



**OFFICE OF
COMMISSIONER GOMEZ**

Federal Communications Commission
Washington, DC 20554

October 22, 2026

Mr. Curtis LeGeyt
President and CEO
National Association of Broadcasters

RE: This Administration's Coordinated Campaign to Intimidate Broadcasters

Dear Mr. LeGeyt,

I am writing because NAB is one of the few institutions with the reach to warn the entire broadcast industry about a threat that is now actively targeting broadcasters across the country. Your organization speaks for thousands of stations nationwide, many of which do not have the legal resources or the political standing to push back on their own when the FCC comes calling, and you are best positioned to ensure every one of them understands what is happening and why it matters heading into the upcoming midterm elections.

This Administration is running a coordinated, government-wide effort to reshape the media into its sanctioned messenger, and the Federal Communications Commission has become one of its most active instruments. That is playing out across several fronts.

One of the most brazen efforts involves how this Commission has recently suggested that broadcasters who air polling that does not align with this Administration's preferred narrative could face an FCC news distortion or broadcast hoax investigation. Every station covering the upcoming midterm elections needs to understand what the law actually requires before that threat has its intended chilling effect. The Commission's own guidance is clear on this point. Enforcement of the news distortion policy requires proof that a broadcaster deliberately distorted a factual report on a significant event, not a minor or incidental one, and courts have recognized that the policy draws a firm line between deliberate distortion and mere inaccuracy or differences of opinion.¹ Enforcement depends on documented evidence of an intentional effort to mislead the public, evidence the Commission's own guidance describes as "written or oral instructions from

¹ Consumer and Governmental Affairs Bureau, Federal Communications Commission, *Broadcast News Distortion*, <https://www.fcc.gov/broadcast-news-distortion> (last visited Oct. 21, 2026).

station management, outtakes, or evidence of bribery.”² The broadcast hoax rule sets a similarly high bar, applying only when a broadcaster knowingly airs false information about a crime or catastrophe and that broadcast directly causes immediate and substantial harm to public safety or property.³ Absent that level of clear evidence, this Commission has no authority to act. Reporting the results of a poll this Administration happens to dislike does not come close to meeting those standards.

Another effort involves the equal opportunities rule itself, which the FCC’s Media Bureau has twisted into a political weapon. Section 315 of the Communications Act requires that if a broadcaster gives airtime to one legally qualified candidate, it must offer equal time to that candidate’s opponents, but Congress built in an exemption for *bona fide* news interview programs for the purpose of ensuring that newsworthy content retained its First Amendment protections.⁴ For decades, broadcasters relied on settled guidance, informed by the law, about which programs qualify as bona fide news interview programs and therefore fall outside that rule’s reach. That exemption has covered talk shows since the Commission’s 1984 decision on Phil Donahue’s daytime talk show⁵ and was reinforced by the FCC’s 2006 ruling denying a Democratic gubernatorial candidate equal time after his Republican opponent, then-Governor Arnold Schwarzenegger, appeared on The Tonight Show with Jay Leno.⁶

This year, acting without input from the full Commission and beyond its authority, the Bureau rewrote that settled guidance.⁷ ABC’s parent company has alleged that the timing was designed to manufacture fresh legal exposure over coverage this Administration did not like and that the investigation which followed relied in part on filings the Commission had pressured other stations into making.⁸ The company has also alleged that the pressure has already reshaped what airs on the network’s programming, pointing out that no candidate for public office has appeared on its daytime show since the investigation began in February, that several candidates have been passed over for consideration altogether, and that it has pulled video clips that could be read as candidate appearances.⁹ Every station that books a candidate interview based on

² *Id.*

³ Federal Communications Commission, *Hoaxes*, <https://www.fcc.gov/reports-research/guides/hoaxes> (last visited Oct. 21, 2026).

⁴ 47 U.S.C. § 315(a).

⁵ *Request by Multimedia Entertainment, Inc. for Declaratory Ruling*, Memorandum Opinion and Order, 56 Rad. Reg. 2d 143, (1984).

⁶ *In the Matter of Equal Opportunities Complaint Filed by Angelides for Governor Campaign Against 11 California Television Stations*, 21 F.C.C. Rcd. 11919 (2006).

⁷ *FCC’s Media Bureau Provides Guidance on Political Equal Opportunities Requirement for Broadcast Television Stations*, Public Notice, DA 26-68, 2026 WL 208684, (MB Jan. 21, 2026).

⁸ Complaint of ABC, Inc. for Declaratory and Injunctive Relief, Civil Case No. 1:26-cv-2902, at 24-27 (filed Aug. 18, 2026) (*Complaint of ABC*); Petition of ABC, Inc. for Declaratory Ruling, MB Docket No. 26-124, at 2-4 (filed May 22, 2026) <https://www.fcc.gov/ecfs/document/10522087167981/1>.

⁹ *Complaint of ABC* at 26-27.

newsworthiness now has to wonder whether the ground will shift beneath them once this Commission decides it doesn't like what they air.

Finally, the Commission's handling of the lowest unit charge follows the same pattern. Earlier this year, agency staff unilaterally and without authority reinterpreted which political spenders qualify for the steep discount federal law reserves only for candidates buying campaign advertising.¹⁰ Almost overnight, that same discount became available to joint fundraising committees and coordinated party advertising campaigns *for the first time*. This complex statutory interpretation was not adopted by the full Commission, and even though it did not go unchallenged, it remains in effect heading into the final stretch of a midterm election, handing the biggest political spenders in the country cheaper access to your members' airtime. What makes it especially galling is that this same Commission has spent months telling broadcasters it wants to help them compete with Big Tech and streaming and then turned around and ordered a fire sale on the one piece of advertising inventory that could actually help stations grow revenue during their most competitive season.

This agency does not get to redefine the public interest standard as whatever happens to serve the political interests of whoever is in power. That standard was written into the law to protect the audiences these stations are licensed to serve, not the officials who regulate them. A broadcaster reporting in good faith, whether covering widely available polling data, booking a candidate based on newsworthiness, or airing political advertising in compliance with the law, should know that it is fulfilling that obligation rather than violating it.

Despite NAB staying largely quiet through the first year of this censorship and control campaign, I want to acknowledge that you have not stayed completely silent, and for that I am grateful. Your organization spoke up against the FCC's unprecedented early license renewal order,¹¹ and I do not take that for granted given the position NAB itself occupies. But I would not be doing my job if I did not say plainly that the volume of that response has not yet matched the scale of what your members are facing. An industry confronting a coordinated effort to turn licensing authority into leverage over election-year coverage needs more than a couple of tempered statements. Your members deserve to hear from their leading voice with the same clarity and urgency that their First Amendment rights, and their bottom line, call for.

I am committed to using every tool available to me as a commissioner to hold this process to account, and I would welcome the chance to work with NAB directly on getting your membership accurate information about what the law requires of them and what it does not.

¹⁰ Media Bureau, Federal Communications Commission, *FCC Media Bureau Provides Guidance on Entitlement to Lowest Unit Charge for Legally Qualified Candidates for Federal Office and All Authorized Committees* (Mar. 30, 2026), <https://docs.fcc.gov/public/attachments/DA-26-300A1.pdf>.

¹¹ Press Release, National Association of Broadcasters, *NAB Statement on FCC Calling in Broadcast Licenses for Early Renewal* (Apr. 29, 2026), <https://www.nab.org/documents/newsroom/pressRelease.asp?id=7442>.

Ultimately, your members did not sign up to serve as an arm of any political campaign, and they should not be made to choose between their license and their integrity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anna', is centered below the word 'Sincerely,'. The signature is fluid and cursive.

Anna M. Gomez
Commissioner
Federal Communications Commission