

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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February 23, 2026

VIA EMAIL

Mr. Patrick Webre
Acting Bureau Chief
Enforcement Bureau

Ms. Erin Boone
Acting Bureau Chief
Media Bureau

Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

Dear Mr. Webre and Ms. Boone:

I write regarding the Federal Communications Commission's ("FCC") and Chair Brendan Carr's abuse of power to harass broadcasters for critical coverage of President Trump and to favor partisan Republican politics. The Media and Enforcement Bureaus' weaponization of the "equal time" rule to threaten ABC's *The View* and suppress news interviews such as Stephen Colbert's segment with Texas U.S. Senate candidate James Talarico represents another example of politically-motivated retaliation against First Amendment protected speech. I write to request all records related to Chair Carr's involvement in the FCC's threats to broadcasters and all legal interpretations, guidance, and enforcement of matters associated with its baseless distortion of the equal time rule.

Earlier this month, the FCC announced an investigation into *The View* over an interview with Mr. Talarico, following President Trump's repeated complaints against the program.¹ The investigation followed a January 21, 2026 guidance from the Media Bureau that, without justification, purported to reverse and narrow the longstanding exception to the equal time rule for news-related content.² In its guidance, the Media Bureau indicated it would insert itself into broadcasters' editorial decisions by declaring that it will enforce the equal time rule over what it deemed as programming "motivated by partisan purposes," targeting what the Chair Carr labeled

¹ Tara Suter, *FCC opens probe into ABC's 'The View' after James Talarico interview: Reports*, THE HILL (Feb. 6, 2026), <https://thehill.com/homenews/media/5728540-equal-time-rule-fcc-the-view/>; Trump's Truth, <https://trumpstruth.org/> (search "The View").

² Fed. Communications Commission, *FCC's Media Bureau Provides Guidance On Political Equal Opportunities Requirement For Broadcast Television Stations* (Jan. 21, 2026), <https://docs.fcc.gov/public/attachments/DA-26-68A1.pdf>.

“the fake news.”³ This threat, combined with Chair Carr’s clear public bias that would prejudice enforcement,⁴ led Paramount to threaten *The Late Show with Stephen Colbert* over a scheduled interview with Mr. Talarico, resulting in the interview being pulled from the air.⁵

FCC Chair Carr’s attempt to ground his partisan censorship scheme under legal pretense willfully misinterprets and disregards decades of settled precedent and ignores Americans’ fundamental freedom of speech guaranteed by the First Amendment. Congress provided statutory exemptions to the equal time rule in 1959 for bona fide news interviews and newscasts, fearing that the onerous application of the rule “would tend to dry up meaningful radio and television coverage of political campaigns” and impose a “virtual blackout in the presentation of candidates on the news-type programs.”⁶ Congress, at time of enactment, and the FCC since, took a broad view of the exemption to “[afford] every viewer with a ringside seat” to American politics – quite literally a ringside when the FCC, under Democratic and Republican Administrations, found that the rule even exempted Phil Donahue, Jerry Springer, and Howard Stern.⁷ The FCC has also weighed in specifically on late night talk shows in the case of the Leno show in 2006, again finding interviews with candidates fell under the bona fide news interview exemption.⁸ It is also notable that, while the equal time rule applies to both television and radio, Chair Carr stated that radio — the preferred medium of numerous conservative and pro-Trump voices — was not the target of his arbitrary rule change, without even a figleaf of legal justification.⁹

The Permanent Subcommittee on Investigations (“the Subcommittee”) is conducting a preliminary inquiry into the FCC’s abuse of power, including its investigations against targets of the President, leaks of investigations, favoritism toward supporters of the President, and misrepresentations of the law to intimidate the free press.¹⁰ Pursuant to Senate Resolution 94

³ John Hendel, *Talk radio isn’t a target of FCC’s ‘equal time’ notice, Brendan Carr says*, POLITICO (Jan. 29, 2026), <https://www.politico.com/news/2026/01/29/talk-radio-isnt-a-target-of-fccs-equal-time-memo-brendan-carr-says-00755660>.

⁴ Brendan Carr, @BrendanCarrFCC, X, Jul. 21, 2025, 11:58 PM, <https://x.com/BrendanCarrFCC/status/1947506415758618946>; Brendan Carr, @BrendanCarrFCC, X, Jul. 22, 2025, 8:09 AM, <https://x.com/BrendanCarrFCC/status/1947630093540724934>.

⁵ John Koblin, *Colbert Says CBS Pulled Senate Candidate Interview*, N.Y. TIMES (Feb. 17, 2026), <https://www.nytimes.com/2026/02/17/business/media/colbert-cbs-fcc-talarico-carr.html>.

⁶ S. Rept. No. 562, 86th Cong., 1st Session, Equal Time Amendment to Communications Act of 1934, 10, https://www.govinfo.gov/content/pkg/SERIALSET-12151_00_00-080-0562-0000/pdf/SERIALSET-12151_00_00-080-0562-0000.pdf.

⁷ Staff Ruling, In Re Request of Multimedia Entertainment, Inc. For Declaratory Ruling, 9 FCC Rcd No. 13, (June 13, 1994), <https://docs.fcc.gov/public/attachments/DA-94-631A1.pdf>; Declaratory Ruling, In re Request of Infinity Broadcasting Operations Inc. For Declaratory Ruling, DA 03-2865, (Sept. 9, 2003), <https://docs.fcc.gov/public/attachments/DA-03-2865A1.pdf>.

⁸ Order, In the Matter of Equal Opportunities Complaint Filed by Angelides For Governor Campaign Against 11 California Television Stations, DA 06-2098, (Oct. 26, 2006), <https://docs.fcc.gov/public/attachments/DA-06-2098A1.pdf>.

⁹ John Hendel, *Talk radio isn’t a target of FCC’s ‘equal time’ notice, Brendan Carr says*, POLITICO (Jan. 29, 2026), <https://www.politico.com/news/2026/01/29/talk-radio-isnt-a-target-of-fccs-equal-time-memo-brendan-carr-says-00755660>.

¹⁰ See Letter from The Hon. Richard Blumenthal, Ranking Member, Permanent Subcomm. on Investigations to Mr. Patrick Webre, Acting Bureau Chief, Enforcement Bureau and Ms. Erin Boone, Acting Bureau Chief, Media Bureau, Fed. Communications Commission (Mar. 12, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-3-12-Letter-from-Sen.-Richard-Blumenthal-to-Patrick-Webre-and-Erin-Boone.pdf>.

(119th Cong.) and PSI Rule 1, please provide acknowledgement of compliance with the preservation request upon receipt, and information and records responsive to the following requests by March 6, 2026.

1. What communications did the Media and Enforcement Bureaus have with Chair Carr and representatives from the White House related to the FCC's attempts to revise the equal time rule and to open an investigation into ABC over Mr. Talarico's interview on *The View*?
2. What communications did the Media and Enforcement Bureaus have with Paramount (including Paramount and CBS executives) and Disney/ABC about the equal time rule, including its reported investigation into *The View*?
3. Chair Carr has demonstrated an interest in discriminating against particular broadcasters for political purposes, while declining to investigate similar behaviors or business practices from conservative entities.¹¹ What investigation did the FCC undertake of radio broadcasting content, such as talk radio shows, that would provide a legal basis for Chair Carr's discriminatory change and application of the law against television broadcasters?
4. Please provide a list of all investigations that have been opened by the Enforcement Bureau during Chair Carr's tenure and note which have been dismissed or resulted in an enforcement action.
5. Please produce all records related to the January 21, 2026 guidance regarding the equal time rule, including but not limited to all communications with broadcasters regarding application of the rule.

Please contact the Subcommittee should you have any questions about responding to these requests. Thank you for your attention to this matter.

Sincerely,



Richard Blumenthal
Ranking Member
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson
Chairman
Permanent Subcommittee on Investigations

¹¹ See *id.*