



Broadcast News Distortion

The FCC receives a variety of comments and complaints about the accuracy or bias of news networks, stations, reporters or commentators in how they cover – or sometimes opt not to cover – events. The Commission has a policy against “news distortion,” which dates back more than 50 years to the era when broadcast stations were the only form of electronic news. The FCC’s authority to take action on news distortion complaints has always been quite narrow, however. As discussed in “[The FCC and the First Amendment](#)” guide, the agency is prohibited by law from engaging in censorship or infringing on First Amendment rights of the press. Those protected rights include, but are not limited to, a broadcaster’s selection and presentation of news or commentary.

Accordingly, the FCC’s news distortion policy is more narrow than an informal understanding of the term might imply. In weighing the constitutionality of the policy, courts have recognized that the policy “makes a crucial distinction between deliberate distortion and mere inaccuracy or difference of opinion.”

What is the FCC’s responsibility?

The scope of the news distortion policy is limited in several respects. First, the regulation applies only to the broadcast medium, which means that the FCC has no power to enforce it against cable news networks, newspapers or newsletters (whether online or print), social media platforms, online-only streaming outlets or any other non-broadcast news platform.

Second, broadcasters are subject to sanction only if they can be proven to have *deliberately* distorted a factual news report. Errors stemming from mistakes are not actionable, nor are expressions of opinion (however unsubstantiated they may seem to some viewers or listeners).

Accordingly, the FCC will investigate a claim only if it *first* receives evidence, in addition to the broadcast itself, that makes a “substantial showing” that a broadcast news report was deliberately intended to mislead viewers or listeners. Such evidence may include testimony from persons who have direct personal knowledge of an intentional falsification of the news. Examples of such evidence include written or oral instructions from station management, outtakes, or evidence of bribery. Without such documented evidence, per the legal requirements governing the Commission, the FCC generally cannot intervene.

Moreover, any allegation of news distortion “must involve a significant event and not merely a minor or incidental aspect of the news report.” The FCC does not investigate mere claims of collateral inaccuracy in news reports or mere differences of opinion over the truth or validity of aspects of a news program.

What if I have comments or concerns about a specific broadcast?

All comments and/or concerns about a specific news broadcast or commentary should first be directed to the local station and network involved, so that the people responsible for making the programming decisions can become better informed about audience opinion.

If you are dissatisfied with the broadcaster’s response, you may file a complaint with the FCC. The fastest way to submit your complaint is through the [agency’s online complaint portal for consumers, accessible here](#). Complaints should include the call sign and community of license of the station, the date and time of the broadcast(s) in question, a detailed description of the alleged distorted news, a transcript or recording of

the broadcast(s) in question, and evidence that the broadcast news report was deliberately intended to mislead viewers or listeners.

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