



**OFFICE OF
COMMISSIONER GOMEZ**

Federal Communications Commission
Washington, DC 20554

**STATEMENT OF COMMISSIONER GOMEZ ON MEDIA BUREAU SUMMARY DISMISSAL
OF PETITION TO REPEAL THE NEWS DISTORTION POLICY**

July 1, 2026

On November 13, 2025, a bipartisan group of former FCC officials filed a Petition for Special Relief with the Commission seeking a repeal of the Commission's news distortion policy (News Distortion Petition) and subsequently filed a petition for mandamus with the United States Court of Appeals for the District of Columbia seeking to compel action by the FCC on such petition. In response to the court's order requiring the Commission to respond to the mandamus petition, on June 22, 2026, the Commission filed its response and included a copy of an unpublished letter dismissing the News Distortion Petition that was signed by the Acting Chief of the Media Bureau on delegated authority.

The Commission has increasingly used its regulatory authority as a cudgel against broadcasters whose coverage it dislikes rather than as a neutral enforcement tool, and license renewals and merger approvals have been treated as leverage over editorial judgment rather than as the objective processes the Communications Act requires them to be. This is not an isolated tactic, and the Commission has repeatedly reached for rarely used or long dormant authority to discipline broadcasters it views as critical, including reviving a license renewal mechanism that had not been invoked in over half a century apparently to target a single company's news coverage. This includes repeated reliance on the previously rarely invoked news distortion policy at issue here. That pressure has had a real effect, and station groups and local broadcasters across the country have asked my office what topics are now considered too risky to cover, a question that should never need to be asked in a country with a First Amendment. When a federal agency with the power to grant or revoke broadcast licenses starts weighing in on editorial content, the chilling effect reaches far beyond any single station or story, and it is compounded here by the Commission's choice to resolve this particular petition through an unpublished staff letter rather than a public vote of the full Commission.

The Commission regularly uses delegated authority to get the work of the Commission done, issuing licenses, seeking comment, granting rule waivers, etc. These are instances where the bureaus and offices of the agency take actions consistent with established Commission precedent. Delegated authority allows the Commission to operate efficiently.

Delegated authority, however, can be abused to shield significant actions from judicial review as only final Commission actions can be appealed. That is what appears to be happening in this instance and the consequences for our democracy are serious. The Commission has repeatedly used the Media Bureau to take actions that are inconsistent with longstanding Commission precedent that violate both the Communications Act and the First Amendment.

I am cognizant that my dissent on the substance will not change the outcome of the News Distortion Petition by the Commission. Not providing the Commissioners with an opportunity to vote on this important petition, however, shields the Commission's actions from critical judicial review. Accordingly, I stand ready to vote on an order addressing the issues raised in the News Distortion Petition to facilitate the timely advancement of this matter to a final appealable order that will allow the appellate review process to move forward without unnecessary delay.