

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

178

Majority (202) 225-3641
Minority (202) 225-2927

April 30, 2026

The Honorable Brendan Carr
Chairman
Federal Communications Commission
45 L Street NE
Washington, D.C. 20554

Dear Chairman Carr:

We write to express our concern over your blatant efforts to chill speech and intentionally favor friends and allies of President Trump. Your selective interpretation and threatened weaponization of Federal Communications Commission (FCC) rules and regulations to curry favor with President Trump undermines the independence of your agency and erodes the public trust that is essential to a free press and our democratic system.

As your most recent abuse of power, you ordered an early review of Disney's ABC licenses in obvious retaliation for a joke made by Jimmy Kimmel on "Jimmy Kimmel Live!" on April 23.¹ Instead of carrying out the work of the FCC as an independent agency, you have again decided to use the FCC as a weapon to punish protected speech at the behest of the President and, this time, the First Lady.² On April 28, claiming that the FCC is seeking to ensure that "the broadcaster has been meeting its public interest obligations," the FCC issued an order to Disney and its eight broadcast stations requiring that Disney file to renew its licenses within 30 days.³ This is a flagrant political move on your part, given that the earliest license renewal is not due until 2028, and some not even due until 2031.⁴ As FCC Commissioner Gomez put it, "This is the most egregious action this FCC has taken in violation of the First Amendment to date."⁵ Any effort on your part to revoke Disney's licenses on the basis of protected speech will fail, which you well know. Instead, this is a blatant attempt to hold your investigation and license

¹ *F.C.C. Orders a Review of ABC's Broadcast Licenses*, The New York Times (Apr. 28, 2026).

² First Lady Melania Trump (@FLOTUS), X (Apr. 27, 2026, 10:19 AM) (<https://x.com/FLOTUS/status/2048769128513585618>).

³ Federal Communications Commission, *Order* (Apr. 28, 2026) (DA 26-416).

⁴ *See* note 1.

⁵ Federal Communications Commission, *Gomez: FCC Assault on 1st Amendment Will Fail* (Apr. 29, 2026) (press release).

renewal proceedings over the heads of Disney executives in an effort to chill future speech on news and entertainment programs at Disney and across the entire industry. And while you do so, you not only violate the FCC's prohibition on censorship, but you also waste taxpayer dollars that fund this crusade and the time and expertise of the FCC career staff tasked with carrying it out.

Your partisan attacks on media figures and companies that Trump does not like was also apparent at the recent Conservative Political Action Conference, where you stated, "PBS, defunded. NPR, defunded. Joy Reid, gone from MSNBC. Sleepy-eyes Chuck Todd, gone. Jim Acosta, gone. John Dickerson, gone... Stephen Colbert is leaving. CBS is under new ownership. And soon enough, CNN is going to have new ownership as well... President Trump is winning."⁶ Since laying out this disturbing manifesto, however, a federal court overturned Trump's Executive Order defunding NPR and PBS, stating that the President "may not... use his governmental power" to cut funding "in retaliation for saying things that he does not like."⁷ Trump and you will only see more losses in court and losses to your credibility, including in Congress, if you continue to issue threats and take official actions in a partisan and legally indefensible manner.

Several other incidents have demonstrated the partisan and hypocritical nature of your decisions as Chairman of the FCC. On the morning of Saturday, March 7, 2026, Trump and other government officials attended the dignified transfer ceremony at Dover Air Force Base for six soldiers killed in Kuwait due to the war in Iran.⁸ At the ceremony, Trump wore a white baseball hat with "USA" emblazoned in gold lettering with "45-47" embroidered on one side and an American flag on the other.⁹ This display, which was captured on tape by countless media outlets present, drew bipartisan criticism for being an inappropriate and irreverent choice of attire. Even several high-profile Republicans called the choice "shameful" and a reflection of Trump having "no sense of dignity or appreciation for the moment."¹⁰

⁶ *WATCH LIVE: FCC Chair Brendan Carr speaks at CPAC*, PBS NewsHour (Mar. 27, 2026).

⁷ *National Pub. Radio, Inc. v. Donald J. Trump*, No. 25-1674, 53 (D.D.C. 2026).

⁸ *Trump Attends Dignified Transfer of 6 Fallen Service Members Killed in Kuwait Amid Iran war*, ABC News (Mar. 7, 2026).

⁹ Trump Store, *USA 45-47 Hat* (<https://www.trumpstore.com/headwear/usa-45-47-hat>) (accessed Apr. 29, 2026).

¹⁰ *Trump's Wearing of Baseball Cap during Dignified Transfer Draws Criticism*, The Washington Post (Mar. 9, 2026).



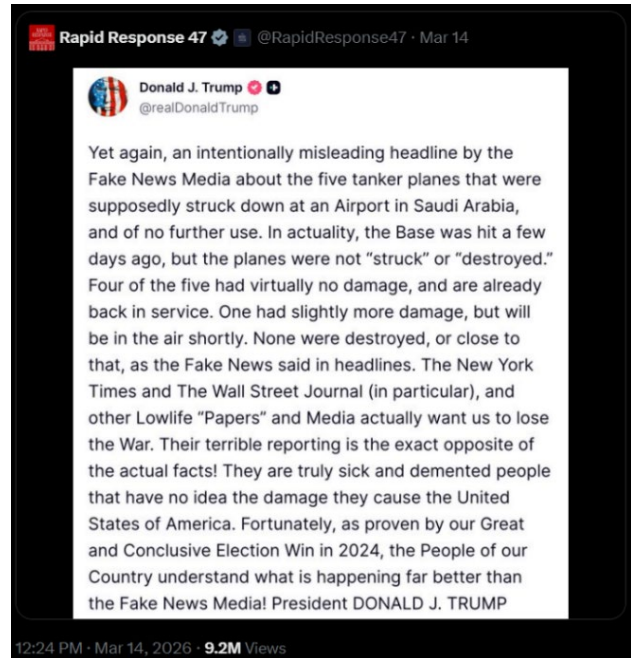
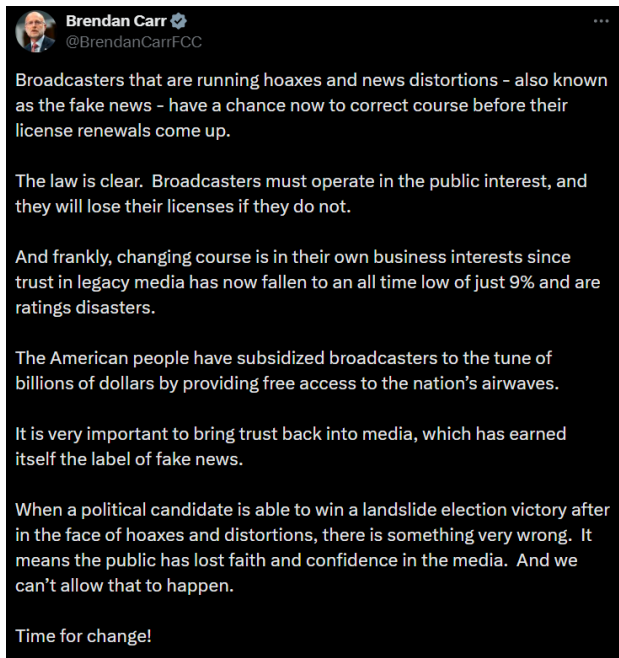
March 7, 2026, Dover Air Force Base, Dover, Delaware. Anna Moneymaker/Getty Images

Notwithstanding the President’s lack of decorum and respect, reflected by wearing a hat, Fox News chose not to air accurate video footage from that morning. Instead, Fox News chose to repeatedly air an old video from a dignified transfer ceremony in December where Trump was dressed appropriately.¹¹ Fox News’ viewers, including Fox News Sunday viewers on the Fox television network, were shown inaccurate coverage of the dignified transfer ceremony, preventing them from seeing the white baseball hat. Although Fox News Sunday airs on hundreds of local broadcast stations across the country, you were uncharacteristically quiet about its misleading coverage—a stark contrast to your threats against broadcasters for coverage that President Trump finds unfavorable.

In fact, on March 14, 2026, you responded to a post from Trump criticizing news reports of damage to American military equipment by threatening broadcasters’ licensees for running “hoaxes and news distortions.”¹²

¹¹ *Fox’s Donald Trump Dignified Transfer ‘Mistake’ Under Fire: ‘Would be a Huge Scandal’*, Penn Live (Mar. 9, 2026).

¹² Brendan Carr (@BrendanCarrFCC), X (Mar. 14, 2026, 12:24 PM) (<https://x.com/BrendanCarrFCC/status/2032855414233047172>).



Your manipulation of the news distortion policy is apparent in your selective threats and investigations of news distortion complaints as you reopened three of the four previously closed news distortion complaints (against ABC, NBC, and CBS), while notably leaving the closed case against Fox untouched.¹³ Earlier, you also reinstated a lawfully denied complaint against CBS for alleged news distortion for engaging in routine editing of an interview with former Vice President Kamala Harris.¹⁴ Following that reinstatement, you launched a formal investigation of CBS all while Skydance's merger with Paramount was under federal review. After a \$16 million settlement was made to President Trump for alleged "damages" arising from the same allegations, the merger was approved and the FCC investigation was effectively dropped.

Since assuming the role of Chairman, you have weaponized the agency against news outlets by not only questioning the speech and expressive conduct of targeted entities but also by abusing your power to formally accuse these speakers of wrongdoing.¹⁵ As we said in prior

¹³ *FCC Chair Brendan Carr Threatens to Revoke Broadcasters' Licenses over Iran Coverage*, BBC (Mar. 15, 2026); *Carr FCC sets aside Rosenworcel Closure of "News Distortion" Complaints against CBS, ABC and NBC, but not Fox*, REC Networks Substack (Jan. 22, 2025).

¹⁴ Letter from Peter S. Hyun, Acting Enforcement Bureau Chief, Federal Communications Commission, to Daniel R. Suhr, President, Center for American Rights (Jan. 16, 2025).

¹⁵ *How an AM Radio Station in California Weathered the Trump administration's Assault on Media*, AP News (Dec. 15, 2025); *FCC Chairman Threatens ABC Over Jimmy Kimmel's Remarks About Charlie Kirk's Killer*, Variety (Sept. 17, 2025); *FCC Reinstates Complaints over ABC Presidential Debate, Harris TV Appearances*, Reuters (Jan. 23, 2025); *Brendan Carr Plans to Keep Going After the Media*, The New York Times (Sept. 24, 2025); *Federal Regulators Take New Aim at Late-Night TV*, The New York Times (Jan. 21, 2026).

correspondence, these actions assault the freedom of the press and violate the FCC's statutory prohibition against censorship.¹⁶ As explained on the FCC's website, "[t]he First Amendment and the Communications Act expressly prohibit[s] the Commission from censoring broadcast matter."¹⁷ Prior to your position as Chairman, you appeared to accept this as true, saying "[s]hould the government censor speech it doesn't like? Of course not. The FCC does not have a roving mandate to police speech in the name of the 'public interest.'"¹⁸

In your attempts to justify your partisan actions, you have posted entirely inapplicable quotes from case law while ignoring the central principle that "government censorship of a particular program contrary to... the official government view" is never permitted.¹⁹ This Administration's repeated attempts to threaten news outlets and rewrite the facts is egregious, blatant, and, as FCC Commissioner Gomez said, "grounded in neither reality nor law and would not survive judicial scrutiny."²⁰

Beyond your biased threats regarding news distortion and serving the public interest, your selective interpretation and inconsistent enforcement threats regarding the equal time rule further demonstrate your clear bias in favor of Trump. In January, you reversed the decades-old policy regarding the bona fide news exception to the equal time rule and issued a notice that the exception would no longer apply to daytime talk shows and late-night programs.²¹ These thinly disguised acts all appear to support the same goal: chill speech that Trump doesn't like.

This tactic's inevitable and intended outcome is already materializing. In February, reports indicated that the FCC was investigating "The View" for hosting a segment featuring Texas Senate candidate James Talarico apparently based on their new interpretation that a

¹⁶ Letter from Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce, Rep. Doris Matsui, Ranking Member, Subcommittee on Communications and Technology, House Committee on Energy and Commerce, and Rep. Yvette D. Clarke, Ranking Member, Subcommittee on Oversight and Investigations, House Committee on Energy and Commerce, to Brendan Carr, Chairman, Federal Communications Commission (Mar. 31, 2025).

¹⁷ Federal Communications Commission, *The Public and Broadcasting* (Sept. 2021) (<https://www.fcc.gov/media/radio/public-and-broadcasting#FCC>); Donald J. Trump (@realDonaldTrump), Truth Social (Mar. 15, 2026, 7:48 PM) (<https://truthsocial.com/@realDonaldTrump/posts/116235861005528220>); 47 U.S.C. § 326.

¹⁸ Brendan Carr (@BrendanCarrFCC), X (Feb. 14, 2019, 10:05 AM) (<https://x.com/BrendanCarrFCC/status/1096062915201953795?s=20>).

¹⁹ Brendan Carr (@BrendanCarrFCC), X (Mar. 14, 2026, 4:00 PM) (<https://x.com/BrendanCarrFCC/status/2032909862305235397>); *Democrats Blast FCC Chair Carr's Broadcast License Threats as Anti-First Amendment, 'Totalitarian'*, CNBC (Mar. 16, 2026).

²⁰ Federal Communications Commission, *Gomez: Stop Falling for FCC Intimidation Tactics* (Mar. 16, 2026) (press release); *FCC Chair Threatens TV Networks Amid Iran War Coverage — but his Warning Rings Hollow*, CNN (Mar. 15, 2026).

²¹ Federal Communications Commission, *FCC's Media Bureau Provides Guidance on Political Equal Opportunities Requirement for Broadcast Television Stations* (Jan. 21, 2026) (press release).

daytime talk show no longer qualified for the bona fide news exception.²² Commissioner Gomez called out the transparent maneuver, saying “Let’s be clear on what this is. This is government intimidation, not a legitimate investigation.”²³ Similarly, less than two weeks later, network lawyers advised Stephen Colbert that hosting James Talarico on “The Late Show with Stephen Colbert” could expose the network to consequences from the FCC unless opposing candidates were offered equal opportunities.²⁴ These concerns were enough to force Colbert to interview Talarico on YouTube to avoid any chance of retribution from the Trump FCC, even though the equal time rule places the burden on the opposing candidate, not the broadcast licensee, to request equal time.²⁵ If an opposing candidate fails to request equal time within the designated period, the licensee has no obligation and no ability to force them to participate.

The chilling effect here is therefore doubly troubling, as it is being achieved not by a legitimate interpretation or enforcement of the law, but by exploiting broadcasters’ fear of a hostile FCC. Further, the new interpretations are not being enforced against daytime and late-night talk shows equally. Instead, the FCC has announced it will assess whether a show has a “partisan purpose” when determining whether the equal time rule is implicated.²⁶ Given your FCC’s track record of favoritism towards Trump, this level of subjectivity is alarming. If the FCC’s investigation into “The View” and CBS’s decision to move the Talarico interview to YouTube portends a broader trend, Americans may see and hear from fewer candidates this election year, which is not in the public interest.²⁷

These recent actions uniformly and improperly wield the regulatory power of your agency to erode the First Amendment rights of your and Trump’s targets. They have provoked widespread concern across the political spectrum and demand both continued oversight by Congress and answers from you. Even the appearance of partisan action by the FCC is inappropriate and raises questions about whether the FCC is acting within its statutory obligations and limitations.

Because you failed to adequately respond to our prior correspondence, we renew those requests which are attached to this letter. Additionally, please provide written responses to the following new requests by May 14, 2026.

1. Explain and provide all documents related to your decision to order the early license renewal of Disney ABC stations. Include in your explanation and production of

²² *Trump FCC Investigates The View, reportedly says “Fake News” will be Punished*, Ars Technica (Feb. 9, 2026).

²³ Federal Communications Commission, *Gomez on Sham “Investigation” of The View* (Feb. 6, 2026) (press release).

²⁴ *Stephen Colbert Slams CBS, says Lawyers told him James Talarico Interview could not Air on “The Late Show”*, CBS News (Feb. 18, 2026).

²⁵ 47 C.F.R. § 73.1941.

²⁶ See note 20.

²⁷ *Brendan Carr’s ‘Equal Time’ Curveball Crashes the Midterms*, POLITICO (Mar. 17, 2026).

documents how this proceeding would “ensure that the broadcaster has been meeting its public interest obligations” and what, if any, issues you purportedly identified in your ongoing investigation of Disney that are somehow relevant to upholding the “public interest” or any other FCC authority.²⁸

2. Explain and provide all documents related to your decision to reverse long-standing FCC policy and subject daytime and late-night talk shows to the equal time rule. Include in your explanation and production of documents the rationale behind issuing this change without formal rulemaking, which is open to public comment.
3. Specifically describe and provide documentation of any complaints raised about the interview on “The View” with James Talarico that led to your investigation of potential violation of the equal time rule. Also provide all other documentation related to your investigation to date. Include in your response which other eligible candidates, if any, requested and were refused equal time by the broadcaster. To the extent that there were no candidates that were refused equal time, describe the basis of your investigation and what authority you believe the FCC has to conduct this investigation.
4. Provide any communications with CBS or its affiliates regarding the interview of James Talarico on “The Late Show with Stephen Colbert.”
5. Explain your interpretation of the “public interest standard” you frequently cite and the FCC’s authority to enforce your interpretation of such standard.²⁹ Provide all documentation regarding your interpretation and purported authority, including memoranda and communications.
6. Explain what criteria you purport to use to determine whether a program is “motivated by a partisan purpose” and provide all documentation regarding these criteria including related memoranda and communications.³⁰
7. Provide all records related to travel to Trump’s personal residence in Florida including itineraries for that travel, participants in meetings held at Trump’s personal residence, detailed receipts of all associated costs paid or reimbursed by the FCC, and any formal or informal ethics advice that was provided related to such travel.

²⁸ See note 3.

²⁹ *Trump’s CBS Lawsuit Ties Media Freedom to FCC’s Regulatory Power*, The Brookings Institution (Feb. 19, 2025); *Will the FCC’s ‘Public Interest’ Standard Limit Broadcast Free Speech?*, DC Journal (Dec. 3, 2024); *FCC Chief Brendan Carr Wants to ‘Re-Empower’ Local TV Stations and Consider Tighter Regulation of Social Media Giants*, Variety (Feb. 27, 2025).

³⁰ *Trump FCC’s Equal-Time Crackdown Doesn’t Apply Equally—or at all—to Talk Radio*, Ars Technica (Mar. 2, 2026).

The Honorable Brendan Carr

April 30, 2026

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Finally, preserve all documents and records potentially responsive to the issues and requests raised in this letter and in our letter of March 31, 2025, including text messages, emails, and digital and physical documents. This preservation request applies to existing and future materials that are responsive to these requests, including those that would otherwise be automatically deleted. If you have any questions about this request, please contact the Committee Democratic staff at (202) 225-2927.

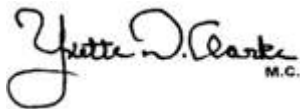
Sincerely,



Frank Pallone, Jr.
Ranking Member



Doris Matsui
Ranking Member
Subcommittee on Communications
and Technology



Yvette D. Clarke
Ranking Member
Subcommittee on Oversight
and Investigations

cc: The Honorable Brett Guthrie
Chairman

The Honorable Richard Hudson
Chairman
Subcommittee on Communications and Technology

The Honorable John Joyce
Chairman
Subcommittee on Oversight and Investigations

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Minority (202) 225-2927

March 31, 2025

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

Dear Chairman Carr:

We write to express deep concern over your actions to target and intimidate news organizations and broadcasters in violation of the First Amendment.¹ These troubling actions assault the Constitutionally protected freedom of the press and violate the Federal Communications Commission's (FCC) statutory prohibition against engaging in censorship.² Moreover, directing FCC staff to devote time and resources to bogus investigations constitutes a violation of the law, gross mismanagement, extreme waste of funds, and an abuse of authority. Therefore, we are also sharing a copy of this letter with the FCC's Office of Inspector General and are recommending that it open an investigation.³

Since assuming the role of Chairman on January 20, 2025, you have weaponized the agency against news outlets by not only questioning the speech and expressive conduct of targeted entities but also by abusing your power to formally accuse these speakers of wrongdoing. These actions are in flagrant disregard of the statutory jurisdiction of the Commission, lack any evidence of actual violations, and are conducted with apparent willful ignorance of FCC practice and legal precedent.

As you know, the FCC is an independent government agency, overseen by Congress, with authority to regulate interstate and international communications and related technologies. Your partisan goals are transparent and inappropriate, particularly given your previous experience as FCC General Counsel. You have launched sham investigations into entities disfavored by President Trump, Elon Musk, and the Republican Party to censor journalists and news coverage. In the absence of actual agency authority and any real evidence of wrongdoing, your pursuit of

¹ U.S. Const. amend. I.

² 47 U.S.C. § 326.

³ *Id.*

these actions is clearly intended to punish and burden broadcasters and other media companies by inflicting incalculable reputational harm and excessive costs to defend themselves.

Additionally, and alarmingly, some of your actions are aligned with a private lawsuit in which President Trump in his personal capacity is seeking extensive monetary damage from the same entities you are targeting. This is an obvious effort to create additional leverage in Trump's settlement negotiations and encourage payment in a sham lawsuit in exchange for favorable regulatory outcomes. Furthermore, your frequent travel with the President to his property in Florida is inappropriate of the Chairman of an independent agency. It calls into doubt your understanding of the agency's purpose and raises questions about whether you are inappropriately receiving direction from the President.^{4,5}

Perhaps your most concerning action to date is your harassment of CBS. You recently reinstated a lawfully denied complaint against CBS for alleged news distortion for engaging in routine editing of an interview with former Vice President Kamala Harris.⁶ Following this reinstatement, you launched a formal investigation of the broadcaster by sending a letter of inquiry demanding videos and transcripts. You also opened an unnecessary comment period—advertised with a banner on the FCC website's consumer complaints page—even after receiving and publishing unedited videos and transcripts that clearly show no deception.^{7,8} You have taken these actions while the Commission is reviewing a merger proposed by CBS's parent company, Paramount Global, and President Trump is suing the company in his personal capacity for damages based on the same allegations. As others have noted, undertaking these official actions to pressure the regulated entity to settle its lawsuit with President Trump for monetary damages could give the appearance that you are facilitating a bribe to the President to drop these

⁴ Broadband Breakfast, *Exclusive Q&A with Chairman Brendan Carr* (Feb. 25, 2025) (<https://broadbandbreakfast.com/exclusive-q-a-with-chairman-brendan-carr/>).

⁵ Axios, *Tech: Agencies Go MAGA* (Mar. 18, 2025) (https://www.axios.com/pro/tech-policy/newsletters/2025/03/18/tech-agencies-go-maga?utm_source=axios&utm_medium=email&utm_campaign=pro_policy_daily_03-20-2025&utm_content=Final&utm_term=pro_policy_preview_tech).

⁶ Letter from Peter S. Hyun, Acting Bureau Chief, Enforcement Bureau, Federal Communications Commission, to Daniel R. Suhr, Center for American Rights (Jan. 16, 2025).

⁷ Federal Communications Commission, *Consumer Inquiries and Complaints Center* (<https://consumercomplaints.fcc.gov/hc/en-us>) (accessed Mar. 21, 2025).

⁸ Federal Communications Commission, *In the Matter of News Distortion Complaint Involving CBS Broadcasting Inc. re: Preserving the First Amendment (GN Docket No. 25-11)* (<https://docs.fcc.gov/public/attachments/DA-25-85A1.pdf>) (Jan. 22, 2025).

investigations and approve the transaction.⁹ Broadcasters, public interest organizations, and free speech advocates have been uniformly critical of your pursuit of this matter.^{10,11,12}

Additionally, in your few weeks as Chairman of the FCC, you have:

- Reinstated a lawfully denied complaint against ABC for alleged news distortion for conducting an otherwise unremarkable presidential debate.^{13,14}
- Reinstated a lawfully denied complaint against NBC for violations of the FCC's equal time rule stemming from former Vice President Kamala Harris's appearance on Saturday Night Live, despite numerous clear deficiencies in the complaint including the uncontested fact that NBC's stations satisfied the Commission's regulations by appropriately filing public notice of the appearance and promptly acceding to equal time requests made by other legally qualified candidates.¹⁵
- Selectively reinstated the aforementioned complaints against ABC, CBS, and NBC while conspicuously not reinstating a petition filed against FOX that was contemporaneously denied.¹⁶
- Launched a formal investigation of KCBS-AM in San Jose, an entity owned by Audacy, for simply reporting on publicly available information about Immigration and Customs Enforcement (ICE) activity in a local neighborhood.¹⁷ This is after you had previously highlighted Audacy's connection with a fund owned by George Soros and threatened to delay Audacy's business before the Commission.¹⁸

⁹ *Paramount Executives Ask: Could They Be Sued for Settling Trump's \$20 Billion CBS Lawsuit?*, Wall Street Journal (Feb. 14, 2025).

¹⁰ Federal Communications Commission, *Comments of the National Association of Broadcasters* (Mar. 2025) (MB Docket No. 25-73).

¹¹ Federal Communications Commission, *Comments of Free Press* (Mar. 2025) (MB Docket No. 25-73).

¹² Federal Communications Commission, *Comments of the Foundation for Individual Rights and Expression* (Mar. 2025) (MB Docket No. 25-73).

¹³ See note 7.

¹⁴ See note 9.

¹⁵ Federal Communications Commission, *In the Matter of Equal Opportunities Complaint Involving NBC Telemundo License. re: Preserving the First Amendment (GN Docket No. 25-11)* (<https://docs.fcc.gov/public/attachments/DA-25-56A1.pdf>) (Jan. 16, 2025).

¹⁶ MSN, *The FCC's MAGA Standard: Target Trump's Enemies, Let Fox News off the Hook* (<https://www.msn.com/en-us/news/us/the-fcc-s-maga-standard-target-trump-s-enemies-let-fox-news-off-the-hook/ar-AA1ArnOc?ocid=BingNewsSerp>) (accessed Mar. 21, 2025).

¹⁷ *FCC Investigates Calif. Radio Station that Shared ICE Agents' Location*, Los Angeles Times (Feb. 6, 2025).

¹⁸ RadioInk, *Carr's FCC To 'Take A Very Hard Look' at Audacy's Soros Plan* (Nov. 26, 2024) (<https://radioink.com/2024/11/26/carrs-fcc-to-take-a-very-hard-look-at-audacy-plan-with-soros/>).

- Directed the FCC’s Enforcement Bureau to launch an investigation into NPR and PBS based on false allegations of violations of the Commission’s underwriting and advertisement rules, without offering any specific evidence indicating such violations.¹⁹ This was despite the fact that NPR and PBS do not hold broadcast licenses and are not subject to those rules. Shortly thereafter, you followed up that threat with letters to 13 public radio stations, demanding information about on-air sponsorship announcements.²⁰
- Baselessly accused YouTubeTV of religious discrimination based on business decisions about what channels to carry on its service.²¹
- Threatened, using dubious legal authority, to reinterpret Section 230 of the Communications Act to require private social media entities to carry speech that they disagree with or that violates their terms of service and community guidelines.²²

These recent actions uniformly and improperly wield the regulatory power of your agency to abridge the First Amendment rights of the entities you target. Many of these actions also impermissibly attempt to stretch the bounds of the FCC’s authority or engross statutory requirements in ways that are inappropriate, particularly in light of recent court decisions (that you had celebrated) which seek to narrow agency discretion.^{23,24} In addition to weaponizing the FCC’s Enforcement Bureau, you have also politicized the Media Bureau’s licensing regime, echoing persistent calls from President Trump to revoke the broadcast licenses of news outlets that were deemed critical of him.

These recent actions have provoked widespread concern among stakeholders across the political spectrum. A bipartisan group of former Chairs of the FCC each recently criticized this overreach arguing that it threatens fundamental constitutional rights and undermines the

¹⁹ Letter from Brendan Carr, Chairman, Federal Communications Commission, to Katherine Maher, President and Chief Executive Officer, National Public Radio, and Paula A. Kerger, President and Chief Executive Officer, PBS (Jan. 29, 2025).

²⁰ MSN, *FCC Asks Public Radio Stations for Details on Sponsorships* (<https://www.msn.com/en-us/news/us/fcc-asks-public-radio-stations-for-details-on-sponsorships/ar-AA1AphqZ?ocid=BingNewsSerp>) (accessed Mar. 21, 2025).

²¹ Brendan Carr (@BrendanCarrFCC), X (Mar. 7, 2025 at 2:07 PM) (<https://x.com/BrendanCarrFCC/status/1898088195675283501>).

²² *Brendan Carr Has Big Ideas About the FCC and Critics Across the Spectrum*, The Washington Post (Mar. 11, 2025).

²³ Broadband Breakfast, *FCC’s Carr: Loper Bright ‘Directionally a Really Good Thing’* (Jul. 17, 2024) (<https://broadbandbreakfast.com/fccs-carr-loper-bright-directionally-a-really-good-thing/>).

²⁴ See, e.g., *Loper Bright Enterprises v. Raimondo*, 603 U.S. __ (2024).

independence of the Commission.^{25,26,27,28,29} Other experts have raised similar concerns related to the lack of FCC jurisdiction to conduct some of these investigations and obvious attempts to attack and punish speech that you, or the President and his supporters, don't like.^{30,31}

Further, your current agenda for the FCC stands in sharp contrast to some of your own prior statements condemning actions you considered government censorship. During the prior administration, you were critical of, in your words, "selectively target[ing] a handful of news media outlets for their coverage of political events" and lamented that "regulated entities will pay a price if the targeted newsrooms do not conform to [a President's] preferred political narratives."^{32,33} What happened to your concern about "concerted effort[s] . . . to drive political dissent from the public square"?³⁴ Your own words and previously held beliefs about freedom of speech are crystal clear, and we call on you to end this misconduct and join us "in publicly denouncing [attempts] to stifle political speech and independent news judgment."³⁵

The following questions are intended to help us understand how your recent actions and decisions comply with federal law and reflect the FCC's mission and statutory obligations. For each question, please provide any and all responsive information from January 20, 2025, to the present and provide written responses by April 14, 2025.

- 1) Provide all documents related to the following investigations of media entities, including letters of inquiry, subpoenas, and similar official requests for information as well as all responses to these requests:

²⁵ Brookings Institute, *Not 'Deregulation' but Heavy-handed Regulation at the Trump FCC* (Feb. 25, 2025) (<https://www.brookings.edu/articles/not-deregulation-but-heavy-handed-regulation-at-the-trump-fcc/>).

²⁶ The Talbot Spy, *Trump Versus Free Speech by Al Sikes* (Feb. 5, 2025) (<https://talbotspy.org/trump-versus-free-speech-by-al-sikes/>).

²⁷ *Trump, CBS, and 'News Distortion'*, The Wall Street Journal (Feb. 9, 2025).

²⁸ The Federalist Society, *Expression over Radio Waves Is Not Exempt from the First Amendment* (Feb. 11, 2025) (<https://fedsoc.org/commentary/fedsoc-blog/expression-over-radio-waves-is-not-exempt-from-the-first-amendment>).

²⁹ Broadband Breakfast, *3 Former FCC Chairmen Condemn Brendan Carr's Threats Targeting Media Outlets* (Feb. 20, 2025) (<https://broadbandbreakfast.com/3-former-fcc-chairmen-condemn-brendan-carrs-threats-targeting-media-outlets/>).

³⁰ Columbia Journalism Review, *A Plea for Institutional Modesty* (Feb. 6, 2025) (<https://www.cjr.org/politics/a-plea-for-institutional-modesty-fcc-corn-revere-brendan-carr-inconsistent-hypocrisy.php>).

³¹ See note 28.

³² Federal Communications Commission, *FCC Commissioner Carr Responds to Democrats' Efforts to Censor Newsrooms* (Feb. 22, 2021) (press release).

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

- the FCC investigation of CBS related to the editing of a 60 Minutes episode featuring Vice President Kamala Harris;
 - the FCC investigation of ABC related to a 2024 presidential debate;
 - the FCC investigation of NBC related to Vice President Harris' appearance on Saturday Night Live and the equal time rule;
 - the decision not to reinstate the FCC investigation of FOX related to its coverage of the 2020 election;
 - the FCC investigation of KCBS-AM in San Jose, CA related to coverage of ICE activity;
 - the FCC investigations of NPR and PBS purportedly related to underwriting and advertisement rules;
 - the FCC inquiry of YouTubeTV related to faith-based programming; and
 - the FCC inquiry of social media companies related to Section 230.
- 2) Provide all communications between you and current White House officials and between you and other Trump Administration officials that relate to investigations of these or other media entities.
 - 3) Provide all communications between you and third parties related to investigations of these or other media entities.
 - 4) Explain and provide all supporting documents related to your decision to reinstate the complaints against ABC, CBS, and NBC but not a similar complaint against FOX, including but not limited to any advice provided by the Office of General Counsel.
 - 5) Specifically describe your interpretation of the "public interest standard" you frequently cite and specifically describe the FCC's plan and authority to enforce your interpretation of such standard.^{36,37,38}

³⁶ Brookings Institute, *Trump's CBS Lawsuit Ties Media Freedom to FCC's Regulatory Power* (Feb. 19, 2025) (<https://www.brookings.edu/articles/trumps-cbs-lawsuit-ties-media-freedom-to-fccs-regulatory-power/>).

³⁷ Inside Sources, *Will the FCC's 'Public Interest' Standard Limit Broadcast Free Speech?* (Dec. 3, 2024) (<https://dcjournal.com/will-the-fccs-public-interest-standard-limit-broadcast-free-speech/>).

³⁸ Variety, *FCC Chief Brendan Carr Wants to 'Re-Empower' Local TV Stations and Consider Tighter Regulation of Social Media Giants* (Feb. 27, 2025) (<https://variety.com/2025/tv/news/fcc-brendan-carr-re-empower-tv-stations-1236323044/>).

- 6) Specifically describe and provide all documents related to your interpretation of the FCC's authority over national broadcast networks.
- 7) Specifically describe and provide all documents related to your interpretation of the FCC's authority over online video streaming.
- 8) Specifically describe and provide all documents related to your interpretation of the FCC's authority to interpret Section 230 of the Communications Act.³⁹
- 9) Please provide an accounting of the staff time you have directed toward the investigations identified in this letter and an estimate of the cost associated with that time.
- 10) Please explain your previous statements adopting the President's agenda and describe any discussions you have had with the President or other executive branch officials during your multiple visits to the President's personal residence in Florida.
- 11) Please provide all records related to travel with the President on government aircraft and travel to the President's personal residence in Florida for meetings with the President or other White House officials, including detailed receipts of all associated costs borne by the FCC and any ethics advice that was provided related to such travel.

³⁹ 47 U.S.C. § 230.

The Honorable Brendan Carr
March 31, 2025
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If you have any questions about this request, please contact the Committee Democratic staff at (202) 225-2927.

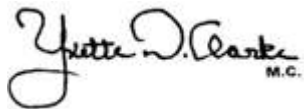
Sincerely,



Frank Pallone, Jr.
Ranking Member



Doris Matsui
Ranking Member
Subcommittee on Communications
and Technology



Yvette D. Clarke
Ranking Member
Subcommittee on Oversight
and Investigations

cc: The Honorable Brett Guthrie
Chairman

The Honorable Richard Hudson
Chairman
Subcommittee on Communications and Technology

The Honorable Gary Palmer
Chairman
Subcommittee on Oversight and Investigations