

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

*Supplemental Complaint against  
KABC (ABC7) regarding Jimmy  
Kimmel Live! Program*

*File with Ticket 8124256  
September 17, 2025*

**COMPLAINT OF THE CENTER FOR AMERICAN RIGHTS**

Two weeks ago, the Center for American Rights complained to this Commission that Jimmy Kimmel was operating his *Jimmy Kimmel Live!* program in line with his personal leftist political agenda rather than the public interest as law requires.<sup>1</sup> Unfortunately, we now have all the proof this Commission should need of his failure to meet his public interest responsibilities, as he misused the airwaves to act in callous disregard of the facts and the obligations he owes viewers and the truth.

On Monday, September 15, when his show aired at 11:30pm Eastern time, Jimmy Kimmel said in his opening monologue, “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.”<sup>2</sup> When he said that, it had been clear for several days that what he said was utterly, totally, 100% false.

On the afternoon of Saturday, September 13, the *Wall Street Journal* was the first news outlet in the nation to print official confirmation that the Kirk shooter was leftist, after Governor Cox told the *Journal* in an interview: “It’s very clear to us and to the investigators that this was a person who was deeply indoctrinated with leftist ideology.”<sup>3</sup>

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<sup>1</sup> Consumer Complaint Ticket No. 8124256 (Sept. 4, 2025).

<sup>2</sup> <https://x.com/alexchristy17/status/1967937093805445354>

<sup>3</sup> <http://wsj.com/us-news/who-tyler-robinson-charlie-kirk-suspect-814fd21f>

On Sunday, September 14, the *New York Times* ran a banner headline: “Kirk Shooting Suspect Held ‘Leftist Ideology,’ Utah Governor Says.”<sup>4</sup> The *Times* based its reporting primarily on an interview Governor Cox gave on NBC’s Sunday morning program, *Meet the Press*, when Governor Cox said, “There clearly was a leftist ideology.”

Indeed, on Sunday, September 14, ABC News itself had covered the *Wall Street Journal’s* report of Cox’s comments: “Cox previously told the Wall Street Journal that Robinson was ‘deeply indoctrinated with leftist ideology.’”<sup>5</sup>

Around 6 pm Eastern on Monday, September 15, ABC News reported two separate stories with comments by two senior administration officials, the Vice President and the Attorney General, attributing Kirk’s shooting to left-wing ideology and radicalization.<sup>6</sup>

In other words, by 11 pm Eastern on Monday, September 15, it had been clear for several days and confirmed by several senior government officials that Charlie Kirk’s killer was motivated by leftist ideology and was not part of the MAGA movement or a right-wing splinter critique of the MAGA movement. Yet Kimmel went ahead with his monologue in spite of the clear news reporting—including reporting from his own station—showing multiple official statements that contradicted his monologue.

This is not a simple or innocent mistake. It is a massive error made regarding the most important news event of the month, if not the year. It was an error that was

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<sup>4</sup> <https://www.nytimes.com/2025/09/14/us/kirk-shooting-suspect-ideology-partner.html>

<sup>5</sup> <https://abcnews.go.com/Politics/utah-governor-alleged-kirk-shooter-cooperating-authorities/story?id=125552756>

<sup>6</sup> <https://abcnews.go.com/US/attorney-general-pam-bondi-claims-left-wing-radicals/story?id=125604411>; <https://abcnews.go.com/Politics/vance-left-wing-extremism-led-charlie-kirks-killing/story?id=125587999>

obvious at the time it was made. And after the error was pointed out, he did not correct it the next night, during his show on Tuesday, September 16.<sup>7</sup>

That sort of reckless indifference or willful defiance of facts is incompatible with ABC's public interest obligations. "As a public trustee, a broadcast licensee may not engage in intentional and deliberate falsification of the news." *In re Complaint by Fitzpatrick*, 67 F.C.C.2d 153, 154 (M.B. 1977). "If the [news] material is based upon calculated falsehood or reckless disregard of the truth, it cannot properly be presented, consistent with the public interest." *In re Anti-Defamation League of B'Nai B'Rith Against Station Ktym*, 4 F.C.C.2d 190, 197-198 (1966) (dissenting statement of Comm'r Cox). See *Trinity Methodist Church, South v. Federal Radio Commission*, 62 F. 2d 850 (D.C. Cir. 1932) (affirming FCC predecessor agency's decision to deny license renewal to broadcaster who broadcast "defamatory and untrue matter").

It is no defense to say that Kimmel was engaging in satire or late-night comedy rather than traditional news. Jay Leno convinced this Commission previously that when he was commenting on the news, he was entitled to the protections of the Commission's news standards. Fair is fair: when Kimmel is commenting on the news without clearly labeling it as false satire, the same standards demand that he report it accurately. See *In the Matter of Equal Opportunities Complaint Filed by Angelides For Governor Campaign*, 21 FCC Rcd 11919 (2006).

Commission Chairman Brendan Carr has already rightly called out the terrible failure by ABC and Kimmel. He has reminded them: "They have a license granted by us at the FCC, and that comes with it an obligation to operate in the public interest."<sup>8</sup> He warned against "an intentional effort to mislead the American people about a very core fundamental fact, a very important matter."

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<sup>7</sup> <https://x.com/alexchristy17/status/1968294770230620439>

<sup>8</sup> <https://x.com/bennyjohnson/status/1968359685045838041>

And respectfully, Commissioner Gomez was wrong to say today on X that this is “justification for broader censorship and control.”<sup>9</sup> It is not “using the weight of government power to suppress lawful expression.” Intentionally or recklessly lying about the news to the American people over the public airwaves is incompatible with the public interest standard, full stop. “There is . . . a clear public interest obligation for Commission licensees, regulatees, and permittees to protect the public from false, misleading, or deceptive programming and to promote an informed public.” *Chairwoman Rosenworcel Unveils First Step in New AI Transparency Effort*, 2024 FCC LEXIS 1422, \*2 (May 22, 2024).

Here, where ABC affiliates nationwide broadcast “untrue matter” on the most important news story of our times, in line with the clear ideological bias of the host, without prompt correction, strong action by the Commission to protect the public interest is required.

ABC’s affiliates need to step up and hold ABC accountable as a network for passing through material that fails to respect the public-interest standard to which they are held. Disney as ABC’s corporate owner needs to act directly to correct this problem. And if ABC won’t take Kimmel off the air for this, then this Commission should tell KABC-7 it will come off the air if that’s necessary to put an end to this outrage.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel R. Suhr", is positioned above the typed name and address.

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<sup>9</sup> <https://x.com/AGomezFCC/status/1968406707484144057>