

## ABC bringing Kimmel back to air, but some station owners are boycotting him

Nexstar and Sinclair say they will continue to preempt the late-night show, a move that affects dozens of markets, including D.C., St. Louis and Nashville.

**By Shannon Najmabadi,  
Annabelle Timsit and Scott  
Nover**

“Jimmy Kimmel Live!” returned to nighttime television Tuesday, but Nexstar and Sinclair said they would refuse to air it — citing the Charlie Kirk controversy that led to its suspension — leaving viewers in such markets as D.C., St. Louis, and Nashville unable to watch Kimmel’s first show back on their local ABC affiliates.

ABC, which is owned by the Walt Disney Co., suspended the late-night program last week, citing comments Jimmy Kimmel made during his Sept. 15 show about the shooting of the conservative activist earlier this month. Though Kimmel has condemned the killing as “senseless,” his monologue drew rebukes from Kirk supporters — including Federal Communications Commission Chairman Brendan Carr.



Stephen Colbert, left, shown with Jimmy Kimmel during the 2019 Emmy Awards, celebrated Kimmel's reinstatement. Colbert announced the news Monday to his CBS late-night show audience and joked that “our long, national, late-nightmare is over.” (Frederic J. Brown/AFP/Getty Images)

The suspension and Carr’s statements drew criticism from free speech advocates, politicians, actors and others. A campaign emerged on social media urging consumers to cancel their subscriptions to Disney products, such as its streaming services Disney+ and Hulu.

Disney announced Kimmel’s return on Monday. But Nexstar and Sinclair said they would continue to preempt his program, prolonging a clash that has cast new scrutiny on the relationship between local stations, national networks and government regulators with

power to approve and reject television deals.

Nexstar said in a statement Tuesday it would stand by its decision to preempt Kimmel's show "pending assurance that all parties are committed to fostering an environment of respectful, constructive dialogue in the markets we serve."

Sinclair said Monday that it was engaged in discussions with ABC as it considered the show's potential return.

Some critics said the decision to preempt the show illustrates how consolidation among station owners has given them too much sway over the entertainment options available to millions of Americans.

"We should all be deeply concerned when consolidated corporate interests restrict what programming audiences of all political backgrounds are able to access," said Katie Fallow, deputy litigation director at the Knight First Amendment Institute.

"Can't wait to break Sinclair up. Corporate media consolidation doesn't jibe with democracy," California state Sen. Scott Wiener, a Democrat, said on social media.

Other industry experts predict the standoff would accelerate the shift to streaming at a time when viewers already are abandoning television in favor of Hulu, Netflix, Apple TV+ and

similar services. In May, monthly viewership for traditional broadcast and cable TV fell below streaming for the first time, according to the audience measurement firm Nielsen.

"The streaming platforms have a distinct advantage over the broadcast platforms," said Blair Levin with New Street Research, an equity research firm focused on telecommunications and technology. "They're not regulated." Levin worked at the FCC as chief of staff to the chairman in the 1990s.

Spokespeople for Disney, Sinclair and the FCC did not immediately respond to requests for comment.

Carr on Tuesday said Sinclair's and Nexstar's moves represented the first time in years that local stations had "pushed back on a national programmer like Disney" — which was "a good thing."

"Local TV stations — not the national programmers — have public interest obligations, and they should be making decisions that in their view meets the needs of their local communities," he wrote in a social media post.

Kimmel angered Kirk supporters last week when he said that the "MAGA gang" was "desperately trying to characterize this kid who murdered Charlie Kirk as anything other

than one of them." He was referring to the accused killer, Tyler Robinson; the 22-year-old Utah man grew up in a Republican household, his mother has said, but had "started to lean more to the left" politically.

That attracted the attention of Carr, who appeared to threaten ABC and Disney with FCC action during an interview on a right-wing podcast.

"We can do this the easy way or the hard way," he said. Lawmakers on both sides of the aisle criticized his comments, with Republican Sen. Ted Cruz (Texas) calling them "dangerous as hell" and "right out of 'Goodfellas'" during a podcast episode Friday.

Disney and Nexstar are in the midst of deals that require approval from the FCC or other regulators. Nexstar is acquiring rival Tegna for \$6.2 billion. Disney and ESPN, in which Disney has a majority stake, have pending deals with Fubo and the National Football League that need regulatory sign-off. Nexstar said it did not communicate with the government before deciding to preempt Kimmel's show.

Sinclair's and Nexstar's continued preemption could cost Disney advertising revenue. But industry observers say the entertainment giant probably holds the upper hand in any negotiation, partly because of

the shift away from television and toward streaming.

“The balance of power between networks and affiliates has shifted pretty heavily toward the networks,” said Bill Carter, who has written four books about TV and is editor-at-large at LateNighter, a publication that covers late-night television.

Disney generated about 9 percent of its revenue from domestic linear television — excluding sports — last year, said Morningstar analyst Matthew Dolgin. He estimates that Nexstar and Sinclair made up “a low single-digit percentage,” because Disney also owns its own stations and has other affiliate agreements. By contrast, Sinclair reported getting 27 percent of advertising revenue from ABC affiliates last year, Dolgin said.

“Although they took this stance today, I think it is existential for them” to maintain relationships with Disney, he said of station owners.

Relationships between national networks and local stations were already strained, partly because “the networks keep charging the affiliates more and more every year for their content,” said Gigi Sohn, a senior fellow and public advocate with the Benton Institute for Broadband and Society. President Joe Biden nomi-

nated her to the FCC, but she later withdrew.

**There also is an ideological schism. “A majority of Sinclair and Nexstar ABC affiliates are in red states, while networks — with the exception of Fox — have in recent memory been notably left-leaning in their political perspective,” said Lloyd Greif, chief executive of Los Angeles-based investment bank Greif & Co. which active in the entertainment and media industry.**

Kimmel’s guests Tuesday include actor Glen Powell and singer Sarah McLachlan.

Monday night’s announcement of Kimmel’s reinstatement was met by cheers from his fellow late-night show hosts. Stephen Colbert announced the news to his audience and said “our long, national, late-nightmare is over.” Colbert’s show, the “Late Show With Stephen Colbert,” was canceled in July by CBS. The network said it was a financial decision to end the show next May.

“Disney announced that ‘Jimmy Kimmel Live!’ will return to air on ABC tomorrow, Tuesday night. ... This is wonderful news for my dear friend Jimmy and his amazing staff. ... I’m so happy for them,” Colbert said.

Jon Stewart, host of Comedy Central’s “The Daily

Show,” gave a tongue-in-cheek monologue congratulating his audience on the campaign to boycott Disney. “That campaign that you all launched, pretending that you were going to cancel Hulu while secretly racing through four seasons of ‘Only Murders in the Building,’ that really worked. Congratulations,” he said Monday night.

Seth Meyers, the host of NBC’s “Late Night with Seth Meyers,” celebrated the news of Kimmel’s return and said, “there has been a massive national backlash to Trump’s crackdown on free speech, even among conservatives.”

Anna M. Gomez, the only Democratic commissioner of the FCC, said in a statement that Disney showed “courage in the face of clear government intimidation” and thanked “those Americans from across the ideological spectrum who spoke loudly and courageously against this blatant attempt to silence free speech.”

But Andrew Kolvet, a spokesman for Turning Point USA, the organization founded by Kirk, said in a statement on X: “Disney and ABC caving and allowing Kimmel back on the air is not surprising, but it’s their mistake to make. Nexstar and Sinclair do not have to make the same choice.”