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*Congress of the United States
House of Representatives
Washington, D.C. 20515*

*Anna G. Eshoo
Eighteenth District
California*

October 16, 2017

The Honorable Ajit Pai, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

The Honorable Michael O'Rielly, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

The Honorable Brendan Carr, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai and Commissioners O'Rielly and Carr,

I'm writing to urge you to publicly reject the President's comments on October 11th suggesting the broadcast license of the National Broadcasting Company (NBC) "must be challenged, and if appropriate, revoked."

These comments are not only reckless and ill-informed, they directly violate the basic freedoms of speech and press that are enshrined in the First Amendment of the Constitution of the United States. As Chairman and Commissioners of the Federal Communications Commission (FCC), you took an oath to support and defend our Constitution. Yet it has been five days since the President delivered these indefensible remarks and you have failed to publicly reject them. The American people deserve to know that this attack on the Constitution will not be carried out by the FCC.

The President's comments also directly violate the FCC's regulation of broadcast television licensees, which states unequivocally that "[t]he First Amendment, as well as Section 326 of the Communications Act, prohibits the Commission from censoring broadcast material and from interfering with freedom of expression in broadcasting."

I call on you to uphold your oath of office to our Constitution and the First Amendment by publicly rejecting any efforts or suggestions to the contrary. Silence is not an option when it comes to your oath or mine.

Most gratefully,

A handwritten signature in blue ink, appearing to read "Anna G. Eshoo", with a large, stylized initial "A" and a horizontal line extending from the end of the signature.

Anna G. Eshoo
Member of Congress

cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications
Commission
The Honorable Jessica Rosenworcel, Commissioner, Federal Communications
Commission



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 23, 2017

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter regarding First Amendment freedoms and the independence of the Federal Communications Commission (FCC or Commission).

Throughout my tenure at the Commission, I have consistently been a strong supporter of the First Amendment, and as I stated last week, the FCC under my leadership has protected and will continue to protect the First Amendment. Moreover, I have made clear that the FCC does not have the authority to revoke a license of a broadcast station based on the content of a particular newscast.

As a strong supporter of the First Amendment and the FCC's independence, I can also assure you that under my leadership the Commission's review of any matter associated with any broadcast license will not be impacted by political pressure from the Executive Branch.

I appreciate your interest in this matter and look forward to working with you on important matters before the Commission.

Sincerely,

A handwritten signature in blue ink that reads "Ajit V. Pai". The signature is stylized, with the first name "Ajit" written in a cursive-like font and the last name "Pai" in a more straightforward script. The middle initial "V." is written between the first and last names.

Ajit V. Pai