In fact, interpreting the bona fide news interview program exemption to exclude shows like *The View* would exacerbate the constitutional problems with the statutory scheme. Treating *The View* differently from other types of exempt programming is both a content and speaker-based distinction. If the exemption is understood to cover only a small universe of purportedly "neutral" and "newsworthy" broadcasts, wide swaths of programming—perhaps even all programs whose format diverges from the *Meet the Press* format referenced by the 1959 Congress that enacted the exemptions—will be penalized based on nothing more than the content and viewpoint of their speech.

Given the inherent value-laden judgments that the FCC must make when determining whether a particular program is newsworthy, the risk that the FCC will use its authority to suppress disfavored content and viewpoints is overwhelming. What is newsworthy to today's FCC may not be newsworthy to the FCC in the next Administration. "It is largely because governmental officials cannot make principled distinctions in this area that the Constitution leaves matters of taste and style so largely to the individual."[133] That caution carries special weight here, given that the Administration has been open about its disapproval of the viewpoints expressed on *The View*.[134] But the government has no legitimate interest in declaring some viewpoints more worthy than others. The bona fide news exemptions would fail any form of

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[133] *Cohen v. California*, 403 U.S. 15, 25 (1971); *cf. Minnesota Voters All. v. Mansky*, 585 U.S. 1, 21-22 (2018) (enforcement of ban on "political" attire in polling places "must be guided by objective, workable standards" because, "[w]ithout them, an election judge's own politics may shape his views on what counts as 'political'").

[134] *See, e.g.*, Dominick Mastrangelo, *White House targets 'The View,' Joy Behar over Trump criticism*, The Hill (July 24, 2025), https://thehill.com/homenews/media/5418270-white-house-the-view-joy-behar-trump-criticism; Sean Burch, *FCC Chairman Bashes 'The View,' Suggests Show Could Have 'Issues'*, The Wrap (July 24, 2025), https://www.thewrap.com/fcc-chairman-bashes-the-view-trump-issues; Joey Nolfi, *White House rips The View cohosts as 'Trump-deranged wackos' over reaction to Jeffrey Epstein files*, Entertainment Weekly *(*Nov. 20, 2025), https://ew.com/white-house-responds-the-view-jeffrey-epstein-files-11853293.

heightened scrutiny if not construed, consistent with decades of Commission practice, to apply to *The View*. That is all the more reason to conclude that *The View* qualifies for the exemption. But ultimately it does not matter, as the Commission could not subject *The View* to the equal opportunities rule consistent with the First Amendment anyway.

B. This Proceeding is Independently Barred by the First Amendment to the Extent it is Based on the Viewpoints Expressed on *The View*.

Even assuming the equal opportunities rule and its exemptions passed First Amendment muster (they do not), any effort to apply it here would violate the First Amendment to the extent adverse action is a response to the viewpoints expressed on *The View*. The Commission may not wield its enforcement authority "in order to punish or suppress [ABC's] protected expression."[135] The Commission's actions must be based on an objective application of the law and cannot be a response to disfavored content.

"If a coercive campaign is carried out with enough sophistication," it can be difficult to establish that a government official has wielded authority to punish or suppress disfavored speech.[136] In this instance, however, it is not so difficult. Although the *Public Notice* and the SLOI ostensibly avoid commenting on specific content, they both heavily emphasize concerns over the potential partisan purposes of programs.[137] At the same time, numerous statements by senior government officials have singled out *The View* for its allegedly partisan perspective.[138]

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[135] *Nat'l Rifle Ass'n of Am. v. Vullo*, 602 U.S. 175, 196 (2024).

[136] *Murthy v. Missouri*, 603 U.S. 43, 80 (2024) (Alito, J., dissenting).

[137] *Public Notice* at 1, 3-4.

[138] *See, e.g.*, *NEWS OR NOT? 'The View' under SCRUTINY as FCC Chair Says 'Fake News' Won't Qualify for Exemption*, Fox Business, YouTube (Feb. 2026), https://www.youtube.com/-watch?v=nUTgkRmtlpA&t=269s (statement of FCC Chairman Carr at 5:40-5:51); *FCC chief: These days are OVER*, Fox News Channel, YouTube (Feb. 2026), https://www.youtube.com/-watch?v=gAwYshMVEzw (statement of Chairman Carr at 6:05).

Those statements highlight the dangers of viewpoint-based targeting inherent in giving government functionaries the power to decide which "ideas and beliefs [are] deserving of expression [and] consideration,"[139] *i.e.*, what is "newsworthy." Of course, government officials are free to express their own views about *The View*. But they cannot utilize the coercive powers of the state to punish viewpoints with which they disagree.

Meanwhile, even as the Commission opens formal investigations into *The View*, it has declined to scrutinize other programs or formats, like talk radio. The *Public Notice* was addressed exclusively to daytime and late night talk shows on television, ignoring the landscape of avowedly partisan talk radio shows. It is noteworthy that many stations in KTRK's market aired interviews with select candidates prior to the recent primary election without provoking any apparent interest or inquiries from the Commission.

For example, both KTBB 97.5 FM, Troup, Texas, and WBAP 820 AM, Fort Worth, Texas, air *The Mark Levin Show*, which, on February 16, 2026, featured an interview with Dan Patrick, who is running for re-election for Lieutenant Governor, although neither KTBB nor WBAP has uploaded any documents concerning Patrick's appearance into their 2026 online public inspection files.[140] Similarly, KPRC 950 AM, Houston, Texas, broadcast an interview with Texas Attorney General primary candidate Chip Roy as part of *The Glenn Beck Program* on

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[139] *Turner Broad. Sys.*, 512 U.S. at 641.

[140] *Program Schedules*, KTBB, https://ktbb.com/skeds.php (last visited May 7, 2026); *Weekday Schedule*, WBAP, https://www.wbap.com/weekday-schedule (last visited May 7, 2026); *2/16/26 - Criminalizing Criticism: The Implications of Virginia's Islamophobia Legislation*, Mark Levin Podcast (Feb. 17, 2026), https://podcasts.apple.com/nz/podcast/2-16-26-criminalizing-criticism-the-implications/id209377688?i=1000750065366. *See also* Dan Patrick, Facebook (Feb. 17, 2026), https://www.facebook.com/100044482297495/posts/1469394397886623/?mibextid=wwXIfr&rdid=7s8v5qEcoqrHZAiB# (posting link to *The Mark Levin Show* appearance from Feb. 16, 2026) ("I joined Mark Levin, one of my favorite Fox hosts, on his radio show last night. He surprised me with his endorsement live on the air. It's a great honor to have his support.").

February 18, 2026, without including any documentation of the appearance in its public inspection files.[141] Chip Roy also appeared on the *Guy Benson Show* on February 11, 2026, which airs on several Texas radio stations, including KSEV 700 AM, Tomball, Texas.[142] KSEV (which is owned by Texas Lt. Governor Dan Patrick) likewise did not place any information about this appearance in its public inspection files. While *The Mark Levin Show*, *The Glenn Beck Program*, and the *Guy Benson Show* are all popular, long running radio talk shows, there is no indication that any of them has ever received a Declaratory Ruling that it is a bona fide news interview program.

And yet, the Commission has not made any public announcements that it is investigating *The Mark Levin Show*, *The Glenn Beck Program*, the *Guy Benson Show*, or the licensees of KTBB, WBAP, KPRC, or KSEV. Nor should it. But such a clear disparity in the treatment of broadcasters that ought to be subject to the same treatment under law raises serious concerns about viewpoint discrimination and retaliatory targeting.

To be clear, the Bureau's change in policy and apparent focus on the viewpoints presented in a particular program harms not just ABC's First Amendment rights, but the First Amendment rights of all broadcasters, regardless of their perceived viewpoints. Commentators across the political spectrum have warned about the danger of using the power and influence of the federal government to suppress disfavored views. Indeed, a broad range of voices have begun sounding the alarm that any adverse actions by the FCC will be used by future

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[141] *The Glenn Beck Program*, KPRC, https://kprcradio.iheart.com/featured/glenn-beck (last visited May 7, 2026); *The Glenn Beck Program*, Glenn Beck, https://glennbeck.com/-listen/series/the-glenn-beck-program (last visited May 7, 2026) (program webpage).

[142] *Guy Benson Show*, KSEV, https://ksevradio.com/guy-benson-show (last visited May 7, 2026); *'IT'S ABOUT THEIR POWER': Rep. Chip Roy Breaks down the SAVE America Act*, Fox News Radio (Feb. 11, 2026), https://radio.foxnews.com/2026/02/11/rep-chip-roy-save-america-act.

administrations to censor and punish speech they dislike.[143] Simply put (by Senator Ted Cruz), using the threat of FCC action to chill speech is "dangerous as hell."[144] Similarly, commentator Ben Shapiro opined:

> I do not want the FCC in the business of telling local affiliates that their licenses will be removed if they broadcast material that the FCC deems to be false. Why? Because one day the shoe will be on the other foot. … I know that a lot of people on the Right are saying, "The shoe will never be on the other foot, and if it is, the Left will just do it anyway." But preemptively breaking things because you believe that the Left is going to break the things still makes the things broken — and you can't unbreak them.[145]

The equal opportunities rule has always imposed a suspect First Amendment burden on broadcasters. While the Commission put off a reckoning of that burden for decades through judicious application of the bona fide news exemptions, this case illustrates that the fundamental conflicts remain. In short, for several independent reasons, the First Amendment does not permit the Commission's threatened application of Section 315(a) to *The View*.

V. CONCLUSION.

ABC is committed to full compliance with the Communications Act and the Commission's rules. ABC is likewise committed to serving the public interest by bringing impactful and engaging news and entertainment programming to the communities it serves. That is why ABC sought—and received—a formal determination from the Commission that *The View* is a bona fide news interview program nearly 25 years ago. Even if it had not done so, however,

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[143] *See* Stephen Battaglio, *FCC chair's call for 'equal time' could have chilling effect on TV and radio*, L.A. Times (Jan. 23, 2026), https://www.latimes.com/entertainment-arts/business/story/-2026-01-23/fcc-chairs-call-for-equal-time-could-have-chilling-effect-on-tv-radio (quoting Sean Hannity as stating "We need less government regulation and more freedom. Let the American people decide where to get their information from without any government interference.").

[144] Koch, *Cruz Warns Conservatives*, *supra* note 6.

[145] Shapiro, *Glad Kimmel's Gone*, *supra* note 6.

The View currently qualifies as a bona fide news interview program because it manifestly meets every one of the three factors the Commission and Congress established.

The View, and other shows like it, support the public interest, as Congress envisioned when it adopted the bona fide news exemptions. This goal—giving the public the broadest access to news about political races by permitting broadcasters to cover political news without fear of sanction—is especially critical today. As the 2026 election approaches, the American people need more access to political news and more exposure to political candidates, not less. It is therefore imperative that the Commission act quickly to assure broadcasters that it will uphold its long-established standards protecting broadcasters' good faith news judgment in including political candidates in bona fide news programming. To do anything else—on the eve of an election cycle—would compound the uncertainty and resulting First Amendment chill that the Commission's recent actions have engendered. ABC therefore respectfully requests that the Commission expeditiously affirm that *The View* continues to qualify for the bona fide news interview exemption under Section 315(a).

Respectfully submitted,

/s/ Paul D. Clement
Paul D. Clement
Clement & Murphy, PLLC
706 Duke Street
Alexandria, VA 22314
paul.clement@clementmurphy.com

/s/ Jennifer Tatel
Jennifer Tatel
Wilkinson Barker Knauer LLP
1800 M Street NW
Suite 800N
Washington, DC 20036
jtatel@wbklaw.com

Counsel for KTRK Television, Inc. and American Broadcasting Companies, Inc.

May 7, 2026

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of KTRK Television, Inc. and American Broadcasting Companies, Inc. Petition for Declaratory Ruling Under Section 315(a) of the Communications Act of 1934, as Amended	))))))))	Docket No. ____________

DECLARATION OF BRIAN TETA

I, Brian Teta, declare as follows:

1. I am the Executive Producer of *The View*.

2. I have worked as a television producer since 1998.

3. I joined *The View* in 2015 as co-Executive Producer and was named Executive Producer in 2017.

4. Prior to working on *The View*, I was a producer for several other shows, including *The Late Show with David Letterman*, where I was responsible for booking guests for interviews.

5. I am an employee of the ABC News division of American Broadcasting Companies, Inc.

6. I report directly to Almin Karamehmedovic, the President of ABC News.

7. As Executive Producer, I oversee all aspects of the production of *The View* and I am the direct or indirect supervisor of all personnel who work on *The View*, including its producers and co-hosts.

8. With respect to the day-to-day operations of *The View*, I am the final decision maker for all aspects of the production of *The View*, including the format, content, and participants of the program.

9. *The View* is an ABC Television Network program that has regularly aired since August 1997.

10. The general format of *The View* is a live, one-hour talk show with a panel of women of different backgrounds discussing news, politics, entertainment, popular culture, and social issues. Each episode includes the panel's discussion of the day's "hot topics," along with interviews with newsmakers conducted by the co-hosts.

11. *The View* currently is co-hosted by Joy Behar, Alyssa Farah Griffin, Whoopi Goldberg, Sara Haines, Sunny Hostin, and Ana Navarro.

12. *The View* is broadcast by the ABC Network on weekdays, Monday to Friday, from 11:00 a.m. to 12:00 p.m. (EST). It has maintained this scheduling since its premiere. There are no plans to change this scheduling.

13. Most regular season episodes of *The View* are aired live on eastern time zone stations, with a five second delay to help ensure compliance with broadcast standards.

14. The program takes an annual summer production break for the month of August, during which the ABC Network broadcasts selected previously aired episodes of the program. *The View* generally resumes production at the end of August, and a new season begins the Tuesday after Labor Day.

15. *The View* has received more than 30 Daytime Emmy Awards from the National Academy of Television Arts and Sciences.

16. In 2024, *The View* received the DuPont-Columbia Award for journalism for its contributions to the ABC News team's report entitled "The Power of Water."

17. The production process by which interviews are conducted on *The View* is designed to help ensure that I, and the producers, production staff, and co-hosts under my supervision, maintain control over the content of the program in accordance with ABC News standards.

18. Interview subjects for *The View* are selected and invited though a booking process, which I oversee. I hold a twice-weekly meeting with the producers that constitute *The View*'s booking staff to discuss and select potential guests.

19. *The View*'s booking staff make suggestions for interview subjects based on current events in news, entertainment, popular culture, and politics. Publicists and other outside public relations professionals routinely contact *The View*'s booking staff to advocate for the inclusion of their clients (often, book authors with a new book to promote). *The View*'s co-hosts also may suggest potential guests.

20. Based on information provided to me and my own experience and knowledge of television production, I select potential interview subjects on the basis of newsworthiness, anticipated audience interest, and the potential to generate newsworthy programming content.

21. I am the sole decisionmaker with respect to the selection of interviewees.

22. I do not select potential interview subjects with the intent to advance or harm any individual's candidacy for any office or any other partisan purpose.

23. After I select potential interview subjects, I communicate those selections to *The View's* booking staff.

24. The booking staff is responsible for contacting the interview subjects or their representatives to issue the invitation and discuss scheduling. As part of the booking process, the booking staff are instructed to describe in general terms the topics they expect will be covered in the interview. Booking staff do not provide potential interview guests with any guarantees as to what content will be covered or included in the broadcast of the program.

25. During my time with *The View*, hundreds of elected officials, political candidates, and political commentators from various parties have appeared on the program.

26. Some individuals that are invited to appear on the program decline the invitation. Over the past two years, individuals that have been invited onto the program but declined the invitation included JD Vance, Robert F. Kennedy, Jr., Lindsey Graham, Josh Hawley, Elon Musk, Kevin McCarthy, and Marco Rubio.

27. Booking staff schedule the interview guests who agree to appear on the program based primarily on the guests' availability and the overall balance of each day's program.

28. Once a guest agrees to appear on the program, one of *The View*'s producers prepares an outline of potential interview questions. That segment producer generally conducts a "pre-interview" meeting with the guest or the guest's representatives to discuss the interview, including the general topics that may be covered. The interview outline generally is based on research provided to the segment producer by *The View*'s staff and information obtained through the "pre-interview."

29. The interview outline is reviewed and edited by *The View*'s co-hosts and may be further reviewed and edited by other ABC News personnel.

30. All interview outlines are finally reviewed and approved by me. Interview guests do not review, edit, or approve the interview outline and are not provided with the interview questions in advance of the interview.

31. *The View*'s co-hosts conduct guest interviews based on the interview outlines that I approve. The interviews may deviate from the outline during the course of the interview, particularly based on the guest's responses and the co-hosts' or the audience's reactions. The co-hosts rely on their experience and judgment to ensure that they, rather than the interview subjects, manage the conduct and flow of each interview. In addition, the co-hosts wear in-ear monitors that allow me and other producers to communicate directions to the co-hosts during the interviews as needed. In most cases, I am on set to observe and oversee the interviews.

32. While some interview segments are recorded prior to broadcast, most interviews are conducted before a studio audience and typically are not edited prior to broadcast.

33. Interview subjects are not given any option to edit or otherwise influence or control the broadcast of the interview, and do not see the final interview until it airs.

34. Texas primary candidate for Senate Jasmine Crockett appeared on *The View* on January 6, 2026.

35. Texas primary candidate for Senate James Talarico appeared on *The View* on February 2, 2026.

36. After Ms. Crockett's appearance on the program, *The View* co-hosts Farah Griffin and Goldberg suggested to me that Mr. Talarico should be a potential interview guest.

37. In deciding whether to invite Mr. Talarico to appear on *The View*, I considered the facts that, at that time, Talarico's campaign had been receiving national attention and that Talarico had gained a significant following on social media. These factors, along with the newsworthiness

of the Texas senate primary elections and potential audience interest in Mr. Talarico, informed my judgment that Mr. Talarico was a newsworthy subject. My decision to invite Mr. Talarico to appear on the program was not motivated by any intent to advance or harm any individual's candidacy.

38. A booking staff member on *The View* issued an invitation to the Talarico campaign for Talarico to be interviewed on the program.

39. After the Talarico's campaign accepted the invitation, one of *The View*'s producers (who previously worked for *Yahoo News with Katie Couric* and *Good Morning America*) prepared the interview outline in accordance with our standard processes. The interview outline was reviewed and edited by the co-hosts and other ABC News personnel before I reviewed it and gave final approval.

40. Neither I, nor any of the producers or staff under my supervision, provided the interview outline or any of the prepared questions to Mr. Talarico or his representatives prior to the interview. Neither I, nor any of the producers or staff under my supervision, provided any assurances to Mr. Talarico or his representatives as to the content of the program.

41. Neither I, nor any of the producers or staff under my supervision, provided Mr. Talarico or his representatives with any opportunity to suggest edits or view the final interview before it aired.

I declare, under penalty of perjury, that, to the best of my information, knowledge, and belief, which includes knowledge based on information provided to me by others, that the foregoing is true and correct.

Brian Teta

Executed on: May 7, 2026

Kristi Thompson

From: Courtney Cowper
Sent: Monday, May 18, 2026 4:49 PM
To: Brendan Carr (Internal)
Cc: Allison Howell; Connor Glisson; Greg Watson
Subject: FW: DRAFT Response Letter E&C Dem. April 30, 2026
Attachments: +AH Pallone Letter Response 5.12.26.docx; 2026.04.30 Letter to Chairman Carr re FCC Weaponization.pdf

Re-upping for you.

—

Courtney Cowper
Special Assistant to Chairman Brendan Carr
Federal Communications Commission
45 L Street NE
Washington, DC 20554
(202) 418-2101

From: Allison Howell <Allison.Howell@fcc.gov>
Sent: Wednesday, May 13, 2026 1:32 PM
To: Connor Glisson <Connor.Glisson@fcc.gov>; Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Brendan Carr (Internal) (b) (6) [redacted]; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: RE: DRAFT Response Letter E&C Dem. April 30, 2026

Chairman,

See attached for the draft response letter to Rep. Pallone, Clark and Matsui. Also attached is the incoming letter.

Thanks,

Allison Howell
Legal Advisor — Media
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Tuesday, May 12, 2026 6:50 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: DRAFT Response Letter E&C Dem. April 30, 2026

Attached for review is the DRAFT response letter to Rep. Pallone, Clark and Matsui we discussed earlier today. Also attached is the incoming letter.

(b) (5) [redacted]

Best,
Connor

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

(b) (5)

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

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

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]

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[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]

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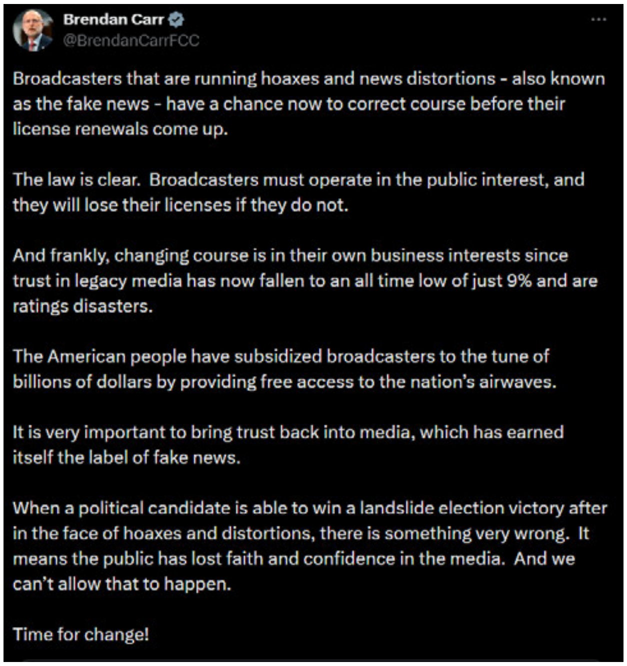
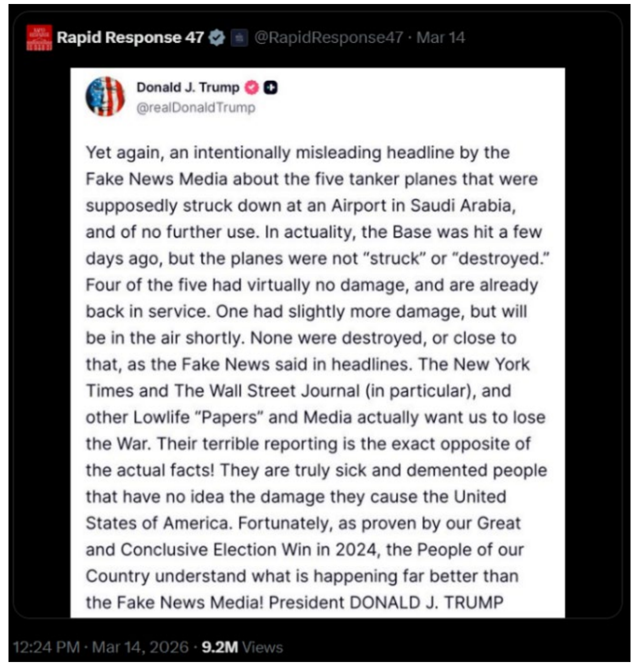
[11] *Fox's Donald Trump Dignified Transfer 'Mistake' Under Fire: 'Would be a Huge Scandal'*, Penn Live (Mar. 9, 2026).

[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

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[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

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[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

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[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.

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[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).

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

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

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

Majority (202) 225-3641
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

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[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]

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[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

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[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:

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[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]

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[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.

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

Kristi Thompson

From: Connor Glisson
Sent: Thursday, May 7, 2026 1:02 PM
To: Brendan Carr; Greg Watson; Allison Howell
Subject: Fw: Letter to Chairman Carr
Attachments: 26.05.07 Letter to Chairman Carr.pdf

We received the attached letter regarding the Disney renewal Order. (b) (5) [redacted] The letter is led by Sen. Markey and signed by Senators: Schumer, Cantwell, Lujan, Hickenlooper, Hirono, Rosen, Sanders, Schatz, Schiff, Van Hollen and Warren.

The letter requests a written response by May 21, 2026, addressing the following:

1. Please describe the timing and process by which you determined that the Commission should issue the early-renewal order.
    a. When did you first direct Commission staff to begin drafting the Disney order, and on what date was the final text approved for release?
    b. What internal legal review, including by the Office of General Counsel, was conducted before the order was issued?
    c. Did you consider, but reject, any less aggressive enforcement steps prior to issuing the order? If so, please identify them.
    d. The Commission issued a procedurally similar early-renewal order against Bridge News, LLC on April 27, 2026 — one day before the Disney order. Did you intentionally time the orders so that the Bridge News order would precede the Disney order in the public record?
2. Please provide a status update on each open FCC investigation into Disney or its ABC stations.
    a. When was Disney's last response to each of these inquiries, and how many pages of documents has Disney produced as part of these investigations?
    b. Has Disney been unresponsive to these investigations?
    c. Please describe the justification for issuing the early-renewal order amidst these ongoing investigations.
3. Between April 22, 2026, and April 28, 2026, did you, your staff, or any other FCC personnel communicate with the White House, any other component of the Executive Office of the President, or any individual acting on their behalf regarding Disney, ABC, Jimmy Kimmel, or the early-renewal order? If so, please describe each communication, including the participants and substance.
4. Please identify each prior instance in which the Commission has invoked 47 CFR § 73.3539(c) to call in the licenses of a broadcaster for early renewal, including a summary of the grounds for each instance.

From: Vinik, Danny (Markey) <Danny_Vinik@markey.senate.gov>
Sent: Thursday, May 7, 2026 12:09 PM
To: Jim Balaguer <Jim.Balaguer@fcc.gov>; Connor Glisson <Connor.Glisson@fcc.gov>
Subject: Letter to Chairman Carr

> You don't often get email from danny_vinik@markey.senate.gov. [Learn why this is important]

Hey Jim, Connor – Happy all is well, and congrats on the new role, Connor. Please find attached a letter from my boss and other members to Chairman Carr on the Disney early-renewal order. Can you confirm receipt?

Thanks
Danny

Danny Vinik
Policy Advisor (he/him)
Senator Edward Markey

United States Senate

May 7, 2026

The Honorable Brendan Carr
Chairman
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

Dear Chairman Carr,

The Federal Communications Commission's (FCC) order, sent at your directive, to The Walt Disney Company to file early license renewals for its eight ABC broadcast stations — coming just one day after President Donald Trump publicly demanded ABC fire late-night host Jimmy Kimmel — is an extraordinary abuse of power. This order is the latest and most extreme step in your use of the FCC's licensing authority as a cudgel against broadcasters whose editorial choices displease the President. You have effectively converted the FCC's authority over the public airwaves into an instrument of presidential retribution against constitutionally protected speech. The FCC must immediately rescind this order and explain its conduct.

The FCC order, sent under your leadership, appears to be a blatant effort to punish Disney for its editorial decision-making, notably its refusal to fire Kimmel over a recent joke. On Monday last week, both President Trump[1] and First Lady Melania Trump[2] demanded that Disney fire Kimmel over his joke — speech clearly protected under the First Amendment. One day later, you directed the FCC to send the early-renewal order[3] to Disney — reportedly surprising FCC career staff.[4] Although the three-paragraph order did not mention Kimmel's joke or Trump's comments, the timing speaks volumes. This action appears to penalize Disney for refusing to capitulate to Trump's demands to fire Kimmel and to send a message to other broadcasters: Modify your speech to favor Trump or face the FCC's wrath. Moreover, with the exception of a different order on Monday of last week[5] — possibly timed to give you cover for the Disney order that would come the next day — the FCC appears not to have used its authority[6] to call in licenses for early renewal in over half a century, and it has never invoked that authority to target

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[1] Donald J. Trump (@realDonaldTrump), Truth Social (Apr. 27, 2026 1:26 PM), https://truthsocial.com/@realDonaldTrump/posts/116477838570626860.

[2] Melania Trump (@FLOTUS), X (Apr. 27, 2026 10:19 AM), https://x.com/FLOTUS/status/2048769128513585618.

[3] Federal Communications Commission Order DA 26-416, In the Matter of The Walt Disney Company et al. (Apr. 28, 2026), https://docs.fcc.gov/public/attachments/DA-26-416A1.pdf.

[4] Kelcee Griffis & Saijel Kishan, *ABC License Renewal Call Surprised FCC Staff and Shattered Norms*, Bloomberg (Apr. 29, 2026), https://www.bloomberg.com/news/articles/2026-04-29/abc-license-renewal-call-surprised-fcc-staff-and-shattered-norms.

[5] FCC Order DA 26-413, In the Matter of Bridge News, LLC (Apr. 27, 2026), https://docs.fcc.gov/public/attachments/DA-26-413A1.pdf.

[6] 47 CFR § 73.3539(c).

constitutionally protected speech or satisfy a president's personal vendetta against a company.[7] The Disney early-renewal order is thus an unprecedented and unconstitutional abuse of the Commission's powers.

The Trump administration's sustained, public campaign against Disney also lays bare the pretextual and politically motivated nature of this order. Over the past 18 months, President Trump and you have repeatedly threatened Disney, ABC, and its stations for engaging in constitutionally protected speech. In January 2025, just a few days after you became FCC chairman, the FCC reinstated a frivolous complaint against ABC based on its moderation of a 2024 presidential debate.[8] Over the following months, President Trump repeatedly called on the FCC to revoke licenses from broadcasters because of their news coverage, including licenses of ABC stations.[9] And then in September 2025, you told a podcast host — following a different joke from Kimmel that angered Trump and his allies — that Disney and ABC could "do this the easy way or the hard way," and said that "there's going to be additional work for the FCC ahead" unless ABC affiliates "find ways to change conduct and take action, frankly, on Kimmel[.]"[10] This mafia boss threat provoked a bipartisan backlash but your message was clear: the FCC, with you as chairman, was ready to serve as Trump's speech police.

The campaign against Disney and its editorial decision-making, culminating in last week's early-renewal order, is an egregious abuse of power and a clear violation of the First Amendment. Although the FCC has the authority to ensure broadcasters operate in the public interest, it cannot serve as President Trump's roving censor, threatening to revoke licenses against broadcasters whose editorial content — including a comedian's jokes — displeases the President. In fact, before serving as chairman, you frequently recognized the importance of the First Amendment and the freedom of speech, including for comedians. As you previously explained: "From Internet memes to late-night comedians, from cartoons to the plays and poems as old as organized government itself - Political Satire circumvents traditional gatekeepers & helps hold those in power accountable. Not surprising that it's long been targeted for censorship."[11] Now, you are doing exactly that — targeting political satire for censorship.

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[7] Although the FCC does not have a public list of early-renewal orders, a petition to the Commission in 2018 indicated that the agency last called in licenses for early renewal in 1972. *See* Petition to Require Filing of Early Renewal Applications, American Cable Association (Nov. 26, 2018) 4 n.9 (identifying just three early-renewal orders in the past 75 years, the last coming in 1972). This letter seeks to confirm that early-renewal record.

[8] *See, e.g.*, David Shepardson, *FCC reinstates complaints against ABC, CBS and NBC for 2024 election coverage*, Reuters (Jan. 23, 2025), https://www.reuters.com/business/media-telecom/fcc-reinstates-complaints-over-abc-presidential-debate-harris-tv-appearances-2025-01-22/.

[9] *See, e.g.*, Donald J. Trump (@realDonaldTrump), Truth Social (Aug. 24, 2025, 9:59 PM), https://truthsocial.com/@realDonaldTrump/posts/115086929873163909.

[10] *See, e.g.*, Gene Maddaus, *FCC Chairman Threatens ABC Over Jimmy Kimmel's Remarks About Charlie Kirk's Killer*, Variety (Sept. 17, 2025), https://variety.com/2025/tv/news/brendan-carr-abc-fcc-jimmy-kimmel-charlie-kirk-1236522406/.

[11] Brendan Carr (@BrendanCarrFCC), X (Feb. 20, 2020, 10:18 PM), https://x.com/BrendanCarrFCC/status/1230693195828400129.

You should direct the FCC to immediately rescind the order calling in Disney's ABC station licenses for early renewal. To help the public understand your basis for this action, please respond in writing to the following questions by May 21, 2026:

1. Please describe the timing and process by which you determined that the Commission should issue the early-renewal order.

    a. When did you first direct Commission staff to begin drafting the Disney order, and on what date was the final text approved for release?

    b. What internal legal review, including by the Office of General Counsel, was conducted before the order was issued?

    c. Did you consider, but reject, any less aggressive enforcement steps prior to issuing the order? If so, please identify them.

    d. The Commission issued a procedurally similar early-renewal order against Bridge News, LLC on April 27, 2026 — one day before the Disney order. Did you intentionally time the orders so that the Bridge News order would precede the Disney order in the public record?

2. Please provide a status update on each open FCC investigation into Disney or its ABC stations.

    a. When was Disney's last response to each of these inquiries, and how many pages of documents has Disney produced as part of these investigations?

    b. Has Disney been unresponsive to these investigations?

    c. Please describe the justification for issuing the early-renewal order amidst these ongoing investigations.

3. Between April 22, 2026, and April 28, 2026, did you, your staff, or any other FCC personnel communicate with the White House, any other component of the Executive Office of the President, or any individual acting on their behalf regarding Disney, ABC, Jimmy Kimmel, or the early-renewal order? If so, please describe each communication, including the participants and substance.

4. Please identify each prior instance in which the Commission has invoked 47 CFR § 73.3539(c) to call in the licenses of a broadcaster for early renewal, including a summary of the grounds for each instance.

Thank you for your attention to this important issue.

Sincerely,

Edward J. Markey
United States Senator

Charles E. Schumer
United States Senator

Maria Cantwell
United States Senator

Ben Ray Luján
United States Senator

John Hickenlooper
United States Senator

Mazie K. Hirono
United States Senator

Jacky Rosen
United States Senator

Bernard Sanders
United States Senator

Brian Schatz
United States Senator

Adam B. Schiff
United States Senator

Chris Van Hollen
United States Senator

Elizabeth Warren
United States Senator

cc.

The Honorable Anna M. Gomez
Commissioner
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

The Honorable Olivia Trusty
Commissioner
Federal Communications Commission
45 L Street, N.E.
Washington, DC 20554

Kristi Thompson

From: Katie McAuliffe
Sent: Wednesday, May 27, 2026 11:53 AM
To: Brendan Carr (Internal); Greg Watson
Cc: Allison Howell; Adam Jackman
Subject: Fw: The Hill: ABC Plays the Victim in FCC Complaint Over 'The View' (Opinion)

(b) (5) [redacted]

~ Katie McAuliffe
Policy Advisor
Chairman Carr
Federal Communications Commission

The Hill: ABC Plays the Victim in FCC Complaint Over 'The View' (Opinion)

By: Jeffrey M. McCall

ABC and its Disney parent company are riding their proverbial high horses in filing a complaint against the Federal Communication Commission. ABC claims the Federal Communications Commission is disrupting its First Amendment rights and attempting to "chill critical protected speech." This fuss centers on whether ABC's gabfest "The View" is a bona fide news program.

Cue the laugh track — of course it isn't.

The FCC is trying to enforce Section 315 of the congressionally approved Communications Act of 1934, which requires over-the-air broadcast stations to provide equal on-air opportunity for political candidates. If you give airtime to Smith, you must also give time to his opponent, Jones. A wrinkle in Section 315, however, exempts "bona fide" news programs from the requirement, thus allowing for reportorial discretion and independence.

In January, the FCC tried to get out ahead of what is sure to be a controversial political broadcasting season, issuing advisory guidelines to broadcasters about Section 315. Then, in February, ABC set off this tempest in a teapot when "The View" hosted Democrat James Talarico in the days leading up to Texas's primary election. At the time, Talarico was running against other Democrats for the nomination for U.S. Senate.

The FCC responded to his appearance on “The View” with a Section 315 inquiry. The FCC apparently has reason to believe “The View,” hosted by a cast of comedians (of both the professional and the unintentionally funny varieties) perhaps doesn’t constitute a bona fide journalism product.

ABC could have avoided this entire flap by simply having its only ABC-owned broadcast television station in Texas, KTRK in Houston, offer equal air time to Talarico’s Democratic primary opponents. That Talarico was promoted nationwide on the network is irrelevant. Section 315 only applies to broadcast outlets in the state where an election is being held. ABC’s Texas affiliates not owned by the network would have been on their own to meet the equal opportunity requirement.

It is ironic that ABC is now worried about the First Amendment’s free press guarantee. The network caved and paid a settlement to President Trump last year to end a nuisance libel suit involving clumsy comments by ABC anchor George Stephanopoulos.

Simply put, it is the job of the FCC to enforce the provisions of the Communications Act, including Section 315. ABC’s beef with the FCC and Commission Chair Brendan Carr is misdirected. If ABC doesn’t like these political broadcasting regulations, it should badger Congress to amend or eliminate them. In the meantime, the FCC has the discretionary regulatory power to decide what constitutes a bona fide news exemption.

A major complication in this bruhaha is, as ABC rightly points out in its complaint, the FCC did once exempt “The View.” But that was in 2002, when the hosts included Barbara Walters, Meredith Vieira and Lisa Ling, all of whom could claim authentic journalistic credentials. ABC has been riding on that exemption from 24 years ago and now asserts the FCC has no avenue for reconsideration.

But certainly, the program was less blatantly activist two decades ago, and of course Trump was not president then. Interestingly, Trump was a guest on “The View” more than a dozen times when Walters was on the set.

ABC’s filing salutes the “marketplace of ideas” and claims with a straight face that interviewees on “The View” are chosen for “newsworthiness rather than on an intention to advance or harm an individual’s candidacy.” The filing hyperbolically warns that the FCC inquiry threatens to chill “First Amendment-protected speech for years and potentially decades to come.”

But adhering to Section 315 is not difficult. Even CBS figured out that putting Talarico on “The Late Show with Stephen Colbert” would create an FCC problem, so CBS kept Talarico off the broadcast airwaves and instead posted his interview on the internet, which is outside of FCC oversight.

If, indeed, it is the intent of Carr's FCC to censor and deny First Amendment freedoms to "The View" and ABC, it is doing a terrible job of it. The guest list for "The View" is overwhelmingly from one side of the political spectrum. Commentary from the hosts is unapologetically partisan. Apparently, ABC doesn't feel so "chilled" as to provide viewpoint balance.

It appears ABC's First Amendment rights are fully in place. No doubt the FCC has annoyed ABC with its bureaucratic inquiries, and ABC felt compelled to protest with its own legal filing. But wanting to ignore Section 315 is just ABC's desire to eat the forbidden fruit even while enjoying its vast free press protections, including the right to be as politically biased as it wants to be.

Kristi Thompson

From: Allison Howell
Sent: Thursday, May 28, 2026 5:41 PM
To: Greg Watson; Katie McAuliffe; Adam Jackman; Brendan Carr (Internal)
Subject: LMS Date Explanation

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>
Sent: Thursday, May 28, 2026 5:00 PM
To: David Brown <David.Brown@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: RE: ABC Renewals

(b) (5) [redacted]

From: David Brown <David.Brown@fcc.gov>
Sent: Thursday, May 28, 2026 4:23 PM
To: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: RE: ABC Renewals

Beat me to the punch. I expect they will trickle in throughout the evening. (b) (5) [redacted]

From: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>
Sent: Thursday, May 28, 2026 4:20 PM
To: David Brown <David.Brown@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: RE: ABC Renewals

To clarify, so far only WABC-TV, New York, NY has been filed (or at least is showing in LMS).

From: David Brown <David.Brown@fcc.gov>
Sent: Thursday, May 28, 2026 4:03 PM
To: Allison Howell <Allison.Howell@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: RE: ABC Renewals

Here you go.
https://enterpriseefiling.fcc.gov/dataentry/public/tv/draftCopy.html?displayType=html&appKey=25076f919df5a492019df87d8b5c00ce&id=25076f919df5a492019df87d8b5c00ce&goBack=N

I will check on the other stations. Sometimes there is a lag as they file.

From: Allison Howell <Allison.Howell@fcc.gov>
Sent: Thursday, May 28, 2026 3:59 PM
To: David Brown <David.Brown@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: RE: ABC Renewals

Can you send the link please

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: David Brown <David.Brown@fcc.gov>
Sent: Thursday, May 28, 2026 3:59 PM
To: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: RE: ABC Renewals

The ABC renewals are now in the system.

From: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>
Sent: Thursday, May 28, 2026 10:13 AM
To: David Brown <David.Brown@fcc.gov>; Chris Robbins <Chris.Robbins@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: ABC Renewals

Dave and Chris,

Can you please let us know when the renewals are filed?

Alex

Kristi Thompson

From: Greg Watson
Sent: Thursday, May 28, 2026 10:02 PM
To: Brendan Carr (Internal)
Cc: Anthony Patrone; Allison Howell; Connor Glisson
Subject: Pallone Reply - to BC
Attachments: Pallone Letter Response 5.28.26 - GAW.docx

Latest version attached (b) (5) [redacted]—happy to discuss.

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Kristi Thompson

From: Allison Howell
Sent: Thursday, May 28, 2026 5:12 PM
To: Brendan Carr (Internal)
Cc: Greg Watson; Katie McAuliffe; Adam Jackman; Connor Glisson
Subject: Pallone Reply Letter
Attachments: Pallone Letter Response 5.28.26 +AH .docx

Current version attached. Which incorporates most recent edits.

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

(b) (5)

Kristi Thompson

From: Joel Taubenblatt
Sent: Thursday, April 23, 2026 9:48 AM
To: Brendan Carr; Arpan Sura
Cc: Susan Mort
Subject: PSSI - license modifications

For PSSI 10 am meeting (and clarifying how I framed things a few minutes ago – apologies that I (b) (5) [redacted]).

(b) (5) [redacted]

(b) (5) [redacted]

[redacted] Users of FSS services, including Viacom, Disney, CBS, NBCUniversal, A&E Television Networks, Univision, Fox, and Discovery, in addition to the National Association of Broadcasters, the ABC Television Affiliates Association, CBS Television Network Affiliates Association, FBC Television Affiliates Association, and NBC Television Affiliates, (b) (5) [redacted]

(b) (5)

[redacted]

Kristi Thompson

From: Allison Howell
Sent: Monday, June 1, 2026 1:09 PM
To: Brendan Carr; Greg Watson
Subject: RE: [EXTERNAL]: Equal Time Request: Spencer Pratt

Thanks for sharing!! (b) (5) [redacted]

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 12:40 PM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: Fw: [EXTERNAL]: Equal Time Request: Spencer Pratt

From: Steve Roberts <steve@lexpolitica.com>
Sent: Monday, June 1, 2026 12:08 PM
To: wendy.granato@abc.com <wendy.granato@abc.com>
Cc: Brendan Carr <Brendan.Carr@fcc.gov>; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: [EXTERNAL]: Equal Time Request: Spencer Pratt

Dear Ms. Granato –

Please see the attached letter containing an equal time request from my client, Pratt for Mayor 2026, related to an episode of *Jimmy Kimmel Live!* airing on your broadcast station last week. Given the proximity to the mayoral election, I look forward to your prompt response.

Sincerely, Steve Roberts

Lex Politica

Steve Roberts
Co-Chair, Political Law Group

202.294.1613 | steve@lexpolitica.com

Washington, DC

www.LexPolitica.com | LinkedIn | @Lex_Politica

Kristi Thompson

From: Brendan Carr
Sent: Thursday, May 28, 2026 8:57 PM
To: Kornick, Lindsay
Subject: Re: [EXTERNAL]: FOX NEWS REQUEST: Disney/ABC response

No company is above the law—not even Disney.

If Disney engaged in illegal DEI discrimination, if it failed to operate its ABC broadcast stations in the public interest as required by their FCC licenses, they will be held accountable.

Get Outlook for iOS

From: Kornick, Lindsay <Lindsay.Kornick@FOX.COM>
Sent: Thursday, May 28, 2026 6:31 PM
To: MediaRelations <MediaRelations@fcc.gov>; Brendan Carr <Brendan.Carr@fcc.gov>
Subject: [EXTERNAL]: FOX NEWS REQUEST: Disney/ABC response

You don't often get email from lindsay.kornick@fox.com. Learn why this is important

Hi, my name is Lindsay Kornick. I am an associate editor at Fox News Digital. We are looking into Disney and ABC's response to the FCC's investigation and early license renewal review involving allegations that the process is being used to "suppress speech." https://deadline.com/2026/05/abc-fcc-license-renewal-trump-1236929113/

Does the FCC have a response to this statement against it?

Please respond by 8:30 PM ET.

Lindsay Kornick
Fox News Associate Editor
Work cell: (b) (6) [redacted]
Lindsay.Kornick@FOX.com

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee(s). If you are not an addressee indicated in this message (or responsible for delivery of the message to an addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox Corporation, or its subsidiaries must be taken not to have been sent or endorsed by any of them. No representation is made that this email or its attachments are without defect.

Kristi Thompson

From: Alexander Sanjenis
Sent: Monday, April 27, 2026 3:26 PM
To: Brendan Carr; Greg Watson; Allison Howell; Anthony Patrone; Adam Candeub
Cc: David Brown; Evan Morris
Subject: RE: ABC Order
Attachments: ABC Renewal MO&O (1.0).docx

Resending to include Adam.

From: Alexander Sanjenis
Sent: Monday, April 27, 2026 3:25 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Cc: David Brown <David.Brown@fcc.gov>; Evan Morris <Evan.Morris@fcc.gov>
Subject: ABC Order

Attached is the draft Order for the ABC O&O stations

(b) (5)

(b) (5)

[redacted]

Kristi Thompson

From: Brendan Carr
Sent: Monday, April 27, 2026 3:34 PM
To: Alexander Sanjenis; Greg Watson; Allison Howell; Anthony Patrone; Adam Candeub
Cc: David Brown; Evan Morris
Subject: Re: ABC Order
Attachments: ABC Renewal MO&O-BC.docx

Thanks - some minor line edits attached. But hold for now.

From: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>
Sent: Monday, April 27, 2026 3:25 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>; Adam Candeub <Adam.Candeub@fcc.gov>
Cc: David Brown <David.Brown@fcc.gov>; Evan Morris <Evan.Morris@fcc.gov>
Subject: RE: ABC Order

Resending to include Adam.

From: Alexander Sanjenis
Sent: Monday, April 27, 2026 3:25 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Cc: David Brown <David.Brown@fcc.gov>; Evan Morris <Evan.Morris@fcc.gov>
Subject: ABC Order

Attached is the draft Order for the ABC O&O stations

(b) (5)

(b) (5)

Kristi Thompson

From: Connor Glisson
Sent: Tuesday, May 26, 2026 5:43 PM
To: Brendan Carr (Internal); Allison Howell
Cc: Greg Watson; Courtney Cowper
Subject: Re: Current Hill Letter response
Attachments: +AH Pallone Letter Response 5.12.26-BC2.docx

+@Allison Howell

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From: Brendan Carr (Internal) [redacted]
Sent: Tuesday, May 26, 2026 1:59 PM
To: Connor Glisson <Connor.Glisson@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: Current Hill Letter response

Here's a version of the Hill letter with edits from me. There are a few places for citations to be added to prior letters. I want to cite back to my prior letters more and less to the underlying reporting. Also, check with Allison for the current version of the PI PN and pull the latest version of that language into the last two paragraphs here.

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

(b) (5)

Kristi Thompson

From: Connor Glisson
Sent: Wednesday, June 3, 2026 2:27 PM
To: Brendan Carr (Internal)
Cc: Greg Watson; Allison Howell; Anthony Patrone
Subject: Re: DRAFT Letter Senator Markey Disney Early Renewal
Attachments: Chairman Carr's 6.3.26 Response to Sen. Warren's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Cantwell's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Hickenlooper's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Hirono's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Lujan's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Markey's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Rosen's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Sanders' 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Schatz's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Schiff's 5.7.26 Letter 1.pdf; Chairman Carr's 6.3.26 Response to Sen. Schumer's 5.7.26 Letter.pdf; Chairman Carr's 6.3.26 Response to Sen. Van Hollen's 5.7.26 Letter.pdf

Closing the loop, the attached letters were shared with Senator Markey's staff. A courtesy copy was also sent to Senate Commerce, Republican Telecom Subcommittee staff.

From: Brendan Carr (Internal) (b) (6) [redacted]
Sent: Tuesday, June 2, 2026 3:01 PM
To: Connor Glisson <Connor.Glisson@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: Re: DRAFT Letter Senator Markey Disney Early Renewal

Thanks - just a minor tweak from me in redline. I'm signed off.

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Tuesday, June 2, 2026 1:05 PM
To: Brendan Carr (Internal) (b) (6) [redacted]
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Anthony Patrone <Anthony.Patrone@fcc.gov>
Subject: DRAFT Letter Senator Markey Disney Early Renewal

Chairman,

(b) (5) [redacted]

[redacted]

Best,

Connor Glisson
Director, Office of Legislative Affairs
Federal Communications Commission
connor.glisson@fcc.gov | 202-418-2064

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Maria Cantwell
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Cantwell,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

But that is not all. Democrats also ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[2] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[3] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[4] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[5] The list goes on and on, as I have detailed.

---

[1] *See* Letter from Sen. Maria Cantwell to Chairman Ajit Pai, Federal Communications Commission (Apr. 11, 2018), https://www.cantwell.senate.gov/imo/media/doc/04112018%20Sinclair%20News%20Distortion%20Letter%20w%20Signatures.pdf.

[2] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 26, 2025) (*Blumenthal Letter 2025*), https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf.

[3] *Id.*

[4] *Id.*

[5] *Id.*

In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable John W. Hickenlooper
United States Senate
374 Russell Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Hickenlooper,

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Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

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I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Sincerely,

Brendan Carr,
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Ben Ray Lujan
United States Senate
498 Russell Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Lujan,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

But that is not all. Democrats also ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[2] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[3] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[4] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[5] The list goes on and on, as I have detailed.

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In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is stronger than before. And the FCC has taken bold steps to promote our national security interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address misinformation surrounding the Disney investigation.

On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[6] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

Your letter asks about the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected

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characteristics in violation of federal law.[7] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national origin, age, or sex.[8] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[9]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[10] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[11]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025, letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully

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Accordingly, in February 2026, the FCC's Enforcement Bureau issued a supplemental LOI seeking additional materials, including documents that Disney apparently omitted from its initial production. Disney subsequently requested, and received, additional time to respond. Following FCC staff review of those supplemental materials, concerns were again raised regarding the adequacy of Disney's production, the adequacy of its response, and whether it complied with the agency's lawful enforcement requests. Indeed, the FCC has formally notified Disney that responses to the agency's lawful inquiries have been deficient, nonresponsive, and disingenuous.

Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[13] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

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I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Markey,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

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Sincerely,

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Jacky Rosen
United States Senate
713 Hart Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Rosen,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Sanders,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Brian Schatz
United States Senate
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Adam B. Schiff
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Schiff,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

But that is not all. Democrats also ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[2] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[3] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[4] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[5] The list goes on and on, as I have detailed.

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In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is stronger than before. And the FCC has taken bold steps to promote our national security interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address misinformation surrounding the Disney investigation.

On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

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Your letter asks about the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected

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characteristics in violation of federal law.[7] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national origin, age, or sex.[8] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[9]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[10] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[11]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025, letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully

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Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[13] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Charles E. Schumer
United States Senate
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RE: May 7, 2026, Letter to the FCC

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Chris Van Hollen
United States Senate
730 Hart Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

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On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[6] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

Your letter asks about the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected

[6] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 06, 2026), https://docs.fcc.gov/public/attachments/DOC-420011A2.pdf.

characteristics in violation of federal law.[7] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national origin, age, or sex.[8] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[9]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[10] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[11]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025, letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully

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[7] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026) (*Early Renewal Order*), https://docs.fcc.gov/public/attachments/DA-26-416A1.pdf.

[8] *See, e.g.*, 47 U.S.C. § 151.

[9] *See, e.g.*, 47 CFR §§ 25.601, 90.168, 73.2080(a), 76.73.

[10] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Robert A. Iger, Chief Executive Officer, The Walt Disney Company (Mar. 27, 2025), https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf.

[11] *Id.*

respond to the LOI constitutes a violation of the Communications Act and FCC rules.[12] FCC staff reviewed Disney's response to the Initial LOI and a subsequent request for additional information. FCC staff continued to have concerns about Disney's compliance with federal antidiscrimination law following their review that took place over the course of months.

Accordingly, in February 2026, the FCC's Enforcement Bureau issued a supplemental LOI seeking additional materials, including documents that Disney apparently omitted from its initial production. Disney subsequently requested, and received, additional time to respond. Following FCC staff review of those supplemental materials, concerns were again raised regarding the adequacy of Disney's production, the adequacy of its response, and whether it complied with the agency's lawful enforcement requests. Indeed, the FCC has formally notified Disney that responses to the agency's lawful inquiries have been deficient, nonresponsive, and disingenuous.

Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[13] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

Throughout, the FCC has not singled out any one company for special treatment. We have been considering early license renewal as a potential investigative or enforcement step involving

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[13] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

broadcasters more generally.[14] Nor is early renewal limited to Disney's ABC stations. For example, the FCC has been investigating Bridge News, LLC, for repeated violations of the FCC's rules. After issuing two LOIs, the FCC determined in April that the appropriate next investigative step would be to call in its licenses early for renewal.[15] Additionally, the FCC's Media Bureau concluded that a short-term license renewal made sense as an appropriate step for SPB LLC, an AM Radio license holder, following continued violations of the FCC's online public file rule, which called into question whether the station was meetings its public interest obligations.[16]

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Sincerely,

Brendan Carr,
Chairman

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[14] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

[15] *See* Bridge News, LLC, Order, DA 26-413 (rel. Apr. 27, 2026).

[16] *See* SPB LLC, Order on Reconsideration, DA 26-434 (rel. May 1, 2026).

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

June 3, 2026

The Honorable Elizabeth Warren
United States Senate
309 Hart Senate Office Building
Washington, DC 20510

RE: May 7, 2026, Letter to the FCC

Dear Senator Warren,

Thank you for your May 7, 2026, letter to the Federal Communications Commission. It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, in the years prior, you and other Senate Democrats demanded that the FCC "investigate Sinclair's news activities" after progressives expressed concern that Sinclair aired perspective to the right of theirs.[1] Following your letter, the Biden FCC did not renew any or nearly any of the hundreds of routine Sinclair licenses that came up for renewal. I do not believe that has ever happened before.

But that is not all. Democrats also ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[2] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[3] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[4] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[5] The list goes on and on, as I have detailed.

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[1] *See* Letter from Sen. Maria Cantwell to Chairman Ajit Pai, Federal Communications Commission (Apr. 11, 2018), https://www.cantwell.senate.gov/imo/media/doc/04112018%20Sinclair%20News%20Distortion%20Letter%20w%20Signatures.pdf.

[2] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 26, 2025) (*Blumenthal Letter 2025*), https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf.

[3] *Id.*

[4] *Id.*

[5] *Id.*

In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is stronger than before. And the FCC has taken bold steps to promote our national security interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address misinformation surrounding the Disney investigation.

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As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[6] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

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[7] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026) (*Early Renewal Order*), https://docs.fcc.gov/public/attachments/DA-26-416A1.pdf.

[8] *See, e.g.*, 47 U.S.C. § 151.

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[13] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

broadcasters more generally.[14] Nor is early renewal limited to Disney's ABC stations. For example, the FCC has been investigating Bridge News, LLC, for repeated violations of the FCC's rules. After issuing two LOIs, the FCC determined in April that the appropriate next investigative step would be to call in its licenses early for renewal.[15] Additionally, the FCC's Media Bureau concluded that a short-term license renewal made sense as an appropriate step for SPB LLC, an AM Radio license holder, following continued violations of the FCC's online public file rule, which called into question whether the station was meetings its public interest obligations.[16]

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Sincerely,

Brendan Carr,
Chairman

[14] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

[15] *See* Bridge News, LLC, Order, DA 26-413 (rel. Apr. 27, 2026).

[16] *See* SPB LLC, Order on Reconsideration, DA 26-434 (rel. May 1, 2026).

Kristi Thompson

From: Allison Howell
Sent: Wednesday, May 13, 2026 1:32 PM
To: Connor Glisson; Brendan Carr; Greg Watson; Brendan Carr (Internal); Courtney Cowper
Subject: RE: DRAFT Response Letter E&C Dem. April 30, 2026
Attachments: +AH Pallone Letter Response 5.12.26.docx; 2026.04.30 Letter to Chairman Carr re FCC Weaponization.pdf

Chairman,

See attached for the draft response letter to Rep. Pallone, Clark and Matsui. Also attached is the incoming letter.

Thanks,
Allison Howell
Legal Advisor — Media
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Tuesday, May 12, 2026 6:50 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: DRAFT Response Letter E&C Dem. April 30, 2026

Attached for review is the DRAFT response letter to Rep. Pallone, Clark and Matsui we discussed earlier today. Also attached is the incoming letter.

Please let me know what edits need to be made.

Best,
Connor

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BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

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

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

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[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]

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[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]

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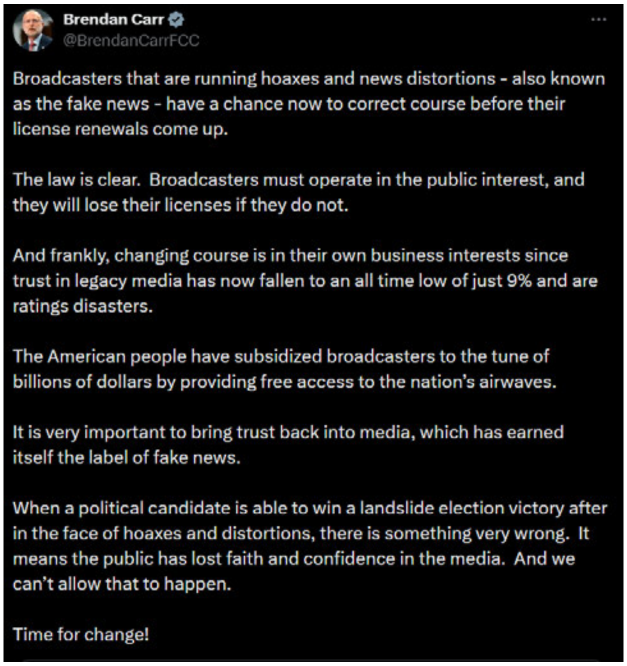
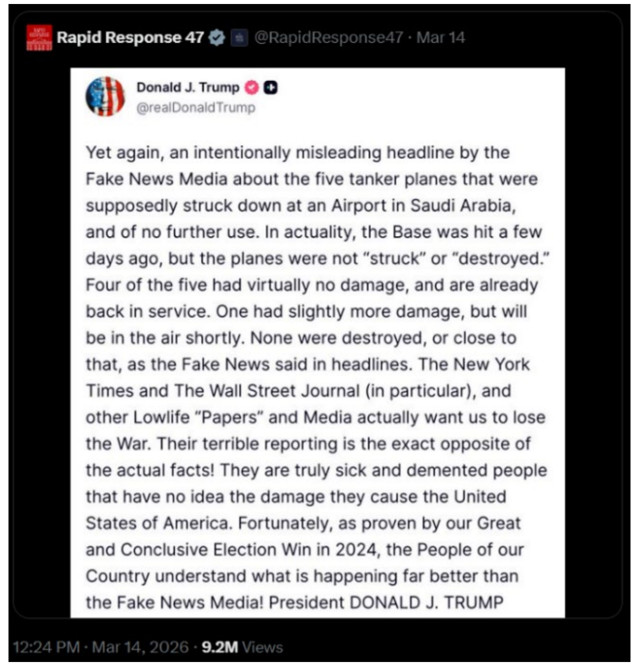
[11] *Fox's Donald Trump Dignified Transfer 'Mistake' Under Fire: 'Would be a Huge Scandal'*, Penn Live (Mar. 9, 2026).

[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

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[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

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[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

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[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.

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[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).

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

BRETT GUTHRIE, KENTUCKY
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

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

Majority (202) 225-3641
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

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[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

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[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]

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[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

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[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:

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[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]

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[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.

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[39] 47 U.S.C. § 230.

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

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, June 5, 2026 12:22 PM
To: Connor Glisson; Courtney Cowper
Cc: Anthony Patrone; Greg Watson
Subject: Re: DRAFT Response to McClellan DEI Letter
Attachments: DRAFT Response McClellan DEI 6.2.26-BC.docx

Thanks - some redline suggestions attached. I am largely signed off on this version.

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Thursday, June 4, 2026 4:19 PM
To: Brendan Carr (Internal) (b) (6) [redacted]; Courtney Cowper <Courtney.Cowper@fcc.gov>
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: Re: DRAFT Response to McClellan DEI Letter

Re-upping this one and adding @Courtney Cowper

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Tuesday, June 2, 2026 6:27 PM
To: Brendan Carr (Internal) (b) (6) [redacted]>
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: DRAFT Response to McClellan DEI Letter

Chairman,

Attached for your review is the draft response to Rep. McClellan and other House Dems regarding their May 15th DEI letter.

Best,

Connor Glisson
Director, Office of Legislative Affairs
Federal Communications Commission
connor.glisson@fcc.gov | 202-418-2064

(b) (5)

(b) (5)

(b) (5)

[redacted]

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, May 29, 2026 10:31 AM
To: Allison Howell; Anthony Patrone
Cc: Greg Watson; Courtney Cowper
Subject: Re: Early Renewal Pleading PN Draft to OCH 5.27.2026.docx
Attachments: 5.28 Early Renewal Pleading PN Draft OCH-BC.docx

Thanks - some further edits from me in attached. Let's get this out the door today.

From: Allison Howell <Allison.Howell@fcc.gov>
Sent: Thursday, May 28, 2026 9:51 PM
To: Brendan Carr (Internal) (b) (6) [redacted]; Anthony Patrone <Anthony.Patrone@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: RE: Early Renewal Pleading PN Draft to OCH 5.27.2026.docx

Chairman,

Attached is updated version of the PN that incorporates your edits and includes some additional nits and footnotes.

Thanks,
Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Brendan Carr (Internal) (b) (6) [redacted]>
Sent: Wednesday, May 27, 2026 5:51 PM
To: Anthony Patrone <Anthony.Patrone@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: Re: Early Renewal Pleading PN Draft to OCH 5.27.2026.docx

Thanks - some redlines (b) (5) [redacted].

From: Anthony Patrone <Anthony.Patrone@fcc.gov>
Sent: Wednesday, May 27, 2026 4:56 PM
To: Brendan Carr (Internal) (b) (5) [redacted]
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Courtney Cowper <Courtney.Cowper@fcc.gov>
Subject: Early Renewal Pleading PN Draft to OCH 5.27.2026.docx

Chairman,

(b) (5)

[redacted]

Anthony Patrone
Senior Counsel
Office of FCC Chairman Brendan Carr
Anthony.Patrone@fcc.gov

Kristi Thompson

From: Greg Watson
Sent: Thursday, May 7, 2026 1:15 PM
To: Connor Glisson; Allison Howell
Subject: RE: Letter to Chairman Carr

(b) (5) [redacted]

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Thursday, May 7, 2026 1:02 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: Fw: Letter to Chairman Carr

We received the attached letter regarding the Disney renewal Order. (b) (5) [redacted] The letter is led by Sen. Markey and signed by Senators: Schumer, Cantwell, Lujan, Hickenlooper, Hirono, Rosen, Sanders, Schatz, Schiff, Van Hollen and Warren.

The letter requests a written response by May 21, 2026, addressing the following:

1. Please describe the timing and process by which you determined that the Commission should issue the early-renewal order.
    a. When did you first direct Commission staff to begin drafting the Disney order, and on what date was the final text approved for release?
    b. What internal legal review, including by the Office of General Counsel, was conducted before the order was issued?
    c. Did you consider, but reject, any less aggressive enforcement steps prior to issuing the order? If so, please identify them.
    d. The Commission issued a procedurally similar early-renewal order against Bridge News, LLC on April 27, 2026 — one day before the Disney order. Did you intentionally time the orders so that the Bridge News order would precede the Disney order in the public record?
2. Please provide a status update on each open FCC investigation into Disney or its ABC stations.
    a. When was Disney's last response to each of these inquiries, and how many pages of documents has Disney produced as part of these investigations?
    b. Has Disney been unresponsive to these investigations?
    c. Please describe the justification for issuing the early-renewal order amidst these ongoing investigations.
3. Between April 22, 2026, and April 28, 2026, did you, your staff, or any other FCC personnel communicate with the White House, any other component of the Executive Office of the President, or any individual acting on their behalf regarding Disney, ABC, Jimmy Kimmel, or the early-renewal order? If so, please describe each communication, including the participants and substance.
4. Please identify each prior instance in which the Commission has invoked 47 CFR § 73.3539(c) to call in the licenses of a broadcaster for early renewal, including a summary of the grounds for each instance.

From: Vinik, Danny (Markey) <Danny_Vinik@markey.senate.gov>
Sent: Thursday, May 7, 2026 12:09 PM
To: Jim Balaguer <Jim.Balaguer@fcc.gov>; Connor Glisson <Connor.Glisson@fcc.gov>
Subject: Letter to Chairman Carr

You don't often get email from danny_vinik@markey.senate.gov. Learn why this is important

Hey Jim, Connor – Happy all is well, and congrats on the new role, Connor. Please find attached a letter from my boss and other members to Chairman Carr on the Disney early-renewal order. Can you confirm receipt?

Thanks

Danny

Danny Vinik

Policy Advisor (he/him)

Senator Edward Markey

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, May 29, 2026 9:40 AM
To: Greg Watson; Brendan Carr (Internal)
Cc: Anthony Patrone; Allison Howell; Connor Glisson
Subject: Re: Pallone Reply - to BC
Attachments: Pallone Letter Response 5.28.26 - GAW-BC.docx

Thanks - I'm signed off on the attached redline (which has Greg's and a few new from me). Go ahead and clean up / finalize the footnotes then ship it out today.

From: Greg Watson <Gregory.Watson@fcc.gov>
Sent: Thursday, May 28, 2026 10:01 PM
To: Brendan Carr (Internal) (b) (6) [redacted]>
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Connor Glisson <Connor.Glisson@fcc.gov>
Subject: Pallone Reply - to BC

(b) (5) [redacted]

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, May 29, 2026 1:31 PM
To: Connor Glisson; Greg Watson
Cc: Anthony Patrone; Allison Howell
Subject: Re: Pallone Reply - to BC

Good here. Go for it.

From: Connor Glisson <Connor.Glisson@fcc.gov>
Sent: Friday, May 29, 2026 1:03 PM
To: Brendan Carr (Internal) (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Subject: Re: Pallone Reply - to BC

(b) (5) [redacted]

[redacted]

Best,

Connor Glisson
Director, Office of Legislative Affairs
Federal Communications Commission
connor.glisson@fcc.gov | 202-418-2064

From: Brendan Carr (Internal) (b) (6) [redacted]
Sent: Friday, May 29, 2026 9:39 AM
To: Greg Watson <Gregory.Watson@fcc.gov>; Brendan Carr (Internal) (b) (6) [redacted]
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Subject: Pallone Reply - to BC

(b) (5)

[redacted]

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

Kristi Thompson

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Cc: Anthony Patrone; Allison Howell
Subject: Re: Pallone Reply - to BC
Attachments: Pallone Letter Response 5.28.26 - GAW-BC +CG.docx; Pallone Letter Response 5.28.26 - GAW-BC +CG Clean.docx

(b) (5) [redacted]

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Connor Glisson
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Federal Communications Commission
connor.glisson@fcc.gov | 202-418-2064

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(b) (5) [redacted]

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

July 4, 2026

The Honorable Yvette D. Clarke
Ranking Member
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Clarke,

Thank you for your April 30, 2026, letter to the Federal Communications Commission ("FCC"). It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, Democrats ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[1] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[2] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[3] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[4] The list goes on and on, as I have detailed.

In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is

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[1] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 26, 2025) (*Blumenthal Letter 2025*), https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf.

[2] *Id.*

[3] *Id.*

[4] *Id.*

stronger than before. And the FCC has taken bold steps to promote our national security interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address a lot of that misinformation.

On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[5] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

Your letter asks about several additional instances of public reporting regarding the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected characteristics in violation of federal law.[6] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national

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[5] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 06, 2026), https://docs.fcc.gov/public/attachments/DOC-420011A2.pdf.

[6] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026) (*Early Renewal Order*), https://docs.fcc.gov/public/attachments/DA-26-416A1.pdf.

origin, age, or sex.[7] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[8]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[9] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[10]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025 letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully respond to the LOI constitutes a violation of the Communications Act and FCC rules.[11] FCC

[7] *See, e.g.*, 47 U.S.C. § 151.

[8] *See, e.g.*, 47 CFR §§ 25.601, 90.168, 73.2080(a), 76.73.

[9] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Robert A. Iger, Chief Executive Officer, The Walt Disney Company (Mar. 27, 2025), https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf.

[10] *Id.*

[11] *See* 47 U.S.C. § 503(b)(1)(B); *see also Aura Holdings of Wisconsin, Inc.*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 3688, 3696, para. 21 (2018), *forfeiture order issued*, 34 FCC Rcd 2540 (2019) (imposing a $19,693 penalty for failure to respond to LOI); *ABC Fulfillment Services LLC d/b/a HobbyKing USA LLC and HobbyKing.com, and Indubitably, Inc. d/b/a/ HobbyKing Corp., HobbyKing USA LLC, HobbyKing and HobbyKing.com*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 5530 (2018), *aff'd*, Forfeiture Order, 35 FCC Rcd 7441 (2020) (imposing a $39,278 forfeiture for failure to respond to LOI); *Net One Int'l, Net One, LLC, Farrahtel Int'l, LLC*, Forfeiture Order, 29 FCC Rcd 264, 267, para. 9 (EB 2014), *recon. denied*, Memorandum Opinion and Order, 30 FCC Rcd 1021 (EB 2015) (imposing a $25,000 penalty for failure to respond to LOI);

staff reviewed Disney's response to the Initial LOI and a subsequent request for additional information. FCC staff continued to have concerns about Disney's compliance with federal antidiscrimination law following their review that took place over the course of months.

Accordingly, in February 2026, the FCC's Enforcement Bureau issued a supplemental LOI seeking additional materials, including documents that Disney apparently omitted from its initial production. Disney subsequently requested, and received, additional time to respond. Following FCC staff review of those supplemental materials, concerns were again raised regarding the adequacy of Disney's production, the adequacy of its response, and whether it complied with the agency's lawful enforcement requests. Indeed, the FCC has formally notified Disney that responses to the agency's lawful inquiries have been deficient, nonresponsive, and disingenuous.

Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[12] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

Throughout, the FCC has not singled out any one company for special treatment. We have been considering early license renewal as a potential investigative or enforcement step involving broadcasters more generally.[13] Nor is early renewal limited to Disney's ABC stations. For example, the FCC has been investigating Bridge News, LLC, for repeated violations of the FCC's rules. After issuing two LOIs, the FCC determined in April that the appropriate next investigative step would be to call in its licenses early for renewal.[14] Additionally, the FCC's Media Bureau concluded that a short-term license renewal made sense as an appropriate step for SPB LLC, an AM Radio license holder, following continued violations of the FCC's online

Conexions, LLC d/b/a Conexion Wireless, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 15318, 15325, para. 22 (2013) (proposing a $300,000 forfeiture for failure to provide timely and complete responses to an LOI); *Technical Commc'n Network, LLC*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 1018, 1020, para. 8 (EB 2013) (proposing a $25,000 forfeiture for failure to provide a complete response to an LOI); *SBC Commc'ns, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7600, para. 28 (2002) (imposing $100,000 penalty for failing to submit a sworn written response); *Quadrant Holdings LLC, Q Link Wireless LLC, & Hello Mobile LLC*, Notice of Apparent Liability for Forfeiture, 37 FCC Rcd 9304, 9307, para. 9 (EB 2022).

[12] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

[13] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

[14] *See* Bridge News, LLC, Order, DA 26-413 (rel. Apr. 27, 2026).

public file rule, which called into question whether the station was meetings its public interest obligations.[15]

Reporting has also included a lot of misinformation about the FCC's enforcement of longstanding political equal opportunity regulations. Decades ago, Congress made the decision to prevent covered broadcast television programs from being used to advance certain partisan purposes. Specifically, through section 315 of the Communications Act of 1934, as amended,[16] Congress put protections in place to ensure equal access to broadcast station facilities for legally qualified candidates for office, regardless of political affiliation. A person is a legally qualified candidate for purposes of the FCC's equal opportunities or equal time rule if they meet certain requirements, including having publicly announced their intention to run for office and qualifying under applicable state or federal law to hold the office being sought.[17] Under section 315, if a broadcast station permits any legally qualified candidate for public office to use its facilities, it shall provide an equal opportunity to all other legally qualified candidates for that office.[18] This statutory requirement and the corresponding FCC rules[19] seek to ensure that no legally qualified candidate for office is unfairly given less access to the public airwaves than their opponent.

Furthermore, the FCC's political file rules require that, when "free time is provided for use by or on behalf of candidates, a record of the free time provided shall be placed in the political file."[20] Any such free use of broadcast airtime by a legally qualified candidate would require the broadcaster to place a record in its online political file "as soon as possible."[21] Other legally qualified candidates can then submit an equal opportunities request. As the FCC has determined, equal opportunities generally mean that a broadcaster must provide comparable time and placement to opposing legally qualified candidates.[22] Adherence to these requirements is central to a broadcast licensee's obligation to operate in the public interest.[23]

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[15] *See* SPB LLC, Order on Reconsideration, DA 26-434 (rel. May 1, 2026).

[16] See 47 U.S.C. § 315(a). Although section 315(a) is also commonly referred to as the "equal time" rule, it requires the provision of comparable time and placement, rather than the provision of identical airtime to opposing candidates.

[17] The criteria for legally qualified candidates are specified in the FCC's rule at 47 CFR § 73.1940.

[18] 47 U.S.C. § 315(a).

[19] 47 CFR §§ 73.1212 (Sponsorship identification); 73.1940 (Legally qualified candidates for public office); 73.1941 (Equal opportunities); 73.1942 (Candidate rates); 73.1943 (Political file); 73.1944 (Reasonable access).

[20] 47 CFR § 73.1943(c).

[21] *Id*. § 73.1943(d).

[22] *See, e.g.*, Equal Opportunities Complaint Filed by Nicole Parra Against Pappas Telecasting Companies, 19 FCC Rcd 21994, para. 3 (MB 2004) ("The Commission has ruled that when a candidate is furnished time at no cost, competing candidates are entitled to receive the same amount of free time in comparable time periods."); Carter/Mondale Reelection Committee, Memorandum Opinion and Order, 81 FCC 2d 409, n.13 (1980) ("the time that is made available under 315(a) must have a comparable audience potential to that of the initial 'use.'"); *see also* Primer on Political Broadcasting & Cablecasting, Public Notice, 69 FCC 2d 2209, 2219 (1978) ("The station must, however, make periods that normally have comparable audiences available to competing candidates upon request.").

[23] 47 USC 312(a)(7).

The FCC did not create these statutory obligations and cannot simply disregard them. The FCC's role in these matters involves applying the framework established by Congress and longstanding FCC precedent.

Your letter also objects to the FCC's review of broadcaster conduct under the public interest standard. However, the FCC cannot selectively ignore that statutory obligation simply because certain regulated parties or commentators disagree with scrutiny applied in a particular case. The Communications Act expressly requires the FCC to determine whether broadcasters are operating in the public interest.

As the FCC has made clear, federal law requires broadcasters to comply with a basic and fundamental obligation—they must operate in the public interest. Congress first enshrined this concept in the law nearly 100 years ago,[24] and it charged the FCC with the responsibility of ensuring that broadcasters only obtain and maintain a license to the extent they are operating in a manner that serves the public interest.[25]

From those early days, as the courts have long recognized, "[t]he clear intent of the Act was that the award of a broadcasting license should be a 'public trust,'"[26] with broadcasters serving the role "of a 'public trustee' charged with the duty of fairly and impartially informing the public audience."[27] As the D.C. Circuit has stated, "broadcasters are temporary permittees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept."[28] It is this service as a public trustee[29]—and the corresponding obligation to offer programming responsive to the needs and interests of the local communities they are licensed to serve—that makes broadcasters unique and distinguishes them from other programmers. It is an obligation that broadcasters take on voluntarily, in exchange for the privilege of holding a license to operate using the public airwaves.[30] Throughout the decades, the law and the obligation it places on broadcasters have not departed from this fundamental public interest obligation.

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[24] *See* Radio Act of 1927, Pub. L. No. 69-632, 44 Stat. 1162 (1927); Communications Act of 1934, as amended (Act), 47 U.S.C. § 151 *et seq*.

[25] *See, e.g.*, 47 U.S.C. §§ 303, 307(a), 309(a), 310(d); *see also Fed. Commc'ns Comm'n v. Pottsville Broad. Co.*, 309 U.S. 134, 137-8 (1940) (*Pottsville*).

[26] *Office of Communication of United Church of Christ v. FCC*, 707 F.2d 1413, 1427 (D.C. Cir. 1983) (*UCC 1983*).

[27] *Columbia Broadcasting System, Inc. v. Democratic National Committee*, 412 U.S. 94, 117 (1973).

[28] *Office of Communication of United Church of Christ v. FCC*, 425 F.2d 543, 548 (D.C. Cir. 1969) (*UCC 1969*).

[29] *See Complaint by Alf Pratte, Honolulu, Hawaii Concerning Political Broadcast Re Station KGMB-TV*, 67 F.C.C.2d 72, 73 (1977) ("Licensees are trustees, granted the privilege of using a scarce natural resource, the airwaves, and they are required to operate in the public interest.").

[30] *See FCC v. National Citizens Committee for Broadcasting*, 436 U.S. 775, 795 (1978) (stating that "the physical scarcity of broadcast frequencies, as well as problems of interference between broadcast signals, led Congress to delegate broad authority to the Commission to allocate broadcast licenses in the 'public interest'"); *UCC 1983*, 707 F.2d at 1427 (observing that "in return for the 'free and exclusive use of a limited and valuable part of the public domain,' broadcasters were to be 'burdened by enforceable public obligations'") (internal quotations omitted).

Accordingly, the FCC not only has authority, but the duty, to examine whether regulated entities are operating consistent with the public interest standard established by Congress. Any suggestion that the FCC must ignore credible allegations of misconduct or refuse to conduct oversight of regulated broadcasters would amount to an abdication of the FCC's statutorily obligations.

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Additionally, I have renewed my April 29, 2025, response to your previous correspondence. It is attached to this letter.

Sincerely,

Brendan Carr,
Chairman

Kristi Thompson

From: Connor Glisson
Sent: Friday, May 29, 2026 2:02 PM
To: Brendan Carr (Internal); Greg Watson
Cc: Anthony Patrone; Allison Howell
Subject: Re: Pallone Reply - to BC
Attachments: Chairman Carr's 5.29.26 Response to Rep. Pallone 4.30.2026 Letter.pdf; Chairman Carr's 5.29.26 Response to Rep. Clarke 4.30.2026 Letter.pdf; Chairman Carr's 5.29.26 Response to Rep. Matsui 4.30.2026 Letter.pdf

The letters have been sent to E&C.

From: Brendan Carr (Internal) (b) (6) [redacted]
Sent: Friday, May 29, 2026 1:30 PM
To: Connor Glisson <Connor.Glisson@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
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Subject: Re: Pallone Reply - to BC

(b) (5) [redacted]

[redacted]

Best,

Connor Glisson
Director, Office of Legislative Affairs
Federal Communications Commission
connor.glisson@fcc.gov | 202-418-2064

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Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Connor Glisson <Connor.Glisson@fcc.gov>
Subject: Pallone Reply - to BC

(b) (5) [redacted]

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

May 29, 2026

The Honorable Yvette D. Clarke
Ranking Member
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Clarke,

Thank you for your April 30, 2026, letter to the Federal Communications Commission ("FCC"). It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, Democrats ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[1] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[2] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[3] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[4] The list goes on and on, as I have detailed.

In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is

[1] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 26, 2025) (*Blumenthal Letter 2025*), https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf.

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stronger than before. And the FCC has taken bold steps to promote our national security interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address a lot of that misinformation.

On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[5] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

Your letter asks about several additional instances of public reporting regarding the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected characteristics in violation of federal law.[6] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national

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origin, age, or sex.[7] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[8]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[9] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[10]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025 letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully respond to the LOI constitutes a violation of the Communications Act and FCC rules.[11] FCC

[7] *See, e.g.*, 47 U.S.C. § 151.

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[9] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Robert A. Iger, Chief Executive Officer, The Walt Disney Company (Mar. 27, 2025), https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf.

[10] *Id.*

[11] *See* 47 U.S.C. § 503(b)(1)(B); *see also Aura Holdings of Wisconsin, Inc.*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 3688, 3696, para. 21 (2018), *forfeiture order issued*, 34 FCC Rcd 2540 (2019) (imposing a $19,693 penalty for failure to respond to LOI); *ABC Fulfillment Services LLC d/b/a HobbyKing USA LLC and HobbyKing.com, and Indubitably, Inc. d/b/a/ HobbyKing Corp., HobbyKing USA LLC, HobbyKing and HobbyKing.com*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 5530 (2018), *aff'd*, Forfeiture Order, 35 FCC Rcd 7441 (2020) (imposing a $39,278 forfeiture for failure to respond to LOI); *Net One Int'l, Net One, LLC, Farrahtel Int'l, LLC*, Forfeiture Order, 29 FCC Rcd 264, 267, para. 9 (EB 2014), *recon. denied*, Memorandum Opinion and Order, 30 FCC Rcd 1021 (EB 2015) (imposing a $25,000 penalty for failure to respond to LOI);

staff reviewed Disney's response to the Initial LOI and a subsequent request for additional information. FCC staff continued to have concerns about Disney's compliance with federal antidiscrimination law following their review that took place over the course of months.

Accordingly, in February 2026, the FCC's Enforcement Bureau issued a supplemental LOI seeking additional materials, including documents that Disney apparently omitted from its initial production. Disney subsequently requested, and received, additional time to respond. Following FCC staff review of those supplemental materials, concerns were again raised regarding the adequacy of Disney's production, the adequacy of its response, and whether it complied with the agency's lawful enforcement requests. Indeed, the FCC has formally notified Disney that responses to the agency's lawful inquiries have been deficient, nonresponsive, and disingenuous.

Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[12] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

Throughout, the FCC has not singled out any one company for special treatment. We have been considering early license renewal as a potential investigative or enforcement step involving broadcasters more generally.[13] Nor is early renewal limited to Disney's ABC stations. For example, the FCC has been investigating Bridge News, LLC, for repeated violations of the FCC's rules. After issuing two LOIs, the FCC determined in April that the appropriate next investigative step would be to call in its licenses early for renewal.[14] Additionally, the FCC's Media Bureau concluded that a short-term license renewal made sense as an appropriate step for SPB LLC, an AM Radio license holder, following continued violations of the FCC's online

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Conexions, LLC d/b/a Conexion Wireless, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 15318, 15325, para. 22 (2013) (proposing a $300,000 forfeiture for failure to provide timely and complete responses to an LOI); *Technical Commc'n Network, LLC*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 1018, 1020, para. 8 (EB 2013) (proposing a $25,000 forfeiture for failure to provide a complete response to an LOI); *SBC Commc'ns, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7600, para. 28 (2002) (imposing $100,000 penalty for failing to submit a sworn written response); *Quadrant Holdings LLC, Q Link Wireless LLC, & Hello Mobile LLC*, Notice of Apparent Liability for Forfeiture, 37 FCC Rcd 9304, 9307, para. 9 (EB 2022).

[12] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

[13] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

[14] *See* Bridge News, LLC, Order, DA 26-413 (rel. Apr. 27, 2026).

public file rule, which called into question whether the station was meetings its public interest obligations.[15]

Reporting has also included a lot of misinformation about the FCC's enforcement of longstanding political equal opportunity regulations. Decades ago, Congress made the decision to prevent covered broadcast television programs from being used to advance certain partisan purposes. Specifically, through section 315 of the Communications Act of 1934, as amended,[16] Congress put protections in place to ensure equal access to broadcast station facilities for legally qualified candidates for office, regardless of political affiliation. A person is a legally qualified candidate for purposes of the FCC's equal opportunities or equal time rule if they meet certain requirements, including having publicly announced their intention to run for office and qualifying under applicable state or federal law to hold the office being sought.[17] Under section 315, if a broadcast station permits any legally qualified candidate for public office to use its facilities, it shall provide an equal opportunity to all other legally qualified candidates for that office.[18] This statutory requirement and the corresponding FCC rules[19] seek to ensure that no legally qualified candidate for office is unfairly given less access to the public airwaves than their opponent.

Furthermore, the FCC's political file rules require that, when "free time is provided for use by or on behalf of candidates, a record of the free time provided shall be placed in the political file."[20] Any such free use of broadcast airtime by a legally qualified candidate would require the broadcaster to place a record in its online political file "as soon as possible."[21] Other legally qualified candidates can then submit an equal opportunities request. As the FCC has determined, equal opportunities generally mean that a broadcaster must provide comparable time and placement to opposing legally qualified candidates.[22] Adherence to these requirements is central to a broadcast licensee's obligation to operate in the public interest.[23]

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[15] *See* SPB LLC, Order on Reconsideration, DA 26-434 (rel. May 1, 2026).

[16] See 47 U.S.C. § 315(a). Although section 315(a) is also commonly referred to as the "equal time" rule, it requires the provision of comparable time and placement, rather than the provision of identical airtime to opposing candidates.

[17] The criteria for legally qualified candidates are specified in the FCC's rule at 47 CFR § 73.1940.

[18] 47 U.S.C. § 315(a).

[19] 47 CFR §§ 73.1212 (Sponsorship identification); 73.1940 (Legally qualified candidates for public office); 73.1941 (Equal opportunities); 73.1942 (Candidate rates); 73.1943 (Political file); 73.1944 (Reasonable access).

[20] 47 CFR § 73.1943(c).

[21] *Id*. § 73.1943(d).

[22] *See, e.g.*, Equal Opportunities Complaint Filed by Nicole Parra Against Pappas Telecasting Companies, 19 FCC Rcd 21994, para. 3 (MB 2004) ("The Commission has ruled that when a candidate is furnished time at no cost, competing candidates are entitled to receive the same amount of free time in comparable time periods."); Carter/Mondale Reelection Committee, Memorandum Opinion and Order, 81 FCC 2d 409, n.13 (1980) ("the time that is made available under 315(a) must have a comparable audience potential to that of the initial 'use.'"); *see also* Primer on Political Broadcasting & Cablecasting, Public Notice, 69 FCC 2d 2209, 2219 (1978) ("The station must, however, make periods that normally have comparable audiences available to competing candidates upon request.").

[23] 47 USC 312(a)(7).

The FCC did not create these statutory obligations and cannot simply disregard them. The FCC's role in these matters involves applying the framework established by Congress and longstanding FCC precedent.

Your letter also objects to the FCC's review of broadcaster conduct under the public interest standard. However, the FCC cannot selectively ignore that statutory obligation simply because certain regulated parties or commentators disagree with scrutiny applied in a particular case. The Communications Act expressly requires the FCC to determine whether broadcasters are operating in the public interest.

As the FCC has made clear, federal law requires broadcasters to comply with a basic and fundamental obligation—they must operate in the public interest. Congress first enshrined this concept in the law nearly 100 years ago,[24] and it charged the FCC with the responsibility of ensuring that broadcasters only obtain and maintain a license to the extent they are operating in a manner that serves the public interest.[25]

From those early days, as the courts have long recognized, "[t]he clear intent of the Act was that the award of a broadcasting license should be a 'public trust,'"[26] with broadcasters serving the role "of a 'public trustee' charged with the duty of fairly and impartially informing the public audience."[27] As the D.C. Circuit has stated, "broadcasters are temporary permittees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept."[28] It is this service as a public trustee[29]—and the corresponding obligation to offer programming responsive to the needs and interests of the local communities they are licensed to serve—that makes broadcasters unique and distinguishes them from other programmers. It is an obligation that broadcasters take on voluntarily, in exchange for the privilege of holding a license to operate using the public airwaves.[30] Throughout the decades, the law and the obligation it places on broadcasters have not departed from this fundamental public interest obligation.

[24] *See* Radio Act of 1927, Pub. L. No. 69-632, 44 Stat. 1162 (1927); Communications Act of 1934, as amended (Act), 47 U.S.C. § 151 *et seq*.

[25] *See, e.g.*, 47 U.S.C. §§ 303, 307(a), 309(a), 310(d); *see also Fed. Commc'ns Comm'n v. Pottsville Broad. Co.*, 309 U.S. 134, 137-8 (1940) (*Pottsville*).

[26] *Office of Communication of United Church of Christ v. FCC*, 707 F.2d 1413, 1427 (D.C. Cir. 1983) (*UCC 1983*).

[27] *Columbia Broadcasting System, Inc. v. Democratic National Committee*, 412 U.S. 94, 117 (1973).

[28] *Office of Communication of United Church of Christ v. FCC*, 425 F.2d 543, 548 (D.C. Cir. 1969) (*UCC 1969*).

[29] *See Complaint by Alf Pratte, Honolulu, Hawaii Concerning Political Broadcast Re Station KGMB-TV*, 67 F.C.C.2d 72, 73 (1977) ("Licensees are trustees, granted the privilege of using a scarce natural resource, the airwaves, and they are required to operate in the public interest.").

[30] *See FCC v. National Citizens Committee for Broadcasting*, 436 U.S. 775, 795 (1978) (stating that "the physical scarcity of broadcast frequencies, as well as problems of interference between broadcast signals, led Congress to delegate broad authority to the Commission to allocate broadcast licenses in the 'public interest'"); *UCC 1983*, 707 F.2d at 1427 (observing that "in return for the 'free and exclusive use of a limited and valuable part of the public domain,' broadcasters were to be 'burdened by enforceable public obligations'") (internal quotations omitted).

Accordingly, the FCC not only has authority, but the duty, to examine whether regulated entities are operating consistent with the public interest standard established by Congress. Any suggestion that the FCC must ignore credible allegations of misconduct or refuse to conduct oversight of regulated broadcasters would amount to an abdication of the FCC's statutorily obligations.

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Additionally, I have renewed my April 29, 2025, response to your previous correspondence. It is attached to this letter.

Sincerely,

Brendan Carr,
Chairman

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

April 29, 2025

The Honorable Yvette D. Clarke
Ranking Member
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

RE: March 31, 2025 Letter to FCC

Dear Ranking Member Clarke,

Thank you for your March 31, 2025, letter to the Federal Communications Commission (FCC). Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. As Chairman, I am focused on restoring the FCC's commitment to basic fairness and even-handed treatment for all. In particular, I am working to ensure that everyone appearing before the agency gets a fair shake from their government, regardless of political affiliation.

My commitment on this front represents a departure from the years when peoples' politics often determined the answers they received from the FCC. If they were aligned with the previous Administration, then they would receive favorable and special treatment on a streamlined basis. If they were not, then they got the opposite treatment, including having previous FCC awards revoked for political reasons.

Your letter provides me with a welcome opportunity to correct some misconceptions regarding the FCC's work. Specifically, your letter suggests the FCC is treating a petition involving a CBS TV station differently than one involving a Fox TV station.[1] But that is not the case at all. Under my leadership, the FCC has merely followed agency precedent. We are putting the relevant complaint on the same procedural footing that the previous FCC found appropriate.

As you may recall, in 2023, a group filed a petition with the FCC asking the agency to take the broadcast license away from a Fox broadcast TV station in Philadelphia because the

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[1] *See* Center for American Rights, Petition to Condition Grant by the Center for American Rights, MB Docket No. 25-73 (filed Dec. 16, 2024); The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023).

petitioners did not agree with the content that they argued was carried on a separate cable channel.[2] Despite the Fox petition failing to satisfy basic pleading requirements, the FCC chose to move forward. The previous FCC determined that it was in the public interest to entertain the filing and issued a public notice seeking comment on the Fox petition.[3]

The previous FCC then left the Fox proceeding open for more than a year, and it received about 200 comments from the public. The FCC did not dismiss or deny the Fox petition when the public comment cycle ended either. Instead, it waited through the entire 2024 election cycle to dismiss the petition against the Fox broadcast TV station.

However, the previous FCC took a different approach entirely when it came to the CBS petition.[4] Unlike the Fox petition, the Biden FCC just summarily dismissed the CBS one. Unlike the Fox petition, the Biden FCC did not seek public comment on the CBS petition. And unlike the Fox petition, the Biden FCC did not establish a record on the CBS one before issuing its decision. Instead, at the eleventh hour, the Biden FCC simply dismissed the CBS petition. It is not clear why previous FCC leadership dismissed the CBS complaint without nearly the same level of process that it applied to the Fox petition. Under my leadership, the FCC is seeking comment on the CBS petition, just as the prior FCC did on the Fox petition. In other words, the FCC is treating like cases alike and following the precedent set by the agency. That is the very definition of even-handed treatment.

Again, this is a marked contrast from the weaponization that prevailed during the Biden years. During the previous Administration, Democrats regularly weaponized their authority against their perceived political opponents, including running a campaign to pressure cable companies into dropping what they described as “Right-wing media outlets,”[5] pressuring the FCC to block the sale of a Spanish-language radio station in South Florida for purely political reasons,[6] the unprecedented failure to process hundreds of routine Sinclair license renewals that came up in 2021, 2022, 2023, and 2024, and a multi-month campaign to jawbone social media companies into censoring their political opponents as well as books, videos, posts, and other online content.

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[2] The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023) (Petition).

[3] *See Commission Announces Permit-But-Disclose Ex Parte Status and Establishes MB Docket No. 23-293 for Application for Renewal of License of WXTF-TV, Philadelphia, Pennsylvania*, Public Notice, MB Docket No. 23-293, DA 23-752 (MB, Aug. 23, 2023).

[4] *See* Letter from Peter S. Hyun, Acting Bureau Chief, Enforcement Bureau, Federal Communications Comm’n, to Daniel R. Suhr, President, Center for American Rights (Jan. 16, 2025); *Re: Preserving the First Amendment*, GN Docket No. 25-11, (GN, Jan. 16, 2025).

[5] *See* Letter from Reps. Anna G. Eshoo and Jerry McNerney to John T. Stankey, CEO, AT&T, Inc. (Feb. 22, 2021), https://web.archive.org/web/20210223052030/https://eshoo.house.gov/sites/eshoo.house.gov/files/Eshoo-McNerney-TV-Misinfo%20Letters-2.22.21.pdf.

[6] *See* Adrian Carrasquillo, *Hispanic Caucus Members Pressure FCC to Scrutinize Miami Radio Station Sale*, Newsweek, (Apr. 14, 2021), https://www.newsweek.com/hispanic-caucus-members-pressure-fcc-scrutinize-miami-radio-station-sale-1583890.

In doing so, the previous Administration established a two-tiered approach. Take, for example, the Biden FCC's decision to create a special Soros shortcut to expedite the acquisition of hundreds of broadcast licenses.[7] Never before had the Commission voted to approve the transfer of a single broadcast license—let alone the transfer of broadcast licenses for over 200 radio stations across more than 40 markets—without following the requirements and procedures codified in federal law. Not once. And yet the Commission broke that new ground without seeking public comment on altering our established regulations, without actually changing the rules on the books, and without seeking the feedback of other federal agencies with relevant equities. This is not the type of relief that the Biden FCC provided to parties unconnected to Soros.

The list of Biden-era weaponization goes on and on. But at the FCC we are now putting those days in the rearview mirror. We are ensuring that everyone receives fair and even-handed treatment from the FCC.

I appreciate the opportunity to respond to your letter.

Sincerely,

Brendan Carr
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[7] *See Audacy License, LLC, as Debtor-in-Possession (Assignor) and Audacy License, LLC (Assignee)*, Memorandum Opinion and Order, FCC 24-94 (rel. Sept. 30, 2024).

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

May 29, 2026

The Honorable Doris Matsui
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Matsui,

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Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, Democrats ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[1] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[2] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[3] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[4] The list goes on and on, as I have detailed.

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origin, age, or sex.[7] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[8]

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[9] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Robert A. Iger, Chief Executive Officer, The Walt Disney Company (Mar. 27, 2025), https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf.

[10] *Id.*

[11] *See* 47 U.S.C. § 503(b)(1)(B); *see also Aura Holdings of Wisconsin, Inc.*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 3688, 3696, para. 21 (2018), *forfeiture order issued*, 34 FCC Rcd 2540 (2019) (imposing a $19,693 penalty for failure to respond to LOI); *ABC Fulfillment Services LLC d/b/a HobbyKing USA LLC and HobbyKing.com, and Indubitably, Inc. d/b/a/ HobbyKing Corp., HobbyKing USA LLC, HobbyKing and HobbyKing.com*, Notice of Apparent Liability for Forfeiture, 33 FCC Rcd 5530 (2018), *aff'd*, Forfeiture Order, 35 FCC Rcd 7441 (2020) (imposing a $39,278 forfeiture for failure to respond to LOI); *Net One Int'l, Net One, LLC, Farrahtel Int'l, LLC*, Forfeiture Order, 29 FCC Rcd 264, 267, para. 9 (EB 2014), *recon. denied*, Memorandum Opinion and Order, 30 FCC Rcd 1021 (EB 2015) (imposing a $25,000 penalty for failure to respond to LOI);

staff reviewed Disney's response to the Initial LOI and a subsequent request for additional information. FCC staff continued to have concerns about Disney's compliance with federal antidiscrimination law following their review that took place over the course of months.

Accordingly, in February 2026, the FCC's Enforcement Bureau issued a supplemental LOI seeking additional materials, including documents that Disney apparently omitted from its initial production. Disney subsequently requested, and received, additional time to respond. Following FCC staff review of those supplemental materials, concerns were again raised regarding the adequacy of Disney's production, the adequacy of its response, and whether it complied with the agency's lawful enforcement requests. Indeed, the FCC has formally notified Disney that responses to the agency's lawful inquiries have been deficient, nonresponsive, and disingenuous.

Accordingly, after more than a year of investigative activity, multiple rounds of document requests, and ongoing engagement between FCC staff and Disney representatives, the FCC's Media Bureau issued an early renewal order pursuant to the Commission's longstanding rules and procedures.[12] FCC leadership signaled for months that an early renewal order was a distinct possibility in this and other cases. Indeed, under my leadership the FCC has been more transparent about the scope of our investigative work than prior leadership.

Consistent with the FCC's Early Renewal Order, Disney filed its renewal application with the FCC's Media Bureau on May 28, 2026. This triggers a process where interested parties will have the opportunity to file, both in support and in opposition to the application. The FCC will consider the whole record and evaluate whether to grant renewal or whether more process is called for to determine if the licensee is qualified to continue to hold its license.

Throughout, the FCC has not singled out any one company for special treatment. We have been considering early license renewal as a potential investigative or enforcement step involving broadcasters more generally.[13] Nor is early renewal limited to Disney's ABC stations. For example, the FCC has been investigating Bridge News, LLC, for repeated violations of the FCC's rules. After issuing two LOIs, the FCC determined in April that the appropriate next investigative step would be to call in its licenses early for renewal.[14] Additionally, the FCC's Media Bureau concluded that a short-term license renewal made sense as an appropriate step for SPB LLC, an AM Radio license holder, following continued violations of the FCC's online

Conexions, LLC d/b/a Conexion Wireless, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 15318, 15325, para. 22 (2013) (proposing a $300,000 forfeiture for failure to provide timely and complete responses to an LOI); *Technical Commc'n Network, LLC*, Notice of Apparent Liability for Forfeiture and Order, 28 FCC Rcd 1018, 1020, para. 8 (EB 2013) (proposing a $25,000 forfeiture for failure to provide a complete response to an LOI); *SBC Commc'ns, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7600, para. 28 (2002) (imposing $100,000 penalty for failing to submit a sworn written response); *Quadrant Holdings LLC, Q Link Wireless LLC, & Hello Mobile LLC*, Notice of Apparent Liability for Forfeiture, 37 FCC Rcd 9304, 9307, para. 9 (EB 2022).

[12] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

[13] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

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public file rule, which called into question whether the station was meetings its public interest obligations.[15]

Reporting has also included a lot of misinformation about the FCC's enforcement of longstanding political equal opportunity regulations. Decades ago, Congress made the decision to prevent covered broadcast television programs from being used to advance certain partisan purposes. Specifically, through section 315 of the Communications Act of 1934, as amended,[16] Congress put protections in place to ensure equal access to broadcast station facilities for legally qualified candidates for office, regardless of political affiliation. A person is a legally qualified candidate for purposes of the FCC's equal opportunities or equal time rule if they meet certain requirements, including having publicly announced their intention to run for office and qualifying under applicable state or federal law to hold the office being sought.[17] Under section 315, if a broadcast station permits any legally qualified candidate for public office to use its facilities, it shall provide an equal opportunity to all other legally qualified candidates for that office.[18] This statutory requirement and the corresponding FCC rules[19] seek to ensure that no legally qualified candidate for office is unfairly given less access to the public airwaves than their opponent.

Furthermore, the FCC's political file rules require that, when "free time is provided for use by or on behalf of candidates, a record of the free time provided shall be placed in the political file."[20] Any such free use of broadcast airtime by a legally qualified candidate would require the broadcaster to place a record in its online political file "as soon as possible."[21] Other legally qualified candidates can then submit an equal opportunities request. As the FCC has determined, equal opportunities generally mean that a broadcaster must provide comparable time and placement to opposing legally qualified candidates.[22] Adherence to these requirements is central to a broadcast licensee's obligation to operate in the public interest.[23]

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[15] *See* SPB LLC, Order on Reconsideration, DA 26-434 (rel. May 1, 2026).

[16] See 47 U.S.C. § 315(a). Although section 315(a) is also commonly referred to as the "equal time" rule, it requires the provision of comparable time and placement, rather than the provision of identical airtime to opposing candidates.

[17] The criteria for legally qualified candidates are specified in the FCC's rule at 47 CFR § 73.1940.

[18] 47 U.S.C. § 315(a).

[19] 47 CFR §§ 73.1212 (Sponsorship identification); 73.1940 (Legally qualified candidates for public office); 73.1941 (Equal opportunities); 73.1942 (Candidate rates); 73.1943 (Political file); 73.1944 (Reasonable access).

[20] 47 CFR § 73.1943(c).

[21] *Id*. § 73.1943(d).

[22] *See, e.g.*, Equal Opportunities Complaint Filed by Nicole Parra Against Pappas Telecasting Companies, 19 FCC Rcd 21994, para. 3 (MB 2004) ("The Commission has ruled that when a candidate is furnished time at no cost, competing candidates are entitled to receive the same amount of free time in comparable time periods."); Carter/Mondale Reelection Committee, Memorandum Opinion and Order, 81 FCC 2d 409, n.13 (1980) ("the time that is made available under 315(a) must have a comparable audience potential to that of the initial 'use.'"); *see also* Primer on Political Broadcasting & Cablecasting, Public Notice, 69 FCC 2d 2209, 2219 (1978) ("The station must, however, make periods that normally have comparable audiences available to competing candidates upon request.").

[23] 47 USC 312(a)(7).

The FCC did not create these statutory obligations and cannot simply disregard them. The FCC's role in these matters involves applying the framework established by Congress and longstanding FCC precedent.

Your letter also objects to the FCC's review of broadcaster conduct under the public interest standard. However, the FCC cannot selectively ignore that statutory obligation simply because certain regulated parties or commentators disagree with scrutiny applied in a particular case. The Communications Act expressly requires the FCC to determine whether broadcasters are operating in the public interest.

As the FCC has made clear, federal law requires broadcasters to comply with a basic and fundamental obligation—they must operate in the public interest. Congress first enshrined this concept in the law nearly 100 years ago,[24] and it charged the FCC with the responsibility of ensuring that broadcasters only obtain and maintain a license to the extent they are operating in a manner that serves the public interest.[25]

From those early days, as the courts have long recognized, "[t]he clear intent of the Act was that the award of a broadcasting license should be a 'public trust,'"[26] with broadcasters serving the role "of a 'public trustee' charged with the duty of fairly and impartially informing the public audience."[27] As the D.C. Circuit has stated, "broadcasters are temporary permittees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept."[28] It is this service as a public trustee[29]—and the corresponding obligation to offer programming responsive to the needs and interests of the local communities they are licensed to serve—that makes broadcasters unique and distinguishes them from other programmers. It is an obligation that broadcasters take on voluntarily, in exchange for the privilege of holding a license to operate using the public airwaves.[30] Throughout the decades, the law and the obligation it places on broadcasters have not departed from this fundamental public interest obligation.

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[24] *See* Radio Act of 1927, Pub. L. No. 69-632, 44 Stat. 1162 (1927); Communications Act of 1934, as amended (Act), 47 U.S.C. § 151 *et seq*.

[25] *See, e.g.*, 47 U.S.C. §§ 303, 307(a), 309(a), 310(d); *see also Fed. Commc'ns Comm'n v. Pottsville Broad. Co.*, 309 U.S. 134, 137-8 (1940) (*Pottsville*).

[26] *Office of Communication of United Church of Christ v. FCC*, 707 F.2d 1413, 1427 (D.C. Cir. 1983) (*UCC 1983*).

[27] *Columbia Broadcasting System, Inc. v. Democratic National Committee*, 412 U.S. 94, 117 (1973).

[28] *Office of Communication of United Church of Christ v. FCC*, 425 F.2d 543, 548 (D.C. Cir. 1969) (*UCC 1969*).

[29] *See Complaint by Alf Pratte, Honolulu, Hawaii Concerning Political Broadcast Re Station KGMB-TV*, 67 F.C.C.2d 72, 73 (1977) ("Licensees are trustees, granted the privilege of using a scarce natural resource, the airwaves, and they are required to operate in the public interest.").

[30] *See FCC v. National Citizens Committee for Broadcasting*, 436 U.S. 775, 795 (1978) (stating that "the physical scarcity of broadcast frequencies, as well as problems of interference between broadcast signals, led Congress to delegate broad authority to the Commission to allocate broadcast licenses in the 'public interest'"); *UCC 1983*, 707 F.2d at 1427 (observing that "in return for the 'free and exclusive use of a limited and valuable part of the public domain,' broadcasters were to be 'burdened by enforceable public obligations'") (internal quotations omitted).

Accordingly, the FCC not only has authority, but the duty, to examine whether regulated entities are operating consistent with the public interest standard established by Congress. Any suggestion that the FCC must ignore credible allegations of misconduct or refuse to conduct oversight of regulated broadcasters would amount to an abdication of the FCC's statutorily obligations.

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Additionally, I have renewed my April 29, 2025, response to your previous correspondence. It is attached to this letter.

Sincerely,

Brendan Carr,
Chairman

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

April 29, 2025

The Honorable Doris Matsui
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

RE: March 31, 2025 Letter to FCC

Dear Ranking Member Matsui,

Thank you for your March 31, 2025, letter to the Federal Communications Commission (FCC). Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. As Chairman, I am focused on restoring the FCC's commitment to basic fairness and even-handed treatment for all. In particular, I am working to ensure that everyone appearing before the agency gets a fair shake from their government, regardless of political affiliation.

My commitment on this front represents a departure from the years when peoples' politics often determined the answers they received from the FCC. If they were aligned with the previous Administration, then they would receive favorable and special treatment on a streamlined basis. If they were not, then they got the opposite treatment, including having previous FCC awards revoked for political reasons.

Your letter provides me with a welcome opportunity to correct some misconceptions regarding the FCC's work. Specifically, your letter suggests the FCC is treating a petition involving a CBS TV station differently than one involving a Fox TV station.[1] But that is not the case at all. Under my leadership, the FCC has merely followed agency precedent. We are putting the relevant complaint on the same procedural footing that the previous FCC found appropriate.

As you may recall, in 2023, a group filed a petition with the FCC asking the agency to take the broadcast license away from a Fox broadcast TV station in Philadelphia because the

[1] *See* Center for American Rights, Petition to Condition Grant by the Center for American Rights, MB Docket No. 25-73 (filed Dec. 16, 2024); The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023).

petitioners did not agree with the content that they argued was carried on a separate cable channel.[2] Despite the Fox petition failing to satisfy basic pleading requirements, the FCC chose to move forward. The previous FCC determined that it was in the public interest to entertain the filing and issued a public notice seeking comment on the Fox petition.[3]

The previous FCC then left the Fox proceeding open for more than a year, and it received about 200 comments from the public. The FCC did not dismiss or deny the Fox petition when the public comment cycle ended either. Instead, it waited through the entire 2024 election cycle to dismiss the petition against the Fox broadcast TV station.

However, the previous FCC took a different approach entirely when it came to the CBS petition.[4] Unlike the Fox petition, the Biden FCC just summarily dismissed the CBS one. Unlike the Fox petition, the Biden FCC did not seek public comment on the CBS petition. And unlike the Fox petition, the Biden FCC did not establish a record on the CBS one before issuing its decision. Instead, at the eleventh hour, the Biden FCC simply dismissed the CBS petition. It is not clear why previous FCC leadership dismissed the CBS complaint without nearly the same level of process that it applied to the Fox petition. Under my leadership, the FCC is seeking comment on the CBS petition, just as the prior FCC did on the Fox petition. In other words, the FCC is treating like cases alike and following the precedent set by the agency. That is the very definition of even-handed treatment.

Again, this is a marked contrast from the weaponization that prevailed during the Biden years. During the previous Administration, Democrats regularly weaponized their authority against their perceived political opponents, including running a campaign to pressure cable companies into dropping what they described as "Right-wing media outlets,"[5] pressuring the FCC to block the sale of a Spanish-language radio station in South Florida for purely political reasons,[6] the unprecedented failure to process hundreds of routine Sinclair license renewals that came up in 2021, 2022, 2023, and 2024, and a multi-month campaign to jawbone social media companies into censoring their political opponents as well as books, videos, posts, and other online content.

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[2] The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023) (Petition).

[3] *See Commission Announces Permit-But-Disclose Ex Parte Status and Establishes MB Docket No. 23-293 for Application for Renewal of License of WXTF-TV, Philadelphia, Pennsylvania*, Public Notice, MB Docket No. 23-293, DA 23-752 (MB, Aug. 23, 2023).

[4] *See* Letter from Peter S. Hyun, Acting Bureau Chief, Enforcement Bureau, Federal Communications Comm'n, to Daniel R. Suhr, President, Center for American Rights (Jan. 16, 2025); *Re: Preserving the First Amendment*, GN Docket No. 25-11, (GN, Jan. 16, 2025).

[5] *See* Letter from Reps. Anna G. Eshoo and Jerry McNerney to John T. Stankey, CEO, AT&T, Inc. (Feb. 22, 2021), https://web.archive.org/web/20210223052030/https://eshoo.house.gov/sites/eshoo.house.gov/files/Eshoo-McNerney-TV-Misinfo%20Letters-2.22.21.pdf.

[6] *See* Adrian Carrasquillo, *Hispanic Caucus Members Pressure FCC to Scrutinize Miami Radio Station Sale*, Newsweek, (Apr. 14, 2021), https://www.newsweek.com/hispanic-caucus-members-pressure-fcc-scrutinize-miami-radio-station-sale-1583890.

In doing so, the previous Administration established a two-tiered approach. Take, for example, the Biden FCC's decision to create a special Soros shortcut to expedite the acquisition of hundreds of broadcast licenses.[7] Never before had the Commission voted to approve the transfer of a single broadcast license—let alone the transfer of broadcast licenses for over 200 radio stations across more than 40 markets—without following the requirements and procedures codified in federal law. Not once. And yet the Commission broke that new ground without seeking public comment on altering our established regulations, without actually changing the rules on the books, and without seeking the feedback of other federal agencies with relevant equities. This is not the type of relief that the Biden FCC provided to parties unconnected to Soros.

The list of Biden-era weaponization goes on and on. But at the FCC we are now putting those days in the rearview mirror. We are ensuring that everyone receives fair and even-handed treatment from the FCC.

I appreciate the opportunity to respond to your letter.

Sincerely,

Brendan Carr
Chairman

[7] *See Audacy License, LLC, as Debtor-in-Possession (Assignor) and Audacy License, LLC (Assignee)*, Memorandum Opinion and Order, FCC 24-94 (rel. Sept. 30, 2024).

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

May 29, 2026

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

Dear Ranking Member Pallone,

Thank you for your April 30, 2026, letter to the Federal Communications Commission ("FCC"). It provides an opportunity for me to correct the record on several misconceptions regarding the FCC's work.

Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. For instance, Democrats ran a campaign to pressure cable companies into dropping what Democrats described as "Right-wing media outlets," like Fox News, Newsmax, and OANN.[1] And that campaign worked, resulting in several providers dropping one or more of those channels. During the Biden years, Democrats successfully pressured the FCC to block the sale of a Spanish-language radio station for overtly political reasons.[2] During the Biden years, the FCC refused to renew hundreds of routine broadcast licenses following political pressure from Democrats in Congress.[3] And the Biden FCC teed up for action a petition seeking to take away a Fox broadcast license based on content that allegedly ran on a Fox News cable channel.[4] The list goes on and on, as I have detailed.

In contrast to the Biden years, I am focused as Chairman of the FCC on restoring the agency's commitment to basic fairness and faithful adherence to the Congressionally enacted Communications Act.

Through the diligent work of the FCC's talented staff, the agency has been delivering great results for the American people. Internet speeds are up. Prices are down. Competition is stronger than before. And the FCC has taken bold steps to promote our national security

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[1] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 26, 2025) (*Blumenthal Letter 2025*), https://docs.fcc.gov/public/attachments/DOC-410581A2.pdf.

[2] *Id.*

[3] *Id.*

[4] *Id.*

interests. There is much more work ahead. But the U.S. is now leading the world again in next-gen technologies—including ones that will connect families that had been stuck on the wrong side of the digital divide for far too long. The FCC is also freeing up spectrum after years of inaction. And we are cutting through the red tape that has slowed down Internet builds across the country.

With respect to the FCC's work on media issues, in particular, the reporting to date has left the public with one false impression after another. So, your letter provides me with a chance to address a lot of that misinformation.

On media policy, the FCC is administering the unique regulatory framework that Congress decided to apply to broadcasters many years ago. In doing so, the agency is working to empower local broadcast TV stations that serve diverse communities across the nation. It is important to me that local broadcast TV stations have the chance to succeed and thrive into the future. They provide the trusted sources of local news and information that so many find so important today. In many communities, they are the only sources of real reporting because misguided federal policies contributed to the hollowing out and closure of local newspapers. I want to ensure that America's local broadcasters do not go the way of defunct local newspapers.

As noted above, the reporting on the FCC's media policies have consistently misled the American public. For instance, the media and many in public life recently fell for a hoax apparently concocted by a former late night TV host and a Democrat candidate for Senate in Texas. Specifically, the candidate, in an apparent effort to get attention and political donations, falsely indicated that the FCC or the Administration censored or otherwise prevented one of his interviews from airing on broadcast TV. That claim was and is obviously false.[5] The government did not prevent any such interview from airing. Yet too many people ran with the story anyways.

Your letter asks about several additional instances of public reporting regarding the FCC's media policy. For example, your letter asks specifically about the FCC's decision to invoke the agency's longstanding authority to call in broadcast licenses for early renewal. As I have stated on several occasions, the FCC ordered the early renewal of Disney's ABC TV stations based on the agency's ongoing investigation into allegations that the relevant corporate entities discriminated on the basis of race, gender, and/or other protected characteristics in violation of federal law.[6] These are serious allegations, and this is an FCC enforcement matter that remains under consideration at the agency.

As you may know, the Communications Act and longstanding Commission rules prohibit FCC-regulated entities from engaging in discrimination on the basis of race, color, religion, national

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[5] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Sen. Richard Blumenthal, Ranking Member, Permanent Subcommittee on Investigations (Mar. 06, 2026), https://docs.fcc.gov/public/attachments/DOC-420011A2.pdf.

[6] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026) (*Early Renewal Order*), https://docs.fcc.gov/public/attachments/DA-26-416A1.pdf.

origin, age, or sex.[7] The FCC's Equal Employment Opportunity ("EEO") rules impose specific obligations on regulated entities, including broadcast licensees such as Disney's ABC TV stations. The FCC has both the authority and the responsibility to ensure compliance with those obligations.[8]

Last year, following a series of public reports and allegations, on March 27, 2025, I asked the FCC's Enforcement Bureau to open an investigation into whether Disney was complying with the Commission's EEO requirements. Those reports, including ones based on whistleblower accounts and publicly available corporate initiatives, described practices that appeared to raise serious concerns under the FCC's nondiscrimination rules.

For example, public reporting indicated that Disney may have relied on race, gender, or other protected characteristics in making hiring and promotion decisions, made compensation decisions based on race, gender, or other protected characteristics, limited workplace opportunities to employees based on race, gender, or other protected characteristic, and/or made other decisions based on impermissibly discriminatory considerations.[9] Other reports described affinity groups and programs that appeared to segregate employees on the basis of race or identity characteristics.[10]

These allegations and reports, though concerning, do not represent FCC conclusions or determinations. Disney is submitting evidence, and the FCC is reserving judgment on the issues. But given the nature of the reports implicating the kind of race-based discrimination whose prohibition has been an essential part of the federal legal system for decades, the FCC had a responsibility to determine if any of Disney's practices implicated the Commission's EEO rules or other applicable federal nondiscrimination requirements.

The FCC's Enforcement Bureau advanced its investigation in June of 2025 by issuing a letter of inquiry ("LOI") to Disney. As you may know, LOIs are a standard investigative tool used by the Commission to obtain information relevant to potential violations of law or FCC rules. As the Bureau made clear in its June 5, 2025 letter of inquiry ("Initial LOI"), the action constituted an order of the FCC to produce the documents and information requested therein. Failure to fully respond to the LOI constitutes a violation of the Communications Act and FCC rules.[11] FCC

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[7] *See, e.g.*, 47 U.S.C. § 151.

[8] *See, e.g.*, 47 CFR §§ 25.601, 90.168, 73.2080(a), 76.73.

[9] *See* Letter from Chairman Brendan Carr, Federal Communications Commission to Robert A. Iger, Chief Executive Officer, The Walt Disney Company (Mar. 27, 2025), https://www.fcc.gov/sites/default/files/Carr-Letter-to-Disney-DEI-03252027.pdf.

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[12] *See The Walt Disney Co.*, Order, DA 26-416 (MB rel. Apr. 28, 2026).

[13] *US FCC could speed up broadcast license reviews, says agency head Carr*, Reuters (Mar. 16, 2026), https://www.reuters.com/business/media-telecom/fcc-could-speed-up-broadcast-license-reviews-says-agency-head-carr-2026-03-16/.

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[17] The criteria for legally qualified candidates are specified in the FCC's rule at 47 CFR § 73.1940.

[18] 47 U.S.C. § 315(a).

[19] 47 CFR §§ 73.1212 (Sponsorship identification); 73.1940 (Legally qualified candidates for public office); 73.1941 (Equal opportunities); 73.1942 (Candidate rates); 73.1943 (Political file); 73.1944 (Reasonable access).

[20] 47 CFR § 73.1943(c).

[21] *Id*. § 73.1943(d).

[22] *See, e.g.*, Equal Opportunities Complaint Filed by Nicole Parra Against Pappas Telecasting Companies, 19 FCC Rcd 21994, para. 3 (MB 2004) ("The Commission has ruled that when a candidate is furnished time at no cost, competing candidates are entitled to receive the same amount of free time in comparable time periods."); Carter/Mondale Reelection Committee, Memorandum Opinion and Order, 81 FCC 2d 409, n.13 (1980) ("the time that is made available under 315(a) must have a comparable audience potential to that of the initial 'use.'"); *see also* Primer on Political Broadcasting & Cablecasting, Public Notice, 69 FCC 2d 2209, 2219 (1978) ("The station must, however, make periods that normally have comparable audiences available to competing candidates upon request.").

[23] 47 USC 312(a)(7).

The FCC did not create these statutory obligations and cannot simply disregard them. The FCC's role in these matters involves applying the framework established by Congress and longstanding FCC precedent.

Your letter also objects to the FCC's review of broadcaster conduct under the public interest standard. However, the FCC cannot selectively ignore that statutory obligation simply because certain regulated parties or commentators disagree with scrutiny applied in a particular case. The Communications Act expressly requires the FCC to determine whether broadcasters are operating in the public interest.

As the FCC has made clear, federal law requires broadcasters to comply with a basic and fundamental obligation—they must operate in the public interest. Congress first enshrined this concept in the law nearly 100 years ago,[24] and it charged the FCC with the responsibility of ensuring that broadcasters only obtain and maintain a license to the extent they are operating in a manner that serves the public interest.[25]

From those early days, as the courts have long recognized, "[t]he clear intent of the Act was that the award of a broadcasting license should be a 'public trust,'"[26] with broadcasters serving the role "of a 'public trustee' charged with the duty of fairly and impartially informing the public audience."[27] As the D.C. Circuit has stated, "broadcasters are temporary permittees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept."[28] It is this service as a public trustee[29]—and the corresponding obligation to offer programming responsive to the needs and interests of the local communities they are licensed to serve—that makes broadcasters unique and distinguishes them from other programmers. It is an obligation that broadcasters take on voluntarily, in exchange for the privilege of holding a license to operate using the public airwaves.[30] Throughout the decades, the law and the obligation it places on broadcasters have not departed from this fundamental public interest obligation.

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[24] *See* Radio Act of 1927, Pub. L. No. 69-632, 44 Stat. 1162 (1927); Communications Act of 1934, as amended (Act), 47 U.S.C. § 151 *et seq*.

[25] *See, e.g.*, 47 U.S.C. §§ 303, 307(a), 309(a), 310(d); *see also Fed. Commc'ns Comm'n v. Pottsville Broad. Co.*, 309 U.S. 134, 137-8 (1940) (*Pottsville*).

[26] *Office of Communication of United Church of Christ v. FCC*, 707 F.2d 1413, 1427 (D.C. Cir. 1983) (*UCC 1983*).

[27] *Columbia Broadcasting System, Inc. v. Democratic National Committee*, 412 U.S. 94, 117 (1973).

[28] *Office of Communication of United Church of Christ v. FCC*, 425 F.2d 543, 548 (D.C. Cir. 1969) (*UCC 1969*).

[29] *See Complaint by Alf Pratte, Honolulu, Hawaii Concerning Political Broadcast Re Station KGMB-TV*, 67 F.C.C.2d 72, 73 (1977) ("Licensees are trustees, granted the privilege of using a scarce natural resource, the airwaves, and they are required to operate in the public interest.").

[30] *See FCC v. National Citizens Committee for Broadcasting*, 436 U.S. 775, 795 (1978) (stating that "the physical scarcity of broadcast frequencies, as well as problems of interference between broadcast signals, led Congress to delegate broad authority to the Commission to allocate broadcast licenses in the 'public interest'"); *UCC 1983*, 707 F.2d at 1427 (observing that "in return for the 'free and exclusive use of a limited and valuable part of the public domain,' broadcasters were to be 'burdened by enforceable public obligations'") (internal quotations omitted).

Accordingly, the FCC not only has authority, but the duty, to examine whether regulated entities are operating consistent with the public interest standard established by Congress. Any suggestion that the FCC must ignore credible allegations of misconduct or refuse to conduct oversight of regulated broadcasters would amount to an abdication of the FCC's statutorily obligations.

I appreciate the opportunity to respond to your letter and to clarify recent FCC actions. Under my leadership, the FCC will continue working to ensure fair and even-handed treatment for all parties appearing before the agency while faithfully carrying out the FCC's statutory obligations.

Additionally, I have renewed my April 29, 2025, response to your previous correspondence. It is attached to this letter.

Sincerely,

Brendan Carr,
Chairman

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Brendan Carr
Chairman

April 29, 2025

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, DC 20515

RE: March 31, 2025 Letter to FCC

Dear Ranking Member Pallone,

Thank you for your March 31, 2025, letter to the Federal Communications Commission (FCC). Throughout the previous Administration, communications laws and FCC processes were repeatedly weaponized for political purposes. As Chairman, I am focused on restoring the FCC's commitment to basic fairness and even-handed treatment for all. In particular, I am working to ensure that everyone appearing before the agency gets a fair shake from their government, regardless of political affiliation.

My commitment on this front represents a departure from the years when peoples' politics often determined the answers they received from the FCC. If they were aligned with the previous Administration, then they would receive favorable and special treatment on a streamlined basis. If they were not, then they got the opposite treatment, including having previous FCC awards revoked for political reasons.

Your letter provides me with a welcome opportunity to correct some misconceptions regarding the FCC's work. Specifically, your letter suggests the FCC is treating a petition involving a CBS TV station differently than one involving a Fox TV station.[1] But that is not the case at all. Under my leadership, the FCC has merely followed agency precedent. We are putting the relevant complaint on the same procedural footing that the previous FCC found appropriate.

As you may recall, in 2023, a group filed a petition with the FCC asking the agency to take the broadcast license away from a Fox broadcast TV station in Philadelphia because the petitioners did not agree with the content that they argued was carried on a separate cable

[1] *See* Center for American Rights, Petition to Condition Grant by the Center for American Rights, MB Docket No. 25-73 (filed Dec. 16, 2024); The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023).

channel.[2] Despite the Fox petition failing to satisfy basic pleading requirements, the FCC chose to move forward. The previous FCC determined that it was in the public interest to entertain the filing and issued a public notice seeking comment on the Fox petition.[3]

The previous FCC then left the Fox proceeding open for more than a year, and it received about 200 comments from the public. The FCC did not dismiss or deny the Fox petition when the public comment cycle ended either. Instead, it waited through the entire 2024 election cycle to dismiss the petition against the Fox broadcast TV station.

However, the previous FCC took a different approach entirely when it came to the CBS petition.[4] Unlike the Fox petition, the Biden FCC just summarily dismissed the CBS one. Unlike the Fox petition, the Biden FCC did not seek public comment on the CBS petition. And unlike the Fox petition, the Biden FCC did not establish a record on the CBS one before issuing its decision. Instead, at the eleventh hour, the Biden FCC simply dismissed the CBS petition. It is not clear why previous FCC leadership dismissed the CBS complaint without nearly the same level of process that it applied to the Fox petition. Under my leadership, the FCC is seeking comment on the CBS petition, just as the prior FCC did on the Fox petition. In other words, the FCC is treating like cases alike and following the precedent set by the agency. That is the very definition of even-handed treatment.

Again, this is a marked contrast from the weaponization that prevailed during the Biden years. During the previous Administration, Democrats regularly weaponized their authority against their perceived political opponents, including running a campaign to pressure cable companies into dropping what they described as "Right-wing media outlets,"[5] pressuring the FCC to block the sale of a Spanish-language radio station in South Florida for purely political reasons,[6] the unprecedented failure to process hundreds of routine Sinclair license renewals that came up in 2021, 2022, 2023, and 2024, and a multi-month campaign to jawbone social media companies into censoring their political opponents as well as books, videos, posts, and other online content.

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[2] The Media and Democracy Project, Milo Vassallo, John McGinty, Peter Lems, Chenjerai Kumanyika, and Bill Hartman, Petition to Deny, LMS File No. 0000213362 (filed July 3, 2023) (Petition).

[3] *See Commission Announces Permit-But-Disclose Ex Parte Status and Establishes MB Docket No. 23-293 for Application for Renewal of License of WXTF-TV, Philadelphia, Pennsylvania*, Public Notice, MB Docket No. 23-293, DA 23-752 (MB, Aug. 23, 2023).

[4] *See* Letter from Peter S. Hyun, Acting Bureau Chief, Enforcement Bureau, Federal Communications Comm'n, to Daniel R. Suhr, President, Center for American Rights (Jan. 16, 2025); *Re: Preserving the First Amendment*, GN Docket No. 25-11, (GN, Jan. 16, 2025).

[5] *See* Letter from Reps. Anna G. Eshoo and Jerry McNerney to John T. Stankey, CEO, AT&T, Inc. (Feb. 22, 2021), https://web.archive.org/web/20210223052030/https://eshoo.house.gov/sites/eshoo.house.gov/files/Eshoo-McNerney-TV-Misinfo%20Letters-2.22.21.pdf.

[6] *See* Adrian Carrasquillo, *Hispanic Caucus Members Pressure FCC to Scrutinize Miami Radio Station Sale*, Newsweek, (Apr. 14, 2021), https://www.newsweek.com/hispanic-caucus-members-pressure-fcc-scrutinize-miami-radio-station-sale-1583890.

In doing so, the previous Administration established a two-tiered approach. Take, for example, the Biden FCC's decision to create a special Soros shortcut to expedite the acquisition of hundreds of broadcast licenses.[7] Never before had the Commission voted to approve the transfer of a single broadcast license—let alone the transfer of broadcast licenses for over 200 radio stations across more than 40 markets—without following the requirements and procedures codified in federal law. Not once. And yet the Commission broke that new ground without seeking public comment on altering our established regulations, without actually changing the rules on the books, and without seeking the feedback of other federal agencies with relevant equities. This is not the type of relief that the Biden FCC provided to parties unconnected to Soros.

The list of Biden-era weaponization goes on and on. But at the FCC we are now putting those days in the rearview mirror. We are ensuring that everyone receives fair and even-handed treatment from the FCC.

I appreciate the opportunity to respond to your letter.

Sincerely,

Brendan Carr
Chairman

[7] *See Audacy License, LLC, as Debtor-in-Possession (Assignor) and Audacy License, LLC (Assignee)*, Memorandum Opinion and Order, FCC 24-94 (rel. Sept. 30, 2024).

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, May 29, 2026 9:40 AM
To: Greg Watson; Brendan Carr (Internal)
Cc: Anthony Patrone; Allison Howell; Connor Glisson
Subject: Re: Pallone Reply - to BC
Attachments: Pallone Letter Response 5.28.26 - GAW-BC.docx

Thanks - I'm signed off on the attached redline (which has Greg's and a few new from me). Go ahead and clean up / finalize the footnotes then ship it out today.

From: Greg Watson <Gregory.Watson@fcc.gov>
Sent: Thursday, May 28, 2026 10:01 PM
To: Brendan Carr (Internal) (b) (6) [redacted]
Cc: Anthony Patrone <Anthony.Patrone@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Connor Glisson <Connor.Glisson@fcc.gov>
Subject: Pallone Reply - to BC

(b) (5) [redacted]

Greg Watson
Chief of Staff
FCC Chairman Brendan Carr

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Friday, May 8, 2026 3:11 PM
To: Katie Gorscak; Brendan Carr (Internal); Greg Watson; Allison Howell; Adam Jackman; Katie McAuliffe
Cc: Will Wiquist
Subject: Re: Press inquiries NYT article/ABC and tensions between the agency and network

I would start to provide people with this statement, attributable to an FCC spokesperson:

Decades ago, Congress passed a law that generally prohibits broadcast television programs from putting a thumb on the scale in favor of one political candidate over another. Specifically, Congress put protections in place to ensure that covered programs offer legally qualified candidates for office (both Republican and Democrat) equal time on the public airwaves. The equal time law encourages more speech and empowers voters to decide the outcome of elections. The FCC will review Disney's assertion that 'The View' is a 'bona fide news program' and thus exempt from the political equal time rules.

From: Katie Gorscak <Katie.Gorscak@fcc.gov>
Sent: Friday, May 8, 2026 2:07 PM
To: Brendan Carr (Internal) (b) (6) [redacted] Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries NYT article/ABC and tensions between the agency and network

(b) (5) [redacted] -K

-
Associated Press (Jocelyn Noveck)
We wanted to see if there is any FCC comment on the filing from ABC concerning "The View" charging that the FCC is seeking to violate the network's protected free speech in the matter. Thank you very much.

-
The Guardian (Jeremy Barr)
Just wanted to see if Chairman Carr/the FCC has a response to KTRK TV/ABC's filing yesterday.

-
Entertainment Weekly (Wesley Stenzel)
I hope you're doing well. I'm a reporter with Entertainment Weekly, and I'm writing to ask if anyone from the FCC has any comment on ABC's recent petition for declaratory ruling on the matter of The View. In the petition, ABC's counsel claims that "The Commission's actions threaten to upend decades of settled law and practice and chill critical protected speech, both with respect to The View and more broadly." Thank you for your time.

Politico (John Hendel)
Hey all! Any comment on Disney's filing on The View? We'll be writing.

New York Post (Ariel Zilber)
I'm a reporter at the New York Post. I'm reaching out for comment regarding ABC's recent filing with the FCC accusing the commission of violating the network's free speech rights and having a "chilling effect" on political speech.

The filing, made public on Friday, was registered on behalf of an ABC station in Houston and involved a regulatory dispute over "The View." It was signed by Paul Clement, a former solicitor general under President George W. Bush and one of the most experienced Supreme Court litigators in the country. ABC's filing characterized the FCC's actions as an attempt to punish political content the agency disagreed with, potentially setting the stage for a broader legal battle between the network and the Trump administration.

I have a few questions:

• Does the FCC have any response to ABC's allegation that the commission is violating the network's free speech rights?
• Does the FCC deny that its actions have had a "chilling effect" on political speech?
• What is the basis for the FCC's regulatory action involving "The View" and the Houston station?
• Is the FCC selectively targeting ABC or any other network over political content?
• How does the FCC respond to the characterization that it is attempting to bring media organizations to heel on behalf of the administration?

I'm on deadline so a timely response would be greatly appreciated.

From: Katie Gorscak
Sent: Friday, May 8, 2026 12:59 PM
To: 'Brendan Carr (Internal)' (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries NYT article/ABC and tensions between the agency and network

Latest batch:

Wall Street Journal (Joe Flint)
If there is any response to Disney filing please send our way.

Washington Post (Scott Nover)
Hi there, any comment on Disney's filing? https://www.fcc.gov/ecfs/document/10507899614175/1

Communications Daily (Monty Tayloe)
I was wondering if the Chairman or the Chairman's office has any comment on this filing from ABC and specifically the part where it says the FCC encouraged other texas ABC affiliates to put equal time filings on the Talarico appearance in their public files to avoid enforcement but didn't do the same for KTRK.
I'm at 703 728 0227 if you want to talk.

The Verge (Lauren Feiner)
I'm a reporter for The Verge reaching out for comment on the ABC petition for declaratory ruling made public today. Can you please let me know if you have a response to share? Please note I cannot accept background information without prior agreement, and need a named spokesperson for any statement.
Forbes (Antonio Pequeño IV)
Does the FCC have any comment to share on the ABC lawsuit accusing the agency of First Amendment violations? Would appreciate a response or no comment as soon as possible.
The Hill (Dominick Mastrangelo)
Let me know if the FCC is going to have any comment or response to this filing from ABC:
https://www.fcc.gov/ecfs/document/10507899614175/1

Josh Levs (They Stand Corrected Podcast)
For the podcast and newsletter linked in my signature, I'm looking for the LOI and SLOI mentioned in this new legal filing:

https://www.fcc.gov/ecfs/document/10507899614175/1 Could you please send it to me right away?

From: Katie Gorscak
Sent: Friday, May 8, 2026 12:18 PM
To: Brendan Carr (Internal) (b) (6) [redacted]>; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: Press inquiries NYT article/ABC and tensions between the agency and network

Good afternoon, Chairman and team:

(b) (5) [redacted]

Fox News Digital (Joseph Wulfsohn)
I hope you're doing well. I was wondering if the FCC had a response to ABC's comments about the current tensions between the agency and the network. https://www.nytimes.com/2026/05/08/business/media/abc-fcc-first-amendment-the-view.html

-
CBS News (Marc Schwartz)
I'm writing from the CBS News National Desk. I'm reaching regarding a filing ABC submitted to the Federal Communications Commission, made public Friday, in which the network argues the agency has had a "chilling effect" on free speech by seeking to penalize political content it disagreed with. Any response you could provide would be greatly appreciated.
Variety (Todd Spangler)
Hi FCC Media Relations, Any comment on this?

NBC News (Daniel Arkin)
Any comment from the FCC on this new filing? https://www.fcc.gov/ecfs/document/10507899614175/1

-Katie

Kristi Thompson

From: Katie Gorscak
Sent: Thursday, May 28, 2026 5:30 PM
To: Brendan Carr; Greg Watson; Adam Jackman; Katie McAuliffe; Allison Howell
Cc: Will Wiquist
Subject: RE: Press inquiries re: Disney filing today

Politico (John Hendel)
And is today now actually the expiration date for the Disney-owned ABC station licenses? If so, are these eight stations going to have to cease operations after today?

Los Angeles Times (Samantha Masunaga)
I'm a reporter with the Los Angeles Times, and I'm working on a story about Disney's filings related to the FCC inquiry on their eight station early license renewal order. I wanted to see if the FCC had any comment about Disney's filings and the company's assertions that the FCC's early renewal order was "unlawful, arbitrary and unconstitutional." I'm working on an immediate deadline, so if I could get a statement back from the FCC as soon as possible, I would greatly appreciate it.

NBC (Daniel Arkin)
Good afternoon -- We see reports that the FCC moved up the expiration date on ABC's station licenses to today, May 28. Can you confirm?

CNBC (Lillian Rizzo)
Hi, I wanted to see if the FCC had any statement or response to Disney's filing of broadcast station license renewal "under protest" today, in which it called the early review "unconstitutional."

Reuters (David Shepardson)
ABC license renewals-Do you want to comment?

Financial Times (Anna Nicolau)
Hope you are well. I wanted to clarify this from the FCC website: https://publicfiles.fcc.gov/tv-profile/wabc-tv#docs. There is also a Bloomberg report that the FCC has moved the expiry of ABC's broadcast licenses to May 28 (today). Can you clarify what this means? Why was it changed, and what are the practical implications for these broadcast stations? Any guidance is helpful so we can reflect this accurately for readers. Thanks very much.

From: Katie Gorscak
Sent: Thursday, May 28, 2026 4:52 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries re: Disney filing today

+ Allison.

Bloomberg (Kelcee Griffis)

We noticed that all of the Disney-owned ABC stations show a license expiration date of today. Can the FCC confirm if that is an error, and/or explain why the date is rendering that way? When was it changed?

From: Katie Gorscak
Sent: Thursday, May 28, 2026 4:46 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: Press inquiries re: Disney filing today

Chairman and staff:

(b) (5) [redacted]

-Katie

Associated Press (Steve Sloan)
Steven Sloan with the AP here. I understand ABC filed the eight license renewal applications today and included a public interest exhibit that pushes back on the early renewal requests, calling the order "unlawful, arbitrary and unconstitutional."
Just wanted to see if you have any comment or response to that?

New York Times (Jim Rutenberg)
Any comment on the ABC filing or any guidance to be offered on process?

Politico
Any statement on this? They've got some strong words in there for the FCC order: https://enterpriseefiling.fcc.gov/dataentry/public/tv/draftCopy.html?displayType=html&appKey=25076f919df5a492019df87d8b5c00ce&id=25076f919df5a492019df87d8b5c00ce&goBack=N. We're pulling together a write-up on these now. Thanks!

CNBC (Ryan Ruggiero)
We saw a headline that Disney responded to the FCC. I searched the website, and I can't find it. Do you know where I should look?

Kristi Thompson

From: Adam Jackman
Sent: Thursday, April 30, 2026 2:44 PM
To: Katie Gorscak; Brendan Carr (Internal); Greg Watson; Allison Howell; Katie McAuliffe; Will Wiquist
Subject: RE: Press inquiries: Disney License review

Please refer her to the press conference. Thanks!

Adam Jackman
Director of Strategic Communications
FCC Office of Media Relations
Office: (202) 418-0504

From: Katie Gorscak <Katie.Gorscak@fcc.gov>
Sent: Thursday, April 30, 2026 2:41 PM
To: Brendan Carr (Internal) (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

CBS (Mary Cunningham) – second request

Following up to see if the FCC would like to offer additional comment on its investigation into Disney over its DEI practices. Was the FCC's request for early license renewal at all related to concerns about what Jimmy Kimmel said during his April 23 segment? Is the FCC considering denying the renewal of the ABC licenses or revoking them?

From: Katie Gorscak
Sent: Wednesday, April 29, 2026 4:15 PM
To: 'Brendan Carr (Internal)' (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

Bloomberg (Kelcee Griffis)
We're planning to run a story soon that will report:

- Some people inside the agency were surprised at the choice of an early license review for ABC and the timing of its release right after the president called for Kimmel's firing.
- People inside the agency believe the license review is tied to the call for Kimmel's firing, even though the order doesn't mention Kimmel at all.
- The Bridge News early renewal request on Monday put some people on notice in the agency that ABC was next.

Can the FCC comment on these points? Thanks!

From: Katie Gorscak
Sent: Wednesday, April 29, 2026 4:08 PM
To: 'Brendan Carr (Internal)' (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

CBS News (Mary Cunningham) – also left a voicemail.
Mary from CBS News MoneyWatch here. I just called.

Has the FCC revoked a broadcast license in the past? If so, when? I see one case for WLBT-TV - but want to confirm.

NBC News (Daniel Arkin)
Does the FCC have comment on this statement from NAB?

https://www.nab.org/documents/newsroom/pressRelease.asp?id=7442

From: Katie Gorscak
Sent: Wednesday, April 29, 2026 1:06 PM
To: 'Brendan Carr (Internal)' (b) (6) [redacted] Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

Politico (John Hendel)
We're likely following up on licensing today, and I wanted to check in early flagging NAB's concern of this creating uncertainty: https://www.nab.org/documents/newsRoom/pressRelease.asp?id=7442

Any comment on this or the recent concerns from Sen. Cruz? I also just spoke to him and he reiterated his objections. Has the chairman been in contact with the Hill, NAB or others to discuss the issue? Any other comment about some of the reaction we should include?

Thanks for any time! Will try to share if any particularly lively comments from the Hill.

From: Katie Gorscak
Sent: Wednesday, April 29, 2026 12:19 PM
To: 'Brendan Carr (Internal)' (b) (6) [redacted]; Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

The Atlantic (Will Gottsegen)
I'm a writer at The Atlantic doing a story on the FCC's early review of Disney's broadcast licenses. Would someone at the FCC like to comment for the article? Why did the FCC choose yesterday to initiate the

challenge to the licenses? Was the timing connected to the president and first lady's comments on Monday that Jimmy Kimmel should be fired? What is the agency hoping to achieve with the reviews? I know the FCC is investigating possible "discrimination" at Disney—what sort of discrimination is being looked into?

If you'd like to be quoted, we'll need a comment by 4pm EST.

From: Katie Gorscak
Sent: Wednesday, April 29, 2026 9:29 AM
To: 'Brendan Carr (Internal)' (b) (6) [redacted] Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>; Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

Additional inquiries that came in overnight.

Houston Chronicle (Maliya Ellis)
I'm Maliya, a reporter for the Houston Chronicle. I'm working on a story about how the FCC's directive requiring ABC to file early license renewal applications for its TV stations could impact ABC-13 in Houston.

I'm looking for comment on:
- How long does the license renewal process take? When would a decision be made on whether to renew the licenses?
- If the FCC does not renew a license, what happens to that TV station? Does broadcasting cease, or could another entity step in?

This is for a short story publishing by 8pm CT today, but I can update the story online tomorrow as well if I receive information after my deadline.

Variety (Todd Spangler)
I am checking to see if the FCC has any comment on this statement from Jane Fonda:

"FCC Chair Brendan Carr's latest order to review the broadcast license of all ABC stations is a naked attempt to weaponize government power against dissent," **said Jane Fonda, founder of the modern Committee for the First Amendment.** "What we are seeing fits a deliberate and deeply troubling pattern of authoritarian regimes throughout history—and it should alarm anyone who believes in the First Amendment and the fundamental principle that the government has no authority to decide who gets to speak in a free society. Together, we must call this out clearly and forcefully for what it is: the systematic use of federal power to narrow the range of acceptable speech until only approved voices remain."

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 6:09 PM
To: Will Wiquist <Will.Wiquist@fcc.gov>; Brendan Carr (Internal) (b) (6) [redacted] Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Subject: RE: Press inquiries: Disney License review

NBC News (Daniel Arkin)
Does the FCC have comment on the criticism of the Disney order via organizations such as FIRE, Pen America, Reporters Without Borders, the Knight First Amendment Institute, et al.?

News Nation (Nancy Rogers)
I am writing from NewsNation. We are seeing here that the FCC has ordered early license renewals of ABC affiliates. What is the reason for this? Does it have something to do with DEI practices? Any details you can provide are greatly appreciated.

Law360 (Chris Cole)
Hi, could we get any comment from Chairman Carr's office on this statement by Commissioner Gomez:

"This is the most egregious action this FCC has taken in violation of the First Amendment to date. As part of its ongoing campaign of censorship and control, the White House called publicly for the silencing of a vocal critic, and this FCC has now answered that call. This is an unprecedented and politically motivated attempt to interfere with how broadcasters operate, and this unlawful overreach will fail. This should be a lesson to media companies that no amount of capitulation to this Administration will buy them protection. The only choice is to stand up and stand firm in defense of the First Amendment."

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Politico (John Hendel)

> We're likely doing a follow-up story later today trying to contextualize the ABC license renewal announcement. Any FCC comment on the idea that this may be political? Jeff Westling, for instance, told me that he doesn't think anybody will buy that the DEI investigation is an "excuse" for doing this now: "The real issue here is that the president doesn't like the coverage, and the FCC is acting. And that's not a good thing for free speech." Andy Schwartzman also suggested this will take years and with limited immediate legal recourse for ABC, which he says is the point of this all. How do you see the license renewal fitting into the chairman's overall media agenda? Is he planning to call up other licenses early? How early was the FCC beginning the process of doing this?

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NewsNation (Guerin Hays)
I'm reaching out on behalf of NewsNation. Can you confirm that the FCC is reviewing ABC's broadcast license?
Do you have a statement and does this have to do with Late night host, Jimmy Kimmel's recent comments about the First Lady?

FCC Orders a Review of ABC's Licenses Amid Feud Between Trump and Kimmel - The New York Times

The agency said the review was related to the network's diversity and inclusion policies. But it came amid a fight between the president and the network's late night host, Jimmy Kimmel.

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(b) (5) [redacted]

-Katie

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Can you confirm this?: The FCC is officially calling in Disney's broadcast licenses for early renewal, citing the public interest standard and "the agency's prohibition on unlawful discrimination."

"Disney's ABC is hereby directed to file license renewals for all of their licensed TV stations within 30 days--in other words, by May 28, 2026," the FCC writes.

https://x.com/alexweprin/status/2049192593917890729

Newsmax (Andrew Craft-followed up by phone)
Looking to confirm reports that Chairman Carr is looking to review Disney's broadcast license in the wake of yet another dust-up between Jimmy Kimmel and the Trumps. Will an expedited review process be taking place in the wake of Kimmel's joke about the First Lady?

CNBC (Ryan Ruggiero)
I hope you are doing well and having a great day! We are seeing a report that you are asking Disney to refile license renewals for its stations. Do you have a statement on that or a copy of a letter sent to them?

CBS News (Mark Schwartz)
Can you confirm / provide an official announcement regarding the report that the FCC is officially calling in Disney's broadcast licenses for early renewal? Any information that you could provide would be greatly appreciated.

Philadelphia Inquirer (Rob Tornhoe) – second request
Hey guys, I was wondering if you could forward me a copy of the letter the FCC sent to Disney indicating the agency is calling in the company's broadcast licenses for early renewal. Any background information would be greatly appreciated. Best place to reach me is here or on my cell: 302-222-4647.

Deadline (Ted Johnson)
Would you have the filing on the Disney station renewals?

Communications Daily (Monty Tayloe)
Can I get a copy of this Order? https://x.com/alexweprin/status/2049195922085531941

Forbes (Antonio Pequeño IV)
Antonio here with Forbes' breaking news desk. Hope all is well. I'm reaching out to see if the FCC has any comment on multiple reports stating it plans to review Disney's broadcast licenses. Is this at all linked to Jimmy Kimmel's recent monologue? Would appreciate a response as soon as possible.

NPR (Matteen Mokalla)

We have read several reports this morning indicating that the FCC is preparing "call in all of the TV station licenses for Disney/ABC for early renewal." Is this news correct? If so, on what basis? Does the FCC have any comment and might any of the FCC's commissioners be available for a short interview? We plan to go to air at 4:35 pm eastern with our story. We hope to hear from you soon!

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Adding the Chairman to this chain as well. I will continue to add these in groups every hour or so as they come in. We're up to 32 inquiries thus far.

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MS Now (Arielle Hixson)
Writing to confirm for MSNOW - is the FCC preparing to "call in all of the TV station licenses for Disney/ABC for early renewal?"
Also was this action tied to ABC late-night host Jimmy Kimmel's recent joke about first lady Melania Trump?
Do you have a statement in reaction to this?

Law 360 (Chris Cole)
Good afternoon, does the FCC wish to comment on this D.C. Circuit petition? Is there any update on the FCC's consideration of the underlying petition?
Also, related, will Chairman Carr make any comment on this post from Commissioner Gomez about early license reviews? https://x.com/AGomezFCC/status/2049140805965893655?s=20

Daily Wire (Jacob Wheeler)
My name is Jacob Wheeler, and I'm a reporter with The Daily Wire. We're hoping to get an interview with Chairman Carr/FCC statement confirming that the FCC will challenge Disney-owned TV licenses. https://www.foxnews.com/media/fcc-call-disney-stations-early-license-review-wake-latest-issue-abc-jimmy-kimmel

Daily Wire (Mary Margaret Olohan)
Good afternoon - Can the FCC confirm that it will issue an order today directing Disney's television stations to file broadcast license renewals ahead of schedule? We'd love to work with you all on this and break that news if possible. My cell is 5402702904.

TMZ (Ryan Parker-also left a voicemail)
Reaching out for comment on the report that the FCC chairman has directed Disney-owned TV stations to file early license renewals … and this allegedly is a retaliatory move against Jimmy Kimmel and his recent joke about the First Lady? Any comment or background guidance we should add? Thank you for your time.

Philadelphia Inquirer (Rob Tornoe)
Hey guys, working on a story about the FCC's expected early review of ABC's locally owned and operated stations, since Philly is among those that would be impacted. Any information you could provide (background is fine) would be helpful. Specifically, I'm interested in what a review actually entails and the reason for the early review. Also, does the FCC have a response/statement? Best place to reach me is here or on my cell: 302-222-4647.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 12:46 PM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

USA Today (Chris Brennan)
Is the FCC currently considering an early license review for broadcast licenses held by ABC-Disney? If so, can you tell me why that is under consideration? My deadline is 3 p.m. today. Thanks.

CBS News (Megan Cerullo)
I am reaching out from CBS News seeking confirmation that the FCC is directing Disney-owned-and-operated television stations to file their broadcast license renewals early. Is this accurate, and does the FCC have comment to share?

New York Times (Cecilia Kang)
Following up on the Semafor story on Chairman Carr's opening of review to revoke Disney licenses. Can you confirm and/or provide guidance?

Daily Beast (Josh Fiallo)
My name is Josh Fiallo, and I am a reporter at the Daily Beast. I am reaching out to see if the FCC has any comment on reports by CNN and Semafor that claim the commission is planning to file paperwork as early as this afternoon that will challenge Disney's licenses for its eight ABC stations. If the FCC has any comment, I will include it in my own article on the matter.

AFP News (Thomas Urbain)
I'm a reporter from the AFP news organization. Would the FCC confirm that it is launching a review of Disney's broadcast licenses for ABC stations ?

BBC News North America (Madeline Halpert)
I'm a reporter with the BBC in the US. I'm seeing reports that the FCC is planning to file paperwork today to challenge Disney's eight licenses for its eight ABC stations. Are you able to confirm this, and can you share any comment on whether the move is related to late-night host Jimmy Kimmel's comments about the First Lady this week?

Washington Post (Scott Nover)
Hi there, do you have anything for me on reports that the FCC is calling in Disney and ABC licenses for early review? Is this related to Trump's criticism of Jimmy Kimmel? Thank you.

Newsweek (Hollie Silverman)
Can you confirm that the FCC will be reviewing licenses for all ABC/Disney owned channels following the latest comments from Jimmy Kimmel about the First Lady? Is there any statement the FCC has about the latest comments?

ARS Technica (Jon Brodkin)
Hi, can you confirm whether it's accurate, as Fox News reported, that the FCC "is expected to call the licenses of Disney for early license review as soon as Tuesday," and that "Disney-owned ABC affiliates will have to prove to FCC Chairman Brendan Carr that they have been operating in the public interest. The licenses are not up for renewal for several years, but the FCC plans unprecedented action to accelerate their renewal on the heels of Jimmy Kimmel's controversial 'expectant widow' comment last week that prompted President Donald Trump and first lady Melania Trump to call for termination."

Is this report accurate, and if so, what are the reasons for the license review? Thank you.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 11:36 AM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

Fox Business (Kevin Gora)
Can you confirm this report that the FCC is set to review Disney's TV licenses? Can you provide a comment on it?
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

Newsmax (Andrew Craft)
Looking to confirm reports that Chairman Carr is looking to review Disney's broadcast license in the wake of yet another dust-up between Jimmy Kimmel and the Trumps. Will an expedited review process be taking place in the wake of Kimmel's joke about the First Lady?

Reuters (David Shepardson)
Do you want to comment on possibility of FCC reviewing Disney/ABC broadcast licenses ahead of schedule? Or whether the FCC will review Kimmel remarks?

Financial Times (Anna Nicolaou)
I wanted to check in on a Semafor report regarding the FCC potentially moving toward a review of Disney's broadcast licenses. Specifically, they report that: "The Federal Communications Commission is moving toward a review of Disney's broadcast licenses, according to people familiar with the matter…"

I wondered if you could let me know whether this is accurate, or if the FCC has any comment on this. I'm working on a follow-up for the FT, so any guidance you can share would be really helpful.

Communications Daily (Monty Tayloe)
I'm working on something about the FCC having authority to call licenses in for early review before their renewals are due, and I was wondering if Chairman Carr has any comment on the basis for the agency's authority to do that, the recent Bridge News filing, or this Semafor story about Disney.

Politico (Gregory Svirnovskiy)
Gregory Svirnovskiy from POLITICO here, reaching out because I'm following up on reporting that the FCC is getting ready to review Disney's TV licenses in the wake of Jimmy Kimmel's latest rhetoric that has drawn criticism from the White House. Is your team able to confirm that for me and perhaps send along a statement? I really appreciate your help on this,

The Hill (Dominick Mastrangelo)
Wondering if someone at the FCC might be able to confirm any of this, if even on background:
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses Could cite a source at the FCC or even a person familiar.

Deadline (Ted Johnson)
Left me a voicemail asking about this.

LateNighter.com (Matt Webb Mitovich)

Good morning, please let me know if your office has comment on Semafor's reporting that the FCC is taking steps toward an early review of Disney-ABC broadcast licenses.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 10:22 AM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: Press inquiries: Disney License review

(b) (5) [redacted]

Katie

Fox News (Patrick Ward)
Are you able to confirm reporting that the Federal Communications Commission is moving toward a review of Disney's broadcast licenses? Any statement on the matter you can provide?

NBC News (Nick Konopka)
I am reaching out from NBC News in Washington to inquire about a report that the FCC is taking steps to review the television licenses of The Walt Disney Company. Are you able to confirm that the Commission is looking to review Disney's licenses? If so, what are the parameters of the review, and was there a specific incident that triggered the steps toward a review? Anything you have on this would be helpful.

NBC News (Daniel Arkin)
Relatedly, can you confirm this report? Background sourcing is fine if necessary.
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

CNBC (Lillian Rizzo)
I'm a media reporter with CNBC and am following up on the recent report that the FCC is preparing a review of Disney's broadcast licenses. Please let me know if there's any statement or comment regarding the matter. My deadline is imminent.

The Wrap (Corbin Bolies)
I hope you're well. I'm reaching out to see if the FCC could confirm if this story is accurate:

https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

Bloomberg (Chris Palmeri)
Semafor is reporting that you're moving toward a review of Disney's ABC license stations due to the presence complaints about their content is that accurate? Please let us know as soon as possible 213-706-9512.

Reuters (Anhata Rooprai)
Reaching out on behalf of Reuters is seeking comment regarding a Semafor report stating that the Commission is moving toward an early review of broadcast licenses held by Disney-owned ABC stations.
Could the Commission clarify:

- Whether a formal review process has been triggered or is under active consideration.
- The specific regulatory grounds for such a review, particularly in light of Chairman Carr's recent comments on "character qualifications."

- Whether recent administrative complaints regarding ABC’s late-night programming have any bearing on these internal discussions.

Please also provide any additional details that you can share. We are on a deadline and would appreciate a prompt response.

MT Newswires (Tim Weatherhead)
This is a request for comment regarding a recent Semafor story stating that the FCC is moving toward a review of Disney’s broadcast licenses. Thank you.

Kristi Thompson

From: Brendan Carr (Internal)
Sent: Wednesday, April 29, 2026 2:09 PM
To: Katie Gorscak; Greg Watson; Allison Howell; Adam Jackman; Katie McAuliffe; Will Wiquist
Subject: Re: Press inquiries: Disney License review

(b) (5) [redacted]

[redacted]

From: Katie Gorscak <Katie.Gorscak@fcc.gov>
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Subject: RE: Press inquiries: Disney License review

Politico (John Hendel)
We're likely following up on licensing today, and I wanted to check in early flagging NAB's concern of this creating uncertainty: https://www.nab.org/documents/newsRoom/pressRelease.asp?id=7442

Any comment on this or the recent concerns from Sen. Cruz? I also just spoke to him and he reiterated his objections. Has the chairman been in contact with the Hill, NAB or others to discuss the issue? Any other comment about some of the reaction we should include?

Thanks for any time! Will try to share if any particularly lively comments from the Hill.

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The Atlantic (Will Gottsegen)
I'm a writer at The Atlantic doing a story on the FCC's early review of Disney's broadcast licenses. Would someone at the FCC like to comment for the article? Why did the FCC choose yesterday to initiate the challenge to the licenses? Was the timing connected to the president and first lady's comments on Monday that Jimmy Kimmel should be fired? What is the agency hoping to achieve with the reviews? I know the FCC is investigating possible "discrimination" at Disney—what sort of discrimination is being looked into?

If you'd like to be quoted, we'll need a comment by 4pm EST.

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Subject: RE: Press inquiries: Disney License review

Additional inquiries that came in overnight.

Houston Chronicle (Maliya Ellis)
I'm Maliya, a reporter for the Houston Chronicle. I'm working on a story about how the FCC's directive requiring ABC to file early license renewal applications for its TV stations could impact ABC-13 in Houston.

I'm looking for comment on:

- How long does the license renewal process take? When would a decision be made on whether to renew the licenses?
- If the FCC does not renew a license, what happens to that TV station? Does broadcasting cease, or could another entity step in?

This is for a short story publishing by 8pm CT today, but I can update the story online tomorrow as well if I receive information after my deadline.

Variety (Todd Spangler)
I am checking to see if the FCC has any comment on this statement from Jane Fonda:

"FCC Chair Brendan Carr's latest order to review the broadcast license of all ABC stations is a naked attempt to weaponize government power against dissent," **said Jane Fonda, founder of the modern Committee for the First Amendment.** "What we are seeing fits a deliberate and deeply troubling pattern of authoritarian regimes throughout history—and it should alarm anyone who believes in the First Amendment and the fundamental principle that the government has no authority to decide who gets to speak in a free society. Together, we must call this out clearly and forcefully for what it is: the systematic use of federal power to narrow the range of acceptable speech until only approved voices remain."

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Does the FCC have comment on the criticism of the Disney order via organizations such as FIRE, Pen America, Reporters Without Borders, the Knight First Amendment Institute, et al.?

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I am writing from NewsNation. We are seeing here that the FCC has ordered early license renewals of ABC affiliates. What is the reason for this? Does it have something to do with DEI practices? Any details you can provide are greatly appreciated.

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Hi, could we get any comment from Chairman Carr's office on this statement by Commissioner Gomez:

"This is the most egregious action this FCC has taken in violation of the First Amendment to date. As part of its ongoing campaign of censorship and control, the White House called publicly for the silencing of a vocal critic, and this FCC has now answered that call. This is an unprecedented and politically motivated attempt to interfere with how broadcasters operate, and this unlawful overreach will fail. This should be a lesson to media companies that no amount of capitulation to this Administration will buy them protection. The only choice is to stand up and stand firm in defense of the First Amendment."

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FCC Orders a Review of ABC's Licenses Amid Feud Between Trump and Kimmel - The New York Times

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Would you have the filing on the Disney station renewals?
Communications Daily (Monty Tayloe)
Can I get a copy of this Order? https://x.com/alexweprin/status/2049195922085531941

Forbes (Antonio Pequeño IV)
Antonio here with Forbes' breaking news desk. Hope all is well. I'm reaching out to see if the FCC has any comment on multiple reports stating it plans to review Disney's broadcast licenses. Is this at all linked to Jimmy Kimmel's recent monologue? Would appreciate a response as soon as possible.
NPR (Matteen Mokalla)
We have read several reports this morning indicating that the FCC is preparing "call in all of the TV station licenses for Disney/ABC for early renewal." Is this news correct? If so, on what basis? Does the FCC have any comment and might any of the FCC's commissioners be available for a short interview? We plan to go to air at 4:35 pm eastern with our story. We hope to hear from you soon!

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Good afternoon, does the FCC wish to comment on this D.C. Circuit petition? Is there any update on the FCC's consideration of the underlying petition?
Also, related, will Chairman Carr make any comment on this post from Commissioner Gomez about early license reviews? https://x.com/AGomezFCC/status/2049140805965893655?s=20

Daily Wire (Jacob Wheeler)
My name is Jacob Wheeler, and I'm a reporter with The Daily Wire. We're hoping to get an interview with Chairman Carr/FCC statement confirming that the FCC will challenge Disney-owned TV licenses.
https://www.foxnews.com/media/fcc-call-disney-stations-early-license-review-wake-latest-issue-abc-jimmy-kimmel

Daily Wire (Mary Margaret Olohan)
Good afternoon - Can the FCC confirm that it will issue an order today directing Disney's television stations to file broadcast license renewals ahead of schedule? We'd love to work with you all on this and break that news if possible. My cell is 5402702904.

-
TMZ (Ryan Parker-also left a voicemail)
Reaching out for comment on the report that the FCC chairman has directed Disney-owned TV stations to file early license renewals … and this allegedly is a retaliatory move against Jimmy Kimmel and his recent joke about the First Lady? Any comment or background guidance we should add? Thank you for your time.

Philadelphia Inquirer (Rob Tornoe)
Hey guys, working on a story about the FCC's expected early review of ABC's locally owned and operated stations, since Philly is among those that would be impacted. Any information you could provide (background is fine) would be helpful. Specifically, I'm interested in what a review actually entails and the reason for the early review. Also, does the FCC have a response/statement? Best place to reach me is here or on my cell: 302-222-4647.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 12:46 PM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>

Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

USA Today (Chris Brennan)
Is the FCC currently considering an early license review for broadcast licenses held by ABC-Disney? If so, can you tell me why that is under consideration? My deadline is 3 p.m. today. Thanks.

CBS News (Megan Cerullo)
I am reaching out from CBS News seeking confirmation that the FCC is directing Disney-owned-and-operated television stations to file their broadcast license renewals early. Is this accurate, and does the FCC have comment to share?

New York Times (Cecilia Kang)
Following up on the Semafor story on Chairman Carr's opening of review to revoke Disney licenses. Can you confirm and/or provide guidance?

Daily Beast (Josh Fiallo)
My name is Josh Fiallo, and I am a reporter at the Daily Beast. I am reaching out to see if the FCC has any comment on reports by CNN and Semafor that claim the commission is planning to file paperwork as early as this afternoon that will challenge Disney's licenses for its eight ABC stations. If the FCC has any comment, I will include it in my own article on the matter.

AFP News (Thomas Urbain)
I'm a reporter from the AFP news organization. Would the FCC confirm that it is launching a review of Disney's broadcast licenses for ABC stations ?

BBC News North America (Madeline Halpert)
I'm a reporter with the BBC in the US. I'm seeing reports that the FCC is planning to file paperwork today to challenge Disney's eight licenses for its eight ABC stations. Are you able to confirm this, and can you share any comment on whether the move is related to late-night host Jimmy Kimmel's comments about the First Lady this week?

Washington Post (Scott Nover)
Hi there, do you have anything for me on reports that the FCC is calling in Disney and ABC licenses for early review? Is this related to Trump's criticism of Jimmy Kimmel? Thank you.

Newsweek (Hollie Silverman)
Can you confirm that the FCC will be reviewing licenses for all ABC/Disney owned channels following the latest comments from Jimmy Kimmel about the First Lady? Is there any statement the FCC has about the latest comments?

ARS Technica (Jon Brodkin)
Hi, can you confirm whether it's accurate, as Fox News reported, that the FCC "is expected to call the licenses of Disney for early license review as soon as Tuesday," and that "Disney-owned ABC affiliates will have to prove to FCC Chairman Brendan Carr that they have been operating in the public interest. The licenses are not up for renewal for several years, but the FCC plans unprecedented action to accelerate their renewal on the heels of Jimmy Kimmel's controversial 'expectant widow' comment last week that prompted President Donald Trump and first lady Melania Trump to call for termination."

Is this report accurate, and if so, what are the reasons for the license review? Thank you.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 11:36 AM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman

<Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: RE: Press inquiries: Disney License review

Fox Business (Kevin Gora)
Can you confirm this report that the FCC is set to review Disney's TV licenses? Can you provide a comment on it?
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

Newsmax (Andrew Craft)
Looking to confirm reports that Chairman Carr is looking to review Disney's broadcast license in the wake of yet another dust-up between Jimmy Kimmel and the Trumps. Will an expedited review process be taking place in the wake of Kimmel's joke about the First Lady?

Reuters (David Shepardson)
Do you want to comment on possibility of FCC reviewing Disney/ABC broadcast licenses ahead of schedule? Or whether the FCC will review Kimmel remarks?

Financial Times (Anna Nicolaou)
I wanted to check in on a Semafor report regarding the FCC potentially moving toward a review of Disney's broadcast licenses. Specifically, they report that: "The Federal Communications Commission is moving toward a review of Disney's broadcast licenses, according to people familiar with the matter…"

I wondered if you could let me know whether this is accurate, or if the FCC has any comment on this. I'm working on a follow-up for the FT, so any guidance you can share would be really helpful.

Communications Daily (Monty Tayloe)
I'm working on something about the FCC having authority to call licenses in for early review before their renewals are due, and I was wondering if Chairman Carr has any comment on the basis for the agency's authority to do that, the recent Bridge News filing, or this Semafor story about Disney.

Politico (Gregory Svirnovskiy)
Gregory Svirnovskiy from POLITICO here, reaching out because I'm following up on reporting that the FCC is getting ready to review Disney's TV licenses in the wake of Jimmy Kimmel's latest rhetoric that has drawn criticism from the White House. Is your team able to confirm that for me and perhaps send along a statement? I really appreciate your help on this,

The Hill (Dominick Mastrangelo)
Wondering if someone at the FCC might be able to confirm any of this, if even on background:
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses Could cite a source at the FCC or even a person familiar.

Deadline (Ted Johnson)
Left me a voicemail asking about this.

LateNighter.com (Matt Webb Mitovich)
Good morning, please let me know if your office has comment on Semafor's reporting that the FCC is taking steps toward an early review of Disney-ABC broadcast licenses.

From: Katie Gorscak
Sent: Tuesday, April 28, 2026 10:22 AM
To: Greg Watson <Gregory.Watson@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman

<Adam.Jackman@fcc.gov>; Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Will Wiquist <Will.Wiquist@fcc.gov>
Subject: Press inquiries: Disney License review

(b) (5) [redacted]

Katie

Fox News (Patrick Ward)
Are you able to confirm reporting that the Federal Communications Commission is moving toward a review of Disney's broadcast licenses? Any statement on the matter you can provide?

NBC News (Nick Konopka)
I am reaching out from NBC News in Washington to inquire about a report that the FCC is taking steps to review the television licenses of The Walt Disney Company. Are you able to confirm that the Commission is looking to review Disney's licenses? If so, what are the parameters of the review, and was there a specific incident that triggered the steps toward a review? Anything you have on this would be helpful.

NBC News (Daniel Arkin)
Relatedly, can you confirm this report? Background sourcing is fine if necessary.
https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

CNBC (Lillian Rizzo)
I'm a media reporter with CNBC and am following up on the recent report that the FCC is preparing a review of Disney's broadcast licenses. Please let me know if there's any statement or comment regarding the matter. My deadline is imminent.

The Wrap (Corbin Bolies)
I hope you're well. I'm reaching out to see if the FCC could confirm if this story is accurate:

https://www.semafor.com/article/04/28/2026/fcc-prepares-review-of-disneys-tv-licenses

Bloomberg (Chris Palmeri)
Semafor is reporting that you're moving toward a review of Disney's ABC license stations due to the presence complaints about their content is that accurate? Please let us know as soon as possible 213-706-9512.

Reuters (Anhata Rooprai)
Reaching out on behalf of Reuters is seeking comment regarding a Semafor report stating that the Commission is moving toward an early review of broadcast licenses held by Disney-owned ABC stations.
Could the Commission clarify:

- Whether a formal review process has been triggered or is under active consideration.
- The specific regulatory grounds for such a review, particularly in light of Chairman Carr's recent comments on "character qualifications."
- Whether recent administrative complaints regarding ABC's late-night programming have any bearing on these internal discussions.

Please also provide any additional details that you can share. We are on a deadline and would appreciate a prompt response.

MT Newswires (Tim Weatherhead)
This is a request for comment regarding a recent Semafor story stating that the FCC is moving toward a review of Disney's broadcast licenses. Thank you.

Kristi Thompson

From: Katie McAuliffe
Sent: Friday, May 29, 2026 12:09 PM
To: Brendan Carr (Internal)
Cc: Greg Watson; Adam Jackman
Subject: Re: Unique Quote for Daily Signal

Done

Katie McAuliffe
Policy Advisor
Chairman Carr

From: Brendan Carr (Internal) (b) (6) [redacted]
Sent: Friday, May 29, 2026 11:46:19 AM
To: Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>
Subject: Re: Unique Quote for Daily Signal

Use this: "If a broadcaster engaged in illegal DEI discrimination, the FCC will hold them accountable. The FCC has been investigating Disney based on DEI concerns for over a year now. The agency determined that Disney's responses to date have been deficient, disingenuous, and incomplete. The FCC will follow the facts and law wherever they lead."

From: Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Sent: Friday, May 29, 2026 11:08 AM
To: Brendan Carr (Internal) (b) (6) [redacted]
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>
Subject: Re: Unique Quote for Daily Signal

(b) (5) [redacted]

[redacted]

~ Katie McAuliffe
Policy Advisor
Chairman Carr
Federal Communications Commission

From: Brendan Carr (Internal) (b) (6) [redacted]
Sent: Friday, May 29, 2026 10:31 AM
To: Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>
Subject: Re: Unique Quote for Daily Signal

(b) (5) [redacted]

From: Katie McAuliffe <Katie.McAuliffe@fcc.gov>
Sent: Friday, May 29, 2026 10:11 AM
To: Brendan Carr (Internal) (b) (6) [redacted]
Cc: Greg Watson <Gregory.Watson@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>
Subject: Unique Quote for Daily Signal

Tyler O'Neil at the Daily Signal is covering the ABC license renewals. He asked for a unique quote from the Chairman for his article. (b) (5) [redacted]

~ Katie McAuliffe
Policy Advisor
Chairman Carr
Federal Communications Commission

Kristi Thompson

From: Katie Gorscak
Sent: Monday, June 1, 2026 1:11 PM
To: Adam Jackman; Brendan Carr; Alexander Sanjenis; Allison Howell
Cc: Courtney Cowper; Greg Watson
Subject: RE: URL links to media proceedings public has been interested in

Disney Licenses Docket

Express: https://www.fcc.gov/ecfs/filings/express?proceeding[name]=26-131

Regular: https://www.fcc.gov/ecfs/filings/standard?proceeding[name]=26-131

From: Adam Jackman <Adam.Jackman@fcc.gov>
Sent: Monday, June 1, 2026 1:11 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: RE: URL links to media proceedings public has been interested in

What is the docket # for the renewal proceeding? @Allison Howell @Alexander Sanjenis

Adam Jackman
Director of Strategic Communications
FCC Office of Media Relations
Office: (202) 418-0504

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 1:07 PM
To: Adam Jackman <Adam.Jackman@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: Re: URL links to media proceedings public has been interested in

Do we have anything for the renewal proceeding ?

From: Adam Jackman <Adam.Jackman@fcc.gov>
Sent: Monday, June 1, 2026 11:42 AM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: RE: URL links to media proceedings public has been interested in

https://www.fcc.gov/ecfs/filings/express?proceeding[name]=26-124

Adam Jackman
Director of Strategic Communications
FCC Office of Media Relations
Office: (202) 418-0504

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 11:38 AM
To: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: URL links to media proceedings public has been interested in

Is there a link I can post that goes directly to the express comment filing page for The View bona fide news proceeding?

In other words, this type of a link but one that takes you to an express page with docket number 26-124 filled in?

https://www.fcc.gov/ecfs/filings/express

Can we get one for regular, non-express filings?

What about for the proceeding on Disney's license renewals?

Kristi Thompson

From: Allison Howell
Sent: Monday, June 1, 2026 1:15 PM
To: Adam Jackman; Brendan Carr; Alexander Sanjenis; Katie Gorscak
Cc: Courtney Cowper; Greg Watson
Subject: RE: URL links to media proceedings public has been interested in

The docket number for the Disney early renewal proceeding is 26-131.

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Adam Jackman <Adam.Jackman@fcc.gov>
Sent: Monday, June 1, 2026 1:11 PM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: RE: URL links to media proceedings public has been interested in

What is the docket # for the renewal proceeding? @Allison Howell @Alexander Sanjenis

Adam Jackman
Director of Strategic Communications
FCC Office of Media Relations
Office: (202) 418-0504

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 1:07 PM
To: Adam Jackman <Adam.Jackman@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: Re: URL links to media proceedings public has been interested in

Do we have anything for the renewal proceeding ?

From: Adam Jackman <Adam.Jackman@fcc.gov>
Sent: Monday, June 1, 2026 11:42 AM
To: Brendan Carr <Brendan.Carr@fcc.gov>; Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: RE: URL links to media proceedings public has been interested in

https://www.fcc.gov/ecfs/filings/express?proceeding[name]=26-124

Adam Jackman
Director of Strategic Communications
FCC Office of Media Relations
Office: (202) 418-0504

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 11:38 AM
To: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: URL links to media proceedings public has been interested in

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Kristi Thompson

From: Allison Howell
Sent: Monday, June 1, 2026 1:12 PM
To: Brendan Carr; Alexander Sanjenis; Adam Jackman; Katie Gorscak
Cc: Courtney Cowper; Greg Watson
Subject: RE: URL links to media proceedings public has been interested in

Alex, can you please run down these questions with the bureau as soon as possible?

Thanks!

Allison Howell
Legal Advisor
Office of FCC Chairman Brendan Carr
allison.howell@fcc.gov

From: Brendan Carr <Brendan.Carr@fcc.gov>
Sent: Monday, June 1, 2026 11:38 AM
To: Alexander Sanjenis <Alexander.Sanjenis@fcc.gov>; Allison Howell <Allison.Howell@fcc.gov>; Adam Jackman <Adam.Jackman@fcc.gov>; Katie Gorscak <Katie.Gorscak@fcc.gov>
Cc: Courtney Cowper <Courtney.Cowper@fcc.gov>; Greg Watson <Gregory.Watson@fcc.gov>
Subject: URL links to media proceedings public has been interested in

(b) (5) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Kristi Thompson

From: Adam Candeub
Sent: Wednesday, May 20, 2026 4:12 PM
To: Brendan Carr (Internal)
Cc: Jacob Lewis
Subject: RTDNA case: D.C. Circuit orders response to petition for mandamus
Attachments: Petition for Mandamus.pdf; Order.pdf

Dear Brendan, (b) (5) [redacted] Best, Adam

No. 26-1099

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

In re Radio Television Digital News Association, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, Jerald N. Fritz, *Petitioners*.

PETITION FOR WRIT OF MANDAMUS TO THE FEDERAL COMMUNICATIONS COMMISSION

Rachel Goodman
Janine M. Lopez
Tobin Raju
Conor S. Gaffney
Protect Democracy Project
2020 Pennsylvania Avenue NW
Suite 163
Washington DC 20006
(202) 579-4582

Andrew Jay Schwartzman
Andrew Jay Schwartzman, PLLC
525 9th Street NW, Seventh Floor
Washington, DC, 20004

Gigi Sohn
G Squared Strategies
3503 Alton Place, NW
Washington, DC 20008

Berin Szóka
TechFreedom
1500 K Street NW, Floor 2
Washington DC, 20005

Counsel for Petitioners

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

A. Parties

Petitioners are Radio Television Digital News Association, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, and Jerald N. Fritz.

Respondent is the Federal Communications Commission.

Other parties before the agency in the proceeding below are: Dennis R. Patrick and Peter Pitsch.[1]

B. Ruling Under Review

This is an original action challenging the Commission's unreasonable delay in taking action on the Petitioners' November 13, 2025 Petition for Special Relief seeking repeal of the news distortion policy. Petitioners seek a writ of mandamus compelling the Commission to take action on the Petition for Special Relief within 90 days of this Court's decision. Because the Commission has not taken any action on the Petition for Special Relief, no citation to the Federal Register or other record exists.

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[1] Andrew C. Barrett, who was a party to the proceeding below, passed away before the filing of this petition.

C. Related Cases

This case has not previously come before this Court or any other, and counsel for Petitioners is not aware of any other related cases within the meaning of D.C. Circuit Rule 28(a)(1)(C).

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioner Radio Television Digital News Association, a professional association dedicated exclusively to broadcast and digital journalism, certifies that it has no parent companies within the meaning of Circuit Rule 26.1(a), and that no publicly held company holds 10% or greater ownership interest.

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REGULATIONS

ADMINISTRATIVE PROCEEDINGS

GLOSSARY OF ABBREVIATIONS

Abbreviation	Definition
Add.	Addendum
FCC	Federal Communications Commission
RTDNA	Radio Television Digital News Association

INTRODUCTION

The First Amendment generally prohibits the government from imposing content-based restrictions on speech. Despite this general prohibition, the Federal Communications Commission (the "Commission") has long sought to regulate the content of broadcasts in limited ways to further various Congressional mandates, including that the Commission manage the nation's airwaves in the "public interest." 47 U.S.C § 303(r). One of the content-regulation tools the Commission has developed is the "news distortion policy," which authorizes the Commission to sanction broadcasters who deliberately "distort" or "slant" the news. *See Serafyn v. FCC*, 149 F.3d 1213, 1216–17 (D.C. Cir. 1998).

For most of its life, the news distortion policy lay dormant. Cognizant of constitutional dangers of judging the accuracy of the news, the Commission applied the policy sparingly, rarely invoking the policy and even more rarely finding that a broadcaster had violated it.[2]

But in January 2025, the Chairman and the Commission he effectively controls, *see infra* at 18–20, adopted a more aggressive, and seemingly selective,

[2] *See* Chad Raphael, *The FCC's Broadcast News Distortion Rules: Regulation by Drooping Eyelid*, 6 Commc'n L. & Pol'y 485, 501 (2001) (only eight cases finding news distortion between 1969 and 1999, or 10% of complaints); Joel Timmer, *Potential FCC Actions Against "Fake News": The News Distortion Policy and the Broadcast Hoax Rule*, 24 Commc'n L. & Pol'y 1, 20 (2019) (no findings of news distortion since 1999).

approach to enforcing the news distortion policy. At the direction of Chairman Brendan Carr, the Commission reopened news distortion complaints that it had previously found lacked merit, but only against certain broadcasters. The Chairman used pending news distortion investigations to extract editorial concessions from broadcasters who needed Commission approval to merge. The Chairman repeatedly issued forceful public threats that certain editorial choices, and even covering certain topics, constituted news distortion. Referring to Kilmar Ábrego Garcia—the person at the center of a controversial immigration enforcement action—as a "Maryland man," for instance, was, the Chairman claimed, news distortion and could cost a station its license. Add. 36.

It became clear that this policy was now being applied in violation of the First Amendment. Moreover, this pattern of abuse, and the Chairman's newly expansive view of the Commission's powers, was broadly chilling the speech of broadcasters, even those who have not yet been targeted by the Commission.

On November 13, 2025, a bipartisan group of former Commission chairs, commissioners, and senior-level staff filed a Petition for Special Relief with the Commission seeking the repeal of the news distortion policy (hereinafter the "News Distortion Petition" or "Petition"). Because agency staff lack authority to change agency precedent, *see* 47 C.F.R. § 0.283, the petitioners filed the News Distortion Petition with the full Commission for disposition. That same day, the

Chairman posted to X in response to the Petition: "How about no[.] On my watch, the FCC will continue to hold broadcasters accountable to their public interest obligations." Add. 60. This comment from the Chairman—who has the exclusive power to present any matter, including the News Distortion Petition, to the full Commission—made clear that there would be no review whatsoever of the Petition.

Sure enough, the Commission has taken no action on the News Distortion Petition since it was filed last year. But through repeated public statements by the Chairman and threats of adverse regulatory action, the news distortion policy has only grown into more of a cudgel to suppress the First Amendment rights of broadcasters, journalists, and the public who depend on an information environment free of government interference. Without ever presenting the Petition to the full Commission, the Chairman continues to wield the news distortion policy as a weapon to control news content and suppress viewpoints the government disfavors. As the midterm elections approach, this abuse of regulatory power to shape voter perception and control information the electorate has access to is a particularly urgent matter.

This Court has exercised its power to compel the Commission to consider constitutional challenges to its content-regulation doctrines before. As the Chairman's threats escalate in the run-up to the midterm elections, this Court should issue a writ of mandamus to compel the Commission to take prompt and final action on the News Distortion Petition.

The Petitioners meet the standard for this extraordinary remedy. Commission regulations and the Communications Act impose a clear duty on the Chairman and the Commission to take prompt action on matters like the News Distortion Petition. The ongoing and irreparable constitutional harms caused by the Chairman's abuse of the news distortion policy underscore the egregiousness of the agency's delay, warranting mandamus. And because only the full Commission can act on the Petition, and the Chairman has adamantly refused to present it to the Commission for a vote, the Petitioners have no remedy other than an order from this Court compelling the Commission to act.

STATEMENT OF JURISDICTION

This Court has jurisdiction under 47 U.S.C. § 402(a) and 28 U.S.C. § 1651(a). *Telecomms. Rsch. & Action Ctr. v. FCC*, 750 F.2d 70, 75–76 (D.C. Cir. 1984) ("*TRAC*"). Venue is proper under 28 U.S.C. § 2343.

RELIEF SOUGHT

Petitioners seek an order from this Court granting this Petition and instructing the Commission to take final action on the News Distortion Petition within 90 days of this Court's decision. Petitioners also ask this Court to retain jurisdiction over the matter to ensure the Commission's compliance. *TRAC*, 750 F.2d at 80–81.

ISSUE PRESENTED

Whether this Court should issue a writ of mandamus compelling the Commission to take action on the News Distortion Petition by a date certain.

STATEMENT OF THE CASE

I. The news distortion policy.

The news distortion policy bars certain deliberate misrepresentations by broadcasters. Never formally promulgated as a rule, it developed through decades of Commission adjudications. Broadcasters who are found to violate the policy can face a number of sanctions from the Commission. See *Broad. News Distortion*, FCC (July 18, 2024), https://perma.cc/RYJ7-UTSZ.

The roots of the news distortion policy lie in a 1949 Commission statement that the Communications Act's public interest mandate forbids a broadcaster from selecting "program material to distort or suppress the basic factual information upon which any truly fair and free discussion of public issues must necessarily depend." *Rep. on Editorializing by Broad. Licensees*, 13 F.C.C. 1246, 1254 (1949). Over the next half century, and especially in the 1960s and 1970s, the Commission refined this principle into the contemporary standard which has four elements, each delicately designed to protect the First Amendment interests clearly implicated by the policy. It is the pervasive disregard of those guardrails that impelled Petitioners to seek repeal of the news distortion policy.

First, there must be "deliberate distortion," as distinct from "mere inaccuracy or difference of opinion." *Galloway v. FCC*, 778 F.2d 16, 20 (D.C. Cir. 1985). Second, there must be extrinsic evidence (*i.e.*, beyond the broadcast itself) that the broadcaster *deliberately* distorted or staged the news. *In re Complaints Covering CBS Program "Hunger in Am.,"* 20 F.C.C.2d 143, 150 (1969). Third, the distortion must apply to a "significant event," rather than minor inaccuracies or incidental aspects of the report. *Galloway*, 778 F.2d at 20. And finally, extrinsic evidence must show that the distortion involved the "principals, top management, or news management" of the licensee, as opposed to other employees. *Hunger in Am.*, 20 F.C.C.2d at 150. The policy bars the Commission from investigating complaints of news distortion unless each of the four elements are credibly alleged.

Despite this high standard, the basic purpose of the news distortion policy remains to review the accuracy of the news. The Commission has long recognized the risks to a free press and free expression that such an undertaking represents, observing that "in a democracy, dependent upon the fundamental rights of free speech and press, no Government agency can authenticate the news, or should try to do so." *In re Complaint by Mrs. J. R. Paul*, 26 F.C.C.2d 591, 592 (1969). Reviewing the news for accuracy would require the Commission to "sit as a review body of the 'truth' concerning news events," a subjective role that is plainly "not appropriate" for a government licensing agency. *In re Complaint Concerning Network Coverage of the Democratic Nat'l Convention*, 16 F.C.C.2d 650, 655 (1969). Accordingly, "the Commission does not—and cannot and will not—act as a self-appointed, free-roving arbiter of truth in journalism." *Free Press Emergency Petition for Inquiry Into Broad. of False Info. on COVID-19, Letter*, 35 FCC Rcd. 3032, 3033 (MB & OGC 2020). Invitations to misuse the news distortion policy to such ends have historically been forcefully rejected by the Commission. *See id.* at 3033 n.5 (collecting decisions).

Given these concerns, the Commission has, until recently, applied the news distortion policy sparingly and with decreasing frequency. Between 1969 and 2019, the Commission found only eight violations of the news distortion policy out of 120 complaints filed. Raphael, *supra* at 501; Timmer, *supra* at 20. Seven of those were between 1969 and 1985. Raphael, *supra* at 501. In the last forty years the Commission has only found one instance of actionable news distortion. Timmer, *supra* at 20.

While the policy has lain idle, developments in First Amendment doctrine have called into question whether the Commission's application of the policy is even constitutional. The Supreme Court "has many times held, in many contexts, that it is no job for government to decide what counts as the right balance of private expression—to 'un-bias' what it thinks biased[.]" *Moody v. NetChoice, LLC*, 603 U.S. 707, 719 (2024). Rather, the First Amendment commits to the individual the power to "decide for himself or herself the ideas and beliefs deserving of expression, consideration, and adherence." *Turner Broad. Sys., Inc. v. FCC*, 512 U.S. 622, 641 (1994). In *Moody*, decided just two terms ago, a plurality of the Supreme Court opined there is no legitimate government interest—and therefore no permissible application under the First Amendment—in "correct[ing] the mix of speech" in order to "better balance the speech market." 603 U.S. at 740, 741. Yet this is precisely the interest that the Chairman, and the Commission he effectively controls, seek to advance with the news distortion policy.

II. The Commission's recent use of the news distortion policy for partisan purposes has chilled speech and journalism.

Over the past sixteen months, the Commission has broken with its longstanding practice of caution and adopted an aggressive, and selective, approach to invoking and enforcing the news distortion policy.

On January 22, 2025, the Commission staff, which operate under the exclusive control of the Chairman, re-opened two news distortion matters that the staff under the direction of the prior Chair had previously closed, docketing one arising from a *60 Minutes* interview for public comment. *News Distortion Complaint Involving CBS Broad. Inc., licensee of WCBS, New York, NY*, 40 FCC

Rcd. 565 (EB 2025); *News Distortion Complaint Involving WPVI Television (Philadelphia), LLC, licensee of WPVI-TV, Philadelphia, PA*, 40 FCC Rcd. 564 (EB 2025). The complaints were against stations owned and operated by CBS and ABC. The Commission staff had previously rejected the complaints "as at odds with the First Amendment," but reversed course under Chairman Carr's leadership, claiming they had been dismissed prematurely and required "further consideration." Add. 33 (also available at: https://perma.cc/L7NP-WM4Z). Notably, the Chairman did not direct staff to re-open another complaint involving coverage favorable to the current administration, which it had previously dismissed alongside the complaints against CBS and ABC on the same grounds. *Id*. This suggests that the viewpoints of the networks, rather than the merits of the complaints, were the reason for reviving the proceedings.

In April 2025, the Chairman invoked the news distortion policy in response to the content of a news broadcast. On X, the Chairman accused Comcast affiliates of engaging in news distortion by referring to Kilmar Ábrego Garcia—a Maryland resident whom the administration had wrongfully deported to a notorious prison in El Salvador—as a "Maryland man." Add. 36 (also available at: https://perma.cc/Z2VG-XUSR). According to the Chairman, this phrase was inaccurate because Ábrego Garcia was "validated as a member of the violent

MS13 gang," a claim that was deeply contested even at the time.[3] The Chairman warned that there could be consequences: "Comcast knows that federal law requires its licensed operations to serve the public interest. News distortion doesn't cut it." *Id*.

These threats and investigations soon had clear effects on broadcasters' editorial judgments and programming decisions. Under the cloud of the re-opened news distortion complaint, CBS's flagship news program *60 Minutes* saw departures of several high-profile editors. The longtime executive producer resigned in April 2025, writing that he was no longer able "[t]o make independent decisions based on what was right for 60 Minutes, right for the audience." Add. 39 (also available at: https://perma.cc/8LLS-KJ3H).

At the same time, Skydance Media had applied for permission to acquire CBS News's parent company, Paramount. As the applications for approval dragged on beyond the Commission's 180-day timeline,[4] observers began to

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[3] Just days before the Chairman's post, a federal district court had found the claim "unsubstantiated." *Abrego Garcia v. Noem*, 777 F. Supp. 3d 501, 508 (D. Md. 2025). It observed that, "the 'evidence' against Abrego Garcia consisted of nothing more than his Chicago Bulls hat and hoodie, and a vague, uncorroborated allegation from a confidential informant claiming he belonged to MS-13's 'Western' clique in New York—a place he has never lived." *Id*. at 508 n.5.

[4] The Commission has an informal 180-day timeline for deciding applications for transfer. *See* FCC, *Informal Timeline for Consideration of Applications for Transfers or Assignments of Licenses or Authorizations Relating to Complex*

question whether the pending news distortion complaint against CBS, and a private civil lawsuit filed by the President premised on the same facts and theory, were behind the delay. Add. 44 (also available at: https://perma.cc/GT8T-UML9). These suspicions were confirmed when Skydance submitted a letter to the Chairman—not the full Commission—representing that it would conduct a review of the content of CBS's news coverage and install an ombudsman to investigate complaints of bias. Add. 51–52 (also available at: https://www.fcc.gov/ecfs/document/1072299913934/2).

Two days later, the Commission approved the applications. The Chairman immediately issued a victory statement, celebrating Skydance's concession to "root out the bias" from the "once storied CBS broadcast network." Add. 54 (also available at: https://docs.fcc.gov/public/attachments/DOC-413229A1.pdf).

The Commission continues to threaten broadcasters using the news distortion policy to this day. On March 14, 2026, the Chairman posted again to X to warn all broadcasters to "correct course" on their coverage of the war with Iran. Add. 57 (also available at: https://perma.cc/4E56-AAQH). Reposting a Truth Social post from the President calling coverage of a downed American refueling

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Mergers (available at: https://perma.cc/UAF8-WGE6). The Commission took more than 300 days to approve Paramount's transfer application.

plane "fake news," the Chairman warned that such "fake news" was actionable news distortion that could result in the loss of a broadcast license. "The law is clear," the Chairman stated, "Broadcasters must operate in the public interest, and they will lose their licenses if they do not."

> **Brendan Carr**
> @BrendanCarrFCC
>
> Broadcasters that are running hoaxes and news distortions - also known as the fake news - have a chance now to correct course before their license renewals come up.
>
> The law is clear. Broadcasters must operate in the public interest, and they will lose their licenses if they do not.
>
> And frankly, changing course is in their own business interests since trust in legacy media has now fallen to an all time low of just 9% and are ratings disasters.
>
> The American people have subsidized broadcasters to the tune of billions of dollars by providing free access to the nation's airwaves.
>
> It is very important to bring trust back into media, which has earned itself the label of fake news.
>
> When a political candidate is able to win a landslide election victory after in the face of hoaxes and distortions, there is something very wrong. It means the public has lost faith and confidence in the media. And we can't allow that to happen.
>
> Time for change!

In the context of a war—a matter of tremendous public concern—the Chairman's threat to scrutinize the news for conformity with the administration's narrative has a particularly chilling effect.

So, too, in the context of the midterm elections, which are fast approaching. The Chairman's naked attempts to suppress coverage the Administration views as unfavorable pose serious threats to the First Amendment and to our democratic order. The Chairman understands that the stakes of the midterms are high for the Administration. Thin majorities in Congress hang in the balance—and with them committee leadership, the ability to enact a legislative agenda, and the power to exercise oversight of the executive. The Chairman's abuse of the news distortion policy itself distorts the information voters have to make their choice, threatening the fairness of the midterms.

III. The Petition for Special Relief asks the Commission to rescind the news distortion policy.

On November 13, 2025, a bipartisan group of former FCC commissioners, chairs, and senior-level staff filed a Petition for Special Relief with the Commission seeking the policy's repeal.[5] Add. 1–19. The Petition presented five reasons for repeal.

First, the Petition argued, the Supreme Court has questioned whether the basic purpose of the news distortion policy—to correct inaccurate or distorted news—is a legitimate government interest. As the Court recently put it, "this Court

[5] Petitioner Radio Television Digital News Association joined the Petition for Special Relief on April 20, 2026. Add. 20.

has many times held, in many contexts, that it is no job for government to decide what counts as the right balance of private expression—to 'un-bias' what it thinks biased, rather than to leave such judgments to speakers and their audiences." *Moody*, 603 U.S. at 719. As the First Amendment only countenances restrictions on speech that serve some legitimate government interest, misapplication of the news distortion policy fails this constitutional test.

Second, the Petition asserted that the application of the news distortion policy separately violates the First Amendment because of its chilling effect on broadcaster speech. This rationale was one of the bases for the Commission's repeal of the fairness doctrine, cousin to the news distortion policy, in 1987. *See In re Complaint of Syracuse Peace Council*, 2 F.C.C. Rcd. 5043, 5049–50 (1987). The Petition recounted the broad chilling effects of the Chairman's abuse of the news distortion policy. As further evidence, Petitioner RTDNA's members have modified the content of their coverage, reassigned reporters, and been subjected to increased editorial scrutiny because of the Chairman's abuse of the news distortion policy. Add. 21.

Third, the Petition described how the news distortion policy has shown itself to be susceptible to partisan weaponization. Relying on the facts described above, the Petition argued that the Commission, at the direction of the Chairman, has enforced the news distortion policy selectively against broadcasters and coverage the current administration disfavors. Such partisan use of regulatory authority contravenes not only the First Amendment, but the Communications Act's limitations on the Commission's powers as well. *See* 47 U.S.C. § 326.

Fourth, the Petition argued that the news distortion policy is overly vague. It noted that the Commission's decision to re-open the news distortion complaints that do not meet the policy's standard has only heightened confusion among broadcasters as to what the policy proscribes.

Fifth, the Petition argued that the news distortion policy serves no critical regulatory purpose. The policy has only been applied eight times, and only once in the last forty years. The Commission's broadcast hoax rule, 47 C.F.R. § 73.1217, which proscribes a narrower set of false speech, provides adequate authority to the Commission to regulate dangerous broadcasts and rests on distinct, valid government interests regarding public safety, not balance or bias. In light of that rule, the news distortion policy is unnecessary.

IV. The Chairman immediately indicates no review is forthcoming, and the Commission takes no action.

The News Distortion Petition was filed on November 13, 2025. That same day, the Chairman posted to X in response to an NBC news article about the Petition, "How about no[.] On my watch, the FCC will continue to hold broadcasters accountable to their public interest obligations." Add. 60 (also available at: https://perma.cc/2Q79-MF7U).

Brendan Carr
@BrendanCarrFCC

How about no

On my watch, the FCC will continue to hold broadcasters accountable to their public interest obligations.

And it is quite rich for the exact same people that pressured prior FCCs to censor conservatives *through the news distortion policy* to now object to the agency's even-handed application of the law.

NBC News @NBCNews · Nov 13, 2025
A bipartisan group of former FCC leaders petitions the agency to repeal the policy the Trump administration invoked in discussions surrounding Jimmy Kimmel at ABC and in the investigation of "60 Minutes" at CBS. nbcnews.com/tech/tech-news...

1:36 PM · Nov 13, 2025 · **153.3K** Views

The next day, the Chairman posted a thumbs down emoji in response to a Washington Post article about the Petition. Add. 63 (also available at: https://perma.cc/763T-JJEQ).

The Chairman's responses indicated that no Commission review of the Petition would be forthcoming. And none has. As explained in the attached declaration of Ruth Milkman, the Chairman controls the Commission's docket. Under his direction the Commission has not docketed the petition, acknowledged receipt, solicited comment, or given any other indication that the agency has begun to take action on the Petition. Other than the Chairman's two social media posts immediately following filing, there has been no action from the Commission in the several months the agency has had the Petition.

V. Powers of the Chairman and Commission practice.

Under the Communications Act, Commission rules, and longstanding Commission practice, the Chairman exclusively controls the procedure for agency action on the News Distortion Petition.

47 U.S.C. § 155(a) provides that the Chairman "shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission . . . and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission."

Although there are no specific Commission rules governing procedure or administration of petitions for special relief like the News Distortion Petition, as a matter of agency practice the Chairman exercises complete control over the presentation of matters like the News Distortion Petition to the full Commission for consideration. Add. 25. Consistent with the Chairman's statutory designation as chief executive officer, Commission practice defers complete control over the agency's staff and agenda to the Chairman. *Id*. The Chairman determines whether and when matters are presented to the full Commission for action. *Id*. There is no mechanism for other commissioners to bring a matter to the full Commission. *Id*.

The Chairman also selects all senior staff, including office heads and bureau chiefs, who draft Commission decisions at the direction and under the supervision of the Chairman. *Id*. These decisions are then presented to the full Commission with a recommended outcome. *Id*.

The Commission has adopted rules delegating some functions to the chiefs of the various bureaus, with the general limitation that this authority extends only to "matters which are minor or routine or settled in nature and those in which immediate action may be necessary." 47 C.F.R. § 0.5(c). Among these delegations is 47 C.F.R. § 0.283, which gives certain powers to the Chief of the Media Bureau. However, this rule specifies that five categories of "matters shall be referred to the Commission en banc for disposition[.]" One of those categories that are outside of the Media Chief's authority is set forth in Section 0.283(c): "matters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines." Petitioners' News Distortion Petition falls into this category. As former Commission Chief of Staff Ruth Milkman explains in her Declaration:

> [B]ecause it calls for overruling an agency policy, the FCC staff cannot act on the petition under delegated authority. The Chairman has exclusive control over whether and any decision granting or

denying the Petition for Special Relief is presented to the full Commission for resolution. Add. 26.

Under this scheme, the Chairman decides when, if ever at all, the News Distortion Petition should be presented to the Commission for action. The Chairman's posts dismissing the Petition with "How about no," coupled with the absence of any movement from the Commission, make clear that the agency does not intend to take any action on the News Distortion Petition.

ARGUMENT

It is "undisputed" that this Court has the authority to compel agency action unlawfully withheld or unreasonably delayed. *In re Core Commc'ns, Inc.*, 531 F.3d 849, 855 (D.C. Cir. 2008); *TRAC*, 750 F.2d at 75. Mandamus is the proper vehicle for such a request. *TRAC*, 750 F.2d at 75. This Court will grant a writ of mandamus when a petitioner establishes three things: (1) the agency has violated a clear duty to act; (2) the agency's delay in acting is so egregious as to warrant mandamus; and (3) the petitioner has no adequate alternative remedy. *In re Ctr. for Biological Diversity*, 53 F.4th 665, 670 (D.C. Cir. 2022). In this evaluation, "[n]o one factor is determinative, and '[e]ach case must be analyzed according to its own unique circumstances.'" *In re Pub. Emps. for Env't Resp.*, 957 F.3d 267, 273 (D.C. Cir. 2020) (quoting *Air Line Pilots Ass'n, Int'l v. Civil Aeronautics Bd.*, 750 F.2d 81, 86, (D.C. Cir. 1984)).

Each of these elements is met here. The Chairman and Commission have a clear duty to take action on the News Distortion Petition under 47 C.F.R. § 0.3, 47 U.S.C. §§ 154(i), (j), and in light of the urgent and ongoing First Amendment harms caused by the Chairman's abuse of the news distortion policy. The Commission's inaction constitutes both unacknowledged agency action on the Petition and delay that is egregious under the *TRAC* factors, warranting mandamus in either case. And the Petitioners lack any alternative remedy to the acute and ongoing First Amendment injuries they are suffering under an agency policy that has suffused the Commission's entire regulatory regime.

Courts have recognized that "mandamus plays an important and necessary role in protecting First Amendment freedoms." *In re Murphy-Brown, LLC*, 907 F.3d 788, 796 (4th Cir. 2018). Mandamus is needed here, where each passing day of inaction from the Commission is another day Petitioners and the public suffer a violation of their First Amendment rights.

I. The Commission has a clear legal duty to decide the News Distortion Petition.

The Commission has a clear duty to act promptly on the News Distortion Petition, particularly in the atypical circumstances of this case.

Commission regulations impose a clear duty on the Chairman "[t]o coordinate and organize the work of the Commission in such a manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission." 47 C.F.R. § 0.3(a)(4). This regulation effectuates the Commission's obligations under the Communications Act. 47 U.S.C. § 154(j) requires the Commission to "conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice." In the ordinary course, Section 154(j) has often been construed to give the agency latitude in managing its affairs. *See, e.g.*, *GTE Serv. Corp. v. FCC*, 782 F.2d 263, 273 (D.C. Cir. 1986). However, there are constraints on that latitude: the Commission may abuse its discretion in circumstances of "*unreasonable delay or significant prejudice to the parties.*" *Id.* at 274 (emphasis added). Similarly, 47 U.S.C. § 154(i), entitled "Duties and powers," directs the agency to "perform any and all acts, ... and issue such orders, not inconsistent with this chapter, as may be necessary in the execution of its functions."

The News Distortion Petition is plainly a "matter[] within the jurisdiction of the Commission." 47 C.F.R. § 0.3(a)(4).[6] The Chairman, having prejudged the

[6] Section 0.3(a)(4) does not require prompt action on *any* petition for special relief or request to the Commission. Only those that are properly "matters within the jurisdiction of the Commission." The News Distortion Petition, which seeks the repeal of agency precedent, is such a matter.

merits of the Petition, is using his ability to block any action on it in direct contravention of his obligation to "promote prompt and efficient disposition" of the matter. *Id*. The meaning of "prompt" in this context must be assessed in light of both the Chairman's prejudgment of the Petition and the "significant prejudice" to the First Amendment rights of the Petitioners caused by his delay. *GTE Serv. Corp.*, 782 F.2d at 274. As discussed more fully below, *infra* at 28–33, the Commission's abuse of the news distortion policy poses substantial, ongoing, and irreparable First Amendment harms to Petitioners and the public. The Commission's inaction perpetuates these harms by allowing the news distortion policy to continue to chill broadcaster speech.

Once Congress or an agency (through regulation) has determined that some action is required, the APA requires that action be taken "within a reasonable time." 5 U.S.C. § 555(b). At a minimum, Section 555(b) augments the duty to decide the News Distortion Petition created by 47 C.F.R. § 0.3(a)(4), commanding the Commission to "proceed to conclude [the] matter presented to it."[7] Section

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[7] At a maximum, Section 555(b) provides an independent source of a duty to act when agency inaction "thwarts the court's ability to review agency action." *Karimova v. Abate*, No. 23-5178, 2024 WL 3517852, at *5 (D.C. Cir. July 24, 2024) (unpublished) (interpreting *In re Am. Rivers and Idaho Rivers United*, 372 F.3d 413 (D.C. Cir. 2004) in light of *Norton v. S. Utah Wilderness All.*, 542 U.S. 55 (2004)). The Court should grant Petitioner's request for mandamus because the Commission has a clear duty to take action on the News Distortion Petition under its own regulations. In the alternative, the Commission has a duty to act because

555(b) further provides that this duty to act must be carried out "[w]ith due regard for the convenience and necessity of the parties or their representatives and within a reasonable time," not on the whims of the Chairman. As this Court has explained, this provision "imposes a general but nondiscretionary duty upon an administrative agency to pass upon a matter presented to it." *Mashpee Wampanoag Tribal Council, Inc. v. Norton*, 336 F.3d 1094, 1099 (D.C. Cir. 2003). This duty to respond is mandatory, even if the ultimate decision on *how* to respond to the matter is within the agency's discretion. *Am. Rivers*, 372 F.3d at 418; *accord Norton*, 542 U.S. at 65 ("[W]hen an agency is compelled by law to act . . . but the manner of its action is left to the agency's discretion, a court can compel the agency to act, but has no power to specify what the action must be.").

The Chairman is obligated to act to ensure the "prompt . . . disposition" of the News Distortion Petition. 47 C.F.R. § 0.3(a)(4). Any contention that the Commission is "not obligated to address a petition filed under one of its own regulations . . . is without merit." *Am. Rivers*, 372 F.3d at 418. The Chairman's evident desire not to rule upon the Petition must yield to Petitioners' entitlement to a reviewable answer.

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inaction thwarts this Court's jurisdiction, guaranteed by 47 U.S.C. § 402(a) and 28 U.S.C. § 1651(a).

II. The Commission's inaction on the News Distortion Petition warrants mandamus relief.

This Court may issue a writ of mandamus to address agency inaction that impedes the Court's future review of final agency action. *TRAC*, 750 F.2d at 79; *Sierra Club v. Thomas*, 828 F.2d 783, 793 (D.C. Cir. 1987). Inaction that warrants mandamus relief can include (1) inaction that represents final agency action that is not officially acknowledged; or (2) unreasonable delay of final action. *Sierra Club*, 828 F.2d at 793–94. Under either rubric, the Commission's inaction here provides compelling equitable grounds to grant mandamus relief.

A. The Commission's inaction constitutes an agency decision to not respond to the petition.

Agency inaction can have "precisely the same impact on the rights of the parties as denial of relief." *Id.* (citing *Env't Defense Fund, Inc. v. Hardin*, 428 F.2d 1093, 1099 (D.C. Cir. 1970)). In such situations, the Court may issue a writ compelling the agency to take action on the petition because the Commission's inaction represents "effectively final agency action that the agency has not frankly acknowledged." *Id*. "[T]he court can undertake review as though the agency had denied the requested relief and can order an agency to either act or provide a reasoned explanation for its failure to act." *Id*. (quoting *Env't Defense Fund*, 428 F.2d at 1099).

Here, the Chairman's public statements about the Petition—remarking "How about no" and posting a thumbs down emoji in response to social media posts about the Petition—demonstrate that no agency action on the Petition will be forthcoming. *See supra* at 15–18. In fact, in the several months since it was filed, the Commission has neither acknowledged receipt of the Petition nor placed it on the docket. *See supra* at 17. The Commission cannot escape mandamus merely by "casting its decision in the form of inaction rather than in the form of an order denying relief" where no agency action is likely. *Sierra Club*, 828 F.2d at 793. The Court should issue a writ of mandamus addressing the agency's inaction.

B. The Commission has unreasonably delayed acting on the News Distortion Petition.

Even if the Commission were to represent that it is still considering the News Distortion Petition, its delay is unreasonable and a writ of mandamus is needed to compel prompt agency action given the significant constitutional rights at stake. This Court has identified six non-exclusive factors for assessing unreasonable agency delay: (1) whether the agency's timeline is governed by a "rule of reason"; (2) statutory deadlines or "other indication" of the expected timeline; (3) whether the delay is in the "sphere of economic regulation" or impacts health and welfare; (4) the effect of granting mandamus on other agency priorities; (5) the nature and extent of the interests prejudiced by delay; and (6) "any impropriety lurking behind" the agency's delay. *TRAC*, 750 F.2d at 80. The reasonableness of agency delay is not measured solely by the length of delay—no single factor is determinative, and "each case must be analyzed according to its own unique circumstances." *Pub. Emps. for Env't Resp.*, 957 F.3d at 273 (citation modified). Here, the weight of the *TRAC* factors supports a writ of mandamus.

Factors one and two – nature of the delay. The first and second *TRAC* factors assess whether the agency's response time is governed by an identifiable rationale, complies with any specified schedules, and are typically examined together. *See TRAC*, 750 F.2d at 80; *Potomac Elec. Power Co. v. I.C.C.*, 702 F.2d 1026, 1034 (D.C. Cir. 1983).

As explained above, the Commission abuses its discretion in managing its affairs in circumstances of "unreasonable delay or significant prejudice to the parties." *GTE Serv. Corp.*, 782 F.2d at 274; *see also* 47 C.F.R. § 0.3(a)(4) (requiring "prompt and efficient disposition" of all Commission matters); 47 U.S.C. § 154(i). The Administrative Procedure Act also requires the Commission to "conclude a matter" "within a reasonable time." 5 U.S.C. § 555(b). While there is "no per se rule as to how long is too long to wait for agency action," "a reasonable time for agency action is typically counted in weeks or months, not years." *Am. Rivers*, 372 F.3d at 419 (rejecting agency's argument that it was not required to respond to a petition requesting discretionary action); *accord Pub.*

Emps. for Env't Resp., 957 F.3d at 274. The Commission's nearly six month-long delay combined with the remaining *TRAC* factors weigh in favor of mandamus relief.

Factors three and five – interests prejudiced. The third and fifth *TRAC* factors are both concerned with the nature of the interests at issue and the extent to which they are prejudiced by agency delay, and are often considered together. *TRAC*, 750 F.2d at 80; *see also Khan v. Baker*, No. 24-CR-271-RCL, 2025 WL 958312, at *5 (D.D.C. Mar. 31, 2025). Here, the News Distortion Petition raises significant First Amendment concerns, Add. 9–16, that are irreparably prejudiced each day the Chairman misuses the news distortion policy to chill speech.

The news distortion policy, as applied by the Chairman, strays far from the "fixed star of our constitutional constellation," "that no official, high, or petty, can prescribe what shall be orthodox in politics . . . or other matters of opinion." *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). There are few greater dangers to free expression "than allowing the government to change the speech of private actors in order to achieve its own conception of speech nirvana." *Moody*, 603 U.S. at 742 (explaining that the government "cannot prohibit speech to improve or better balance the speech market"). Given the significant constitutional interests implicated in the Petition, these factors weigh heavily in favor of mandamus relief.

At issue in the News Distortion Petition are the First Amendment rights of free speech, the public's corollary right to receive information, and the press's editorial discretion. The First Amendment recognizes that "[a]n untrammeled press is a vital source of public information, and an informed public is the essence of a working democracy." *Minneapolis Star & Trib. Co. v. Minn. Com'r of Revenue*, 460 U.S. 575, 585 (1983) (citation modified); *see also Richmond Newspapers v. Virginia*, 448 U.S. 555, 587–88 (1980) (Brennan, J. concurring) (recognizing that the press plays an important role in "fostering our republican system of self-government"). In furtherance of that core function of the press, the First Amendment prohibits interference with "the exercise of editorial control and judgment." *Miami Herald Pub. Co. v. Tornillo*, 418 U.S. 241, 258 (1974); *accord Pacific Gas & Elec. Co. v. Public Util. Comm'n of Cal.*, 475 U.S. 1 (1986); *Moody*, 603 U.S. at 731. That prohibition extends to government attempts to "'un-bias' what it thinks biased." *Moody*, 603 U.S. at 719, which is precisely what the Petition asserts is the current effect of the news distortion policy. Add. 10–11.

These principles apply equally in the broadcast context, as Congress and the Supreme Court have repeatedly recognized that the Commission's regulatory authority is restrained by the First Amendment. *See* 47 U.S.C. § 326 (denying "the Commission the power of censorship" or the ability to "interfere with the right of free speech"); *FCC v. League of Women Voters of California*, 468 U.S. 364, 378

(1984) ("[T]he First Amendment must inform and give shape to the manner in which Congress exercises its regulatory power in this area . . . broadcasters are entitled under the First Amendment to exercise the widest journalistic freedom consistent with their public [duties].") (citation modified); *Turner Broad. Sys.,* 512 U.S. at 650 ("[T]he FCC's oversight responsibilities do not grant it the power to ordain any particular type of programming that must be offered by broadcast stations.").

Permitting the Commission to continue to ignore the News Distortion Petition will irreparably prejudice Petitioners and all broadcasters. The Chairman's abuse of the news distortion policy is chilling broadcasters' speech—incentivizing them to avoid coverage on controversial and partisan issues. Add. 10–11. The Petition cites multiple examples of the Chairman's intrusions on broadcasters' editorial discretion. Add. 11–15. Petitioner RTDNA's members have also "modified coverage, reassigned reporters, modified hiring decisions, adjusted coverage plans, and been subjected to increased editorial oversight" as a result of the news distortion policy and the Chairman's threats. Add. 21. The Chairman's weaponization of the news distortion policy has caused broadcasters to restrain their news coverage. As applied, the policy's chilling effect on speech violates the First Amendment and constitutes irreparable harm warranting relief. *See Elrod v. Burns*, 427 U.S. 347, 373 (1976) ("The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury."); *Ams. for Prosperity Found. v. Bonta*, 594 U.S. 595, 616 (2021) (finding that a donor disclosure requirement created an unnecessary risk of chilling speech in violation of the First Amendment); *accord Media Matters for Am. v. Paxton*, 138 F.4th 563, 585 (D.C. Cir. 2025) (presuming irreparable harm where there is a First Amendment injury).

The Chairman's continued threats to initiate investigations under the news distortion policy months before the midterm elections underscore the urgent need for the Commission to rule on the Petition. *See supra* at 13; *see also Campaign Legal Ctr. v. Iowa Values*, 573 F. Supp. 3d 243, 253 (D.D.C. 2021) (assessing *TRAC* factors three and five and explaining that "threats to the health of our electoral processes also require timely attention"). The press plays an essential role in "keeping officials elected by the people responsible to all the people whom they were selected to serve." *Mills v. Alabama*, 384 U.S. 214, 219 (1966) (striking down restrictions on the publication of newspaper editorials). It does this in part by providing information necessary "to vote intelligently or to register opinions on the administration of government generally." *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 491–92 (1975); *see also N.Y. Times Co. v. Sullivan*, 376 U.S. 254 (1964) (underscoring role of the press in enabling the "public discussion of the stewardship of public officials"). The news distortion policy has chilled, and continues to chill, robust news coverage. Add. 12–13; 21. That forgone coverage deprives voters of their right to receive information essential to democratic decision-making and undermines the press's essential role in our democracy.

Factor four – effect on other agency priorities. The fourth *TRAC* factor "generally cautions against facilitating line-jumping and reordering agency priorities." *Ctr. for Biological Diversity*, 53 F.4th at 672. Here, however, Petitioners are not seeking to cut the line or obtain relief that would benefit only themselves. The benefits of a ruling on the News Distortion Petition will inure to all broadcasters subject to the policy and to the public. *See Red Lion Broad. Co. v. FCC*, 395 U.S. 367, 390 (1969) ("It is the right of the public to receive suitable access to social, political, esthetic, moral, and other ideas and experiences which is crucial here. That right may not constitutionally be abridged either by Congress or by the FCC."). Moreover, taking action on the News Distortion Petition would further a core priority of the Commission in eliminating rules that are either "unnecessary" or "affirmatively detrimental." FCC, *In re: Delete, Delete, Delete*, Docket No. 25-133 (Mar. 12, 2025) , https://docs.fcc.gov/public/attachments/DA-25-219A1.pdf. Multiple commenters, including the National Association of Broadcasters, have pointed to the news distortion policy as one such policy. Nat'l Ass'n of Broad. Comment Letter on In Re Delete, Delete, Delete, Docket No. 25-133 (Apr. 11, 2025), https://nab.org/documents/newsRoom/pdfs/NAB_Comments_DeleteDeleteDelete_Docket.pdf.

Factor six – agency impropriety. The Court "need not find any impropriety" underlying the Commission's delay to grant mandamus relief. *TRAC*, 750 F.2d at 80. However, the Chairman's public statements about the News Distortion Petition indicate that, at the least, he has prejudged the merits of the petition and that Commission action on the Petition will not be forthcoming. Under his control, the Commission has done nothing to indicate that it is reviewing the merits of the Petition nor made "any credible attempt to deny the allegation that it is deliberately dragging its feet." *In re Monroe Commc'ns Corp.*, 840 F.2d 942, 947 (D.C. Cir. 1988) (denying request for mandamus but retaining jurisdiction over case until the FCC issued a final order).[8]

III. The Petitioners have no adequate alternative remedy.

Petitioners "lack an adequate alternative remedy" to mandamus because "a writ of mandamus is the only way to compel" the Commission to perform its duty to decide the News Distortion Petition. *Ctr. for Biological Diversity*, 53 F.4th at 671. Mandamus represents Petitioners' only avenue to secure agency action on the

[8] Should this Court decline to issue a writ of mandamus, Petitioners respectfully request that, at a minimum, the Court retain jurisdiction over the case until the Commission rules on the News Distortion Petition.

vital constitutional questions raised in the News Distortion Petition, and mandamus is necessary for this Court "to protect its future jurisdiction." *TRAC*, 750 F.2d at 76.

As described above, the refusal even to consider addressing the Petition is entirely within the control of the Chairman. His public statements ("How about no") make plain that the Commission will not act on the Petition absent intervention from this Court. *See supra* at 15–18. And, in any event, he continues to invoke the news distortion policy to chill the First Amendment protected expression of Petitioners and regulated entities beyond them. Just last month, Chairman Carr invoked the news distortion policy to threaten broadcast licensees for the content of their coverage of the war in Iran. *See supra* at 11–12. These ongoing First Amendment harms constitute irreparable injury and warrant speedy action here. *See Elrod*, 427 U.S. at 373.

CONCLUSION

For these reasons, the Court should grant Petitioners' request for a writ of mandamus and order the Commission to take action on the News Distortion Petition within 90 days of the Court's decision. The Court should also retain jurisdiction over the matter to ensure the Commission's compliance with its order.

April 28, 2026

Respectfully submitted,

/s/*Conor S. Gaffney*

Rachel Goodman
Janine M. Lopez
Tobin Raju
Conor S. Gaffney
Protect Democracy Project
2020 Pennsylvania Avenue NW
Suite 163
Washington DC 20006
(202) 579-4582

Andrew Jay Schwartzman
Andrew Jay Schwartzman, PLLC
525 9th Street NW, Seventh Floor
Washington, DC, 20004

Gigi Sohn
G Squared Strategies
3503 Alton Place, NW
Washington, DC 20008

Berin Szóka
TechFreedom
1500 K Street NW, Floor 2
Washington DC, 20005

CERTIFICATE OF COMPLIANCE

I hereby certify that:

1. This brief complies with the type-volume limitation of Federal Rule of Appellate Procedure 32(a)(7)(B) and D.C. Circuit Rule 32(e) because it contains 7,270 words, excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 32(f) and D.C. Circuit Rule 32(a)(1).
2. This brief complies with Federal Rule of Appellate Procedure 32(a)(5)'s typeface requirements and Federal Rule of Appellate Procedure 32(a)(6)'s typestyle requirements because it has been prepared in a proportionally spaced typeface using Microsoft Word for Microsoft 365 in 14-point Times New Roman font.

April 28, 2026

/s/ *Conor S. Gaffney*
Conor S. Gaffney

CERTIFICATE OF SERVICE

I certify that, on April 28, 2026, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. Consistent with 47 C.F.R. § 1.13(b), I also served a true copy of the foregoing upon the Commission's general counsel by email to LitigationNotice@fcc.gov. Consistent with 47 U.S.C. § 402(d), I will provide a courtesy copy of the foregoing to all other parties listed in section A of the certificate as to parties, rulings, and related cases appended to the front of this filing.

April 28, 2026

/s/*Conor S. Gaffney*
Conor S. Gaffney

No. 26-1099

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

In re Radio Television Digital News Association, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, Jerald N. Fritz, *Petitioners*.

ADDENDUM TO PETITION FOR WRIT OF MANDAMUS
TO THE FEDERAL COMMUNICATIONS COMMISSION

Rachel Goodman
Janine M. Lopez
Tobin Raju
Conor S. Gaffney
Protect Democracy Project
2020 Pennsylvania Avenue NW
Suite 163
Washington DC 20006
(202) 579-4582

Andrew Jay Schwartzman
Andrew Jay Schwartzman, PLLC
525 9th Street NW, Seventh Floor
Washington, DC, 20004

Gigi Sohn
G Squared Strategies
3503 Alton Place, NW
Washington, DC 20008

Berin Szóka
TechFreedom
1500 K Street NW, Floor 2
Washington DC, 20005

Counsel for Petitioners

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PETITION FOR SPECIAL RELIEF

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Petitioners

Protect Democracy Project
Conor S. Gaffney
201 St. Charles Avenue, Suite 114
New Orleans, LA 70170
conor.gaffney@protectdemocracy.org
(202) 579-4582

Rachel E. Goodman
82 Nassau Street, # 601
New York, NY 10038
rachel.goodman@protectdemocracy.org
(202) 579-4582

TechFreedom
Berin Szóka
1500 K Street NW, Floor 2
Washington DC, 20005
bszoka@techfreedom.org

G Squared Strategies, LLC
Gigi Sohn
3503 Alton Place, NW
Washington, DC 20008
gbsohn@gmail.com

Andrew Jay Schwartzman, PLLC
Andrew Jay Schwartzman
525 9th Street NW, Seventh Floor
Washington, DC, 20004
andyschwartzman@gmail.com

Counsel for Petitioners

November 13, 2025

SUMMARY

The petitioners request that the FCC repeal the news distortion policy in full. In *Moody v. NetChoice, LLC*, the Supreme Court, applying the First Amendment, reaffirmed that the government has no role in "un-biasing" the media. In direct contradiction to that decision, the news distortion policy seeks to mold the speech of private broadcasters to the FCC's own view of what is correct, complete, and accurate news. The First Amendment forbids the government from embarking on such a project.

Furthermore, the application of the news distortion policy is constitutionally problematic. The vast scope and vague language of the news distortion policy cast an omnipresent shadow over broadcasters' freedom of expression while leaving the policy open to partisan weaponization. Wielding the news distortion policy, the FCC has already opened or threatened to open investigations against private broadcasters due to disagreements with editorial decisions or statements made in a comedic monologue. Even if the FCC never tries to take enforcement action in these cases, the specter of government interference alone chills broadcasters' speech and suppresses their message.

Because the FCC has no legitimate interest in correcting or punishing what it considers to be slanted news coverage, the news distortion policy lacks a meaningful function. Over a period of 60 years, the FCC only enforced the policy eight times, typically in cases involving an intentional hoax. However, such cases are now covered by the FCC's broadcast hoax role, rendering the news distortion policy a vestigial organ. In light of its redundancy and obsolescence, as well as its actively harmful effects, amply demonstrated as of late, the petitioners respectfully request the repeal of the news distortion policy.

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PETITION FOR SPECIAL RELIEF

To: The Commission[1]

I. Introduction

The Supreme Court has "many times held, in many contexts, that it is no job for government to decide what counts as the right balance of private expression—to 'un-bias' what it thinks biased, rather than to leave such judgments to speakers and their audiences."[2] Nor does government have any "power to restrict expression because of its message, its ideas, its subject matter, or its content."[3] Even false speech is protected by the First Amendment.[4] The Communications Act similarly denies "the Commission the power of censorship" or the ability to

[1] Because the relief requested requires repealing and revising established Commission policy and precedent, this petition must be decided by the full Commission. Section 0.283(c) of the Commission's rules stipulates that the Chief of the Media Bureau "shall … refer[] to the Commission en banc for disposition … [m]atters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines." *See also* Section 0.5(c) ("[T]he Commission has delegated authority to its staff to act on matters which are minor or routine or settled in nature.").

[2] *Moody v. NetChoice, LLC*, 603 U.S. 707, 719 (2024).

[3] *United States v. Alvarez*, 567 U.S. 709, 716 (2012) (plurality opinion).

[4] *Id*.

"interfere with the right of free speech."[5] Yet the current FCC Chairman has asserted the power to do precisely what the Supreme Court and Congress have forbidden, and what former FCC general counsel declared the agency could not do: "act as a self-appointed, free-roving arbiter of truth in journalism."[6]

To achieve this, Chairman Carr has invoked the news distortion policy and the public interest obligations of broadcasters. We ask the Commission to rescind the news distortion policy and affirm that the agency cannot police broadcaster licensees' speech for bias or the falsity of the speech they carry, except under the exceedingly narrow circumstances of the broadcast hoax rule.

II. Background on the News Distortion Policy

In 1949, the Commission declared that, by requiring broadcast licensees to operate in the "public interest, convenience and necessity," Congress implicitly forbade any licensee to "exercise his authority over the selection of program material to distort or suppress the basic factual information upon which any truly fair and free discussion of public issues must necessarily depend."[7] This policy was a corollary of the now-defunct fairness doctrine, motivated by the Commission's sense that broadcasters must "maintain" the public airwaves as a source of "reasonably balanced" discussions of news.[8] While the fairness doctrine explicitly involved balancing certain broadcast media coverage, the news distortion policy did the same implicitly. Both concepts required the Commission to assess the objectivity of news.

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[5] 47 U.S.C. § 326.

[6] *Letter to Jessica J. Gonzalez*, 35 FCC Rcd. 3032, 3033 (MB & OGC 2020).

[7] *See Report on Editorializing by Broadcast Licensees*, 13 F.C.C. 1246, 1254 (1949).

[8] *Id.* at 1257–58.

The policy remained largely dormant until the late 1960s and 1970s, when several high-profile allegations of news staging and falsification drew the attention of Congress and the public.[9] In this period, the Commission articulated the contemporary policy, which imposes a high threshold for even considering news distortion complaints. First, there must be "deliberate distortion," as distinct from "mere inaccuracy or difference of opinion."[10] Second, there must be extrinsic evidence (i.e., beyond the broadcast itself) demonstrating that the broadcaster deliberately distorted or staged the news.[11] Third, the distortion must apply to a "significant event," rather than minor inaccuracies or incidental aspects of the report.[12] And finally, extrinsic evidence must show that the distortion involved the "principals, top management, or news management" of the licensee, as opposed to other employees.[13]

These procedural safeguards around the use of the news distortion policy reflect the Commission's recognition that embroiling the government in reviewing the accuracy of news broadcasts presents grave risks to a free press and free expression. The agency has recognized that journalism "necessarily involves selection and editorial judgment,"[14] that any government efforts to "authenticate the news" would "cast the chill of omnipresent government censorship over the newsmen's independence,"[15] and that it would be "unwise and probably impossible" for a

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[9] Lili Levi, *Reporting the Official Truth: The Revival of the FCC's News Distortion Policy*, 78 Wash. U. L. Q. 1005, 1016–17 (2000).

[10] *Galloway v. FCC*, 778 F.2d 16, 20 (D.C. Cir. 1985).

[11] *See Hunger in Am.*, 20 F.C.C.2d 143, 150–51 (1969).

[12] *Galloway*, 778 F.2d at 20.

[13] *Hunger in Am.*, 20 F.C.C.2d at 150.

[14] *The Selling of the Pentagon*, 30 F.C.C.2d 150, 152 (1971).

[15] *Mrs. J.R. Paul*, 26 F.C.C.2d 591, 592 (1969).

government agency to judge the "accuracy" of broadcasts.[16] That would require the Commission to "sit as a review body of the 'truth' concerning news events"—a subjective role that is plainly "not appropriate" for a government licensing agency.[17] The Commission thus repeatedly stated that it "cannot properly investigate . . . whether an account or analysis of a news commentator is 'biased' or 'true.'"[18]

Despite these concerns, the Commission retained its news distortion policy because it considered broadcasting critical to ensuring "an informed public."[19] But while the safeguards the Commission erected around the news distortion policy ensured its sparing and judicious use for several decades,[20] the policy's existence has left the door open for the Commission to do exactly what the Supreme Court has said the First Amendment prohibits: police media "bias."

This possibility has become reality lately. The current leadership of the Commission is using the news distortion policy to directly advance the interests of the White House. As discussed in greater detail below, the Commission has reopened and threatened to open news distortion investigations into broadcasters simply because the Chairman disapproves of their coverage as biased or allegedly "false." This pattern of escalating attacks demonstrates just how sweeping and dangerous the expansive powers claimed under the news distortion policy are.

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[16] *The Selling of the Pentagon*, 30 F.C.C.2d at 152.

[17] *Network Coverage of the Democratic Nat'l Convention*, 16 F.C.C.2d 650, 655 (1969).

[18] *Mrs. J.R. Paul*, 26 F.C.C.2d at 592.

[19] *Selling of the Pentagon*, 30 F.C.C.2d at 153; Levi, *supra* note 9, at 1099–1100.

[20] The Commission issued findings of liability in just eight cases between 1969 and 2019—including only one between 1985 and 2019. Joel Timmer, *Potential FCC Actions Against "Fake News": The News Distortion Policy and the Broadcast Hoax Rule*, 24 Commc'n L. & Pol'y 1, 20 (2019); Chad Raphael, *The FCC's Broadcast News Distortion Rules: Regulation by Drooping Eyelid*, 6 Commc'n L. & Pol'y 485, 501 (2001).

III. Interests of Petitioners

Petitioners include seven former commissioners and chairs of the Federal Communications Commission and other former Commission senior leadership. Throughout their service, these petitioners balanced pursuing the agency's regulatory mandate with the limitations of the Constitution and the Communications Act.

Andrew C. Barrett served as a Republican commissioner on the Federal Communications Commission from 1989 to 1996. He was appointed by President George H.W. Bush.

Rachelle B. Chong served as a Republican commissioner on the Federal Communications Commission from 1994 to 1997. She was appointed by President Bill Clinton.

Ervin S. Duggan served as a Democratic commissioner on the Federal Communications Commission from 1990 to 1994. He was appointed by President George H.W. Bush.

Mark S. Fowler served as a Republican commissioner and chairman of the Federal Communications Commission from 1981 to 1987. He was appointed by President Ronald Reagan.

Dennis R. Patrick served as Republican commissioner and chairman of the Federal Communications Commission from 1987 to 1989. He was appointed by President Ronald Reagan.

Alfred C. Sikes served as a Republican commissioner and chairman of the Federal Communications Commission from 1989 to 1993. He was appointed by President George H.W. Bush.

Thomas E. Wheeler served as a Democratic commissioner and chairman of the Federal Communications Commission from 2013 to 2017. He was appointed by President Barack Obama.

Christopher J. Wright served as general counsel of the Federal Communications Commission from 1997 to 2001.

Kathryn C. Brown served as chief of staff to Chairman William E. Kennard from 1998 until 2001.

Jerald N. Fritz served as legal advisor and chief of staff to Chairman Mark Fowler from 1981 to 1987.

Peter Pitsch served as chief of staff to Chairman Dennis Patrick from 1987 to 1989, and as Chief of Office of Plans and Policy at the Federal Communications Commission from 1981 to 1987.

IV. Reasons for Repealing the News Distortion Policy

This petition presents five independent reasons for repealing the news distortion policy in full. *First*, despite the Commission's efforts to narrow the policy and prevent abuse, it remains inherently dangerous; it necessarily embroils the government in trying to police media bias, which the Supreme Court has emphatically rejected as a legitimate government interest. *Second*, the news distortion policy has significantly chilled and otherwise altered the content of broadcasters' speech, undermining First Amendment values. *Third*, the news distortion policy has recently shown itself to be vulnerable to partisan weaponization, as recent investigations and public statements of the Chairman have demonstrated. *Fourth*, the news distortion policy remains overly vague, exacerbating its chilling effects and leading to confusion for broadcasters and the public at large. And *finally*, the Commission's narrowly tailored rule against broadcasting hoaxes adequately serves any remaining justifiable interest the agency has in the news distortion policy. The policy should be abandoned in full.

A. The news distortion policy's purpose—to eliminate bias in the news—is not a legitimate government interest.

Since the 1960s, courts have become increasingly clear that the First Amendment bars government efforts to "balance" the marketplace of ideas. Last Term, the Supreme Court decisively rejected government efforts "to decide what counts as the right balance of private expression—to 'un-bias' what it thinks is biased."[21] Making clear that the point applied to all media, the Court added: "On the spectrum of dangers to free expression, there are few greater than allowing the government to change the speech of private actors in order to achieve its own conception of speech nirvana."[22] The Court said nothing to suggest that this danger was any less great regarding broadcasters.[23]

This principle applies just as readily to broadcast news coverage as it does to other types of speech. The *Moody* Court relied heavily on *Miami Herald Company v. Tornillo*, which held that a newspaper's content decisions—"whether fair or unfair"—amounted to a protected exercise of "editorial control and judgment."[24] Therefore, the government could not compel newspapers to offer so-called balanced coverage of a particular issue by requiring papers to provide space for candidates who had been criticized to respond.[25] Justice White, concurring in *Miami Herald*, warned that any system that "would supplant private control of the press with the heavy hand of government intrusion" would "make the government the censor of what the people may read and know."[26] The Commission similarly applied these principles in its decision ending the fairness doctrine. The agency expressly "repudiated the notion that it was proper for a governmental authority to intervene actively in the marketplace of ideas," particularly since enforcement of the

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[21] *Moody*, 603 U.S. at 719.

[22] *Id.* at 741–42.

[23] *See id.* at 742 n.10 (distinguishing cases upholding FCC content regulation authority as not involving exercises of that authority to "balance" or alter expressive content).

[24] *Miami Herald Co. v. Tornillo*, 418 U.S. 241, 258 (1974).

[25] *Id.*

[26] *Id.* at 260 (White, J., concurring).

doctrine required the Commission to "make subjective and vague value judgments" about "the manner and balance of coverage."[27]

These developments directly undermine the Commission's asserted interest in maintaining any news distortion policy. This policy, too, requires the Commission to assess whether an outlet's coverage is "slanted." News outlets that depart from the Government's official narrative will be systematically driven from the marketplace in an effort to "un-bias" the news—exactly what the First Amendment forbids.[28] "The First Amendment," then-Judge Kavanaugh proclaimed, "protects an independent media and an independent communications marketplace against takeover efforts by the Legislative and Executive Branches."[29]

B. The policy has chilled broadcasters' speech.

The Supreme Court has also recognized that "serious" First Amendment issues would arise if the Commission's policies had a chilling effect on broadcasters' speech and reduced their willingness to cover controversial issues.[30] In the 1980s, the Commission concluded that the fairness doctrine had that effect. Importantly, the Commission found that this alleged self-censorship took place even though it rarely enforced the doctrine, extended significant deference to broadcasters' editorial judgments, and imposed strong threshold limitations on the doctrine in an effort to cabin its scope.[31]

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[27] *Syracuse Peace Council*, 2 F.C.C. Rcd. 5043, 5051 (1987).

[28] *Moody*, 603 U.S. at 719.

[29] *U.S. Telecom. Ass'n v. FCC*, 855 F.3d 381, 427 (D.C. Cir. 2017) (Kavanaugh, J., dissenting from denial of rehearing en banc). *See also* Levi, *supra* note 9, at 1110 (stating that a critical premise of our constitutional structure is that "a press independent from government will more likely enhance democratic discourse").

[30] *See Red Lion Broadcasting Co., Inc. v. FCC*, 395 U.S. 367, 393 (1969).

[31] *Syracuse Peace Council*, 2 F.C.C. Rcd. at 5049–50.

The news distortion policy similarly chills broadcasters' speech. As the National Association of Broadcasters has explained, the news distortion policy "incentivize[s] stations to avoid controversial and partisan issues and present only 'bland, inoffensive' material, contrary to the public interest."[32] During the first Trump Administration, Chairman Ajit Pai echoed these concerns in rejecting a request to investigate a broadcaster over news distortion allegations: "I can hardly think of an action more chilling of free speech than the federal government investigating a broadcast station because of disagreement with its news coverage or promotion of that coverage."[33] Commissioner Anna Gomez recently indicated that these concerns are not just theoretical, as she has "heard from broadcasters who are telling their reporters to be careful about the way the[y] cover this administration."[34] High-profile departures from CBS—the target of an ongoing news distortion investigation—confirm this as well. The longtime executive producer of "60 Minutes" resigned in April 2025, writing that he was no longer able "[t]o make independent decisions based on what was right for 60 Minutes, right for the audience."[35]

The vast scope of the news distortion policy underlies the dangers it creates. Unlike the fairness doctrine, which applied only to coverage of "controversial issues of public importance," the news distortion policy applies broadly to coverage of *any* news event. Every news segment is open to scrutiny to determine whether the broadcaster presented the "essential facts of the news

[32] Comments of the National Association of Broadcasters, Docket 25-73 (March 7, 2025) at 13, https://www.fcc.gov/ecfs/document/10307109522139/1.

[33] Letter from Ajit V. Pai, Chairman, FCC, to the Honorable Maria Cantwell, Senator, United States Senate (April 12, 2018), https://docs.fcc.gov/public/attachments/DOC-350372A1.pdf.

[34] Oliver Darcy, *Alone at the FCC*, Status (July 13, 2025), https://www.status.news/p/fcc-commissioner-anna -gomez-free-speech.

[35] Niha Masih & Sarah Ellison, *'60 Minutes' Producer Bill Owens Resigns*, Wash. Post (Apr. 23, 2025), https://www.washingtonpost.com/style/2025/04/23/60-minutes-producer-bill-owens-resigns.

stories … in an accurate manner."[36] Thus, every allegation of news distortion requires the Commission to assess for itself what "accurate" coverage of the news event in question would look like and to measure the broadcaster's coverage against that determination.[37] It jeopardizes whatever news is being covered. False reporting of a high school lunch menu would be just as much of a violation as showing fake crowd footage to imply that a political rally drew a large crowd. That means broadcasters cannot minimize their liability just by avoiding controversial issues. Instead, broadcasters are more likely to meaningfully alter their news coverage in ways that align with the current administration's preferred narratives.

C. The policy has been weaponized for partisan purposes.

A third reason for repealing the news distortion policy is its dangerous potential for partisan abuse. Since the dawn of broadcast regulation, Congress has designed regulatory authority so that it "should be as free from political influence or arbitrary control as possible."[38] But content regulation authorities like the news distortion policy can easily be weaponized for partisan purposes.

The current Commission's conduct illustrates this danger. In January 2025, under the prior administration, Commission staff dismissed a news distortion complaint concerning CBS's editing of an election-season interview with then-presidential candidate Kamala Harris. The interview aired on two separate CBS programs, "Face the Nation" and "60 Minutes." Both broadcasts aired footage of the same question, and each program aired different portions of the response. The complaint, filed by the Center for American Rights, alleged that CBS's conduct amounted to

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[36] *Galloway*, 778 F.2d at 20.

[37] Levi, *supra* note 9, at 1111.

[38] S. Rep. No. 69-772, at 2 (1926), https://www.govinfo.gov/content/pkg/SERIALSET-08526_00_00-038-0772-0000/pdf/SERIALSET-08526_00_00-038-0772-0000.pdf.

actionable news distortion. Applying well-settled agency precedent, the Commission dismissed the complaint and made clear that any other disposition would violate the First Amendment and Communications Act's prohibition on censorship.[39] The Commission likewise dismissed a complaint alleging news distortion by ABC in connection with the moderation of a presidential debate.[40] And the staff dismissed a petition to deny the license renewal of a Fox affiliate based in part on allegations that it condoned news distortion of a commonly owned cable channel that disseminated statements about the 2020 election even after a court found them to be false.[41] Just days after assuming office, Chairman Brendan Carr—with no explanation—reopened the news distortion complaints against broadcasters that had allegedly harmed President Trump's interests while leaving undisturbed the dismissal of the Fox petition alleging distortion in Trump's favor.[42]

This pattern has continued throughout the first several months of the second Trump administration. Chairman Carr appeared to threaten a news distortion investigation into other outlets perceived to be antagonistic to Trump, solely because they described Kilmar Ábrego Garcia, the individual at the center of a wrongful-deportation scandal, as a "Maryland man."[43] Chairman Carr publicly described the coverage by "Comcast outlets" as "news distortion,"

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[39] Letter to Daniel R. Suhr (WCBS), (January 16, 2025), https://docs.fcc.gov/public/attachments/DOC-408899A1.pdf.

[40] Letter to Daniel R. Suhr (WPVI), (January 16, 2025), https://docs.fcc.gov/public/attachments/DOC-408880A1.pdf.

[41] Application of Fox Television Stations, LLC For Renewal of License of WTXF-TV, 40 FCC Rcd. 438, 444 and nn. 48-49 (2025).

[42] Public Notice, *FCC Establishes MB Docket No. 25-73 and Comment Cycle for News Distortion Complaint Involving CBS Broadcasting Inc., Licensee of WCBS, New York, NY*, 40 F.C.C. Rcd. 1132 (2025).

[43] Brendan Carr (@BrendanCarrFCC), X (Apr. 16, 2025, 6:58 PM), https://x.com/BrendanCarrFCC/status /1912641900558893377.

suggesting they were not complying with their obligation to operate in the public interest.[44] The Center for American Rights promptly filed a formal news distortion complaint with the Commission, criticizing the outlets' "extreme and evident bias."[45] This example illustrates the extraordinary intrusions on editorial decisionmaking that Chairman Carr apparently understands the news distortion policy to permit. Purporting to apply the policy, Chairman Carr has used the power of the FCC to question the precise words an outlet uses to describe an individual, as well as the outlet's decisions about which facts are relevant enough to include in any particular story. And most recently, Chairman Carr threatened ABC with allegations of news distortion over late-night host Jimmy Kimmel's jokes about the motives of Charlie Kirk's alleged killer. "We can do this the easy way or the hard way," Chairman Carr said.[46] Hours later, ABC suspended Kimmel indefinitely.

D. The policy is overly vague.

A fourth reason for repealing the news distortion policy is the inherent vagueness of the policy. Violations of the policy could place a broadcaster's very license at risk, yet the basic contours of the policy remain entirely unclear. As the National Association of Broadcasters has pointed out, the Commission's news distortion decisions do not even offer a "clear definition of

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[44] *Id.*

[45] George Winslow, *Group Files FCC Complaint Against ABC, NBC and CBS for "News Distortion,"* TV Tech (Apr. 22, 2025), https://www.tvtechnology.com/news/group-files-fcc-complaint-against-abc-nbc-and-cbs-for-news -distortion.

[46] David Folkenflik, *Jimmy Kimmel's Suspension Shows Power of FCC's Brendan Carr*, NPR (Sept. 19, 2025), https://www.npr.org/2025/09/19/nx-s1-5546764/fcc-brendan-carr-kimmel-trump-free-speech.

what programming constitutes 'news'" and can therefore be challenged as allegedly distorted or slanted.[47]

As it developed the fairness doctrine, the Commission sought to clarify the scope of broadcasters' obligations in adjudications and reports.[48] The Commission concluded that the doctrine failed to provide adequate notice to broadcasters.[49] This is even more true of the news distortion policy, where the Commission has made no comparable efforts at clarity. Even if it were to adopt specific and clear standards for news distortion, the policy would remain hopelessly vague. While the Commission's enforcement actions have repeatedly emphasized the policy's exceedingly narrow scope, Chairman Carr's recent decision to reopen complaints that cannot plausibly satisfy the precedents previously articulated in adjudications leaves greater confusion than ever about what exactly the policy proscribes.

E. The policy is unnecessary, particularly in light of the rule against broadcast hoaxes.

Finally, the fact that the news distortion policy provides so little benefit to the public is a persuasive reason to discard it, particularly when weighed against the enormous costs described above. As explained, the Commission repeatedly expressed grave concerns about intruding on the editorial judgment of broadcasters, and it purported to adopt a strict standard for news distortion to ensure the policy did not result in "omnipresent government censorship."[50] Because of that high standard, the Commission found broadcasters liable for news distortion in just *eight* cases between

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[47] Comments of National Association of Broadcasters, *supra* note 32, at 18.

[48] *Syracuse Peace Council*, 2 F.C.C. Rcd. at 5046–47.

[49] *Id.* at 5043.

[50] *Mrs. J.R. Paul*, 26 F.C.C.2d at 592.

1969 and 2019.[51] That record at least calls into question whether the policy actually serves the public interest in any meaningful way.

Moreover, the cases in which the Commission did enforce the news distortion policy typically involved the "staging" or outright fabrication of news events (e.g., kidnappings), rather than alleged slanting or bias in the presentation of news.[52] In 1992, the Commission specifically adopted a rule that will often apply in this type of situation.[53] The rule prohibits broadcasters from "broadcasting false information concerning a crime or a catastrophe" if (1) the licensee knows this information is false, (2) it is foreseeable that broadcast of the information will cause substantial public harm, and (3) broadcast of the information does in fact directly cause substantial public harm.[54] All three prongs of the rule must be satisfied for a broadcaster to be subject to liability.

At the time of its adoption, the Commission acknowledged that the rule applies to only a narrow subset of the conduct covered by the news distortion policy: only clear, intentional falsity regarding public safety, not bias or a lack of "balance." The rule gave the agency greater "enforcement flexibility" with respect to that misconduct—i.e., the ability to impose fines in addition to issuing letters of admonition.[55] But the Commission chose not to make the rule apply broadly to all "news distortion." Instead, the Commission explained that it had carefully crafted the rule against hoaxes to survive strict scrutiny and thus avoid "an undue chilling effect on

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[51] *See* Raphael *supra* note 20 at 486.

[52] *See* Raphael, *supra* note 20, at 502; *Walton Broadcasting, Inc. (KIKX)*, 78 F.C.C.2d 880, 955–68 (1976).

[53] *See* Amendment of Part 73 Regarding Broadcasting Hoaxes, 7 F.C.C. Rcd. 4106 (1992).

[54] 47 C.F.R. § 73.1217.

[55] Amendment of Part 73 Regarding Broadcast Hoaxes, 7 F.C.C. Rcd. 4106, at *1.

broadcast speech."[56] The hoax rule covers the type of deliberate misconduct that the government can properly regulate, without entangling the Commission in reviewing the editorial decisions that news outlets routinely make in deciding how to present the news. In effect, "the Commission has applied this [hoax] rule narrowly in light of the substantial First Amendment concerns involved with the federal government policing the content of broadcast news."[57]

As explained, the First Amendment bars the Commission from punishing news outlets for providing what the agency considers "slanted" coverage. Thus, the only legitimate interest underlying the news distortion policy is the interest in ensuring that broadcasters do not deliberately fabricate news stories about matters of public safety. That interest is adequately served by the Commission's rule against broadcasting hoaxes.

V. Conclusion

We respectfully request the Commission repeal the news distortion policy not only because it fails to serve the public interest, but also because it disserves the public in many ways. The news distortion policy is no longer justifiable under today's First Amendment doctrine and no longer necessary in today's media environment. Freedom of speech is the linchpin of technological innovation and progress. It encourages greater distribution and consideration of new ideas. In a culture of free speech, more ideas are considered by more people, producing a hypergolic effect on scientific progress—one of the major forces that keeps the free world free. The Commission should repeal the policy in full and recognize that it may not investigate or penalize broadcasters for "distorting," "slanting," or "staging" the news, unless the broadcast at issue independently meets the high standard for broadcasting a dangerous hoax under 47 C.F.R. § 73.1217.

[56] *Id.* at 3.

[57] Letter to Jessica J. Gonzalez, *supra* note 6, at 3033.

Respectfully submitted,

/s/ Conor S. Gaffney

Protect Democracy Project
Conor S. Gaffney

201 St. Charles Avenue, Suite 114
New Orleans, LA 70170
conor.gaffney@protectdemocracy.org
(202) 579-4582

Rachel E. Goodman
82 Nassau Street, #601
New York, NY 10038
rachel.goodman@protectdemocracy.org
(202) 579-4582

TechFreedom
Berin Szóka
1500 K Street NW, Floor 2
Washington DC, 20005
bszoka@techfreedom.org

G Squared Strategies, LLC
Gigi Sohn
3503 Alton Place, NW
Washington, DC 20008
gbsohn@gmail.com

Andrew Jay Schwartzman, PLLC
Andrew Jay Schwartzman
525 9th Street NW, Seventh Floor
Washington, DC, 20004
andyschwartzman@gmail.com

Counsel for Petitioners

November 13, 2025

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	Undocketed (filed November 13, 2025)
Repeal of the News Distortion Policy	)	

To: The Commission

NOTICE OF JOINDER

The Radio Television Digital News Association (RTDNA) writes to express its support for, and join in, the November 13, 2026 *Petition for Special Relief* (Petition) filed by Andrew C. Barrett, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Dennis R. Patrick, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, Jerald N. Fritz, and Peter Pitsch seeking the repeal of the Commission's news distortion policy. Although the Petition was submitted to the full Commission on November 13, 2025, it has yet to be assigned a docket number.

RTDNA is the world's largest professional organization dedicated only to broadcast and digital journalism. RTDNA has over 1,200 members. Our individual members include broadcast journalists, news staff, news directors, and news managers, and our corporate members are broadcasters, large and small, that collectively hold hundreds of radio and television broadcast licenses issued by the Commission. Across the board, RTDNA's members are dedicated to serving the public interest through excellence in journalism and providing accurate, truthful information to the benefit of their local communities.

RTDNA members participate in all phases of the production of the news, and are subject to the Commission's news distortion policy. They therefore have a direct interest in the repeal of the policy. Specifically, RTDNA's members have experienced a tangible chilling effect given the FCC's pronouncements about current application of the news distortion policy. As part of their obligation to keep the public informed, broadcast newsrooms exercise editorial discretion and make ethical judgments at every step of the journalistic process, including story selection, newsgathering, production, presentation and delivery. Moreover, in broadcast journalism, editing in accordance with the unique needs of the platform is key to developing a final product from elements provided by news reporters and producers: narration track, soundbites, video, graphics, b-roll, and more. Fear of the FCC second-guessing their routine decision making has our members looking over their shoulders. RTDNA members have modified coverage, reassigned reporters, modified hiring decisions, adjusted coverage plans, and been subjected to increased editorial oversight. This compromises their ability to perform their jobs responsibly and threatens journalistic independence. Absent journalistic independence, corruption and misinformation flourish.

For the reasons discussed more fully in the petition, the Commission should immediately repeal its news distortion policy. RTNDA's members face continuing injury to their First Amendment rights due to the news distortion policy. The ongoing pattern of threats from the Commission and the Chair to abuse the policy continues to chill RTDNA's members. As discussed in the Petition, the news distortion policy is impermissible under contemporary First Amendment law. It has been weaponized for partisan political purposes. It is overly vague. And it serves no critical regulatory purpose, as evidenced by the Commission's sparing use of the policy until January 2025.

For these reasons, more fully discussed in the Petition, the Commission should immediately repeal the news distortion policy.

Respectfully submitted,

/s/ Tara Puckey
Tara Puckey
President and CEO
Radio Television Digital News Association
529 14th St. NW, Ste. 1240
Washington, DC 20045

April 20, 2026

No. 26-____

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

In re Radio Television Digital News Association, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, Jerald N. Fritz, *Petitioners*.

DECLARATION OF RUTH MILKMAN

Rachel Goodman
Janine M. Lopez
Tobin Raju
Conor S. Gaffney
Protect Democracy Project
2020 Pennsylvania Avenue NW
Suite 163
Washington DC 20006
(202) 579-4582

Andrew Jay Schwartzman
Andrew Jay Schwartzman, PLLC
525 9th Street NW, Seventh Floor
Washington, DC, 20004

Gigi Sohn
G Squared Strategies
3503 Alton Place, NW
Washington, DC 20008

Berin Szóka
TechFreedom
1500 K Street NW, Floor 2
Washington DC, 20005

Counsel for Petitioners

I, Ruth Milkman, declare as follows:

1. I was the Chief of Staff of the Federal Communications Commission (FCC) from November 2013 until January 2017. In that capacity, I reported directly to the Chairman of the FCC, and all of the Bureau and Office Chiefs reported to me. Under the direction of the Chairman (then Chairman Tom Wheeler), I oversaw the policy and licensing work of the FCC Bureaus, including the allocation of resources and the development of draft decisions for Commission consideration, in furtherance of the Chairman's agenda. Prior to my role as Chief of Staff, I had been the Chief of the Wireless Telecommunications Bureau and Special Counsel to the previous Chairman, Julius Genachowski, from June 2009 to November 2013. In a prior stint at the Commission, from 1986 to 1998, I served in various roles, including Senior Legal Advisor to Chairman Reed Hundt, as well as Deputy Bureau Chief in the Common Carrier and International Bureaus.[1]

2. I retired on December 31, 2025, after 40 years of work on telecommunications law and policy. From 2017 until my retirement, I was a partner in Quadra Partners, LLC, a strategic advisory firm that serves clients in the converging communications technology industries. From 1998 to 2009, I was a co-founding partner of Lawler, Metzger, Milkman and Keeney, a telecommunications law firm. I received a B.A. from Harvard University and a J.D. from the University of Michigan Law School. I served as a clerk for the Honorable J. Harvie Wilkinson III on the U.S. Court of Appeals for the Fourth Circuit.

3. In this declaration, I explain that under the statute and as a matter of longstanding practice under both Democratic and Republican administrations, the Chairman of the FCC controls the agenda. The Commissioners do not vote on anything unless the vote has been authorized

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[1] There have been periodic reorganizations at the FCC, and those bureaus have been renamed. The Common Carrier Bureau was the predecessor of the Wireline Competition Bureau, and the International Bureau was the predecessor of the Space Bureau.

by the Chairman, and the Bureaus and Offices of the FCC undertake work at the direction of the Chairman.

4. Under 47 U.S.C. § 154(a), the FCC is "composed of five commissioners appointed by the President, by and with the advice and consent of the Senate, one of whom the President shall designate as chairman."

5. 47 U.S.C. § 155(a) provides in pertinent part that: "The member of the Commission designated by the President as chairman shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission, . . . and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission."

6. The Commission's rules set forth procedures for administration of functions such as adjudication of complaints and license applications, and for rulemakings. When there is no specific provision governing a particular form of relief, parties may file petitions for special relief.

7. As a matter of law and in practice, as Chief Executive Officer, the FCC Chairman controls the agency's resources, including the direction of budgeted monies and staff. In furtherance of the Chairman's agenda, he directs the allocation of resources to his priorities, and also directs the policy outcomes. Thus, the Chairman determines whether and when matters are presented to the full Commission for action, be they appeals from Bureau decisions or matters brought directly to the full Commission. There is no mechanism either in the rules, or as a matter of longstanding practice, for other Commissioners to bring a matter to the full Commission for consideration, unless they have the agreement of the Chairman. The Chairman selects the office heads and bureau chiefs and controls the outcome of staff actions on delegated authority. Draft decisions are written under the supervision of the Chairman and are presented to the other Commissioners with a proposed outcome.

8. I am familiar with the November 13, 2025 Petition for Special Relief filed by a group of former FCC Chairmen, Commissioners and Chiefs of Staff. Because the petition calls for overruling an agency policy that was adopted by the full Commission, the FCC staff cannot act on the petition under delegated authority. The Chairman has exclusive control over whether and when any decision granting or denying the Petition for Special Relief is presented to the full Commission for resolution.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day April 23, 2026 in Arlington, Virginia

Ruth Milkman

Ruth Milkman

No. 26-____

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

In re Radio Television Digital News Association, Rachelle B. Chong, Ervin S. Duggan, Mark S. Fowler, Alfred C. Sikes, Thomas E. Wheeler, Christopher J. Wright, Kathryn C. Brown, Jerald N. Fritz, *Petitioners*.

DECLARATION OF CAITLIN CHILDS

Rachel Goodman
Janine M. Lopez
Tobin Raju
Conor S. Gaffney
Protect Democracy Project
2020 Pennsylvania Avenue NW
Suite 163
Washington DC 20006
(202) 579-4582

Andrew Jay Schwartzman
Andrew Jay Schwartzman, PLLC
525 9th Street NW, Seventh Floor
Washington, DC, 20004

Gigi Sohn
G Squared Strategies
3503 Alton Place, NW
Washington, DC 20008

Berin Szóka
TechFreedom
1500 K Street NW, Floor 2
Washington DC, 20005

Counsel for Petitioners

I, Caitlin Childs, declare as follows:

1. I am a paralegal and impact associate at the Protect Democracy Project, a non-profit organization representing the Petitioners in the above-captioned matter. I submit this declaration in support of Petitioners' Petition for a Writ of Mandamus to the Federal Communications Commission. The facts stated herein are based on my personal review of the following, true and correct copies of which are attached hereto.

2. On January 22, 2025, Ted Johnson published an article in Deadline, titled *New FCC Chair Revives Complaints About ABC, CBS And NBC Content That His Predecessor Rejected As "At Odds With The First Amendment."* A true and correct copy is attached as Exhibit 1 and available at: https://perma.cc/L7NP-WM4Z.

3. On April 16, 2025, Brendan Carr posted on X. A true and correct copy is attached as Exhibit 2 and available at: https://perma.cc/Z2VG-XUSR.

4. On April 23, 2025, Niha Masig and Sarah Ellison published an article in The Washington Post, titled *60 Minutes' Producer Bill Owens Resigns, Citing Loss of Journalistic Freedom*. A true and correct copy is attached as Exhibit 3 and available at: https://perma.cc/8LLS-KJ3H.

5. On August 4, 2025, Institute for Mergers, Acquisitions and Alliances published a blog post titled *M&A in the Spotlight: Skydance, Paramount and the Politics of Media Power*. A true and correct copy is attached as Exhibit 4 and available at: https://perma.cc/GT8T-UML9.

6. On July 22, 2025, Stephanie Kyoko McKinnon, General Counsel and Co-President of Business Operations at Skydance Media, sent a letter to Chairman Brendan Carr, which was docketed in Media Bureau proceeding 24-275. A true and correct copy is attached as Exhibit 5 and available at: https://www.fcc.gov/ecfs/document/1072299913934/2.

7. On July 24, 2026, the Office of Chairman Brendan Carr issued a press release titled *FCC Approves Skydance's Acquisition of Paramount CBS*. A true and correct copy is attached as Exhibit 6 and available at: https://docs.fcc.gov/public/attachments/DOC-413229A1.pdf.

8. On March 14, 2026, Brendan Carr posted on X. A true and correct copy is attached as Exhibit 7 and available at: https://perma.cc/4E56-AAQH.

9. On November 13, 2025, Brendan Carr posted on X in response to an NBC news article about the News Distortion Petition. A true and correct copy is attached as Exhibit 8 and available at: https://perma.cc/2Q79-MF7U.

10. On November 14, 2025, Brendan Carr posted on X in response to a Washington Post news article about the News Distortion Petition. A true and correct copy is attached at Exhibit 9 and available at: https://perma.cc/763T-JJEQ.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day April 27, 2026 in Atlanta, Georgia.

Caitlin Childs

EXHIBIT 1

DEADLINE

PRINT

New FCC Chair Revives Complaints About ABC, CBS And NBC Content That His Predecessor Rejected As "At Odds With The First Amendment"

By Ted Johnson
January 22, 2025 1:48pm

Brendan Carr
Photo by Alex Wong/Getty Images

Brendan Carr, newly installed as chairman of the FCC under the new Trump administration, is reviving a trio of complaints aimed at NBC, ABC and CBS content, ones that his predecessor dismissed for being "at odds with the First Amendment."

The revived complaints come from the conservative Center for American Rights and generally align with Trump's gripes about media coverage during the 2024 presidential campaign.

The complaints include one against ABC's Philadelphia affiliate, WPVI-TV, alleging bias in ABC's hosting of the September presidential debate; one against WCBS-TV in New York that accuses CBS of "news distortion" in the way that *60 Minutes* edited an interview with Kamala Harris; and another against WNBC-TV in New York for alleged violations of the equal time rule when *Saturday Night Live* featured Harris in a cameo the weekend before the presidential election.

Just last week, before she resigned, FCC chairwoman Jessica Rosenworcel, appointed by President Joe Biden, dismissed the three complaints, as well as another one filed by the Media and Democracy Project, which challenged the license of Fox-owned WTXF-TV in Philadelphia. That complaint alleged that the revelations from the Dominion Voting System defamation case against Fox News showed that Rupert and Lachlan Murdoch lacked the "character" to hold a broadcast license.

Carr's order, however, does not revive the Fox complaint.

In restoring the complaints today, the FCC said that the dismissals were "issued prematurely" and "based on an insufficient investigatory record for the station-specific conduct at issue." The agency said that the complaints require "further consideration."

In her statement last week dismissing the complaints, Rosenworcel said, "The facts and legal circumstances in each of these cases are different. But what they share is that they seek to weaponize the licensing authority of the FCC in a way that is fundamentally at odds with the First Amendment. To do so would set a dangerous precedent." She also warned that the agency "should not be the president's speech police."

When he took office on Monday, Trump signed an executive order on "restoring freedom of speech and ending federal censorship." Among other things, it says that "no taxpayer resources are used to engage in or facilitate any conduct that would unconstitutionally abridge the free speech of any American citizen." The order, though, calls out the Biden administration for "exerting substantial coercive pressure" on social media companies over their content moderation practices.

But as recently as earlier this month, Trump has threatened major media companies over content that he does not like. He warned that Comcast should "pay a big price," as he was irate over something said by NBC's late night host Seth Meyers.

Newsmax first reported on the restored complaints.

During the presidential campaign, Trump sued CBS for $10 billion over the way that *60 Minutes* edited the Harris interview, under Texas' Deceptive Trade Practices Act, a novel application of a law typically directed at false advertising claims. A federal judge in Texas, where the lawsuit was filed, has given Trump until Jan. 24 to respond to CBS' motion to dismiss the case. CBS' attorneys wrote in a filing last month that Trump's "attempts to punish" the network "for their editorial judgments is barred by the First Amendment."

The Center for American Rights also has called for FCC conditions over news coverage to be placed on the pending Skydance-Paramount merger, and Carr has suggested that their *60 Minutes* complaint would be "likely to arise" as the FCC reviews the transaction. The Wall Street Journal reported last week that Paramount Global has had internal discussions about settling the *60 Minutes* lawsuit as one of the options as it tries to secure approval. *60 Minutes* has called claims that it deceitfully edited the Harris interview "false," with a CBS News attorney denying that the network was being deceitful and instead had to truncate the segment for time.

The Center for American Rights and Carr have pointed to the FCC's "news distortion" policy, in which broadcast stations are subject to enforcement only "if it can be proven that they have deliberately distorted a factual news report." But the FCC has not attempted to enforce the policy in decades, per Andrew Jay Schwartzman, senior counselor at the Benton Institute for Broadband and Society.

In a response filed earlier this month, attorneys for Skydance and Paramount Global wrote that news coverage conditions would be "blatantly unconstitutional." They wrote that they were "foreclosed by the First Amendment and unequivocal Supreme Court precedent. All of the Center's complaints about news coverage, debate moderation, and editing of interviews fall squarely within CBS's "editorial discretion in the selection and presentation" of content protected by the First Amendment."

Anna Gomez, one of two Democrats on the commission, said in a statement of the complaints, "The First Amendment is a pillar of American democracy, and our country needs a press free from interference from regulators like me. In fact, the Communications Act explicitly prohibits the

Commission from censoring broadcasters. We must respect the protections of the First Amendment and the restrictions in the Communications Act."

The ABC complaint is over the way that the network handled the September presidential debate against Trump and Harris. Trump had called for ABC to lose its license after he complained of fact-checking done during the debate by the moderators, David Muir and Linsey Davis.

The NBC complaint had to do with the FCC's equal time rule, which requires stations to give candidates equal airtime on non-news programming if requested. The day after the SNL appearance, Trump was given time during NASCAR and NFL coverage. But Carr suggested that, given that Harris was given a cameo so close to the election, other candidates did not have an opportunity to request the time.

EXHIBIT 2

X

← Post

Brendan Carr
@BrendanCarrFCC

Comcast outlets spent days misleading the American public—implying that Abrego Garcia was merely a law abiding U.S. citizen, just a regular "Maryland man."

When the truth comes out, they ignore it.

Comcast knows that federal law requires its licensed operations to serve the public interest. News distortion doesn't cut it.

Abrego Garcia came to America illegally from El Salvador, was validated as a member of the violent MS13 gang—a transnational criminal organization—and was denied bond by an immigration court for failure to show he would not pose a danger to others.

Why does Comcast ignore these facts of obvious public interest?

> Steven Cheung @StevenCheung47 · Apr 16, 2025
> SHAMEFUL that @CNN and @MSNBC refuses to take Angel Mom Patty Morin as she recounts the terrible tragedy of how an illegal killed her sweet daughter, Rachel.

6:58 PM · Apr 16, 2025 · **1M** Views

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Relevant people

Brendan Carr
@BrendanCarrFCC
Chairman, Federal Communi Commission.

Steven Cheung
@StevenCheung47
Assistant to the President & House Director of Communic Personal: @StevenCheung

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Trending in United States
Boycott ABC

Trending in United States
Snowflake

Show more

EXHIBIT 3

'60 Minutes' chief producer resigns, citing loss of journalistic freedom

Bill Owens departs as the show faces continued pressure from President Donald Trump, who sued the network for $20 billion over its interview with Kamala Harris.

Sarah Ellison April 23, 2025More than 1 year ago

Bill Owens, the longtime executive producer of the storied CBS News show "60 Minutes," stepped aside Tuesday over what he described as a loss of freedom to make independent decisions.

Owens, who spent 24 years at the show described by CBS as "America's most important news program," wrote in a memo to "60 Minutes" staff, a copy of which was obtained by The Washington Post: "Over the past months, it has also become clear that I would not be allowed to run the show as I have always run it. To make independent decisions based on what was right for 60 Minutes, right for the audience."

In an emotional note, he announced he would step aside "so the show can move forward," adding that "60 Minutes" has been "my life."

Wendy McMahon, the president of CBS News and Stations, in a newsroom memo obtained by The Post, praised Owens for being a champion of journalism that "informs, enlightens, and often changes the national conversation."

His departure comes as the show battles ongoing attacks from President Donald Trump, who has sued the network for $20 billion. At the center of the legal battle is a segment from an interview with Kamala Harris that aired in the final weeks of the 2024 presidential campaign, which Trump and his allies allege was deceptively edited to help the Democratic nominee. The Federal Communications Commission had initially rejected a separate complaint on the issue from the conservative law firm Center for American Rights, which has been revived by the new FCC chairman, Brendan Carr.

CBS released the transcripts and internal video footage in February, maintaining that it edited and presented the interview in line with industry standards and did not engage in "deceitful editing."

The New York Times reported this year that Paramount, CBS's parent company, is in early discussions about a possible settlement with Trump.

Last week, the president once again took aim at the show over reporting on

Ukraine and Greenland, and said the network should lose its license. "CBS is out of control, at levels never seen before, and they should pay a big price for this," he wrote on Truth Social.

The show has also faced internal scrutiny recently. Paramount owner Shari Redstone objected to a "60 Minutes" segment to a CBS executive, and soon after, Susan Zirinsky, the former president of CBS News, was placed in a role overseeing Owens, according to a person familiar with the events who spoke on the condition of anonymity because they were not authorized to speak about internal matters. Owens chafed at that, the person added.

Paramount Global is seeking a merger with Skydance Media and is awaiting approval from the FCC. As the proposed deal has stalled, CBS staff members are increasingly worried that Redstone will do whatever it takes to get it to go through, said two people familiar with the events who also were not authorized to speak about internal matters.

"60 Minutes" premiered in 1968 and is known for its in-depth investigations, incisive profiles and interviews with global newsmakers. The show has won 25 Peabody swards and multiple news and documentary Emmys.

In his memo to staffers, Owens said "60 Minutes" will continue to cover the new administration, report from war zones and investigate injustices. "In short, 60 Minutes will do what it has done for 57 years," he wrote.

EXHIBIT 4

Blog

M&A in the Spotlight: Skydance, Paramount and the Politics of Media Power

August 4, 2025 *IMAA*

When the $8 billion Skydance-Paramount deal closes on August 7, it won't just be another media merger. The transaction exposes three fundamental changes hitting the entertainment industry: regulators now demand political loyalty for deal approval, streaming services are abandoning the direct-to-consumer dream for wholesale bundling, and private equity turnaround models have become the only viable rescue option for dying legacy media companies.

For dea
structur
industry

Deal Architecture: A Masterclass in Asymmetric Control

The Skydance-Paramount structure demonstrates sophisticated financial engineering designed to maximize control while minimizing cash outlay. The transaction unfolds across two phases: first, David Ellison's investor group acquires Shari Redstone's National Amusements for $2.4 billion, securing 77.4% voting control despite holding less than 10% economic stake. Second, an all-stock merger values Skydance at $4.75 billion while injecting $1.5 billion in fresh capital and providing $4.5 billion in shareholder liquidity.

This dual-phase approach mirrors strategies increasingly common in distressed situations where controlling stakes trade at significant discounts to enterprise value. The structure preserves Paramount's public listing—critical for maintaining debt capital market access—while delivering Ellison family control at a fraction of what an outright acquisition would cost. For corporate development teams evaluating similar opportunities, the precedent shows how creative structuring can unlock value in complex ownership situations involving dual-class shares and legacy family control.

The financing mix tells an equally compelling story. With Paramount carrying $14.6 billion in debt and Moody's placing the rating on downgrade watch, the deal essentially represents a private equity-style rescue financing. RedBird Capital's participation signals sophisticated investors' appetite for distressed legacy media assets when paired with operational expertise and cost-cutting discipline. The target of $2 billion in annual synergies—identified with Bain & Company's assistance—represents roughly 15% of combined revenues, an aggressive but achievable benchmark for media consolidation.

Regulatory Capture and the New Approval Playbook

The FCC's conditional approval breaks new ground in regulatory overreach, conditioning the merger on two unprecedented commitments: eliminating DEI initiatives at both companies and appointing a CBS ombudsman to investigate "bias" for at least two years. These mandates, pushed through on a 2-1 Republican vote, represent a fundamental shift from content-neutral licensing review to explicit editorial control.

The political backdrop cannot be ignored. Paramount's $16 million settlement of Donald Trump's 60 Minutes lawsuit preceded the FCC vote by mere weeks, with Trump subsequently claiming an additional $20 million worth of advertising commitments from the merged entity. This sequence illustrates how regulatory approval increasingly depends on political accommodation rather than traditional antitrust or public interest analysis.

For dealmakers, the implications extend well beyond media. The precedent signals that industries requiring regulatory approval—telecommunications, energy, transportation—may face similar political litmus tests. T-Mobile, Verizon, and Disney have already begun curtailing diversity programs in anticipation of regulatory scrutiny. The lesson is clear: political risk assessment must now incorporate ideological alignment with the regulatory environment, fundamentally altering how companies approach government relations and stakeholder management.

Strategic Rationale: Beyond Financial Engineering

Strip away the political theater, and the Skydance-Paramount combination addresses genuine strategic imperatives. Paramount's linear television assets continue generating cash flow but face secular decline, while Paramount+ achieved 77.5 million subscribers but lost $497 million in 2024. The platform needs scale, cost discipline, and differentiated content to reach profitability—precisely what the Skydance combination promises to deliver.

Ellison's vision of a "world-class media and technology enterprise" leverages his family's Oracle connection for cloud infrastructure and AI-driven content workflows. While ambitious, this tech-enabled approach reflects industry-wide recognition that traditional media companies must transform their operating models to compete with digital natives. The integration of Skydance's existing franchise relationships—Top Gun, Mission: Impossible, Transformers—simplifies profit participation structures and accelerates sequel development, addressing one of Hollywood's most persistent inefficiencies.

The streaming strategy particularly merits attention. Rather than pursuing the standalone direct-to-consumer model that has burned billions across the industry, New Paramount appears positioned to embrace bundling and wholesale distribution. The company's partnerships with Walmart+, Verizon, and Amazon Channels reflect broader industry migration toward aggregated platforms where consumers access multiple services through single interfaces. AlixPartners projects 60-70% of streaming subscriptions will be purchased via bundles by 2026, making early positioning critical for long-term viability.

Market Implications: Consolidation Accelerates

The Skydance-Paramount approval opens floodgates for media consolidation that has been building for years. With Trump-era deregulatory policies taking effect, analysts project double-digit percentage growth in entertainment M&A activity. Lionsgate, AMC Networks, and Roku top the target list, while private equity firms circle distressed traditional broadcasters trading at significant discounts to their content library values.

The transaction validates several emerging trends. First, the combination of operational expertise with distressed legacy assets can create significant value through cost rationalization and strategic refocusing. Second, vertical integration between content production and distribution remains attractive despite previous regulatory skepticism. Third, family-controlled media empires built during the broadcast era lack the capital and expertise necessary for streaming competition, creating ongoing divestment opportunities.

For the streaming wars specifically, the deal reshuffles competitive dynamics. New Paramount ranks fourth by enterprise value behind Netflix, Disney, and Warner Bros. Discovery, but its combined content library and distribution relationships provide meaningful bargaining power with advertisers and international platforms. The company's sports rights portfolio—NFL and NCAA through CBS—becomes increasingly valuable as live programming drives subscriber acquisition and retention.

Cost Synergies and the Bain Playbook

The $2 billion annual cost target deserves scrutiny given Paramount's history of failed restructuring attempts. Bain's involvement suggests a systematic approach focusing on overlapping functions, real estate rationalization, and technology consolidation. With approximately 18,600 global employees, the company has already executed 15% layoffs in 2024 and another 3.5% in early 2025, but deeper reductions appear inevitable.

The synergy realization timeline—half in year one, full run-rate within 24 months—aligns with private equity best practices for operational improvement. Key areas likely include consolidating production facilities, eliminating duplicate corporate functions, renegotiating supplier contracts, and optimizing the linear television footprint through channel disposals or affiliate fee reductions. The challenge lies in execution without undermining content quality or talent retention, particularly given the DEI rollback's potential impact on creative pipeline development.

Real estate rationalization presents immediate opportunities. Paramount's sprawling studio lots and office complexes represent significant fixed costs that can be optimized through sale-leaseback arrangements or outright disposals. The company's international footprint also offers consolidation potential, particularly in markets where local production requirements have diminished.

Risk Factors and Execution Challenges

Several risks threaten the deal's success beyond typical integration challenges. Cultural integration poses particular concerns given the DEI mandate's potential impact on talent retention and creative output. Hollywood's workforce skews liberal, and prominent departures could undermine content quality and brand positioning with younger demographics who increasingly value corporate social responsibility.

Credit markets present another challenge. Paramount's debt burden requires deleveraging from 4.3x to 2.4x net debt-to-EBITDA by 2026 to achieve investment-grade status. This target assumes successful synergy realization and stable cash flow generation from declining linear assets—both significant execution risks. Moody's warning that the merger "may not stabilize the credit profile" reflects these concerns and suggests potential downgrades if operational improvements disappoint.

The streaming profitability timeline also remains uncertain. Paramount+ faces intensifying competition from Netflix, Disney+, and emerging players while content costs continue rising. The platform's path to domestic profitability by 2025 depends on subscriber growth, reduced churn, and improved advertising revenues—all challenging in an increasingly saturated market.

Broader Implications for M&A Practice

The Skydance-Paramount transaction establishes several precedents relevant across industries. The dual-phase structure offers a template for acquiring control of complex, multi-stakeholder organizations while preserving public market access. The political risk dimension highlights how regulatory approval increasingly depends on ideological alignment rather than traditional competition analysis.

For corporate development professionals, the deal underscores the importance of thorough political risk assessment in transaction planning. Companies pursuing deals requiring regulatory approval must now consider not just economic merits but political positioning and stakeholder alignment with prevailing regulatory philosophy. This adds complexity to due diligence processes and may favor larger, more politically connected acquirers.

The cost synergy targets also reflect industry-wide pressure for operational efficiency as growth-driven strategies prove insufficient for achieving profitability. The Bain playbook—systematic function-by-function analysis, aggressive timeline targets, and data-driven decision making—likely becomes the standard approach for turnaround situations across media and other declining industries.

Looking Forward: Scenarios and Strategic Responses

Three scenarios emerge for New Paramount's trajectory through 2028. The base case (55% probability) assumes successful integration, 20% EBITDA improvement, and domestic streaming profitability, setting a template for private equity-backed media turnarounds. The bull case (20% probability) envisions Oracle cloud partnerships and AI efficiencies driving faster margin expansion and subscriber growth to 110 million globally. The bear case (25% probability) involves advertising recession, accelerated cord-cutting, and talent flight from DEI rollbacks, potentially triggering asset fire-sales and domino downgrades across the sector.

For industry participants, the deal's completion signals fundamental shifts requiring strategic adaptation. Content creators must evaluate the benefits of scale versus independence, while distributors face pressure to develop bundling partnerships and wholesale relationships. Investors should reassess media valuations given the new regulatory environment and consolidation momentum, while talent agencies must navigate changing studio dynamics and political considerations affecting content development.

The Skydance-Paramount merger ultimately represents more than media consolidation—it embodies the convergence of financial engineering, political influence, and operational discipline necessary for legacy industry transformation. Success would validate the hybrid model of private equity rigor and Silicon Valley innovation applied to traditional content assets. Failure could accelerate the sector's march toward further consolidation under cash-rich technology companies or fragmentation into specialized content creators. Either way, the deal establishes a new playbook for navigating regulatory capture, executing complex turnarounds, and competing in the attention economy's next phase.

The transaction's broader implications extend well beyond Hollywood, offering insights into how political polarization reshapes business strategy, regulatory approval processes, and stakeholder capitalism. For dealmakers across industries, the lessons are clear: political risk assessment is now central to transaction planning, operational improvement drives value creation in declining sectors, and successful integration requires balancing efficiency gains with talent retention and brand positioning. The Skydance-Paramount deal may be entertainment industry-specific, but its strategic and regulatory precedents will influence M&A practice across the economy for years to come.

The Skydance-Paramount merger is reshaping Hollywood and setting the pace for how deals will get done in the new media landscape. Our latest blog goes beyond the

headlines to explain why this transaction matters for anyone watching business, politics, or the future of streaming.

- **The rise of political approval as the new test for major mergers**
- **Why streaming platforms are switching to bundles and wholesale partnerships**
- **The real story behind private equity's role in rescuing legacy media**
- **What this means for the next wave of industry consolidation and dealmaking**

Dive in for a clear-eyed take on what's changing in media, and why every strategist

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EXHIBIT 5

SKYDANCE

July 22, 2025

VIA ECFS

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

Re: MB Docket No. 24-275

Dear Chairman Carr:

On behalf of Skydance Media (Skydance), in connection with our pending applications seeking approval for the transfer of control of Paramount Global (Paramount), I write to address concerns about media bias that have been raised in the record of this proceeding.[1]

As Skydance has made clear in the record, we "recognize the importance of unbiased journalism and are fully committed to presenting a diverse array of viewpoints on television."[2] We further reaffirm that, after consummation of the proposed transaction, New Paramount's new management will ensure that the company's array of news and entertainment programming embodies a diversity of viewpoints across the political and ideological spectrum, consistent with the varying perspectives of the viewing audience. Skydance recognizes that, as a broadcast licensee, it will be charged with operating in the public interest, and the company intends to undertake a comprehensive review of CBS and to make any necessary changes to ensure compliance with that standard. In all respects, Skydance will ensure that CBS's reporting is fair, unbiased, and fact-based.

Moreover, Skydance reaffirms its commitment to localism as a core component of the public interest standard. Indeed, the CBS affiliate network's over 200 local broadcast stations provide service throughout the country and are a trusted voice in local markets big and small. The value

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[1] *See, e.g.*, Petition To Condition Grant by the Center for American Rights, *In the Matter of Skydance Media and Paramount Global*, MB Docket No. 24-275, at 8 (filed Dec. 16, 2024) ("CAR Petition")(calling on the Commission "to press the owners of New Paramount to commit to viewpoint diversity").

[2] Consolidated Opposition to Petitions and Response to Comments, *In the Matter of Skydance Media and Paramount Global*, MB Docket No. 24-275, at 9 (Jan. 2, 2025).

of these stations in their local communities cannot be overstated, and Skydance will work closely with its affiliated broadcast stations to ensure a productive partnership, including by considering technological improvements, investments in local news resources, and other measures that bolster local broadcasting.

To promote transparency and increased accountability, Skydance also will commit, for a period of at least two years, to have in place an ombudsman who reports to the President of New Paramount, who will receive and evaluate any complaints of bias or other concerns involving CBS. New Paramount's executive leadership will carefully consider any such complaints in overseeing CBS's news programming. In evaluating Comcast's acquisition of NBCUniversal, the Commission found such a mechanism effective in preventing editorial bias in the operation of the NBC broadcast network.[3]

Skydance believes that its acquisition of Paramount will generate significant efficiencies and have a substantial positive impact on the future of broadcasting. We submit that these voluntary commitments should provide comfort that New Paramount will operate the CBS Network in a manner consistent with the public interest.

Respectfully submitted,

Stephanie Kyoko McKinnon
General Counsel and Co-President of Business Operations

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[3] *Applications of Comcast Corporation General Electric Company and NBC Universal, Inc.*, Memorandum Opinion and Order, 26 FCC Rcd 4238, ¶ 207 (2011). Any complaints and broader concerns regarding news distortion should be addressed in separate proceedings, and not in connection with this transaction. *See, e.g.*, *FCC Establishes MB Docket No. 25-73 and Comment Cycle for News Distortion Complaint Involving CBS Broadcasting Inc., Licensee of WCBS, New York, NY*, Public Notice, DA 25-107 (Feb. 5, 2025 MB).

EXHIBIT 6

OFFICE OF CHAIRMAN BRENDAN CARR

FCC Approves Skydance's Acquisition of Paramount CBS

Skydance Commits to Viewpoint Diversity, Nondiscrimination, and Enhanced Localism at CBS

WASHINGTON, July 24, 2025—Today, the FCC approved Skydance's $8 billion acquisition of Paramount Global and its subsidiaries, including the ultimate parent company of the CBS network of owned and operated broadcast television stations, by granting a series of applications that transfer FCC licenses and authorizations.

Chairman Carr issued the following statement:

"Americans no longer trust the legacy national news media to report fully, accurately, and fairly. It is time for a change. That is why I welcome Skydance's commitment to make significant changes at the once storied CBS broadcast network. In particular, Skydance has made written commitments to ensure that the new company's programming embodies a diversity of viewpoints from across the political and ideological spectrum. Skydance will also adopt measures that can root out the bias that has undermined trust in the national news media. These commitments, if implemented, would enable CBS to operate in the public interest and focus on fair, unbiased, and fact-based coverage. Doing so would begin the process of earning back Americans' trust. Today's decision also marks another step forward in the FCC's efforts to eliminate invidious forms of DEI discrimination. And Skydance's commitment to enhancing local news and reporting—coverage valued by the public—will also inure to the benefit of the American people."

Commitment to Unbiased Journalism. Skydance has made written commitments to ensuring that the new company's array of news and entertainment programming will embody a diversity of viewpoints across the political and ideological spectrum and that CBS's reporting will be fair, unbiased, and fact-based. To promote transparency and increased accountability, Skydance commits, for a period of at least two years, to have in place an ombudsman who will report to the President of New Paramount and evaluate complaints of bias.

Ensures that Discriminatory DEI Policies End. Skydance, which has no DEI programs in place today, has committed that it will not establish any such initiatives at the new company and confirms that New Paramount will also be committed to equal opportunity employment and nondiscrimination. This will ensure that the combined business will enact policies and practices consistent with the law and the public interest.

Injection of New Capital and Enhanced Local News. Approving this transaction will unleash the investment of $1.5 billion into Paramount, bolstering all aspects of its operations, including broadcast. Skydance also reaffirms its commitment to localism as a core component of the public interest standard, and emphasizes that it will work closely with its affiliated broadcast stations to ensure a productive partnership that will strengthen its affiliates' ability to serve their local communities.

###

Media Contact: MediaRelations@fcc.gov / (202) 418-0500
@FCC / www.fcc.gov

EXHIBIT 7

X

Post

Brendan Carr
@BrendanCarrFCC

Broadcasters that are running hoaxes and news distortions - also known as the fake news - have a chance now to correct course before their license renewals come up.

The law is clear. Broadcasters must operate in the public interest, and they will lose their licenses if they do not.

And frankly, changing course is in their own business interests since trust in legacy media has now fallen to an all time low of just 9% and are ratings disasters.

The American people have subsidized broadcasters to the tune of billions of dollars by providing free access to the nation's airwaves.

It is very important to bring trust back into media, which has earned itself the label of fake news.

When a political candidate is able to win a landslide election victory after in the face of hoaxes and distortions, there is something very wrong. It means the public has lost faith and confidence in the media. And we can't allow that to happen.

Time for change!

Rapid Response 47 @RapidResponse47 · Mar 14

Donald J. Trump
@realDonaldTrump

Yet again, an intentionally misleading headline by the Fake News Media about the five tanker planes that were supposedly struck down at an Airport in Saudi Arabia, and of no further use. In actuality, the Base was hit a few days ago, but the planes were not "struck" or "destroyed." Four of the five had virtually no damage, and are already back in service. One had slightly more damage, but will be in the air shortly. None were destroyed, or close to that, as the Fake News said in headlines. The New York Times and The Wall Street Journal (in particular), and other Lowlife "Papers" and Media actually want us to lose the War. Their terrible reporting is the exact opposite of the actual facts! They are truly sick and demented people that have no idea the damage they cause the United States of America. Fortunately, as proven by our Great and Conclusive Election Win in 2024, the People of our Country understand what is happening far better than the Fake News Media! President DONALD J. TRUMP

12:24 PM · Mar 14, 2026 · **9.6M** Views

12K 8.2K 19K 1.7K

Read 12.4K replies

EXHIBIT 8

X

Post

Brendan Carr
@BrendanCarrFCC

How about no

On my watch, the FCC will continue to hold broadcasters accountable to their public interest obligations.

And it is quite rich for the exact same people that pressured prior FCCs to censor conservatives *through the news distortion policy* to now object to the agency's even-handed application of the law.

> **NBC News** @NBCNews · Nov 13, 2025
> A bipartisan group of former FCC leaders petitions the agency to repeal the policy the Trump administration invoked in discussions surrounding Jimmy Kimmel at ABC and in the investigation of "60 Minutes" at CBS.
> nbcnews.com/tech/tech-news...

2:36 PM · Nov 13, 2025 · **153.3K** Views

192 691 2.8K 51

Read 192 replies

EXHIBIT 9

X

Post

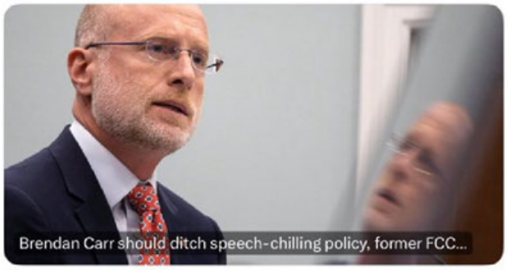
Brendan Carr
@BrendanCarrFCC

👎

The Washington Post
@washingtonpost

X.com

Seven former members of the FCC are petitioning the agency to repeal its policy prohibiting broadcasters from distorting the news, arguing that FCC Chairman Brendan Carr has improperly wielded it to counter material critical of President Trump.



Brendan Carr should ditch speech-chilling policy, former FCC...

From washingtonpost.com

2:30 PM · 11/13/25 · **32K** Views

2:12 PM · Nov 14, 2025 · **26.8K** Views

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Relevant people

Brendan Carr
@BrendanCarrFCC
Chairman, Federal Communi
Commission.

What's happening

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Technology · Trending
Storage Wars
Trending with Darrell Sheets

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United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-1099 **September Term, 2025**

Filed On: May 20, 2026

In re: Radio Television Digital News Association, et al.,

Petitioners

BEFORE: Henderson, Pillard, and Rao, Circuit Judges

O R D E R

Upon consideration of the petition for a writ of mandamus, it is

ORDERED, on the court's own motion, that the Federal Communications Commission file a response to the mandamus petition, not to exceed 7,800 words, within 30 days of the date of this order. See D.C. Cir. Rule 21(a). Petitioner may file a reply, not to exceed 3,900 words, within 14 days of the filing of the response.

Per Curiam

FOR THE COURT:
Clifton B. Cislak, Clerk

BY: /s/
Selena R. Gancasz
Deputy Clerk