

## Chapter 28. Federal Communications Commission. Author:

**Brendan Carr**, senior Republican currently on FCC. Former FCC General Counsel; attorney at Wiley Rein LLP. Former clerk, Court of Appeals, Fourth Circuit. Has over 20 years private and public sector experience in communications and tech policy.

The FCC is an independent regulatory agency that has jurisdiction over interstate and international communications by radio, television, wire, satellite, and cable. Its mission, states Carr, is to "promote freedom of speech, unleash economic opportunity, ensure that every American has a fair shot at next-generation connectivity, and enable the private sector to create good-paying jobs through pro-growth reforms that support a diversity of viewpoints," and ensure secure and competitive communications networks, modernized infrastructure rules, and good stewardship of taxpayer dollars.

Carr lays out the structure of the FCC: five members, appointed by the president for fixed five-year terms, and no more than three Commissioners from the same political party (if there are five Commissioners). The Chairperson resigns when an incoming president of a different political party is sworn in, allowing the president to nominate someone. The Chairperson has more power than other Commissioners, and confirmation does not require Senate confirmation. There are no term limits on Commissioners.

Carr enumerates matters over which FCC has power, including: enforcing the Communications Act; addressing "net neutrality" rules and regulatory framework of broadband offerings; approving mergers that involve transfers of FCC licenses. Notably, the FCC recently facilitated transition from 3G to 4G and now 5G. It allocates consumer fees (Universal Service Fund) for broadband connections for rural areas, low-income, libraries, and schools.

He calls for FCC to "change course." The primary goal is to "rein in Big Tech," ensuring that a few dominant corporations do not continue to "drive diverse political viewpoints from the digital town square." FCC's section 230 provides websites, including social media companies, that host or moderate content generated by others with immunity from liability. This immunity should be limited, Carr states, in line with petitions filed by the Trump administration, and reforms that "prohibit discrimination against core political viewpoints" should be enacted.

## Suggested reforms:

- ✓ The FCC should force Big Tech to be more transparent, mandating them to disclose practices that could shape Internet traffic in different ways
- ✓ Congress should compel Big Tech to pay its fair share of \$9 billion Universal Service Fund
- ✓ Congress should end speech protections that enable platforms to host "illegal content" such as child pornography, terrorist speech, or "indecent, profane, or similar categories of speech"
- ✓ Consumers should be empowered "to control their own online experiences" through content moderation such as content filters and fact checkers. There should also be stronger protections against children accessing social media sites



- ✓ The FCC should also do more to protect national security from threats posed by China, including TikTok. Communications companies with over 10% ownership by foreign adversary governments should be removed. Communications partners should be compensated for expense of ending partnerships
  - ✓ Thwart Chinese government authoritarian control through artificial intelligence by stopping US business cloud computing access to Chinese companies
  - ✓ Advance a pro-growth agenda by freeing more airwaves for wireless connectivity and streamlining permitting processes
  - ✓ Aggressively open development of commercial wireless services
  - Promote accelerated construction of new cell sites, including opening up federal lands administered by BLM and US Forest Service
  - ✓ Eliminate many of the "heavy-handed FCC regulations," including many of the FCC's media ownership rules that restrict investment and competition
  - ✓ Focus FCC efforts on creating a market-friendly regulatory environment that fosters innovation and competition from a wide range of actors (cable, broadband, satellite internet)

**STC 2025 Commentary:** Carr calls on the FCC to simultaneously rein in Big Tech and create a market-friendly environment that makes commercial exploitation of airwaves easier. He calls for greater government oversight over social media, implying that Big Tech has a liberal bias. He mirrors Project 2025's pro-life, antigay, anti-diversity agenda in arguing for an end to speech protections for "illegal content" including "indecent, profane, or similar categories of speech" (thinly veiled references to transgender, LGBTQ, and gender topics), and potentially outlawing discussions of a wide range of topics. His call to enhance consumer -- i.e., parental -- choice through content filters is in line with Project 2025's antigay agenda, too. So is the proposal for more robust regulation of Chinese telecom companies, including TikTok, and his view of China as a primary foreign enemy and TikTok as a national security threat.

## Chapter 28 - Key Points

- ✓ Rein in Big Tech to prohibit presumed liberal bias
- ✓ End free speech protections of "illegal content" notably "indecent, profane, or similar categories of speech" that for conservatives would include gender, LGBTQ topics
- ✓ More aggressive stance enabling commercial exploitation of airwaves
- ✓ Protect against national security threats from China and TikTok as a platform, and other foreign adversaries