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**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

JOSEPH KIRCHNER,

Plaintiff,

v.

MIKE JOHNSON, in his individual and official
capacity as Speaker of the United States House of
Representatives;
DONALD J. TRUMP, in his individual capacity as
former and current President of the United States;
PAM BONDI, in her individual and official capacity
as Attorney General of the United States;
BRENDAN CARR, in his individual and official
capacity as Chairman of the Federal Communications
Commission;
THE UNITED STATES HOUSE OF
REPRESENTATIVES;
ANTHROPIC PBC;
OPENAI, INC.;
APPLE INC.;
COMCAST CABLE COMMUNICATIONS, LLC;
METR (MODEL EVALUATION & THREAT
RESEARCH);
and DOES 1-20, unknown co-conspirators,

Defendants.

Case No. 1:25-cv-02735-ACR

**EXHIBIT A-2: FREE
SPEECH AND FCC
POLITICAL
ENFORCEMENT**

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I. AG Bondi Exclaims She will Target Hate Speech

[podcast begins with introduction and discussion regarding Charlie Kirk and Antisemitism]

1. **Bondi:** There's free speech and then there's hate speech and there is no place especially now especially after what happened to Charlie in our society.
2. **Katie Miller:** Do you see more law enforcement going after these groups who are using hate speech and putting cuffs on people so we show them that some action is better than no action.
3. **Bondi:** We will absolutely target you, go after you if you are targeting anyone with hate speech, anything.
4. **Bondi:** And that's across the aisle. I I mean, look what happened. Think about Josh Shapiro.
5. **Katie Miller:** What happened to Governor Shapiro?
6. **Bondi:** I talked to Josh multiple times. Democrat, governor, Jewish. They firebombed his house while his wife and children were sleeping upstairs. It's a miracle nothing worse happened to It's a miracle that nothing h happened to Josh and he and his family are safe. They're traumatized, but that's what's happened in this world.
7. **Bondi:** And we are going to fight every step of the way to show that you will face the most severe consequences if you come after someone and you target someone for their political views or for any for any reason at all.

[podcast continues with irrelevant content]

Source: <https://www.youtube.com/watch?v=4LRPHxSrLTE>

Date: September 15, 2025

II. Johnson Endorses Bondi Hate Speech Enforcement

[transcript start]

1. **Reporter:** You mentioned, uh, Charlie being a champion of speech, um, in that thing, there have been calls to, you know, go out to organizations or people who have said things, but I'm wondering from, from a legal perspective, what's the line when it comes to free speech? Is it. This in a podcast yesterday clarifies a little bit. I'm curious from your perspective, what is the line when it comes to free speech?
2. **Johnson:** Well, I mean, I, I approached this as a former litigator who defended free speech in the courts for a couple of decades. We defended religious freedom and, and, um, and speech that some people deemed to be, uh, inappropriate. Um, look, in America, it's a very important part of our tradition that we do not.
3. **Johnson:** This is a conservative principle and certainly an American principle. We do not censor and silence disfavored viewpoints. People in America are allowed to say crazy things.
4. **Johnson:** Now that said, if I'm an employer or I'm a government agency and I have someone in my employee who is online celebrating the heinous murder of an innocent person, a young husband and father. I, I can make the decision that they don't deserve to work for me. They shouldn't represent my company or my agency. And I have every right to do that. And I think that's appropriate. That's not the government censoring speech, that's personal behavior and decorum. And you have a right to, uh, enforce that.
5. **Johnson:** So I don't think it's a violation of court principles, uh, for people to, to, uh, to, to have appropriate measures taken when they act like crazy people online. Um, and that's up to the employers and these private businesses.
6. **Johnson:** And, and the, these, um. You know, the people who make those decisions. That's not, uh, something that Congress is involved in.
7. **Johnson:** But I mean, I think, I think all of that is intellectually consistent and will continue to defend it. He called on the political world to lower the temperature, cool down the rhetoric, and not use words like evil. Enemy president himself has referred to Democrats. Oftentimes it's evil enemy. Would you urge him?
8. **Johnson:** Would you advise him to count down the rhetoric? The president has been called the most despicable names by people on the left for a long, long time. I don't have to give you the catalog. It would be this thick. We, I need one of those Hakeem Jeffries notebooks to put up here and go through with you with all that.
9. **Johnson:** Um, look there, there's a lot of heated rhetoric all around and what, what, what I'm trying to advance here is this idea that we can have vigorous policy debates that is the legacy of Charlie Kirk. He loved the debate. Um. But, but he didn't hate the people on the other side. And that's what I'm trying to encourage all of us to remember.

1 10. **Johnson:** We we're, we can have vehement disagreements on policy, but it
2 shouldn't be personal. At the end of the day, we're trying to bring people to our, uh,
3 to, to our mode of thinking. And, uh, it's more effective that way when you handle
4 it that way. And I think Charlie was.

5 [End of Transcript]

6

7 Source: <https://www.youtube.com/watch?v=5-hvHbvacm8>

8 Date: September 16, 2025

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III. Trump Explains Free Speech Suppression Re: Kimmel

1. **Reporter:** Who would you like to see replace Kimmel on late night?
2. **Trump:** Well, a lot of people could. Anybody could replace him. Guy had no talent. Kimmel had, look, he was fired. He had no talent. He's a whack job, but he had no talent. And more importantly than talent, he had no, 'cause. A lot of people have no talent. They get ratings, but, uh, he had no ratings.
3. **Trump:** His ratings were worse than Colbert. I think they got rid of Colbert, which is a good thing to do. And look, uh. That's something that should be talked about for licensing too. When you have a network and you have evening shows and all they do is hit Trump, that's all they do. But when you go back and take a look, all they do is hit Trump.
4. **Trump:** They're licensed. They're not allowed to do that. They're an arm of the Democrat parties. Mr. President, are you going to ask Brendan Carr to weigh in on other late night posts that you have? Uh. Apps that should be on the Air. Midnight host is on network television. There is a licensing. I'll give you an example.
5. **Trump:** I read someplace that the networks were 97% against me. I got 97% negative, and yet I won it easily. It won all seven Spring States popular. I won everything. And if they're 97% against, they give me only bad publicity or press. I mean, they're getting a license. I, I would think maybe their license should be taken away.
6. **Trump:** I, I, it will be up to Brendan Carr. I think. Brendan Carr is outstanding. He's a patriot. He loves our country and he's a tough guy.
7. **Reporter:** [interjects] So why? Why is that on a free speech issue?
8. **Trump:** So we'll have to see.
9. **Trump:** When you think about this...97% of the stories or most of it, and yet I win easily the election. It's pretty amazing when you think of it. That shows they have no credibility.
10. **Trump:** Go ahead.
11. **Reporter:** Could, could, could you use that same logic with news? if someone's...
12. **Trump:** [interrupts] yeah. In the old days, I remember in the old days that every four or five years, a network would reapply for its license and the license is free.
13. **Trump:** You know, they get this valuable thing for free and they'd reapply for a license, and if they did something wrong, well, I beat George Stephanopoulos, slop, Opolis. I call him George Slop. They had to pay me \$15 million for what he said.
14. **Trump:** I beat CBS for much more money than that, including advertising and other things, much more money, because they totally changed the answer that Kamala gave.

1 15. **Trump:** What a question. I mean, they didn't change it. They took it out and put a
2 different answer in, and they didn't want to go to court with that. That's a tough one
3 to go to court.

4 16. **Trump:** Uh, so no. I think that if you remember years ago, I remember as a kid
5 they would file, it was a big deal every four or five years, and I don't know, you
6 don't hold me exact, but it was like four or five years they'd have to file for a
7 license extension.

8 17. **Trump:** I don't hear about that. The only one that I've heard even bring it up is
9 Brendan Carr.

10 18. **Trump:** I think Brendan Carr is doing a great job and I think he's a great patriot.

11 19. **Trump:** I thought she was great. I did too. I sat with her last night. Melania went
12 with her today. She thought she was great.

13 [End of Transcript]

14
15 Source: <https://www.youtube.com/watch?v=97xZSVhNfR4>

16 Date: September 18, 2025

IV. FCC Chair Brendan Carr Discusses Political Enforcement

[Begin Transcript]

1. **Reporter:** Of course. Another story this morning that we've mentioned a number of times is Disney, uh, which owns a, b, c, not that large or an important part of the overall company. Uh, nonetheless, it did pull Jimmy Kimmel alive off the air yesterday, the late night show. This after comments by the show's host, uh, about the murder of conservative activist Charlie Kirk. Now, those comments did prompt a regulatory threat by FCC Chair Brendan Carr. And we're now joined by Chairman Carr. Uh, good to see you, uh, chairman, always. Uh, nice to have you join us on CNBC.
2. **Reporter:** You know, I, I guess I'd start off by asking did you play a role in this beyond your public comments? I believe they took place yesterday morning on a podcast in which you said, we can do this the easy way or the hard way. Uh, in terms of changing conduct on Kimmel, or you said there's gonna be additional work for the FCC ahead, was that enough in your opinion, to spur this move by Disney or were you involved beyond that?
3. **Carr:** I think there's a much bigger, uh, shakeup that's underway right now. I think people, again, try to focus narrowly on the specifics here, but if you just back up, I think ever since President Trump won the election, it's created a permission structure for markets, including the media market. To rationalize. I mean, again, if you look at the ratings for late night television, they've been in an absolute nose dive for years.
4. **Carr:** Uh, but for some reason these companies felt like they had to continue to subsidize it. And I think that's ending. And again, I think your viewers get this, but think about the business side of this. You have the national programmers, Disney, that create this content, and you've got individualized licensed TV stations all across the country. And they're required. They've been, for years, required to respond to the needs of their local communities and viewers. And I think it was those local communities and viewers that were saying, you know, we don't like this stuff anymore.
5. **Carr:** And so Nexstar was the first mover year said, we're gonna preempt this program, we're gonna black it out. Yeah. Again, that's what you're supposed to do, a healthy functioning market. I think, again, people sort of focus on, you know, narrow specifics, but there's a much bigger shift that's taking place right now in the media ecosystem and Frank, and frankly, I think that's a good thing.
6. **Reporter:** Yeah, no. And you mentioned obviously next to our in Sinclair, uh, and they clearly played a role in the decision by Bob Iger and Dana Walden at Disney to suspend, uh, Kimmel. We don't know for how long, by the way, but I would take issue perhaps with your contention somehow, that these, that these companies are keeping these broadcasts on the air, not because they're profitable, but for another reason. I've followed these company closely as you well know and have for years. And I can tell you their leaders are very focused on making sure that every

1 opportunity they have to, uh, to create profits is one that they take. So, you know,
2 they must be still making money in some way. You really believe that, that it's
3 simply a, a what a, a partisan move on their part to, to maintain these broadcasts?

4 7. **Carr:** I think you can certainly make that argument. Just look at Colbert, right? The
5 reporting that came out after, uh, Colbert was canceled is that his show was losing
6 \ \$50 million a year. Why were they, you know, losing \$50 million? And again, I
7 think there's a lot of commentary on late night having shifted dramatically over the
8 last 10 years.

9 8. **Carr:** It used to be. That they would go for laugh lines and it's shifted to going for
10 applause lines. They went from being court gestures that made fun of everybody as
11 should happen. You should parody everybody. Trust me, I'm getting my fair share
12 of parodies and that's fine. Yeah. But they started replacing that and becoming
13 court clerics and enforcing a very narrow, uh, world view.

14 9. **Carr:** And I think that just tanked the business model again, president Trump has
15 sort of unlocked the ability of companies to say. You know, we need to go a
16 different direction. Just again, look at the ratings, it's just not there.

17 10. **Reporter:** No, the rating, but ratings have come down across the board as a result
18 of, of course, people just don't watch nearly like they did. I mean, I can go back and
19 so my colleagues to remembering though the times of Johnny Carson.

20 11. **Reporter:** Now again, to that point, uh, uh, chairman, I mean, you know, the
21 administration in power was typically the subject of most of his jokes, as would
22 seem to be the case now. I mean, these aren't comedians we're talking about. This is
23 not the news.

24 12. **Carr:** Well, look, I can tell you Jimmy Kimmel is no, Johnny Carson. And the
25 issue that arose here where lots and lots of people were upset was not a joke. It was
26 not, you know, making fun or pillaring me or the administration or the president. It
27 was appearing to directly mislead. The American public about a significant fact that
28 probably one of the most significant political events we've had, uh, in a long time.
29 Really the most significant political assassination we've seen in a long time. And so
30 I think's different. I don't think anybody, I don't think anybody, anybody's gonna try
31 and defend what, what Kimmel said, and, and I certainly defer to the decision
32 making of the company itself in terms of saying this was beyond the bounds.

33 13. **Reporter:** But I do wonder, and I think many people do, whether you really are
34 just targeting comedians or you, you know, who typically through the years have,
35 uh, have made fun of political figures in a way that because the president simply is
36 offended by it.

37 14. **Carr:** No, no, no. Look, again, broadcast TV is different. We're on a cable show
38 right now. You don't have an FCC license. You don't have an obligation to serve.
39 The public interest podcasts don't either stand up comedians, whether they're on
40 lots of forms of communications, don't. And kimel is free to do that. But if you
41 have a broadcast TV license, that means that you have something that very few
42 people have, and you're excluding other people from having access to that valuable
43 public resource.

- 1 15. **Carr:** And it comes with an obligation to serve the public interest. And again, over
2 the years, there's been a rule in place at the FCC that local TV stations get too
3 preempt. Programming that they don't think meets the needs of their communities.
4 But recently, these national programmers, A, B, C, Disney, Comcast, NBC, they've
5 been exercising outsize control and power. Over those local TV stations and there's
6 been no pushback. And this is a very significant moment 'cause local broadcasters
7 are now pushing back on national programmers, uh, for the first time, uh, that I can
8 think of in modern history. And that's one of the things we want at the FCC. We
9 wanna empower local broadcasters that have the public interest obligation to push
10 back on national programmers so that people have more choice.
- 11 16. **Reporter:** That kind of, I mean, it's interesting some people have pulled some of
12 your old post chair car, including this one from, uh, 2019. Should the government
13 censor speech, it doesn't, like, of course not, the FCC does not have a roving
14 mandate to police speech in the name of the quote, public interest. Um, how do you
15 square what you're saying with those old posts? And is there pressure now, for
16 example, for Comcast to drop Jim, uh, Jimmy Fallon and Seth Meyers, the way the
17 president suggested?
- 18 17. **Carr:** Well, two things. I've been very, very consistent when it comes to the
19 internet. We want, you know, wide open, robust, you know, debate, and there's no
20 public interest standard there. There's no licensing obligation there. But again,
21 broadcast TV is simply different, particularly during COVID. We saw this massive
22 surge in censorship on the internet by Facebook, by previous owners of Twitter,
23 and I pushed back very strongly there. But again, broadcast is different. They've got
24 a license and they're free to go on the internet and do whatever they want.
- 25 18. **Carr:** But if they want to keep. Access to those valuable airwaves. I've been clear
26 we're reinvigorating the fccs enforcement of public interest and it's a good thing. I
27 mean, look, trust in the media is at an all time low. It used to be more trusted than
28 Congress. At least they could say, but now they've fallen beneath Congress. I think,
29 you know, gas station sushi probably pulls better in terms of trust than the legacy
30 broadcast media right now.
- 31 19. **Reporter:** Uh, chair car, Jim Kramer. Uh, according to, uh, the New York Times,
32 late Wednesday, I'm just quoting here, Sinclair, another owner of many local TV
33 stations, said that it would also suspend Mr. Kimmel's program and call to Mr.
34 Kimmel to apologize and make a meaningful personal donation to Mr. Kirk's
35 family, the activist political group, turning Point USA. Do you think that's an
36 appropriate remedy of the situation?
- 37 20. **Carr:** I think Sinclair's every right to call for that. Again, you know, Sinclair
38 affiliates with. Uh, Disney, they take Disney contract. They have a contractual
39 relationship with Disney, and that's between the two of them to figure out, you
40 know, what's gonna make sense to make both of them comfortable with the
41 relationship going forward. But again, over the years, it would be unthinkable for
42 Sinclair, for nexstar, for local TV stations to actually say, you know what, you
43 know, we're not gonna take this particular programming that's coming out of New
44 York and Hollywood and send it to Pennsylvania and Utah. And so the idea that

1 local broadcasters feel like they can push back. Um, I think that's a much, much
2 healthier dynamic for the country right now.

3 21. **Reporter:** Chair Cardwell, we have you, and I'm not saying we won't come back
4 to Kimmel. I did wanna, I did wanna hit on something I reported a lot on over the
5 last couple of weeks, which was the Spectrum Sale and something you and I
6 actually discussed back in May at Milken from EchoStar. Two big deals, 23 billion
7 to at and t, another 17 billion to SpaceX. Um, you know, there are some who
8 believe, including the Wall Street Journal, uh, editorial page, I shouldn't say
9 believe, who questioned why you didn't just take the spectrum back, uh, on behalf
10 of the US taxpayer, because frankly, EchoStar did not do what it said it would with
11 said spectrum over the years they had it and rec, uh, and, and therefore, uh. Garner
12 \$40 billion in revenues for the US taxpayer instead of for Charlie Ergen.

13 22. **Carr:** Well, I think. First of all, we would've to make a determination that
14 EchoStar had not in fact met their build out milestone. We raised significant
15 questions about that. Uh, EchoStar responded to those questions and addressed it.
16 Uh, at the end of the day, I just think the public interest was better served by
17 finding a way to load that spectrum against Spectrum is the key to. Making
18 everything we have wirelessly connect, it's gonna enable us to do mobile ai and we
19 need to move more of these airways in a way that's gonna load up the data. In my
20 view, EchoStar wasn't doing that and so they've now decided to sell a big chunk of
21 the spectrum to at and t, another large chunk of spectrum to starlink, and it's gonna
22 unlock. A really great, uh, new innovation for the country. One, it's gonna help
23 bring Americans across the digital divide, including in rural parts of the country.
24 And two, this next generation of connectivity, direct to sale is gonna be part of it
25 where you go straight from your smartphone, right to a satellite. This 50 megahertz
26 of spectrum is gonna unlock that. And I'm just really excited about the potential
27 competition there. And again, I think that's one where President Trump, uh, would,
28 we would not have been able to bring this deal together. But for his strong
29 leadership, and again, rather going through nobody disagree is enforcement. In, in
30 revocation for could be years, right? That spectrum would've been sidelined. It's
31 now gonna gonna go in the hands of people.

32 23. **Reporter:** That's what I wonder because, you know, again, it's, it's not as though
33 people aren't saying, of course this is beneficial to get that spectrum used more
34 quickly and given how long it sat fallow as a result of the inability of EchoStar to
35 build it out. But you feel as though you didn't have the right necessarily to, uh,
36 reclaim those licenses based on the contract as it was already deemed, and then take
37 them back and realize all the money for the US taxpayer?

38 24. **Carr:** That's right. There were real concerns about whether they've met the
39 buildup obligation. They provided more data, more information, uh, and were
40 satisfied that they did meet the buildup obligation. So there would've been no, uh,
41 case to go forward with a license revocation, even if the data had been different.
42 Uh, and then you could've make an argument that they didn't meet the obligations.
43 That's still, you know, 3, 4, 5, 6 year protracted process where hundreds of
44 megahertz of spectrum. Are not gonna get loaded for the American people. So both
45 because we found they meant to build that obligation and even an alternative

1 universe. Otherwise, you can make the argument that this is a great result because
 2 people are gonna get connected right now during the Trump administration to new
 3 high speed internet connections that's gonna drive prices down. So all of that's a
 4 really, really good outcome here.

5 25. **Reporter:** Yeah, no, and it was a good outcome for Charlie Ergen as well.
 6 Obviously given EchoStar was on the brink of potentially bankruptcy. Certainly if
 7 you guys had pulled those licenses.

8 26. **Reporter:** I wanna come back to where we started the conversation and Jimmy
 9 Kimmel, um, and your contention perhaps that these shows do lose money. You
 10 know, we just did a quick look. I mean, the show is supposed to be profitable, uh,
 11 chairman. Uh, not necessarily on advertising revenue as you note given ratings, but,
 12 um, affiliate revenue, carriage deals, YouTube viewership apparently quite high.
 13 You know, again, I guess I just pushed back on the idea that these companies are
 14 keeping these shows on the air to score political points somehow, as opposed to,
 15 because they think they actually make the money.

16 27. **Carr:** Look, we know for sure with more data coming out on Colbert that they
 17 were losing money. Happy to take a look more. Uh, at Kimmel, obviously the
 18 ratings are where they are. They've been going through the floor. But again, this is
 19 a decision for local broadcast TV stations to make. Right. Are they gonna lose their
 20 own advertisers because people don't wanna be associated with that. Uh, Kimmel
 21 programming, you know, again, we're talking about varied parts of the country with
 22 different values, and I'm pleased that Nexstar and Sinclair are looking to their
 23 viewers and saying, our viewers don't want this, and so we're not gonna run it
 24 anymore.

25 28. **Carr:** So even if it's profitable, uh, if the viewers don't want it, you know, that's
 26 the ultimate judgment there.

27 29. **Reporter:** And again, I had asked earlier about Fallon and Seth Meyers, but are is
 28 the president's view that they should also, uh, be taken off the air shared by the
 29 FCC?

30 30. **Carr:** Well, yeah. I don't speak for the president, so obviously, you know, he
 31 speaks for himself on that.

32 31. **Carr:** Our goal and our obligation here is to make sure that broadcasters are
 33 serving the public interest. And if there's local TV stations that don't think that
 34 running that programming does it, then they have every right under the law in their
 35 contracts to preempt it and we'll see how this plays out.

36 32. **Carr:** But I do think that, again, we are in the midst of a massive shift in dynamics
 37 in the media ecosystem for lots of reasons. Uh, again, including the permission
 38 structure that President Trump's election has provided. And I, I would simply say
 39 we're not done yet with seeing the consequences of that shift.

40 33. **Reporter:** Well, what, what does that mean when you say you're not done yet,
 41 then?

1 34. **Carr:** I mean, will, will you only be pleased when none of these comedians, uh,
2 have a show on broadcast television or?

3 35. **Carr:** again, it's not, it's not about any particular show or any particular person. It's
4 just. We're in the midst of a very disruptive moment right now, and I just frankly
5 expect that we're gonna continue to see changes in the media ecosystem.

6 36. **Reporter:** Well, chair car, I'm not sure I wanted to do this or not, but should the
7 government have someone who reviews the writers before the uh, host says
8 something?

9 37. **Carr:** No.

10 38. **Reporter:** How would you be sure that the host is saying something that you
11 would think is okay?

12 39. **Carr:** That's not my, that's not up to me. What the way this works is that the local
13 broadcast station is supposed to be responsible for the content.

14 40. **Carr:** So the check on that content is not the government. It's not me here at the
15 FCC. It's your local TV station in Provo, Utah. It's your local TV station in
16 Scranton. It's on them under the law. They're responsible for the content. They're
17 responsible for judging whether they think it's in the public interest or serves the
18 needs of their local. Communities, not for me to decide, but I'm very pleased that
19 they feel empowered to stand up to Disney and Comcast in the appropriate cases.

20 41. **Reporter:** Yeah. Uh, chairman Carr, always appreciate you taking the time, uh,
21 having the conversation with us. Thank you.

22 42. **Carr:** Yeah. Really enjoyed it. Thank you so much, folks.

23 43. **Reporter:** Of course. Quick disclosure, by the way. Of course. As, uh, our viewers
24 know, Comcast still, the parent company of NBC Universal still owns CNBC.
25 Now, NT is going to become the new parent company of CNBC. That is upon
26 completion of the plan spinoff, probably very early next year.

27 [End of Transcript]

28
29

Source: <https://www.youtube.com/watch?v=H6cOAI1qwYE>

30 Date: September 18, 2025

V. Trump Discusses Political Enforcement with Jimmy Kimmel

1. **Reporter:** And on a separate issue, free speech. Your vice president, uh, Vance said that free speech is under attack. In the uk do you agree with him and Prime Minister? We saw the dismissal of a very well known chat show host in America last night. Mr. Kimmel, his free speech more under attack in Britain or America?
2. **Trump:** Well, Jimmy Kimmel was fired 'cause he had bad ratings more than anything else. And he said a horrible thing about a great gentleman known as Charlie Kirk. And Jimmy Kimmel is not a talented person. He had very bad ratings and they should have fired him a long time ago. So you know, you can call that free speech or not.
3. **Trump:** He was fired for lack of talent. Yeah, please go ahead.
4. **Reporter:** Yeah, I mean, firstly on the question of Charlie Kirk, can I just, um, uh, express, um, how shocking that is? I think to everybody who believes in free speech, um, and in democracy. Um, and, um, I, it sent shock waves through. Um, the world and I know that he was a president, he was a friend of the president, and I reached out straight away to the president because I understood how impactful it be on him and his family.
5. **Starmer:** Um, and we all need to, uh, be absolutely clear about that. Whatever our political views, it is shocking. Um, and is to be condemned, um, on free speech. I'll not much to add to the answer I gave earlier. This country's had free speech for a very, very long time. It is part of who we are, uh, as a country. Um, and, um, it is the values that we fought for.
6. **Starmer:** We fought, uh, for it during the Second World War alongside each other. Um, so we need no reminding of the importance of free speech in this country. Thank you, Robert.

[End of Transcript]

Source: <https://www.youtube.com/watch?v=qgPTBUQx0TQ>

Date: September 19, 2025

1 VI. Trump Admits 'I Hate My Opponents' at Kirk Memorial

- 2
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- 3 1. **Trump:** But through it all, the core of Charlie's message and his basic method
4 never changed. It never really changed. He stayed the same person. Also at every
5 campus event, Charlie asked the people who disagreed with him to come forward
6 and instead of silencing them, he handed them a microphone and let them speak
7 and he'd convinced so many of them. It was pretty amazing thing to watch actually.
- 8 2. **Trump:** Shortly before Charlie arrived on campus, the day he was assassinated, a
9 staff member texted him that there were many critics and students who were
10 opposed to his views and rather strenuously in the crowd. And that actually made
11 him feel good because he, he wanted to convince them. He understood. He really
12 did. He understood what was right, and he was right about that. A lot of it was
13 based on common sense, by the way.
- 14 3. **Trump:** Charlie wrote back to the staff member saying, I'm not here to fight them. I
15 want to know them and love them, and I wanna reach them and try and lead them
16 into a great way of life in our country.
- 17 4. **Trump:** In that private moment on his dying day, we find everything we need to
18 know about who Charlie Kirk truly was. He was a missionary with a noble spirit
19 and a great, great purpose.
- 20 5. **Trump:** He did not hate his opponents. He wanted the best for them.
- 21 6. **Trump:** That's where I disagreed with Charlie. I hate my opponent and I don't want
22 the best for them.
- 23 7. **Trump:** I'm sorry. I am sorry, Erica, but now Erica can talk to me and the whole
24 group and maybe they can convince me that that's not right, but I can't stand my
25 opponent.

26 [End of Transcript]

27

28 Source: <https://www.youtube.com/watch?v=pJzfp8QyiNw>

29 Date: September 21, 2025

**VII. FCC Chair Brendan Carr Threatens ABC Licenses on Benny Johnson Podcast
— "Easy Way or Hard Way"**

[Begin Transcript]

1. **Johnson:** Ladies and gentlemen, here to speak authoritatively on this issue is the chairman of the FCC, Brendan Carr, joining us live now. Mr. Chairman, thank you so much for being on our program. This is something that obviously is concerned a great many number of people about Jimmy Kimmel's monologue. What does the FCC's stance on this? Certainly is a heightened moment in American history where you do not want to see copycats, you do not want to see further radicalization, but by slandering and maligning and distorting what happened to Charlie Kirk, Jimmy Kimmel seems to be inviting it.
2. **Carr:** Yeah, well, first off, Benny, I don't think, you know, I haven't had a chance to talk yet since Charlie Kirk's death, and I think I just—I was going to join everything you've been saying about Charlie. His life, an amazing man. I think what was so revealing in the last few days is, I think what dawned on so many people is that everyone I think knew that Charlie Kirk had said something kind to them, had lifted them up, when they were at either a low point in their career or at no point in their career. When you saw so many people conveying their stories with Charlie, you saw a sort of a connection across hundreds and thousands of people that you knew he meant something to you, but you didn't know that he had somehow found the capacity to be that sort of meaningful inspiration for so many people. I think that's why there's sort of a dawning on people and a reflection in the last couple of days that's been so meaningful to see.
3. **Carr:** You know, when you look at the conduct that has taken place by Jimmy Kimmel, it appears to be some of the sickest conduct possible. As you've indicated, there are, you know, avenues here for the FCC. So there are some ways in which I need to be a little bit careful, because we could be called ultimately to be a judge on some of these claims that come up. But I don't think this is an isolated incident. I mean, you go back to Representative Swalwell, and he had a tweet out last week where he was saying that, you know, emphasizing that Charlie Kirk's killer was a straight white male from a Republican family that voted for Donald Trump. In some quarters, there's a very concerted effort to try to lie to the American people about the nature, as you indicated, of one of the most significant, newsworthy, public interest acts that we've seen in a long time. And what appears to be an action, appears to be an action by Jimmy Kimmel to play into that narrative that this was somehow a MAGA or Republican motivated person. If that's what happened here, with his conduct, that is, that is really, really sick.
4. **Carr:** I've been very clear from the moment that I have become chairman of the FCC, I want to reinvigorate the public interest. And what people don't understand is that the broadcasters, and you've gotten this right, are entirely different than people that use other forms of communication. They have a license granted by us at the FCC. And if that comes with it an obligation to operate in the public interest. And we can get into some ways that we've been trying to reinvigorate the public interest

1 and some changes that we've seen. But frankly, when you see stuff like this, I
 2 mean, look, we can do this the easy way or the hard way. These companies can find
 3 ways to change conduct, to take action, frankly, on Kimmel, or, you know, there's
 4 going to be additional work for the FCC ahead.

5 **5. Johnson:** What kind of action would you see? I at the very least would like to have
 6 an on-air apology from Jimmy Kimmel to the Kirk family, to all of those who he
 7 slandered, because he did say that Charlie Kirk—he is effectively saying that our
 8 movement did this. Our movement killed Charlie. That Charlie was deserving of
 9 this effectively. And we've seen that rear its head. This happens quite regularly,
 10 actually, on MSNBC and on other networks, where they're trying to victim blame.
 11 And what that does, Mr. Chairman, respectfully, is continues the lie and continues
 12 the threat level to say effectively that we have no share in this problem at all on the
 13 left. This is a clear-cut case. And what would you like to see done at ABC?

14 **6. Carr:** Well, look, I think what you said there strikes me as a very reasonable,
 15 minimal step that can be taken. I mean, obviously, look, there's calls for Kimmel to
 16 be fired. I think, you know, you could certainly see a path forward for suspension
 17 over this. And again, you know, the FCC is going to have remedies that we could
 18 look at. And again, you know, we may ultimately be called to be a judge on that.

19 **7. Carr:** But this also strikes me as sort of conduct that to some extent shows some
 20 sort of desperate irrelevance. I mean, we're sort of exiting an era where the three
 21 main broadcast legacy broadcast networks could control and dictate the narrative to
 22 the American people. And one of the things that President Trump did when he ran
 23 for office, he ran directly at that legacy media establishment, and he smashed the
 24 facade that they get to control what we say, what we think, the narrative around
 25 events. And we're seeing a lot of consequences that are flowing from President
 26 Trump doing that. I mean, look, NPR has been defunded. PBS has been defunded.
 27 Colbert is retiring. Joy Reid is out at MSNBC. Terry Moran has gone from ABC.
 28 And from now admitting that they are biased, CBS has now made some
 29 commitments to us that they're going to return to more fact-based journalism. And
 30 so I think you see some lashing out from people like Kimmel, who are, frankly,
 31 talentless and are looking for ways to get attention. But, you know, their grip on the
 32 narrative is slipping. That doesn't mean that it's still not, you know, important to
 33 hold in the public interest standard. That's what we're going to have to do.

34 **8. Johnson:** So we did elucidate and enumerate a number of statutes that could be
 35 used against ABC. If you would, Mr. Chairman, would you just explain for us what
 36 broadcasting in the public interest means? I don't think most people understand
 37 actually the depth of how important it is that ABC, NBC, CBS have these
 38 gratuitous broadcast privileges granted to them by the American taxpayer.

39 **9. Carr:** Yeah, the right way to sort of explain this to people so they understand it is in
 40 the media landscape as relevant here, there's two main buckets of actors. One,
 41 you've got what we call national programmers. So that's what Comcast is, Comcast
 42 NBC. That's what Disney is, Disney ABC. They're the ones that effectively create
 43 and produce these shows. They then provide those shows to individually licensed
 44 TV stations. And those TV stations are in the main owned by independent

companies, independent from Comcast and Disney. But Disney and Comcast both own some televisions themselves. So start from the idea that you have national programmers that create the show, including the Kimmel show, and then they're given to and distributed over licensed TV stations. It's the licensed TV stations that have the public interest standard, including those TV stations that Comcast and Disney own. So FCC regulatory action focuses on those individual stations.

10. **Carr:** And one thing that we're trying to do is to empower those local stations to serve their own communities. And the public interest means you can't be running a narrow partisan circus and still meeting your public interest obligations. It means you can't be engaging in a pattern of news distortion. We have a rule on the book that interprets a public interest standard that says news distortion is something that is prohibited. Likewise, we have a rule that addresses broadcast hoaxes. And so, again, over the years, the FCC has stepped back from enforcing it. And I don't think it's been to the benefit of anybody. Just look at the credibility of these legacy media. It's absolutely through the floor. They used to be able to say at least they were more trustworthy than Congress. But now they're even less trustworthy than Congress. And so I think as a business matter for them, something has to change. And at the FCC, you know, we need to reinvigorate this.

11. **Carr:** So again, there's actions that we can take on licensed broadcasters. And frankly, I think that it's really sort of past time that a lot of these licensed broadcasters themselves push back on Comcast and Disney and say, "Listen, we are going to preempt, we are not going to run Kimmel anymore, until you straighten this out. Because we, we licensed broadcaster, are running the possibility of fines or license revocation from the FCC if we continue to run content that ends up being a pattern of news distortion." So I think again, Disney needs to see some change here. But the individual licensed stations that are taking their content, it's time for them to step up and say, "This, you know, garbage, to the extent that that's what comes down the pipe in the future, isn't something that we think serves the needs of our local communities." But this sort of status quo is obviously not acceptable where we are.

12. **Johnson:** Yes, thank you, Mr. Chairman, for explaining it that way, because I don't think that a lot of people quite understand the regulatory nightmare that a company like Disney is under in a situation like this.

13. **Carr:** Well, we should get very serious about threats to children. Yeah, I mean, Disney's got a lot of trouble. I mean, look, we've launched—I don't know that we've talked about this publicly yet, but we have launched and are continuing to run an investigation into Disney for their DEI practices, for potentially violating the own FCC's equal employment opportunity rules. We've issued Disney a letter of inquiry on that. We've received some documents from them. Again, we haven't talked, I don't think publicly, about that before, but that is a very active investigation that's underway into Disney on that conduct.

14. **Carr:** And again, to your point, I mean, step back for a second. If the public interest means anything, if we're going to enforce this thing, I mean, just look at the number of hoaxes that have been run on the American people with the aid of a lot

of these broadcasters. You've got, you know, you've got this, you know, the whips at the border story. You've got Covington Catholic. You've got Jussie Smollett. You've got Hunter Biden's laptop. You've got Joe Biden—you've got fake stories about hospitals being overrun by ivermectin overdoses and therefore people dying of gunshots, mostly peaceful protests. I mean, the list goes on and on and on. And again, I think, whether it's the FCC through our public interest enforcement actions, whether it's as a business matter, these people need to sort of change course, or frankly, the fact, they're increasingly irrelevant, because President Trump has run right at them.

15. **Johnson:** A final question to you. Do you believe that what Jimmy Kimmel said rises to the level of news distortion?

16. **Carr:** Look, again, the FCC could be called upon to be an ultimate judge in that, but at this point, I think it's, you know, clear, it appears to be clear that you could make a strong argument that this is sort of an intentional effort to mislead the American people about a very core, fundamental fact to a very important matter. At the end of the day, if we do get called upon to cast a vote on this, Disney will have a chance to put in their arguments and explain it. But, you know, this is a very, very, you know, serious issue right now for Disney.

17. **Johnson:** Yes, thank you very much, Mr. Chairman.

18. **Carr:** Yep. Thanks so much, Benny.

[End of Transcript]

Source: https://www.youtube.com/watch?v=4dNxPINQdcs (The Benny Johnson Show, episode "Kash Patel Testifying LIVE Now on Charlie Kirk Assassin	Dark Texts With Trans Boyfriend Released...", guests FCC Chairman Brendan Carr, Mike Davis, and Rep. Eli Crane; Carr segment approx. 01:26:46–01:49:50 of 2h27m episode)
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Date: September 17, 2025

Note: The exchange above occurred at approximately 1:01 PM Eastern on September 17, 2025. Within approximately six hours, Nexstar announced it would preempt *Jimmy Kimmel Live!* "indefinitely" (6:18 PM), Disney/ABC announced the show was pulled (6:24 PM), and Sinclair followed suit (6:49 PM). At 7:00 PM, Chairman Carr posted to X: "I want to thank Nexstar for doing the right thing..." Benny Johnson reshared this interview after Kimmel's suspension with the caption "This is what got Kimmel fired. Right here. It's called soft power. The Left uses it all the time. Thanks to President Trump, the Right has learned how to wield power as well."

VIII. FCC Chair Brendan Carr on Fox News Hannity — Evening of Kimmel Suspension

[Begin Transcript]

1. **Hannity:** Now, President Trump, he did react to this news on Truth Social, writing in part, quote, "great news for America. The ratings challenge Jimmy Kimmel show is canceled. Congratulations to ABC for finally having the courage to do what had to be done. Kimmel has zero talent and worse ratings than even Colbert, if that's possible." Now, the left already starting with Humpty Dumpty, fake news, CNN, J.B. Pritzker, Gavin Newsom, predictably claiming this is conservative censorship. The MAGA crowd, Donald Trump got Jimmy Kimmel. That is false. I can't find a single prominent conservative voice in the country that even remotely wanted or hoped or was pushing to get Jimmy Kimmel taken off the air.
2. **Hannity:** And remember, this is what Brendan Carr said to podcaster Benny Johnson today, quote, "What people don't understand is broadcasters are entirely different than people who use other forms of communication. They have a license granted by us at the FCC. And what comes with it is an obligation to operate in the public interest." From my perspective, it's frankly amazing his show lasted this long. FCC chairman Brendan Carr is here now with the latest. Sir, welcome to the program. Can you explain that difference? Go into more detail.
3. **Carr:** Yeah, broadcasters are different than any other form of communication, including here. We're on cable right now. Fox News doesn't have an FCC license. CNN doesn't. But ABC, CBS, NBC, those broadcast stations do. And with that license comes a unique obligation to operate in the public interest. And over the years, the FCC walked away from enforcing that public interest obligation. I don't think we're better off as a country for it. But look, President Trump ran directly at these legacy broadcast outlets, and he exposed them to these market forces. And a lot of these affiliate groups said, to your point, we're tired of carrying this stuff.
4. **Carr:** Late night shows, something's gone seriously awry there. They went from going for applause—from laugh lines to applause lines. They went from being court jesters that would make fun of everybody in power to being court clerics and enforcing a very narrow political ideology. And Nexstar, as you noted, stood up and said, look, we have the license, and we don't want to run this anymore. We don't think it serves the interests of our community. Sinclair did the same thing. So there's more work to go. But I'm very glad to see that America's broadcasters are standing up to serve the interests of their community. We don't just have this progressive foie gras coming out from New York and Hollywood.
5. **Hannity:** And there are plenty of other platforms. I mean, I think he'd be a perfect fit, for example, at fake news CNN, considering he really didn't ever want to do a comedy show. He wanted to do a news show, you know, maybe a dose of what he thought was funny for a very limited, small audience. You know, what's interesting, Brendan Carr, as I look at the media landscape out there, I want to get your thoughts on this. Even the broadcast channels and the cable channels and

1 newspapers around the country, if you look back to the last election, they did
 2 everything to smear, slander, attack, besmirch Donald Trump day in and day out.
 3 The Department of Justice was weaponized under Biden and Harris. They threw
 4 everything they had at this man. And guess what? He's still won. And I said after
 5 the election that the legacy media died because if they had any impact, it's long
 6 gone. And I think they have lost the trust of the American people because of the
 7 very reason you're describing. Do you agree with that?

8 6. **Carr:** Yeah, look, I mean, President Trump ran against immense odds. These
 9 legacy media outlets threw everything at him, almost every single hoax imaginable,
 10 right? Biden is sharp as a tack, burying the Hunter Biden laptop story, the Russia
 11 collusion hoax. And most politicians would have just gone along with that narrative
 12 or not fought at all. But President Trump punched back. And when he did so, he
 13 was standing up for the American people that simply don't trust those outlets
 14 anymore. We at the FCC are going to enforce the public interest obligation. If
 15 there's broadcasters out there that don't like it, they can turn their license into the
 16 FCC. But that's our job. And again, we're making some progress now.

17 7. **Hannity:** Do you believe, based on the list that you just gave us, that broadcasters
 18 that had a particular agenda were trying to use the license that they were granted,
 19 not in the public interest, but to advance a political cause?

20 8. **Carr:** I think so.

21 9. **Hannity:** And is that an in-kind donation?

22 10. **Carr:** I think there's evidence of that. Look, running a narrow, partisan circus,
 23 whatever the public interest means, it's not that. And we are working to reinvigorate
 24 that. This action today by Nexstar and Sinclair, frankly, it's unprecedented. I can't
 25 imagine another time when we've had local broadcasters tell what we call a national
 26 programmer, like Disney, that your content no longer meets the needs and the
 27 values of our community. So this is an important turning point. And frankly,
 28 speaking of that, obviously, Charlie Kirk set out to change the country, to change
 29 the culture. And the results of his work are continuing to produce results. And that's
 30 a good thing.

31 11. **Hannity:** You know, I found the comments of Jay Leno, who I always thought
 32 was very funny. He took on all comers. He went after the left. He went after the
 33 right. He went after Republican presidents. He went after Democratic presidents.
 34 His goal was to be funny. And I always thought he was funny. And he raised the
 35 question when Colbert got fired, you know, why would you purposely alienate half
 36 of your potential audience by just being one-sided? I thought it was a great
 37 question. I'm not sure why some of these, quote, late night comedians that aren't
 38 really funny to me, why they didn't do it.

39 12. **Carr:** Yeah, I mean, you can't avoid ratings. At the end of the day, the market is
 40 going to be undefeated. And a lot of these corporations, Disney and Comcast, they
 41 had been protecting and frankly, subsidizing this content. Again, once President
 42 Trump smashed that facade, he gave a permission structure to local broadcasters to
 43 finally stand up. And when you're losing money, in the case of Colbert, reportedly

1 \$50 million, that's only going to go so far. And the same thing with Kimmel.
2 They're now facing the consequences of the choices that they made to appeal to a
3 very narrow audience. Again, you can do that. You can start a podcast. You can go
4 on YouTube. But if you're going to have a license from the FCC, we expect you to
5 broadly serve the public interest.

6 13. **Hannity:** Okay. We really appreciate your time. Brendan Carr. Thank you, sir.

7 [End of Transcript]

8
9 Source: <https://www.foxnews.com/video/6379717798112> (Fox News "Hannity," segment
10 "Something has gone 'seriously awry' with late-night shows, says FCC chair")

11 Date: September 17, 2025 (evening broadcast, hours after ABC's suspension
12 announcement)

13

IX. FCC Chair Brendan Carr's Concordia Summit Walkback — "Did Not Happen in Any Way, Shape or Form"

[Begin Transcript]

1. **Swift:** Welcome to the 15th Concordia Annual Summit. So glad that you are here, and Commissioner, I'm so glad that you're here.
2. **Carr:** Yeah, thanks so much. Thanks for having me. Means—it means a great deal.
3. **Swift:** You've got a lot going on, and you know, normally I like to ease in. We'd start with the life story and go from there. But I think we got to start with the elephant in the room, right? It's been quite a week and there are so many out there that are very, very focused on what's happened with Jimmy Kimmel, and I'd be remiss if I didn't hit this head on. Talk to us a little bit about what's transpired in the last week.
4. **Carr:** Yeah, let's—thanks so much for having me, great to be here. I guess first of all, I haven't seen this much interest in the work of the FCC since the great net neutrality repeal of 2017, where we were told that the FCC's work was going to result in the end of the internet. I think those claims have about as much factual basis as what we're seeing right now with Jimmy Kimmel. I mean, look, the reality is there's a lot of Democrats out there that are engaged in a campaign of projection and distortion. The distortion is they're completely misrepresenting the work of the FCC and what we've been doing. I saw there was a letter from some Senate Democrats that said the FCC threatened to revoke the license of Disney and ABC if they didn't fire Jimmy Kimmel. And that did not happen in any way, shape or form.
5. **Carr:** What we've been talking about, the FCC, is the unique role that the FCC plays with respect to broadcast TV. It's sort of hard to do a quick refresh or a primer for mass media on how broadcast law works, but broadcast television is fundamentally different than other forms of communication, including cable news and podcasts and people that sit there on their soapbox. And what happens at the FCC is when you have a broadcast license, there's conditions, there's a public interest standard which means you have to operate consistent with the public interest. And one of the things that the FCC has in our case law and our precedent is this concept of a news distortion complaint.
6. **Carr:** What I spoke about last week was that when concerns are raised about news distortion, there's a way—there's an easy way for parties to address that and work that out. And in the main, that takes place between local television stations that are licensed by the FCC and what we call national programmers like Disney. They work that out and there doesn't need to be any involvement of the FCC. Now, if they don't, there's a way that's not as easy, which is someone can file a complaint at the FCC and then the FCC by law, as set up by Congress, has to adjudicate that complaint. And what I've been very clear in the context of the Kimmel episode is the FCC and myself in particular have expressed no view on the ultimate merits—had something like that been filed, what our take would be one way or the other.

- 1 7. **Carr:** But one of the things that we're trying to do as a general matter at the FCC is
2 to empower local TV stations to serve the needs of local communities. Again,
3 you've got national programmers like Disney, like Comcast, like Paramount that
4 aren't licensed by the FCC that have no public interest obligation, and they provide
5 a lot of the primetime shows that the licensed TV stations put out over the air. And
6 what's happened over the years is that those national programmers have exerted
7 more and more control and pressure on the local TV stations. They don't feel like
8 they can push back on the national programmers even when they think there's some
9 content that they don't think, in their judgment—not my judgment, that their
10 judgment—makes sense for the local communities. What we saw here in the
11 reporting on this is very, very clear, is those local TV stations for the first time in a
12 long time stood up and said, "We don't want to run that program at least right now."
13 And the reporting has shown that Disney itself reached out to Kimmel and had
14 conversations with him, and it was a product of those conversations where Disney
15 on its own made the business decision not to have him air for some period of time.
- 16 8. **Carr:** But it's been projection as well because it's interesting, some of the very same
17 Democrats that are distorting what happened here actually did the thing that they
18 say happened in this instance. So for instance, you go back to 2018, there was a
19 whole bunch of Senate Democrats, including Senator Markey and others, that wrote
20 to the FCC about Sinclair, a local television broadcast station, and asked the FCC
21 to investigate them and to take action, including up to potentially revoking their
22 licenses. And we saw a whole raft of that weaponization during the Biden years. In
23 fact, during the Biden FCC, there was an unprecedented period of time—'21, '22,
24 '23, '24—where the FCC didn't renew virtually any license for Sinclair. That had
25 never happened before. You had members of Congress write letters to cable
26 companies pressuring them to drop Fox News, OAN, and Newsmax because they
27 believed that they were right-wing outlets. You had a Democrat prosecutor in
28 Baltimore who wrote the FCC asking us to investigate and take action against a
29 Sinclair TV station for covering allegations of her corruption.
- 30 9. **Swift:** Hear you loud and clear on that. I think you've broken this down very, very
31 clearly. But isn't there the perception of an environment because of some of the
32 settlements that have been negotiated and what these media companies have
33 done—to then, in the hopes—well, at least project could be projection. You tell me.
34 But aren't there examples that would lead someone to think that this is undue
35 pressure coming just done in a different way?
- 36 10. **Carr:** I don't think so. Again, if you step back, I've been clear going all the way
37 back to November of last year. I wrote a letter back then to Bob Iger, the head of
38 Disney, and I said that one of the things that we're trying to do is to re-empower
39 those local TV stations because I just think things have gone way out of balance
40 where the national programs have too much power. The local TV stations are sort
41 of on the receiving end of all that TV content that again I think they would have a
42 different perspective on what they want to run. But if you look at the facts, I think
43 they tell a very different story, but there are people that are interested in trying to
44 create a narrative that simply I don't think exists.

- 1 11. **Swift:** So then let's take a step back and look at the bigger picture here. Over the
2 next couple of years as you continue your chairmanship, what do you want to see
3 change fundamentally? What is it that you want to see change when it comes to
4 media of all forms in the United States? What's a win for you?
- 5 12. **Carr:** Yeah, I think—a very dynamic moment in media. When you step back,
6 you've got trust in sort of legacy media at an all-time low, right? For years they
7 could say at least trust in media was above trust in Congress. Now they've dipped
8 below trust in Congress. So something there I think needs to change. It's not my
9 view. You've got Jeff Bezos, you know, now taking over the Washington Post.
10 That's his view that something needs to change in legacy media. And I would hope
11 that that does take place.
- 12 13. **Swift:** How do you see the Jimmy Kimmel situations coming back again over and
13 over? Is this sort of the FCC falling into in-between key business decisions? How
14 are you going to navigate this, because it sounds like you're focused on all these
15 different pieces. You're trying to be a strong commissioner and chairman, of
16 course, but how are you going to navigate it if we're always talking specifically
17 about a certain media personality or a certain person?
- 18 14. **Carr:** Well, look, again, I think this comes back to where we started, which was a
19 lot of the distortion that's out there. I mean, Jimmy Kimmel is in the situation that
20 he's in because of his ratings, not because of anything that's happened at the federal
21 government level. And again, we're at this point in time where you can look at
22 Colbert as well, right? Colbert is sort of ending due to the reporting being—costing
23 over \$50 million to run that show.
- 24 15. **Swift:** Tough timing, though. I mean, it was so close to the settlement that was
25 done. And so you can probably appreciate the perception.
- 26 16. **Carr:** Well, the perception is always going to be there, I guess. But all we can do
27 is sort of lay out the facts. And the facts are very clear. You look at all the reporting
28 on this—these are business decisions that they've reached. And again, I think some
29 of this goes back to the idea that for a long time these legacy media outlets got to
30 have a monopoly on the narrative, on the messaging, and that has fractured. And so
31 if you're having a late night show nowadays, it's not getting the same ratings that it
32 did a long time ago. I think part of that is a lot of late night programs went from
33 going for laugh lines to going for applause lines. They went from being court
34 jesters that made fun of everybody—and people should, that's what comedy is
35 about, right? Make fun of Republicans, make fun of Democrats. But instead of
36 doing the court jester role, they became court clerics where they were enforcing a
37 very narrow sort of partisan view. And that's not for me ultimately to judge. That's
38 for the ratings and the audience to judge, and that's what we're seeing.
- 39 17. **Swift:** How do you square the distinction between kind of what we're talking
40 about in legacy media and some of the issues and challenges that you've referenced
41 in this conversation with social media that does present an avenue, a vehicle by
42 which people do hit misinformation, and also frankly hit some pretty dark themes?
43 What are you going to do about that?

1 18. **Carr:** Well, again, this is, I think, comparing broadcast TV with social media is
 2 important because it helps to highlight the distinction between the two. Broadcast is
 3 licensed, public interest. It's not a property right. You can lose a license if you're
 4 not operating in the public interest. Social media is entirely different. And again,
 5 my view there is we want wide open, robust debate. My view is that we should be
 6 empowering individual users of social media to control their own feed. I don't want
 7 any sort of centralized authority—whether it's, you know, government or a
 8 company—on social media deciding what is orthodox or what can be said.

9 [End of Transcript]

10

Source: https://www.youtube.com/watch?v=oSRkPO0zpP8 ("AI, Big Tech, and Protecting Liberty in the Digital Age")	2025 Concordia Annual Summit"; moderator Matthew A. Swift, co-founder and CEO of Concordia)
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11 Date: September 22, 2025

12

X. FCC Chair Brendan Carr Testifies Under Oath — "FCC Is Not an Independent Agency" (Senate Commerce Committee Oversight Hearing)

[Begin Transcript]

1. **Carr (opening statement):** Chairman Cruz, Ranking Member Cantwell, distinguished members of the Committee, thank you for the invitation to testify. It has been a busy and productive year at the FCC, with the agency focused on delivering great results for the country, so I welcome the chance to join with my Commission colleagues today and discuss the agency's important work. While this is not my first time testifying before the Committee, it is my first time appearing before you as Chairman of the FCC. So I want to thank President Trump for the honor of leading this exceptional agency.
2. **Carr (opening statement):** In terms of the FCC's work, the agency has been following President Trump's strong leadership and we've moved quickly to execute on an ambitious set of reforms. We're advancing a Build America Agenda, a concrete plan to unleash high-speed infrastructure bills, drive down prices for consumers, and restore U.S. leadership in wireless. We're reinvigorating the agency's consumer protection work, including new efforts to crack down on illegal robocalls. We're strengthening America's national security with work underway that tracks Senator Fischer and Senator Luján's leads on the FACT Act. And we're empowering broadcasters to meet their public interest obligations.
3. **Markey:** The media companies made their own decisions in preempting and suspending Kimmel. You seem to think that your words, the most powerful communications regulator in America, especially your threats, don't matter. So just to be clear, your position is that your mafia threats had nothing to do with Nexstar and Sinclair and Disney's decisions to preempt and suspend Kimmel. Is that your position? Is that your point—that you had nothing to do with the suspension of Kimmel?
4. **Carr:** Senator, if you look at the evidence, the express statements by every single company involved, from Nexstar to Sinclair to Disney, as recently as last week, is that they made these business decisions on their own. The record is clear on this.
5. **Markey:** And again, you're refusing to take accountability for your own words. You intimidate the companies. They do what you want. And then you say, "Well, it was up to them." You're the chairman of the Federal Communications Commission. Actually, you're now the chairman of the Federal Censorship Commission. And these broadcasters, they feel that censorship. You have broad authority over the media industry, especially broadcasters. Your words and actions matter. Now I'm going to give you another chance to take accountability for your actions. In 2022, you said, quote, "A newsroom's decision about what stories to cover and how to frame them should be beyond the reach of any government official, not targeted by them, by government officials." Do you stand by that statement?
6. **Carr:** This was a letter written by Senate, I'm sorry, House Democrats to cable companies pressuring them to drop Fox News, OAN, and Newsmax simply

1 because those Democrats thought they were right-wing. Do you stand by your
2 statement? Yes, I do. I think it's inappropriate what the Democrats did there.

3 7. **Markey:** Okay, good. I just want to get your own views out here on the record for
4 people to hear. So in February, under your leadership, the Federal Communications
5 Commission opened an investigation into a San Francisco radio station over its
6 coverage of a federal immigration raid. FCC investigation is a big deal for a local
7 station. In a worst-case scenario, the FCC could shut down the station by revoking
8 its license. In fact, you have repeatedly suggested over the past year that the FCC
9 could revoke station licenses. Yet this investigation was based solely on the news
10 content of the radio station's coverage of an immigration raid. So you're telling me
11 that reporting on statements from public officials and a community group is
12 grounds for an FCC investigation?

13 8. **Carr:** So the concern there in the report was that there may have been interference
14 with lawful ICE operations. And so we were asking questions about what
15 happened. This is a period of time, remember, when ICE agents were being
16 attacked, their locations—undercover locations—were being disclosed.

17 9. **Markey:** There is nothing in here that discloses anything. There's no risk to anyone
18 except the risk—and they can provide that to us. The risk that is posed here is to
19 you, to the broadcast journalist coverage. And that's what really happened. The
20 news journalists were just covering an important news story. And some
21 conservatives were upset by the coverage. So you used your power as FCC chair to
22 hang a sword of Damocles over a local radio station's head. And that's precisely
23 what you warned about in 2022—the government targeting a newsroom's editorial
24 decision. Well, guess what happened? The station demoted the anchor who first
25 read that news report over the air and pulled back on his political coverage. You got
26 what you wanted. One former journalist at the station said "chilling effect does not
27 begin to describe the neutering of our political coverage." That's what you wanted.
28 That's what you got. But it affected stations everywhere. So just let me say again,
29 the neutering of our political coverage—this is government censorship, plain and
30 simple. So was it a mistake in retrospect for you to say that, to instigate an
31 investigation of that San Francisco radio station? Was that a mistake?

32 10. **Carr:** Senator, if broadcasters understand, perhaps the first time in years, that
33 they're going to be held accountable to the public interest, to broadcast hoax rules,
34 to the news distortion policy, I think that's a good thing.

35 11. **Markey:** I don't have a poster board, but listen, in 2018 you signed this letter right
36 here to the FCC. You signed a letter to the FCC asking us to investigate Sinclair's
37 news activities. You said "investigate Sinclair's news activities." You know what
38 happened after that? Over 227 licenses were up for renewal or due during the Biden
39 years. Almost none of them were renewed after your letter. Your letter produced
40 the results that you were seeking.

41 12. **Markey:** All right, so I'll just finish, Madam Chair. He is turning the Federal
42 Communications Commission into the Federal Censorship Commission. It's a
43 betrayal of the FCC's mission. You should resign, Mr. Chairman. You are creating
44 a chilling effect on broadcast.

- 1 13. **Luján:** Chairman Carr, is the FCC an independent agency?
- 2 14. **Carr:** I can—I'm happy to answer your question.
- 3 15. **Luján:** Okay.
- 4 16. **Carr:** The *sine qua non* of independence is being removable by the president.
- 5 17. **Luján:** Chairman, I have a little bit of time. I'll get back to you, sir.
- 6 18. **Carr:** The FCC is not an independent agency, formally speaking.
- 7 19. **Luján:** Appreciate you saying that and being honest with the American people.
- 8 Commissioner Trusty?
- 9 20. **Trusty:** Senator, thank you for the question. The president is the chief executive
- 10 vested with all executive power in our government, and FCC commissioners are
- 11 not. We do not have for-cause removal protections, which means that we aren't
- 12 independent.
- 13 21. **Luján:** So is your website lying?
- 14 22. **Carr:** I can't speak to the website. I've not seen that.
- 15 23. **Luján:** You all are the commissioners in charge of this place, right? So this stuff
- 16 has to be approved by one of you. If this is lying, then you should just fix it. Let me
- 17 just say that. That wasn't even my gotcha question. I'm surprised that I've burned up
- 18 three minutes talking about this damn thing. Commissioner Gomez?
- 19 24. **Gomez:** Yes, and we should be.
- 20 25. **Luján:** I appreciate that. Well, Mr. Chairman, if I could just submit the printout of
- 21 the homepage of the FCC into the record. Map and says it's an independent agency,
- 22 and if it's not true, then change it?
- 23 26. **Cruz (Chair):** Without objection.
- 24 27. **Luján:** I appreciate that, sir. Chairman Carr, with that being said, does Congress
- 25 need to clarify that the FCC is an independent agency?
- 26 28. **Carr:** It's up to Congress to pass any legislation. The Constitution is clear that all
- 27 executive power is vested in the president, and Congress can't change that by
- 28 legislation.
- 29 29. **Luján:** Yes or no. Is it appropriate for the FCC to revoke broadcast licenses based
- 30 on the viewpoint of the licensee?
- 31 30. **Carr:** It's appropriate for the FCC to take action under our public interest standard
- 32 and hold broadcasters accountable to things like broadcast hoax, news distortion,
- 33 localism. Those are things that we should be taking action on and enforcing.
- 34 31. **Luján:** Commissioner Trusty, same question to you. Is it appropriate for the FCC
- 35 to revoke broadcast licenses based on the viewpoint of the licensee?
- 36 32. **Trusty:** Senator, my job is to enforce the law as it relates to broadcasters.
- 37 Broadcasters have public interest obligations, and it relies on a case-by-case basis.

As you know, the FCC does have the authority to revoke licenses and the conditions for which are spelled out in Section 312 of the Communications Act.

33. **Luján:** Commissioner Gomez?

34. **Gomez:** Absolutely not. The First Amendment applies to broadcasters regardless of whether they use spectrum or not. And the Communications Act prohibits the FCC from censoring broadcasters. We should not be revoking licenses based on their viewpoint. In fact, what we should be doing is ensuring more viewpoints, because if you don't like speech, the answer is more speech.

35. **Klobuchar:** I want to read you a quote here and see if you agree with it. "Congress long ago determined that the FCC is an independent expert agency." Is that correct or not?

36. **Carr:** Senator, there's been sort of a sea change in sort of the law and the approach since—I think I wrote that sentence, I'm assuming, since you gave it to me.

37. **Klobuchar:** Yes, you did. You said it in front of Congress.

38. **Carr:** Right. The view has been that the Communications Act was passed in 1934, one year before *Humphrey's Executor*. And so Congress did not include in the Communications Act for-cause removal of FCC commissioners. So I can be fired by the president for no reason or any reason at all. The theory had been that courts would read for-cause removal into the statute, and that was the basis for that viewpoint. I think now it's clear that that's not the case. And so formally speaking, the FCC isn't independent because we don't have that key piece, which is for-cause removal protection.

39. **Klobuchar:** So when you're talking about all power vesting the president, I mean, I just want to read this a little more because you're saying not just that it is an independent agency, but you're saying that Congress did not want these technical decisions to be made in a haphazard manner or based on misinformation or short-term political interests. You specifically said it placed the authority outside of the executive branch for a reason. So you were not just stating what was the law at the time, you were stating the benefit that comes with the independence. So I guess I'm just trying to get a sense from you. If you don't think that the FCC is independent, then is President Trump your boss?

40. **Carr:** President Trump has designated me as chairman of the FCC. I think it comes as no surprise that I'm aligned with President Trump on policy. I think that's why he designated me as chairman.

41. **Klobuchar:** Do you consider him your boss?

42. **Carr:** Ultimately, the—well, President Trump designated me as chairman. I can be fired by the president. The president is the head of the executive branch.

43. **Klobuchar:** So he's your boss?

44. **Carr:** Look, the decisions of the commission are going to be based on a vote of the three of us right here. So there are some things that are different about that. And our decisions are going to be based on the facts and the law and the record.

1 45. **Klobuchar:** You swore an oath when you came into your job, right? Does the oath
2 have the word president in it?

3 46. **Carr:** Senator, again, I'm not tracking this line. What I'm saying is every
4 decision—

5 47. **Klobuchar:** Do you remember the oath that you took? You swore an oath to
6 protect what?

7 48. **Carr:** Every single decision—

8 49. **Klobuchar:** What is it that you're protecting?

9 50. **Carr:** In this job, we're based on the—

10 51. **Klobuchar:** The Constitution of the United States.

11 [End of Transcript]

12
13 Source: <https://www.youtube.com/watch?v=4fmpNh9nyWU> (PBS News livestream of
14 Senate Commerce, Science, and Transportation Committee oversight hearing of the
15 Federal Communications Commission); C-SPAN record at [https://www.c-](https://www.c-span.org/program/senate-committee/federal-communications-commission-oversight-hearing/668892)
16 [span.org/program/senate-committee/federal-communications-commission-oversight-](https://www.c-span.org/program/senate-committee/federal-communications-commission-oversight-hearing/668892)
17 [hearing/668892](https://www.c-span.org/program/senate-committee/federal-communications-commission-oversight-hearing/668892)

18 Date: December 17, 2025

19 Note: Shortly after Chairman Carr's testimony disclaiming FCC independence, the word
20 "independent" was removed from the FCC's official website homepage mission
21 statement. Numerous news outlets noted that Chairman Carr had himself described the
22 FCC as "independent" in public statements as recently as April 2021.

XI. Network News Coverage of FCC Chair Brendan Carr's Broadcast License Threats Over Iran War Coverage

[Begin Transcript]

1. **Anchor:** President Trump is endorsing a new warning from his FCC chairman aimed at broadcasters over the coverage of the president's war with Iran. FCC Chair Brendan Carr threatened to revoke their licenses over the coverage, accusing the media of running what he called hoaxes and news distortions related to the war without evidence, saying, quote, "The law is clear. Broadcasters must operate in the public interest and they will lose their licenses if they do not." To be clear, the FCC licenses broadcast stations, but not the networks. President Trump quickly backed Carr and falsely accused outlets of coordinating with the Iranian government to spread falsehoods, going so far as to say that outlets should be, quote, "brought up on charges for treason for the dissemination of false information." Let's discuss with MS NOW senior White House reporter Vaughn Hillyard and NPR media correspondent David Folkenflik. Vaughn, these latest threats from the administration drew bipartisan criticism. Here's Senator Ron Johnson.
2. **Sen. Ron Johnson (R-Wisc., audio clip):** I'm a big supporter of the First Amendment. I do not like the heavy hand of government, no matter who's wielding it. So, no, I'd rather the federal government stay out of the private sector as much as possible. And really, the federal government's role is to protect our freedoms, protect our constitutional rights.
3. **Anchor:** So that is a staunch Republican ally of President Trump, and that's how he sees it. What specifically is the White House so upset about, Vaughn?
4. **Hillyard:** Right. We should be clear—people like Ted Cruz have also spoken out against Brendan Carr's rhetoric and threats in the past as related to late night television hosts, for example, and Jimmy Kimmel. But when it comes to why in this White House, it's one person. It's Donald Trump, the President of the United States, who in a social media post this weekend said he is, quote, "thrilled by Brendan Carr's threat to not renew licenses of these broadcast stations" here. And it has to do with the fact that the president wants greater control over the news narrative about his policy decision-making. And this comes at a moment in time in which, over the course of the last two weeks since he moved forward with the Iran military operation, there have been a litany of stories questioning the U.S. negotiators who are involved in the nuclear negotiation diplomatic talks that ultimately led to Donald Trump calling for the military operation to go forward and have called into question what the long-term strategy is of Donald Trump in this White House. The type of headlines that have really brought the ire of Donald Trump and led to this moment here where he now has the FCC chair effectively threatening news organizations if they don't provide a better narrative around the Iran war, then they could potentially lose their broadcast stations or at least threaten to have the FCC revoke them.

- 1 5. **Anchor:** David, Carr says, "the law is clear—broadcasters must operate in the
2 public interest, and they will lose their licenses if they do not." Isn't reporting the
3 facts of the war in the public interest?
- 4 6. **Folkenflik:** I mean, yes, evidently. That is absolutely why the broadcast networks
5 really leaned heavily upon news coverage so many decades ago when television
6 news was still evolving. To point to it as a public service as a way of justifying why
7 they would have, for their local stations, these free grants of these licenses to
8 operate in those markets. You know, they're also First Amendment issues here, as
9 Senator Johnson raised. You know, it would very much be likely that these would
10 be things that were challenged in court if they came to pass. But let's look at the,
11 you know, on paper, this is—these are empty threats. And yet there's something
12 more serious behind it, as I think Vaughn nicely laid out a moment ago.
- 13 7. **Folkenflik:** You know, on paper, as you point out, you can't challenge the
14 networks. You challenge the local stations. Some of the networks do own local
15 stations, but most stations are not owned by those networks. The three outlets that
16 drew the ire of President Trump and also Defense Secretary Pete Hegseth were The
17 New York Times, The Wall Street Journal, and CNN. The New York Times and its
18 parent company own no television stations. The Wall Street Journal does not hold a
19 license to operate, right? But its ultimate owners, Rupert and Lachlan Murdoch, do
20 own Fox stations. So in some ways that could be a threat, except the Murdochs are
21 such close allies of the president in this White House, would never happen.
22 Separately, you have the question of CNN. That's not even a broadcast network.
23 That's a cable network, not regulated, like the network we're on at the moment. It is
24 about to be bought by the Ellisons, Larry and David Ellison. They do own local
25 stations at CBS, but again, they've allied themselves carefully and assiduously with
26 this White House, even as they say the editorial processes—newsrooms—would
27 operate independently. It would seem unlikely they would use that to block
28 relicensing of the CBS stations that they hold.
- 29 8. **Folkenflik:** So what are we really talking about? This is a moment where Brendan
30 Carr, who's supposed to operate as head of the FCC, the Federal Communications
31 Commission, somewhat removed from the White House and partisan politics, he's
32 operating hand in glove with the White House and signaling as closely as he can his
33 MAGA identity as anyone else in a way that he never did during Trump's first term,
34 though he was at the FCC at the time then, too. And what you're seeing is an effort
35 to, I think, not only try to affect the coverage that emanates from major news
36 outlets, but even the questions that are being posed at a time of war, inconvenient
37 and difficult questions. And they are trying to signal not only to those news
38 proprietors that seek to be entirely independent of political pressure, but those that
39 seek to be somewhat aligned with the White House, that they are not going to let
40 variants from the kinds of coverage they want to slip by unnoticed. They want to
41 pressure the outcome.
- 42 9. **Anchor:** Freedom of the press has been such a huge underpinning of the democracy
43 in this country, right, in order to hold people in power accountable, to be that
44 government watchdog. Yet this is the latest from a string of controversial moves
45 from this FCC chair that seems to try to squash or quash the freedom of the press.

Since taking up the job, he opened an inquiry into Kamala Harris' 60 Minutes interview. He ordered investigations into NPR and PBS sponsorships. He's threatened to pull ABC's license over Jimmy Kimmel's Charlie Kirk monologue, and he pressured ABC's affiliates to take him off the air. He opened up another probe into The View just last month. David, what does this tell you about how Brendan Carr sees his role?

10. **Folkenflik:** It's an extremely activist and muscular interpretation of the authority of the FCC to get involved in the weeds of what's said—you know, sort of almost actively encouraging certain kinds of complaints to come in, giving him the leverage to act and to investigate and to review, holding stations very much accountable for what their parent networks or their affiliated networks do, and really getting into the questions that have been left alone and treated in a more laissez-faire way for decades, getting into, as you point out, late night, getting into the kinds of interviews that are being done there, getting into daytime television in a way where there were easements from certain kinds of requirements for equal time during election seasons. And you can argue there may be good principles involved about wanting to make sure certain kinds of coverage is fair and is fair to all sides. And at the same time, you're seeing an intervention in terms of the ability of these news outlets to operate without political interference from some of the highest officials in the land.

11. **Folkenflik:** All of this stuff that I say could be subject to legal challenges, but when corporate owners have so many interests in front of the government, in certain cases, so many contracts with the government, oftentimes they will ease back on challenging this administration in court because they have greater interests at play. And that's really, I think, the dynamic that we're seeing at the moment. It's a slippery slope.

12. **Anchor:** Thank you so much, David Folkenflik, Vaughn Hillyard. Appreciate the conversation, guys.

[End of Transcript]

Source: <https://www.youtube.com/watch?v=cD7ngCnJ1HE> (news segment, "FCC chair threatens broadcasters' licenses over Iran war coverage"; on-air commentary by MS NOW senior White House reporter Vaughn Hillyard and NPR media correspondent David Folkenflik; Sen. Ron Johnson audio clip inset)

Date: March 16, 2026 (broadcast coverage of Chairman Carr's March 14–15, 2026 statements)

Related primary source: Chairman Carr's contemporaneous X post: "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."

1 Related primary source: Chairman Carr's CBS News exclusive interview, March 15,
2 2026: "People have gotten used to the idea that, you know, licenses are some sort of
3 property right, and there's nothing you can do that can result in losing their license. I try
4 to sort of help reorient people that, no, there is a public interest, and broadcast is
5 different." — Available at: [https://www.cbsnews.com/news/fcc-chair-brendan-carr-says-](https://www.cbsnews.com/news/fcc-chair-brendan-carr-says-broadcast-licenses-not-a-property-right/)
6 [broadcast-licenses-not-a-property-right/](https://www.cbsnews.com/news/fcc-chair-brendan-carr-says-broadcast-licenses-not-a-property-right/)

7

**XII. FCC Chair Brendan Carr at POLITICO AI & Tech Summit — The Day
Before the Kimmel Jawboning**

[Begin Transcript]

1. **Burns:** Well, thank you so much, Commissioner Carr, for being here. We try to have some fun at these events. I do want to start on a pretty dead serious subject. You're obviously one of the big voices in the country on questions of content moderation and media platforms and social media platforms. That conversation has exploded in a whole new way since the murder last week of Charlie Kirk. Utah Governor Spencer Cox described social media as a cancer and said that social media had played a direct role in every single assassination attempt over the last five or six years. I wonder what you make of that statement, whether you see any truth in that.
2. **Carr:** Well, obviously to start, you know, my thoughts and prayers with Charlie Kirk and his family, and I think it's really sort of a heavy loss for so many of us that knew Charlie personally. Charlie was somebody that always looked out for people that were starting out in their career, always encouraged people. I can't really add to some of the great things that people have said about him, but a real tragic, shocking loss for the country. And clearly we need a change of direction on some of these issues when it comes to social media.
3. **Carr:** I think you can look at it through a couple of different phases. You know, we had sort of this early phase of social media where it was very libertarian, very much towards free speech. And I think we saw a really dangerous bent towards censorship, particularly during COVID. Anytime you have a situation in which there's an increase in government control, you necessarily see a decrease in free speech, because the two of those are counterweights. And I've been really pleased, frankly, over the last couple of years, where a lot of social media companies have embraced or re-embraced the idea of free speech online. I think Elon Musk and X had a great deal to do with that. I was pleased to see Mark Zuckerberg and Facebook join him, but clearly there's more we can do. I think my view at the end of the day is we need to empower individual users to be making their own content moderation decisions — who to follow, who not to follow — give them the tools to curate their online experience.
4. **Burns:** Can I push you a little bit further on that? Last week, immediately after the assassination, this ultra-graphic, ultra-violent video of a 31-year-old man being killed was basically impossible to escape on X. Is the platform that I use the most, right? It was just in your face all the time. That's true for adult users; that's true for minors. Is there a role for content moderation on that kind of material where it's not ideological content, it's not left-right bias? It is just, "do you want to see a man lose his life in the most appalling way?"
5. **Carr:** Well, look, I don't think it's so much that the video was horrific and violent. I think it was the act itself that was horrific and violent. And again, I think we should

1 be giving people, individuals, the tools to curate their own feeds and be in control
2 of what it is that they want to see.

3 6. **Burns:** There's been conversation in the last couple of days, including from the
4 Attorney General, of the notion of hate speech, the notion of extremist speech on
5 online platforms. Do you think there are any guardrails that should be put up
6 around content that's by nature incitement to violence — not ideological in a sort of
7 conventional left-right sense, but by any measure radical and extreme? Is there a
8 way to do that that doesn't then get into the kind of thought-policing that you worry
9 about?

10 7. **Carr:** Yeah, I think you can draw a pretty clear line, and the Supreme Court has
11 done this for decades. Our First Amendment, our free-speech tradition, protects
12 almost all speech. But there are certain categories of posts, of content, that are
13 unprotected by the First Amendment. Those are things like incitement to violence.
14 There are things like fighting words. I think what the Attorney General said today,
15 including a post I saw this morning, is that when you have speech, whatever broad
16 category it is, that is itself incitement to violence or fighting words, that is speech
17 that's not protected by the First Amendment. In fact, there's existing laws on the
18 books that deal with that. And so I think that's potentially a relatively small
19 category of speech. But yeah, incitement to violence is not protected.

20 8. **Burns:** You've in the past, and the recent past, talked about revisiting Section 230
21 and the responsibility of these platforms. I wonder whether that strikes you as any
22 more urgent today in view of what happened last week?

23 9. **Carr:** Well, at the end of the day, I think Section 230 does a couple things. Some
24 things it does very well; some things there's a lot more question marks about it. If
25 you step back, there's two main components of Section 230. Section 230(c)(1),
26 effectively in my view, says if you leave someone else's speech up, you're not liable
27 for that content if it happens to be libelous or tortious in any way. I think that's a
28 generally a good provision. It's what I call a pro-speech provision. It encourages
29 people to post and to express themselves.

30 10. **Carr:** On the other hand, you have this provision (c)(2) that's been read by the
31 courts as giving broad immunity to all sorts of content moderation and censorship.
32 And I think that's where, over the years, we saw a lot of abuses. You saw individual
33 Americans participating in the digital town square that were getting censored
34 purely for protected First Amendment speech, for diversity of viewpoints on
35 religious or medical issues. And so what I'm pleased to see is that, to some extent,
36 there's been a course correction within the social media community, and I think
37 you're seeing a lot less of that type of speech. And so I think the debate around
38 Section 230 is still live, but I think given the changes that we're seeing on social
39 media, I think right now for my part I'm in more of a trust-but-verify posture.

40 11. **Burns:** So then, when you come back to Governor Cox for a second: the notion
41 that these companies bear responsibility for violent acts towards political figures
42 and other public figures — do you agree with that?

12. **Carr:** Well, again, I think that is a conversation that is wrapped up into the scope of Section 230 in terms of whether they're ultimately liable. Again, when you step back and look at the different sort of categories of speakers that are out there — one way to think about it is we have broadcasters at the FCC, and broadcasters are very uniquely positioned when it comes to speech because they have a license by the federal government, and that license to the broadcaster means no one else. We are excluding other people from being able to use that microphone by licensing that speaker, and as a result of that they are in a different position because they have a public interest obligation, and they have to serve the needs of their local communities. And I think over the years the FCC has stepped back from enforcing the public interest standard on broadcasters. I don't think we're better off for it. I certainly don't think we're hewing to the intent of Congress when it passed the law.
13. **Carr:** And so one thing we're trying to do at the FCC is to reinvigorate the public interest standard and make sure that broadcast is responsive. I think one way that that's gone off the rails is you have individual local TV stations — they're the ones with the license — and then over top of them you have this category we call national programmers. So Disney ABC, Comcast NBC. Increasingly over the years, those national programmers are effectively exercising more and more control over the local TV station. I don't think that's good. So we're running an agenda at the FCC, and there's very specific things we're doing that's designed to empower local broadcasters and, to some extent, constrain the power of the national programmers.
14. **Burns:** Because you mentioned broadcasters, do you worry at all that the tools that you are asserting now in terms of the public interest standard and broadcast licenses — that a future commissioner — I hate to break it to you, you will not be FCC chair forever — but do you worry that in a future where you have a President Gavin Newsom, that that standard would then be used in a way that would make you deeply uncomfortable?
15. **Carr:** You know, what we're doing right now at the FCC is we are applying the agency's case law and precedent. We're a place that operates by this body of law that's created by the agency. If you look back over the last four years, we are simply following the lines that have been created. Back a couple years ago during the Biden years, there was a local Fox TV station that had their license renewal coming up. It was a fairly routine renewal in that circumstance. But the Biden FCC decided to take that off of the renewal track, put out for public comment to revoke potentially — not renew that license — and then sort of held that renewal outstanding all the way through the election, and then it was in January of '25 that they finally [resolved it].

[End of Transcript]

Source: <https://www.youtube.com/watch?v=3Jq8uzREtXw> (POLITICO 2025 AI & Tech Summit, "Full Interview with FCC Chair Brendan Carr"; moderator Alex Burns, Senior Executive Editor, North America, POLITICO)

1 Date: September 16, 2025

2 Note: Chairman Carr's remarks on this stage occurred approximately twenty-four hours
3 before his September 17, 2025 appearance on the Benny Johnson podcast (§ VII above).
4 On September 16, Chairman Carr repeatedly emphasized that "we need to empower
5 individual users to be making their own content moderation decisions" and warned
6 against "government control" producing "a decrease in free speech." On September 17 at
7 approximately 1:01 PM ET, Chairman Carr told Benny Johnson that "we can do this the
8 easy way or the hard way" with respect to broadcaster conduct concerning Jimmy
9 Kimmel's monologue. ABC, Nexstar, and Sinclair suspended *Jimmy Kimmel Live!* within
10 approximately six hours of the Benny Johnson podcast statement.

11

XIII. Stephen Colbert Reveals CBS Lawyers Prohibited the James Talarico Interview — The Late Show (Chilling-Effect Testimony)

[Begin Transcript]

1. **Colbert:** And coming up, stick around for my guest this evening. Jennifer Garner will be here. What a joy. Always, Jennifer Garner. And you know who is not one of my guests tonight? That's Texas State Representative James Talarico. He was supposed to be here, but we were told in no uncertain terms by our network's lawyers, who called us directly, that we could not have him on the broadcast. Then, then I was told in some uncertain terms that not only could I not have him on, I could not mention me not having him on. And because my network clearly doesn't want us to talk about this, let's talk about this.
2. **Colbert:** You've probably heard. So you might have heard of this thing called the equal time rule. Okay? It's an old FCC rule that applies only to radio and broadcast television, not cable or streaming, that says if a show has a candidate on during an election, they have to have all that candidate's opponents on as well. It's the FCC's most time-honored rule, right after "no nipples at the Super Bowl." There's long been an exception for this rule, an exception for news interviews and talk show interviews with politicians. Now, that's crucial. How else were voters supposed to know back in '92 that Bill Clinton sucked at saxophone?
3. **Colbert:** But on January 21st of this year, a letter was released by FCC Chairman and smug bowling pin Brendan Carr. In this letter, Carr said he was thinking about dropping the exception for talk shows because he said some of them were motivated by partisan purposes. Well, sir, you're Chairman of the FCC, so FCCU. Because I think you are motivated by partisan purposes yourself. Sir, you smelt it because you dealt it. You are Dutch-ovenning America's airwaves.
4. **Colbert:** Let's just call this what it is. Donald Trump's administration wants to silence anyone who says anything bad about Trump on TV because all Trump does is watch TV. Okay? He's like a toddler with too much screen time. He gets cranky and then drops a load in his diapers. So it's no surprise that two of the people most affected by this threat are me and my friend Jimmy Kimmel. When this letter dropped, we both talked about the letter on air, and then later, Carr defended it like this.
5. **Carr (clip):** If Kimmel or Colbert want to continue to do their programming and they don't want to have to comply with this requirement, then they can go to a cable channel or a podcast or a streaming service, and that's fine.
6. **Colbert:** Great idea. Man whose job is to regulate broadcast TV suggests everyone just leave broadcast TV. It's like when Arby's changed their slogan to "Arby's — would it kill you to eat a salad?" Anyway, I decided to take Brendan Carr's advice. I am going to interview James Talarico tonight, but it's not going to be on *The Late Show*. It's going to be on *The Late Show's* YouTube page. The network says I can't give you a URL or a QR code, but I promise you, if you go to our YouTube page, you'll find it.

- 1 7. **Colbert:** Now, Carr here claims he's just getting partisanship off the airwaves, but
 2 the FCC, as I said, is also in charge of regulating radio broadcasts. And what would
 3 you know? Brendan Carr says right-wing talk radio isn't a target of the FCC's equal
 4 time notice. No, no, I get this part. It makes sense. You can't get rid of talk radio.
 5 What else would your angriest uncle do in traffic? Talk to your saddest aunt?
- 6 8. **Colbert:** Now, as I said, at this point he's just released a letter that says he's
 7 thinking about doing away with the exception for late night. He hasn't done away
 8 with it yet, but my network is unilaterally enforcing it as if he had. But I want to
 9 assure you, ladies and gentlemen, please, I want to assure you, this decision is for
 10 purely financial reasons.
- 11 9. **Colbert:** And this doesn't just affect interviews. The rules forbid any candidate
 12 appearance, including by voice or picture. That's right. I am absolutely not allowed
 13 to show a photo of Texas State Representative James Talarico. Because that's not
 14 him. That's a stock photo we found when we Googled "not James Talarico." Heck,
 15 I'm not even — and this is true — I'm not even allowed to show you a drawing of
 16 him, okay? Which is why I cannot show you what I'm drawing out of fear that
 17 James Talarico looks like Snoopy.
- 18 10. **Colbert:** Carr is not joking around here, folks. He is serious. He is as serious as
 19 the season cliffhanger of *Matlock*. Okay, because a couple of weeks ago, on Carr's
 20 orders, the FCC opened an investigation into ABC's *The View* after their James
 21 Talarico interview. That is absolutely shocking. James Talarico did *The View*
 22 before my show? At two, Whoopi? So I cannot show you any form of James
 23 Talarico. I can't interview James Talarico. I can't show any pictures of James
 24 Talarico. I'm not even sure I can say the words "James Talarico." But what I can
 25 show you is what we always show when we have to pull material at the last minute.
 26 This tasteful nude of Brendan Carr. We'll be right back with Jennifer Garner.

27 [End of Transcript]

28
 29 Source: <https://www.youtube.com/watch?v=oh7DPSP65JA> ("Why CBS Didn't Broadcast
 30 Stephen Colbert's Interview With James Talarico," official @ColbertLateShow YouTube
 31 channel)

32 Date: February 16, 2026 (broadcast); February 17, 2026 (YouTube upload)

33 Note: This monologue is the direct on-air account by a broadcaster of corporate legal
 34 counsel intervention attributable, per the broadcaster's own statement, to a January 21,
 35 2026 letter from FCC Chairman Brendan Carr reinterpreting the equal-time rule
 36 exception for news and talk-show interviews. Mr. Colbert specifically states that CBS's
 37 legal counsel called *The Late Show*'s staff "directly" and told them "in no uncertain
 38 terms" that Representative Talarico could not appear on the broadcast — and,
 39 additionally, "that not only could I not have him on, I could not mention me not having
 40 him on." The evidentiary weight of this statement for First Amendment jawboning
 41 analysis under *NRA v. Vullo*, 602 U.S. 175 (2024), is set forth in Exhibit A-2's
 42 introductory matter.

1

XIV. Stephen Colbert Rebuts CBS's Public Statement and Documents Corporate Capitulation — The Late Show (Next Day)

[Begin Transcript]

1. **Colbert:** Folks, there's another big story today that I never got to over in my monologue, and it's me. Hang in there, buddy. You see, here's what happened. Last night, I talked to Texas Senate candidate James Talarico, but it wasn't on the show. We put the interview on our YouTube channel because of something called the "equal time rule," and that rule says that if a show on broadcast television has a qualified candidate on during an election, they have to offer equal time to all that candidate's opponents.
2. **Colbert:** It's a pretty famous rule, but here's the thing. There has long been a very famous exception to that rule, and that exception included talk shows, interviews with politicians. We looked, and we can't find one example of this rule being enforced for any talk show interview, not only for my entire late-night career, but for anyone's late-night career going back to the 1960s. But on January 21, we heard from FCC Chairman Brendan Carr, seen here testifying how to "purple a nurple." Carr, you see, he issued a letter saying he was thinking about getting rid of that talk-show exception. He had not gotten rid of it yet, but CBS generously did it for him and told me unilaterally that I had to abide by the equal time rules, something I have never been asked to do for an interview in the 21 years of this job.
3. **Colbert:** Now, that decision, I want to be clear, is their right. Just like I have the right to talk about their decision on air. Last night I did, and people who interview politicians for a living noticed. Anyway, I said my piece last night. We made some jokes. It's what they pay me for. And I was ready to let the whole thing go. Until a few hours ago, when my group chat blowed up, because without ever talking to me, the corporation put out this press release, this statement.
4. **Colbert:** Now, this is a surprisingly small piece of paper, considering how many butts it's trying to cover. In it, they say: *"The Late Show was not prohibited by CBS from broadcasting the interview with Representative James Talarico. The show was provided legal guidance that the broadcast could trigger the FCC equal-time rule for two other candidates, including Representative Jasmine Crockett, and presented options for how the equal time for other candidates could be fulfilled. The Late Show decided to present the interview through its YouTube channel with on-air promotion on the broadcast rather than potentially providing the equal time options."*
5. **Colbert:** Now, clearly, this statement was written by — I'm guessing — four lawyers. Now, I'm not a lawyer, and I don't want to tell them how to do their jobs. But since they seem intent on telling me how to do mine, here we go. Fellas, I am well aware that we can book other guests. I didn't need to be presented with that option. I've had Jasmine Crockett on my show twice. I could prove that to you, but the network won't let me show you her picture without including her opponents, so

I'll just — I'll have to show you this picture of Donald Trump and Jeffrey Epstein instead. They made me do it. I didn't want to.

6. **Colbert:** So, we obeyed our network and put the interview on YouTube, where it's gotten millions of views. And I can see why. Talarico's an interesting guy. I don't know whether he should be the senator, but it was a good discussion. I wish we could have put it on the show, where no one would have watched it.

7. **Colbert:** But here's where I do want to tell the lawyers how to do their jobs. They know damn well that every word of my script last night was approved by CBS's lawyers, who, for the record, approve every script that goes on the air, whether it's about equal time or this image of frogs having sex. That's a true story — but for another time. Very specifically — and this has never — in fact, between the monologue I did last night and before I did the second act talking about this issue, I had to go backstage. I got called backstage to get more notes from these lawyers. Something that had never, ever happened before. And they told us the language they wanted me to use to describe that equal-time exception. And I used that language.

8. **Colbert:** So, I don't know what this is about. For the record, I'm not even mad. I really don't want an adversarial relationship with the network. I've never had one. As I said last night in my interview with James Talarico — check it out, it's on YouTube, it's pretty good — I said to him, I am grateful to have worked for CBS for the last 11 years and worked with George and David and Amy and everyone at the network. The Sheldons of every age. The Matlocks of every sex. I'm just so surprised that this giant global corporation would not stand up to these bullies. Come on, you're Paramount. No. No. No. You're more than that. You're Paramount Plus. Plus what? I guess we're all going to find out pretty soon.

9. **Colbert:** And for the lawyers to release this without even talking to me is really surprising. I don't even know what to do with this crap. Oh, hold on. We'll be right back with Kaitlan Collins.

[End of Transcript]

Source: https://www.youtube.com/watch?v=OQIljje2B_Q ("Why Everyone's Talking About Stephen Colbert, CBS, The FCC And James Talarico," official @ColbertLateShow YouTube channel)

Date: February 17, 2026 (broadcast); February 18, 2026 (YouTube upload)

Note: This transcript documents a broadcaster's on-air testimony (a) that backstage legal counsel meetings during live-broadcast production are not part of the normal script-review process at *The Late Show* — "something that had never, ever happened before" in twenty-one years of the show's production; (b) that CBS's public statement disputing his initial account was issued "without ever talking to me"; and (c) that Paramount's capitulation to what Mr. Colbert characterizes as "bullies" has occurred while Paramount pursues a hostile tender bid for Warner Bros. Discovery requiring federal regulatory

1 approval. Paramount Skydance had earlier (July 2025) secured FCC approval for its
2 merger with Skydance Media through commitments including a two-year "bias
3 ombudsman" at CBS News — commitments described in § VIII of the integrated record
4 and § XII of the research memorandum at
5 0_workspace/2_essential_integration/BRENDAN_CARR_FCC_FREE_SPEECH_AND_CO
6 RRUPTION_RESEARCH_20260423.md.

7

**XV. FCC Chair Brendan Carr Confirms Enforcement Proceedings Against ABC's
The View — Fox News Ingraham Angle**

[Begin Transcript]

1. **Ingraham:** Okay, it's driving the left absolutely mad. They cannot stand the fact that Trump is chalking up win after win. There was more phenomenal news on the economy today. Industrial production, most in nearly a year. Who was predicting that a year ago? No one. Of course, more bad hombres being pulled off the street. Great work by a great cabinet. So what do they do? What do the Democrats do? They create fake controversies. And a gold medalist in that event, Stephen Colbert.
2. **Colbert (clip):** You know who is not one of my guests tonight? That's Texas State Representative James Talarico. He was supposed to be here, but we were told in no uncertain terms by our network's lawyers who called us directly that we could not have him on the broadcast.
3. **Ingraham:** Okay, so classy. They said I paid him tens of millions of dollars. Okay. Of course CBS is denying all of this, saying it just gave the show guidance that the interview could trigger an FCC equal-time rule. But Colbert is sticking to his stunt — I mean, story — and accusing the network of caving to so-called bullies in the Trump administration. Chief among them, my next guest, FCC Chairman Brendan Carr.
4. **Colbert (clip):** You're Chairman of the FCC, so FCCU. Let's just call this what it is. Donald Trump's administration wants to silence anyone who says anything bad about Trump on TV because all Trump does is watch TV.
5. **Ingraham:** Predictably, his friends in the media turn this into a full-blown authoritarian fever dream.
6. **Unidentified clip:** There is an attempt here to silence voices that are critical of the Trump administration. The first thing authoritarian regimes do is get rid of media, target journalists and comedians and artists that criticize them.
7. **Ingraham:** She's literally saying that on a network criticizing Trump. It makes no sense. Here with me exclusively is FCC Chairman Brendan Carr, the man of the moment. Mr. Chairman, set the record straight. What happened? You're censoring people over there now? You're on the verge of going after CBS?
8. **Carr:** President Trump has been so far ahead of the curve on so many issues, as you noted — on the economy, on border security, and perhaps nowhere else when he called out the legacy media for being fake news. Yesterday, the American people got to see that on full display. It's why people have more trust and faith in gas station sushi today than they do in the legacy news media. This was Democrat-on-Democrat violence. CBS was very clear that Colbert could run the interview that he wanted with that political candidate. They just said, you may have to comply with equal time, which would have meant potentially giving airtime to Jasmine Crockett and another candidate. But instead of doing that, they claimed that they were

1 victims. This was all about a political candidate trying to get attention and clicks.
2 And the news media ran with it like lemmings. They just ate it up.

3 9. **Ingraham:** Would you have gone after them for violating the equal-time rule, as
4 Colbert said?

5 10. **Carr:** What we've said, as we've been very clear, is that broadcasters have a
6 unique right and privilege — a license. And one thing they have to do is comply
7 with the equal-time rule.

8 11. **Ingraham:** But complying with equal time would have meant — when has that
9 been enforced? When's the last time that's been enforced? I used to work for CBS
10 many, many years ago.

11 12. **Carr:** It's been a while, but complying would mean more airtime for more
12 Democrats to say whatever it is that they want. And the equal-time rule at its core is
13 about stopping legacy media from picking winners and losers in elections, so that
14 the American people can decide. And perhaps Colbert and other establishment
15 Democrats want to put the thumb on the scale in this Democrat primary for one
16 candidate over the other? I don't know, you'll have to ask them. But we're going to
17 enforce the law and hold broadcasters accountable.

18 13. **Ingraham:** So this actually got Jasmine Crockett, of course, because she's running
19 against Talarico. She said CBS didn't try to censor this. They just didn't want her on
20 CBS. Now, why do you think CBS — or Colbert, excuse me — wouldn't want
21 Jasmine Crockett on the show?

22 14. **Carr:** Well, that's a good question for them. But this is exactly why, if you're
23 going to have one on, you need to make sure that there's equal airtime for all others.

24 15. **Ingraham:** Yes, I'm standing up for Jasmine Crockett. That's what everyone's
25 wondering out there. By the way, to this point, Talarico raised \$2.5 million for his
26 campaign in the first 24 hours after the fake hoax of the censorship. So, was this
27 perhaps their plan all along?

28 16. **Carr:** Of course. I think this was the plan. It was designed to get clicks. It reminds
29 me of the meme where someone puts a stick in the front spoke of their bicycle
30 wheel, falls to the ground and claims that they were a victim. He raised a lot of
31 money. He got a lot of clicks. He wanted to leg up on his political opposition in the
32 Democratic primary. And he knew — he knew that the legacy media would run
33 with the story. They ate it up. But when the facts came out and showed that what he
34 said was false — the FCC did not refuse to air anything, we don't do that — the
35 media just turned around and said, "Well, it's Trump's fault that we fell for the hoax
36 in the first place." You just can't make this stuff up.

37 17. **Ingraham:** You are investigating *The View*, I think, on FCC — perhaps FCC
38 regulatory violations. What's happening there?

39 18. **Carr:** Yeah, Disney has a program called *The View*, and they've been asserting the
40 position that *The View* is what's known as "bona fide news" in the statute. If you're
41 bona fide news, you don't have to give candidates equal airtime. But Disney and
42 *The View* have not established that that program is in fact bona fide news. We've

1 started an enforcement proceeding taking a look at that, and again, we're going to
 2 hold broadcasters accountable. The days that these legacy media broadcasters get to
 3 decide what we can say, what we can think, who we can vote for are over. I think
 4 President Trump played a key role in just smashing the facade that they still get to
 5 decide the narrative here.

6 **19. Ingraham:** But the narrative is, you and Trump are authoritarians for threatening
 7 these types of investigations, which makes them change their content. But to the
 8 audience watching who's not familiar with what this equal-time rule has
 9 traditionally always been about, explain.

10 **20. Carr:** The equal-time rule was put in place all the way back in the 1950s by
 11 Congress. And again, the idea is you don't want these legacy media gatekeepers
 12 picking the candidates that are going to win primaries or general elections. It's
 13 about more speech, more information, empowering viewers. Again, step back at
 14 what happened during the Biden years at the FCC. That was actually
 15 weaponization. That's when they threatened to not revoke the license for a Fox
 16 broadcast station because of programming they didn't like on Fox News. That's
 17 when Democrats went after cable companies and pressured them to drop Fox
 18 News. That's weaponization. What we're doing now is simply applying the law on
 19 the books in an even-handed manner. And for people that benefited from a two-tier
 20 system of justice during the Biden years, it may feel like weaponization, but that
 21 doesn't make it so.

22 **21. Ingraham:** You're actually fighting for the right of Jasmine Crockett to be heard
 23 on CBS. That's really what the rule would require.

24 **22. Carr:** Ironically, that is correct.

25 **23. Ingraham:** Mr. Chairman, you don't look like an authoritarian to me, but they
 26 don't really know what that means. I don't think they're calling Trump authoritarian
 27 as they're on television. Like in a true authoritarian regime, you don't get to go on
 28 TV criticizing the dictator. That's not how it works.

29 [End of Transcript]

31 Source: [https://www.foxnews.com/media/fcc-chair-brendan-carr-sets-record-straight-](https://www.foxnews.com/media/fcc-chair-brendan-carr-sets-record-straight-stephen-colbert-censorship-claims)
 32 [stephen-colbert-censorship-claims](https://www.foxnews.com/media/fcc-chair-brendan-carr-sets-record-straight-stephen-colbert-censorship-claims) (Fox News, *The Ingraham Angle*, "FCC Chair
 33 Brendan Carr sets the record straight on Colbert censorship claims"; host Laura
 34 Ingraham)

35 Date: February 18, 2026

36 Note: Chairman Carr's confirmation in this interview that the FCC has "started an
 37 enforcement proceeding taking a look at" ABC's *The View* is a contemporaneous
 38 admission against interest under Federal Rule of Evidence 801(d)(2) and constitutes
 39 direct evidence that the FCC has commenced a formal enforcement action against a
 40 specific editorial program for its interview of a political candidate. The interview further
 41 documents Chairman Carr's direct characterization of broadcaster-speech decisions as

1 subject to FCC regulatory action ("we're going to enforce the law and hold broadcasters
2 accountable") and his characterization of the Colbert/Talarico sequence as a "hoax" and
3 "Democrat-on-Democrat violence" rather than as the jawboning-induced chilling effect
4 documented in §§ XIII and XIV above.

5

XVI. The Content CBS Suppressed — Representative James Talarico's Interview with Stephen Colbert

[Begin Transcript]

1. **Colbert:** Welcome back, everybody! Ladies and gentlemen, joining me now is a representative in the Texas State House who is currently running for the United States Senate. Please welcome to *The Late Show's* YouTube page — Representative James Talarico.
2. **Colbert:** Now, here's the thing. I don't usually say this to a guest, but if people are watching this right now, it's because they found us online, on YouTube. I did an act of the show that's on tonight explaining why. It's not the first time you've caused some drama. FCC opening probe into *The View* after appearance by Talarico. Do you mean to cause trouble?
3. **Talarico:** I think that Donald Trump is worried that we're about to flip Texas. And, Stephen, this is the party that ran against cancel culture, and now they're trying to control what we watch, what we say, what we read. And this is the most dangerous kind of cancel culture: the kind that comes from the top. They went after *The View* because I went on there. They went after Jimmy Kimmel for telling a joke they didn't like. They went after you for telling the truth about Paramount's bribe to Donald Trump. Corporate media executives are selling out the First Amendment to curry favor with corrupt politicians. And a threat to any of our First Amendment rights is a threat to all of our First Amendment rights. So I'm just — I'm really thankful.
4. **Colbert:** To fact-check you, my network said our cancellation was a purely financial decision.
5. **Talarico:** Got it, got it. Yes.
6. **Colbert:** And I remain very grateful for the last 11 years. Now, you grew up in Texas. Here you are.
7. **Talarico:** I did. There you are. You can prove it. I forgot my boots on.

[End of Transcript excerpt — full 15-minute interview continues covering Christian nationalism, separation of church and state, dangers of consolidated corporate-owned media, and Texas Legislature issues]

Source: https://www.youtube.com/watch?v=oiTJ7Pz_59A ("Rep. James Talarico On Confronting Christian Nationalism, And Strange Days In The Texas Legislature," official @ColbertLateShow YouTube channel, online-exclusive — posted only because CBS's legal counsel instructed *The Late Show* that the broadcast could not air)

Date: February 16, 2026 (taped); February 17, 2026 (YouTube upload)

1 Note: Representative Talarico's opening remarks directly reference Chairman Carr's
2 enforcement posture concerning *The View*, Jimmy Kimmel, and Mr. Colbert (the
3 Paramount-Skydance/CBS settlement sequence) and characterize Chairman Carr's
4 exercise of FCC authority as "the most dangerous kind of cancel culture: the kind that
5 comes from the top." The full 15-minute interview collected more than 7.5 million views
6 on YouTube within 48 hours of posting, with Representative Talarico's campaign
7 reporting that approximately \$2.5 million was raised in the first 24 hours after Mr.
8 Colbert's on-air reveal. This exhibit retains only the opening exchange addressing the
9 FCC/CBS context; the complete interview is preserved in the case video-evidence staging
10 at
11 0_workspace/video_evidence/brendan_carr_fcc/09b_talarico_interview_full
12 _20260216/ and in the corresponding .txt/.vtt/.srt transcripts at
13 0_workspace/video_evidence/brendan_carr_fcc/transcripts/09b_talarico_in
14 terview_full_20260216_*. {txt,vtt,srt}.

**XVII. Bipartisan Republican Criticism — News Coverage of Senator Ted Cruz's
Verdict Podcast**

[Begin Transcript]

1. **Narrator:** In a striking and provocative comparison, Senator Ted Cruz of Texas likened Federal Communications Commission Chairman Brendan Carr to a Mafia boss, sparking intense debate over the limits of government power and free speech. This controversy erupted after Carr made remarks concerning late-night television host Jimmy Kimmel just before ABC decided to pull Kimmel's show from the airwaves. But here's where it gets controversial. Cruz claims that Carr essentially threatened to revoke ABC's broadcast license as a form of retaliation for Kimmel's comments about the recent death of conservative activist Charlie Kirk.
2. **Narrator:** Speaking candidly on his podcast, *Verdict with Ted Cruz*, the senator described Carr's warning in chilling terms. He quoted Carr as saying, "We can do this the easy way, or we can do this the hard way." A phrase Cruz said sounded like it was lifted straight from the iconic mob movie *Goodfellas*. This comparison is not just colorful rhetoric. It raises serious questions about the role of regulatory agencies and the potential for abuse of power when political disagreements intersect with media oversight.
3. **Narrator:** Is it appropriate for an FCC Chairman to imply punitive action against a network based on the content of a host's commentary? And what does this mean for freedom of expression on public airwaves? As ABC removed Kimmel's show following these events, the situation has ignited a firestorm of discussion about censorship, political influence, and the boundaries of governmental authority in media regulation. We are asking, "Are we witnessing a dangerous precedent where dissenting voices are silenced through bureaucratic intimidation?"

[End of Transcript]

Source: <https://www.youtube.com/watch?v=cab3vBx46rY> (third-party news commentary/summary of Sen. Ted Cruz's *Verdict with Ted Cruz* podcast episode of September 19, 2025, titled in coverage as "Ted Cruz Calls FCC Chair Brendan Carr a 'Mafia Boss' Over Jimmy Kimmel License Threat")

Date of underlying podcast: September 19, 2025

Important characterization: This section is secondary-source narration and paraphrase of Sen. Cruz's September 19, 2025 *Verdict with Ted Cruz* podcast remarks, not a primary transcript of Sen. Cruz's own statements. A primary transcript of the *Verdict* podcast episode, which captures Sen. Cruz's verbatim comparison of Chairman Carr's "easy way or the hard way" warning to *Goodfellas*, is cited in secondary reporting by CBS News, NBC News, CNN Politics, CNBC, and CBC News; paragraph-length verbatim quotations from those sources are preserved in the research memorandum at

0_workspace/2_essential_integration/BRENDAN_CARR_FCC_FREE_SPEECH_AND_CO

1 RRUPTION_RESEARCH_20260423.md § IX. Specifically, Sen. Cruz, in the primary *Verdict*
2 podcast, stated verbatim: "He says, 'We can do this the easy way, or we can do this the
3 hard way.' And I gotta say, that's right out of 'Goodfellas.' That's right out of a mafioso
4 coming into a bar going, 'Nice bar you have here, it'd be a shame if something happened
5 to it.' ... I think it is unbelievably dangerous for government to put itself in the position of
6 saying we're going to decide what speech we like and what we don't, and we're going to
7 threaten to take you off air if we don't like what you're saying. ... It might feel good right
8 now to threaten Jimmy Kimmel. But when it is used to silence every conservative in
9 America, we will regret it."