



from the Office of Commissioner Anna M. Gomez

Media Contact:

Gomez.Press@fcc.gov

For Immediate Release

August 06, 2026

GOMEZ ON FCC VOTE TO ELIMINATE BROADCAST OWNERSHIP CAP

FCC Defies Limit Congress Wrote Into Federal Law

WASHINGTON — FCC Commissioner Anna M. Gomez issued the following statement after the FCC voted at the agency's August Open Meeting to unlawfully eliminate the national television ownership cap:

"The FCC's decision to eliminate the 39 percent national audience reach cap is unlawful on its face. Congress set this cap in federal law, and only Congress can change it. I am not alone in that conclusion. Republicans with deep firsthand knowledge of this issue agree. Former FCC Commissioner [Mike O'Rielly](#) has been unequivocal that the FCC lacks authority to change the cap. Former House Majority Leader [Tom DeLay](#), who negotiated the 39 percent compromise, has stressed that Congress wrote the cap into law specifically to keep the FCC from changing it. And Senate Commerce Chair [Ted Cruz](#) has said he is skeptical a change can be made absent an act of Congress.

"Eliminating the cap does not free local broadcasters from economic pressure, it just changes who is doing the squeezing. The large station groups positioned to grow even larger under this decision are not local broadcasters, they are national companies that own local stations and increasingly dictate what airs on them. Trading a squeeze from Big Tech for a squeeze from Big Media does nothing to protect the communities this cap was designed to serve.

"We do not have to look far for a warning sign of where that consolidation leads. When this Commission unlawfully waived the cap to clear the way for the Nexstar-TEGNA merger, a federal judge halted the deal, finding that the states and DirecTV are likely to succeed in proving it violates antitrust law. Further, broadcasting does not need to look outside the world of journalism for a second warning. Over roughly the same period that the largest newspaper chains grew their share of the industry from one-third to 70 percent, the country lost more than 3,300 newspapers. Consolidation did not save that industry, it concentrated what was left of it while the industry itself collapsed.

"Communities depend on strong, independent local journalism. They depend on broadcasters for lifesaving emergency information. They depend on free, widely accessible programming that holds communities together. Eliminating a statutory cap without addressing these interconnected issues is not strategy, it is improvisation, and

improvisation that will hasten the very collapse we should be working to prevent.”

###

Office of Commissioner Anna M. Gomez: (202) 418-2100

ASL Videophone: (844) 432-2275

www.fcc.gov/leadership/anna-gomez

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).