

United States Senate

WASHINGTON, DC 20510

October 9, 2026

Broadcasters based in the United States:

We write today about the unprecedented self-promoting, taxpayer-funded ads starring President Donald Trump that ran across broadcast networks and online earlier this month. These bizarre ads prominently featured President Trump in a cinematic style with a soundtrack that begged Americans to love him. On October 5, 2026, after facing intense public backlash, the President announced that going forward he would pay for the ad using his super PAC.¹ Given the unusual nature of these ads, we write to ask that you ensure the Federal Communications Commission's (FCC) rules are followed. Specifically, we request that you voluntarily make any records related to these ads publicly available for inspection and reimburse the Treasury for the ads funded with taxpayer dollars.

Under the law, President Trump's ads might plausibly fall into two categories: the ads are either produced by a 'legally qualified candidate' and therefore broadcasters are limited in their ability to censor the ads' content, or President Trump's ads are "public service announcements" (PSAs) which would require broadcasters generally to follow all associated rules around the publication of PSAs. In either scenario, broadcasters appear to have failed in their duty to adhere to the spirit and letter of the law.

Regarding the first category, Trump is not a candidate. These ads are instead a campaign ad designed to bolster the image of an unpopular president and to boost the electoral chances of the slate of Republican congressional candidates. But liability protection for broadcasters does not extend to non-candidates. Furthermore, broadcasters can still refuse to air campaign ads if they violate federal laws. In this case, there are several federal criminal provisions implicated by these ads. They include, but are not limited to, the Anti-Deficiency Act (ADA), the Hatch Act,² and several appropriations provisions involving the use of taxpayer funds for propaganda³ and notably the purpose statute.⁴ Lastly, if they were campaign ads, the ads certainly could not be paid for with taxpayer funds, which should have been obvious to any first-year law student.

Regarding the second category, to most reasonable people, an ad that solely features the President covering the President's alleged successes, choreographed to a musical performance and aired immediately before an election is undoubtedly a campaign ad. It's ridiculous to assert otherwise. Furthermore, if these ads are considered PSAs, as the President asserts, they raise several legal and liability questions for broadcasters. A Public Service Announcement (PSA) has been defined by the FCC as "one for which no charge is made and which promotes programs, activities, or services of Federal, State or local governments (e.g., recruiting, sales of U.S.

¹ Weissert, W. (2026, October 5). Trump says his Super PAC will pay for taxpayer-funded ads that sparked backlash for glorifying him. AP News. <https://apnews.com/article/trump-taxpayer-funded-ads-super-pac-e6f47f7b86f83938aacfb16bda12efaa>

² 5 U.S.C. §7324

³ 5 U.S. §3107

⁴ 31 USC 1301

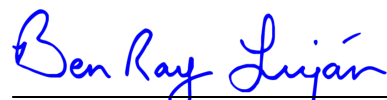
Savings Bonds, etc.) or the programs, activities or services of nonprofit organizations (e.g., UGF, Red Cross Blood Donations, etc.) or any other announcements regarded as serving community interests.⁵ PSAs are by definition, “announcements that are made for the good of the people”.⁶

In other words, PSAs are generally required to be ads that inform the public. The ‘love me’ ad does not promote a program or a service of the federal government; it promotes alleged successes of the President and public reporting suggests broadcasters might already have taken millions in federal funds. As such, broadcasters have a duty to ensure that PSAs comply with applicable rules and could have easily refused to air the ads as PSAs.

In sum, we ask that you voluntarily release all communications with the President, any federal agency, or White House official about the ads to ensure transparency for the American public and clarify which funds you received, from which federal agency, and release the terms of the contract as soon as possible. Additionally, you should recognize these ads are not PSAs, and reimburse the Treasury.

Sincerely,



Christopher S. Murphy
United States Senator

Ben Ray Lujan
United States Senator

Lisa Blunt Rochester
United States Senator

Richard Blumenthal
United States Senator

Chris Van Hollen
United States Senator

⁵ Petition to Institute a Notice of Inquiry and Proposed Rule Making on the Airing of Public Service Announcements by Broadcast Licensees, 81 F.C.C.2d 346 (1980). <https://docs.fcc.gov/public/attachments/FCC-80-557A1.pdf>

⁶ [PUBLIC SERVICE ANNOUNCEMENT Definition & Meaning - Merriam-Webster](#)