influence the internal governance decisions of private companies. The Communications Act of 1934, as amended, codifies this standard, requiring the Commission to determine whether transactions involving communications licenses meet that public interest test. However, recent public reporting and your public statements raise concerns that companies seeking FCC approval may feel pressure to modify internal corporate policies to avoid regulatory obstacles or delays.

In a February 2025 letter to Comcast, you stated the Commission would take “fresh action to ensure that every entity the FCC regulates complies with the civil rights protections enshrined in the Communications Act... including by shutting down any programs that promote invidious forms of DEI.”<sup>1</sup> Similarly, you notified The Walt Disney Company that the FCC’s Enforcement Bureau would open an investigation into Disney and ABC for promoting DEI policies, even though such policies were undoubtedly unrelated to their broadcasting or programming.<sup>2</sup> You did not stop there; you have gone on to threaten several major telecommunications companies, all of which had licensing or authorization applications pending with the FCC, with regulatory and enforcement actions should they not adapt internal corporate policies to align with the racist and discriminatory whims of the Trump Administration.

The list goes on and on. You have been relentless in your baseless pursuit to root out DEI policies or initiatives at private companies. But at what cost? Your anti-DEI agenda is doing more harm than good and threatens

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<sup>1</sup> Federal Communications Commission. (2025, February 11). *Chairman Carr letter to Comcast and NBCUniversal regarding Promotion of DEI* [PDF] <https://www.fcc.gov/sites/default/files/Chairman-Carr-Letter%20to-Comcast-02112025.pdf>

<sup>2</sup> Federal Communications Commission. (2027, March 25). *Chairman Carr letter to Disney regarding DEI* [PDF]. <https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf>

companies that have strived to foster a diverse workforce and promote voices, viewpoints and content that reflect the very foundational principles of our country.

Countless business leaders across all sectors have stressed the incalculable value of a diverse workforce and leadership structure to a company's growth potential and shareholder value. Business leaders like Mark Cuban have emphasized that diverse workforces and leadership teams strengthen innovation, improve decision-making, and enhance long-term growth and shareholder value. To prohibit or otherwise impede private companies from pursuing talent in the manner that they deem best serves their consumers and shareholders serves no one. In fact, it is a recipe for fewer jobs and higher prices, which is consistent with the Trump Administration's activities that are making life harder for families and businesses across the board.

While at times the Commission sought to promote fairness and expand access within the communications marketplace, it must do so in a manner that maintains its commitment to serve the public interest, convenience and necessity. Under your leadership, the Commission is doing the opposite. Let it be known that our concerns here do not involve the independent decisions of private companies, but rather the misguided FCC leadership that led to the intrusive fearmongering you have instilled among the country's broadcasters since becoming Chairman.

If companies and investors believe that regulatory approvals hinge on factors well outside what has traditionally been understood to serve the communications marketplace, uncertainty will increase and investment will suffer. It is difficult to understand why the Commission would attempt to destabilize the market at a time when the United States is making strides to accelerate broadband deployment, strengthen network resilience, and maintain global leadership in communications technology.

To assist Congress in understanding the Commission's actions and to ensure that the FCC operates with the public's interest in mind, please respond and provide the following information no later than Tuesday, June 2, 2026:

1. What definition or standard does the Commission use to determine what constitutes an "invidious form" of diversity, equity, and inclusion, and under what statutory authority does the Commission make that determination?
2. A description of the factors the Commission considers when determining whether a transaction involving the transfer of communications licenses satisfies the "public interest, convenience, and necessity" standard under the Communications Act.
3. All internal and external FCC communications, memoranda, guidance, or policy documents issued since January 1, 2025, including emails, texts, and chat messages, that instruct Commission staff how to evaluate corporate governance policies or internal corporate practices when reviewing merger applications or license transfer requests.
4. All communications between FCC leadership or staff and representatives of companies with pending transactions before the Commission regarding the scope of the Commission's merger review authority since January 1, 2025.

5. A list of instances in which the Commission considered factors related to corporate governance or internal company policies, including DEI programs and other internal human resources initiatives, when evaluating applications for license renewals or transfers, merger approvals, or other regulatory authorizations. For each instance, please provide all documentation, including internal and external communications involving FCC leadership or staff, pertaining to the review or deliberation of the internal governance policies of private companies.

Your recent actions place the FCC on a path that departs from Congressional intent and stretches far beyond the authorities granted under the Communications Act. Continued actions in this direction will erode trust in the FCC's impartiality and inject uncertainty into the communications marketplace. We urge you to change course and restore the Commission's focus on its statutory mission.

Sincerely,



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Jennifer L. McClellan  
Member of Congress



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Jonathan L. Jackson  
Member of Congress



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Eleanor Holmes Norton  
Member of Congress



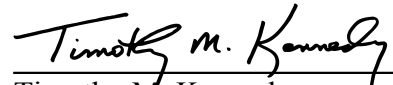
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Rashida Tlaib  
Member of Congress



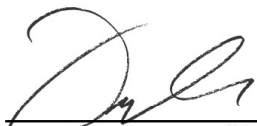
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Joyce Beatty  
Member of Congress



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Timothy M. Kennedy  
Member of Congress



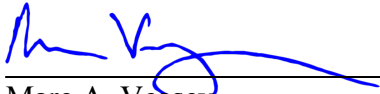
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Troy A. Carter, Sr.  
Member of Congress



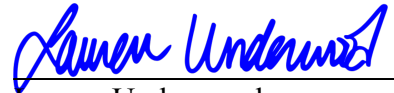
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Paul D. Tonko  
Member of Congress



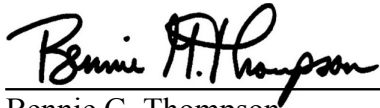
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Marc A. Veasey  
Member of Congress



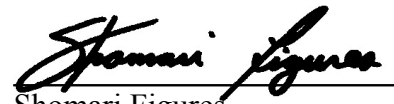
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Lauren Underwood  
Member of Congress



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Bennie G. Thompson  
Member of Congress



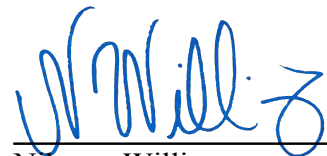
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Shomari Figures  
Member of Congress



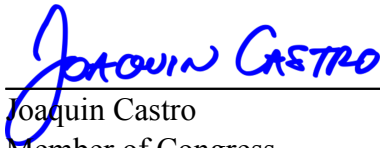
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Al Green  
Member of Congress



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Nikema Williams  
Member of Congress



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Joaquin Castro  
Member of Congress



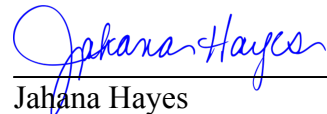
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Betty McCollum  
Member of Congress



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Shontel M. Brown  
Member of Congress



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Jahana Hayes  
Member of Congress