

# Congress of the United States

Washington, DC 20515

February 18, 2026

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

Dear Chair Carr:

I write to express serious concerns regarding recent reporting that CBS executives and counsel prevented late-night host Stephen Colbert from airing an interview with Texas State Representative James Talarico due to potential retribution.<sup>1</sup> These reports raise serious First Amendment concerns, as well as concerns about editorial independence, potential political pressure, and the Federal Communications Commission's (FCC) troubling campaign to apply its "equal time" rule to late-night talk show hosts.<sup>2</sup> Given the FCC's longstanding role in safeguarding the public interest in broadcast licensing, you must provide Congress, and the American public, with additional clarity about this situation.

According to recent reporting, CBS executives were concerned about how the airing of an interview with Texas Democratic U.S. Senate candidate, Representative James Talarico—who has been publicly critical of former President Donald Trump—might be perceived amid the FCC's ongoing scrutiny of CBS.<sup>3</sup> While daytime and late-night entertainment programs have traditionally been exempt from the FCC's "equal time" rule under the "bona fide newscast" exception, the FCC issued a notice on January 26, 2026, asserting that these programs are not automatically exempt.<sup>4</sup> This shift in longstanding regulatory interpretation, coupled with President Trump's public comments suggesting broadcasters could lose their licenses, created immediate uncertainty for networks that routinely feature political figures.<sup>5</sup> The FCC's

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<sup>1</sup> Taijuan Moorman, *Colbert slams CBS for canning interview with Trump critic*, USA TODAY (Feb. 17, 2026), <https://www.usatoday.com/story/entertainment/tv/2026/02/17/colbert-james-talarico-cbs-interview-trump/88715400007/>.

<sup>2</sup> Naman Ramachandran, *Stephen Colbert Says CBS Blocked James Talarico Interview Over FCC 'Equal Time' Fears*, VARIETY (Feb. 17, 2026), <https://variety.com/2026/tv/news/stephen-colbert-cbs-blocked-james-talarico-interview-fcc-equal-time-1236665220/>.

<sup>3</sup> Taijuan Moorman, *Colbert slams CBS for canning interview with Trump critic*, USA TODAY (Feb. 17, 2026), <https://www.usatoday.com/story/entertainment/tv/2026/02/17/colbert-james-talarico-cbs-interview-trump/88715400007/>.

<sup>4</sup> See 47 U.S.C. § 315(a) (2018) (requiring broadcast licensees to provide equal opportunities for candidates for public office to use a broadcasting station); Fed. Comm'n's Comm'n, Media Bureau, Public Notice, DA 26-68 (Jan. 21, 2026), <https://docs.fcc.gov/public/attachments/DA-26-68A1.pdf>; Joe Walsh, *FCC says TV talk shows must offer equal time to political candidates*, CBS NEWS (Jan. 21, 2026), <https://www.cbsnews.com/news/fcc-tv-talk-shows-equal-time-to-political-candidates-trump-brendan-carr/>.

<sup>5</sup> Joey Garrison, *Trump suggests FCC should consider revoking TV licenses over negative coverage of him*, USA TODAY (Sept. 19, 2025), <https://www.usatoday.com/story/news/politics/2025/09/18/trump-fcc-revoke-tv-licenses-negative-coverage/86223851007>.

subsequent “equal time” probe into ABC’s “The View” emphasized that this enforcement posture wasn’t just talk.<sup>6</sup> Against this backdrop, CBS leadership apparently and preemptively struck Colbert’s interview from its broadcast schedule.<sup>7</sup> The public is aware of these concerns only because Stephen Colbert later released the interview on YouTube, which is generally not subject to the FCC’s broadcast rules.<sup>8</sup>

These developments do not exist in isolation and help explain some of CBS’ recent editorial decisions. CBS’s parent company, Paramount Global, was seeking FCC approval for its proposed merger with Skydance Media—a transaction requiring the FCC’s consent for the transfer of broadcast licenses—which placed the company and its subsidiaries under active FCC review.<sup>9</sup> Although the merger was ultimately approved in July 2025, the review unfolded amid heightened political scrutiny and included requirements such as hiring a CBS News ombudsman to monitor for “editorial bias,” a step that could undermine editorial independence. In that context, CBS’ internal decisions make more sense. For example, CBS’ Editor-in-Chief Bari Weiss pulled a *60 Minutes* investigative segment surrounding CECOT, the infamous El Salvador detention center, shortly before it was scheduled to air.<sup>10</sup> While CBS later aired the segment following public outcry, its initial decision to pull it due to apparent concerns about offending the administration raises serious concerns.<sup>11</sup> This climate has also been reinforced by your public statements signaling a more aggressive posture toward broadcast content. For example, you have stated that “if you’re fake news, you’re not going to qualify for the bona fide news exemption,” introducing subjective judgment into what has traditionally been an objective standard.<sup>12</sup> You also testified before the Senate Commerce Committee that “[t]he FCC is not formally an independent agency,” heightening concern that political considerations may influence the FCC’s regulatory decision-making.<sup>13</sup>

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<sup>6</sup> Joseph A. Wulfsohn & Brian Flood, *FCC launching probe into ABC's 'The View' amid crackdown on equal time for candidates*, FOX NEWS (Feb. 6, 2026), <https://www.foxnews.com/media/fcc-launching-probe-abcs-the-view-amid-crackdown-equal-time-candidates/>.

<sup>7</sup> CBS has disputed Colbert’s characterization, alleging that THE LATE SHOW, and not CBS, made the decision to only air the interview on YouTube. Brian Stelter (@brianstelter), X (Feb. 17, 2026, 2:33 PM), <https://x.com/brianstelter/status/2023843159604596894>.

<sup>8</sup> See 47 U.S.C. § 315(a) (2018) (applying equal opportunities requirement to “licensee[s]”); Fed. Comm’n Comm’n, *Political Programming*, <https://www.fcc.gov/media/policy/political-programming>; Stephen Colbert, *Stephen Colbert on CBS Blocking James Talarico Interview*, YouTube (Feb. 2026), [https://www.youtube.com/watch?v=oiTJ7Pz\\_59A](https://www.youtube.com/watch?v=oiTJ7Pz_59A).

<sup>9</sup> *FCC approves Paramount-Skydance merger*, CBS News (Jul. 25, 2025), <https://www.cbsnews.com/news/fcc-approves-paramount-skydance-merger/>.

<sup>10</sup> David Folkenflik, *CBS News chief Bari Weiss pulls '60 Minutes' story, sparking outcry*, NPR (Dec. 22, 2025), <https://www.npr.org/2025/12/22/g-s1-103282/cbs-chief-bari-weiss-pulls-60-minutes-story/>.

<sup>11</sup> David Bauder, *CBS airs '60 Minutes' report on Trump deportations that was suddenly pulled a month ago*, PBS (Jan. 19, 2026), <https://www.pbs.org/newshour/nation/cbs-airs-60-minutes-report-on-trump-deportations-that-was-suddenly-pulled-a-month-ago/>.

<sup>12</sup> Ted Johnson, *FCC Chairman Says “Fake News” Won’t Qualify For Equal Time Rule Exemption; Democratic Commissioner Decries “Chilling Effect” On Content*, DEADLINE (Jan. 29, 2026), <https://deadline.com/2026/01/fcc-equal-time-rule-trump-fake-news-1236702396/>.

<sup>13</sup> Joey Cappelletti & Matt Sedensky, *WATCH: FCC chair claims agency is no longer independent during Senate hearing*, PBS (Dec. 17, 2025), <https://www.pbs.org/newshour/politics/watch-live-senate-hearing-on-the-fcc-with-chair-brendan-carr/>.

Viewed together, the combination of the administration's public criticism of a licensee's political content and statements from the FCC leadership on broadcast oversight has placed unprecedented pressure on broadcasters. In light of these reports, I demand answers to the following questions by **Tuesday, March 3, 2026**:

1. Has the FCC received any communications—formal or informal—from CBS or its parent company referencing political programming decisions in connection with regulatory matters currently before the Commission?
2. What safeguards exist within the FCC to ensure that licensing, enforcement, or merger review processes cannot be perceived as tools to influence editorial decision-making at broadcast entities?
3. Has the FCC undertaken any internal review to determine whether recent public statements by elected and appointed officials, including yourself, regarding broadcast licenses could reasonably be interpreted as exerting pressure on specific programming decisions?

Freedom of the press and the independence of broadcast journalism are foundational principles of our constitutional system. It is essential that the FCC's regulatory actions, direct or indirect, don't have a chilling effect on protected speech.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Min", written over a horizontal line.

Dave Min  
Member of Congress