

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Applications for Renewal of License of)	
)	
THE WALT DISNEY COMPANY,)	MB Docket No. 26-131
AMERICAN BROADCASTING COMPANY,)	
and subsidiary licensees of)	
)	
KFSN-TV, Fresno, California)	File No. 0000298350 (KFSN-TV)
KABC-TV, Los Angeles, California)	File No. 0000298356 (KABC-TV)
KGO-TV, San Francisco, California)	File No. 0000298344 (KGO-TV)
WLS-TV, Chicago, Illinois)	File No. 0000298337 (WLS-TV)
WABC-TV, New York, New York)	File No. 0000298318 (WABC-TV)
WTVD, Durham, North Carolina)	File No. 0000298327 (WTVD)
WPVI-TV, Philadelphia, Pennsylvania)	File No. 0000298324 (WPVI-TV)
KTRK-TV, Houston, Texas)	File No. 0000298353 (KTRK-TV)

To: The Commission; Chief, Media Bureau

**COMMENT AND INFORMAL OBJECTION OF
THE MANHATTAN INSTITUTE**

INTRODUCTION AND STATEMENT OF INTEREST

The Manhattan Institute (“Commenter”) respectfully submits this Comment and Informal Objection in response to the Media Bureau’s Public Notice accepting for filing the above-captioned applications for renewal of license.¹ The applications were filed on May 28, 2026, pursuant to the Bureau’s Order of April 28, 2026, which directed The Walt Disney Company, American Broadcasting Company, and their subsidiaries (collectively, “Disney’s ABC”) to file renewal applications for all of their licensed television stations within thirty days.² The Order states that the Commission has been investigating Disney’s ABC for possible violations of the Communications Act of 1934 and the Commission’s rules, “including the agency’s prohibition on unlawful discrimination.”³ The Public Notice further describes the investigation as concerning whether Disney’s ABC engaged in prohibited practices in hiring, promotion, compensation, and the provision of workplace opportunities on the basis of race, gender, or other protected characteristics.⁴

This filing is submitted as a comment and informal objection.⁵ It addresses the renewal applications of eight television stations: KFSN-TV, Fresno, California; KABC-TV, Los Angeles, California; KGO-TV, San Francisco, California; WLS-TV, Chicago, Illinois; WABC-TV, New York, New York; WTVD, Durham, North Carolina; WPVI-TV, Philadelphia, Pennsylvania; and KTRK-TV, Houston, Texas (the “ABC Stations”).⁶

This Comment is not directed at Disney’s ABC’s programming, editorial judgment, political advocacy, or viewpoint. The question presented here is narrower and more concrete: whether the ABC Stations’ licensee entities complied with neutral, generally applicable nondiscrimination obligations, and whether the Commission has a sufficient station-specific record to make the findings required by 47 U.S.C. § 309(k). Nothing in this Comment should be read to invite any exercise of licensing authority directed at the content of the ABC Stations’ broadcasts or the expressive choices of their parent company.

Commenter asks the Commission to complete a station-specific investigation; to require Disney’s ABC to supplement the record with complete, station-specific information; to defer routine full-term renewal until the Commission can make the findings required by 47 U.S.C. § 309(k); and to impose whatever remedy the completed record warrants, including short-term renewal, reporting or compliance conditions, hearing designation, or denial where appropriate.

¹*FCC’s Media Bureau Establishes Pleading Cycle and Ex Parte Procedures for the Early Renewal Applications of the Walt Disney Company’s ABC Licenses*, MB Docket No. 26-131, Public Notice, DA 26-541, at 1 (MB rel. May 29, 2026) (“Public Notice”).

²*The Walt Disney Company et al.*, Order, DA 26-416, ¶ 3 (MB, Video Div. rel. Apr. 28, 2026) (“Early Renewal Order”).

³Early Renewal Order ¶ 1.

⁴Public Notice at 1–2. The Public Notice states that the Commission has been investigating whether Disney’s ABC engaged in prohibited practices by hiring, promoting, compensating, and/or providing workplace opportunities to people based on race, gender, or other protected characteristics in violation of federal nondiscrimination laws.

⁵This Comment is submitted as a comment in the docketed proceeding established by the Public Notice and, to the extent applicable, as an informal objection pursuant to 47 C.F.R. § 73.3587. It is not a petition to deny under 47 U.S.C. § 309(d) or 47 C.F.R. § 1.939, and Commenter does not assert party-in-interest standing.

⁶Public Notice, App. (listing the renewal-application file numbers for the aforementioned stations).

I. SUMMARY OF ARGUMENT

First, these are not routine renewals, by the Commission’s own account. The Bureau invoked its authority under 47 C.F.R. § 73.3539(c) to call the ABC Stations’ licenses in for early renewal because it determined that doing so was essential to the proper conduct of an ongoing investigation—an investigation the Commission describes as concerning possible unlawful discrimination in hiring, promotion, compensation, and workplace opportunities.⁷ Having accelerated these renewals for that purpose, the Commission should not grant routine full-term renewal before completing the investigation and developing the station-specific record necessary to support the findings required by § 309(k).

Second, public reporting concerning Disney’s corporate diversity infrastructure—including the “Reimagine Tomorrow” initiative, race-conscious employee trainings, employee affinity groups, demographic representation goals, and diversity-linked executive-compensation factors—raises substantial questions about whether corporate policy reached the employment practices of the ABC Stations. That reporting warrants record development, not a finding of violation on the present record. Commenter asks the Commission to obtain the underlying documents and to determine, station by station, whether and how these corporate programs were implemented within the ABC Stations’ employment units.

Third, the governing law requires station-specific findings. Section 309(k) conditions renewal on findings made “with respect to that station” during the preceding license term.⁸ The broadcast EEO rule prohibits employment discrimination at the station level and requires station-level reporting.⁹ Generalized corporate assurances cannot substitute for that record.

Fourth, the Communications Act and the Commission’s rules provide a graduated set of options: the Commission may develop the record through supplemental disclosure, defer routine renewal until the required § 309(k) findings can be made, grant renewal on appropriate terms and conditions, renew for a shorter term, designate unresolved substantial and material factual questions for hearing, or deny renewal where the completed record and governing statute so require.¹⁰ The appropriate remedy should follow the completed record; routine full-term renewal should not precede it.

II. LEGAL FRAMEWORK

A. Public-Interest Licensing and the Renewal Standard

Broadcast licenses are not ordinary private entitlements. Licensees operate as trustees of the public’s airwaves under licenses of limited duration—generally eight years for television—and renewal is conditioned on public-interest performance.¹¹ Under 47 U.S.C. § 309(k)(1), the Commission shall grant renewal only if it finds, with respect to the station and during the preceding

⁷Early Renewal Order ¶¶ 1–3.

⁸47 U.S.C. § 309(k)(1) (findings made “with respect to that station”).

⁹47 C.F.R. § 73.2080(a); *see also* Public Notice at 1–2 (describing the investigation as concerning hiring, promotion, compensation, and workplace opportunities).

¹⁰47 U.S.C. §§ 308(b), 309(e), 309(k)(1)–(3); 47 C.F.R. §§ 73.2080(f)(4), 73.3539(c).

¹¹47 U.S.C. §§ 307(a), 309(a); Public Notice at 1–2; *FCC v. Nat’l Citizens Comm. for Broad.*, 436 U.S. 775, 795 (1978); *Office of Comm’n of United Church of Christ v. FCC*, 707 F.2d 1413, 1427 (D.C. Cir. 1983).

term, that (A) the station has served the public interest, convenience, and necessity; (B) there have been no serious violations of the Act or the Commission’s rules; and (C) there have been no other violations that, taken together, would constitute a pattern of abuse.¹² If the Commission cannot make those findings, it may grant renewal “on terms and conditions as are appropriate, including renewal for a term less than the maximum otherwise permitted,” or, after notice and opportunity for hearing, deny the application.¹³

B. Early Renewal

Section 73.3539(c) of the Commission’s rules permits the Commission to direct the filing of a renewal application in advance of the ordinary schedule whenever it regards such an application as essential to the proper conduct of a hearing or investigation. The Early Renewal Order invoked precisely that authority here.¹⁴

C. The Broadcast EEO Rule

Section 73.2080(a) provides that equal opportunity in employment shall be afforded by all broadcast licensees, and that no person shall be discriminated against in employment by such stations because of race, color, religion, national origin, or sex.¹⁵ Covered stations must maintain an EEO program, engage in broad outreach for full-time vacancies, and place annual EEO public file reports in their online public inspection files.¹⁶ Every station must file a Broadcast Equal Employment Opportunity Program Report (Form 2100, Schedule 396) with its renewal application, and the renewal application itself requires a certification that the Schedule 396 has been filed.¹⁷ Stations must maintain records sufficient to verify the accuracy of those filings; the Commission may conduct inquiries where it has evidence of a possible violation; and the public may file complaints throughout the license term based on the contents of a station’s public file.¹⁸

The D.C. Circuit has twice set aside Commission EEO regimes that pressured licensees toward race-conscious employment practices, holding that the Constitution forbids the government to induce broadcasters to make hiring decisions on the basis of race.¹⁹ Those cases underscore that the Commission’s EEO framework must be administered in a manner consistent with constitutional limits on race-conscious decision-making. The nondiscrimination command of § 73.2080(a) thus runs in all directions: a licensee that selected, promoted, compensated, or allocated

¹²47 U.S.C. § 309(k)(1)(A)–(C).

¹³47 U.S.C. § 309(k)(2)–(3); *see also id.* § 309(e) (hearing designation where a substantial and material question of fact is presented).

¹⁴47 C.F.R. § 73.3539(c); Early Renewal Order ¶¶ 2–3.

¹⁵47 C.F.R. § 73.2080(a).

¹⁶47 C.F.R. § 73.2080(b)–(c).

¹⁷47 C.F.R. § 73.2080(f)(1); *see, e.g.*, WABC Television (New York), LLC, Renewal of License, FCC Form 2100, Schedule 303-S, File No. 0000298318, at 5 (filed May 28, 2026) (answering “Yes” to the EEO Program certification that “[t]he station’s Broadcast EEO Program Report (Form 2100, Schedule 396), has been filed with the Commission as required by 47 CFR Section 73.2080(f)(1),” and separately certifying that the station posted its most recent Broadcast EEO Public File Report on its website).

¹⁸47 C.F.R. § 73.2080(f)(4)–(5).

¹⁹*Lutheran Church–Missouri Synod v. FCC*, 141 F.3d 344, 352–54, 356 (D.C. Cir. 1998); *MD/DC/DE Broadcasters Ass’n v. FCC*, 236 F.3d 13, 18–20, 22–23 (D.C. Cir. 2001), *reh’g denied*, 253 F.3d 732 (D.C. Cir. 2001).

opportunities among its station employees on the basis of race or sex would present a serious compliance question under the Commission’s own rule, whatever the asserted motivation.

D. Character, Candor, and Completeness

Section 308(b) requires applicants to set forth such facts as the Commission may require concerning citizenship, character, and other qualifications.²⁰ Under the Commission’s character-policy framework, violations of law involving misrepresentation to government bodies, and FCC-related misconduct including misrepresentation and lack of candor, bear directly on licensee qualifications.²¹ The Supreme Court long ago confirmed that concealment and deception in dealings with the Commission independently justify refusal to renew.²² The candor obligation matters here because the renewal applications and Schedule 396 filings are the licensees’ own account of their employment practices: if material corporate programs affecting station employment existed during the license term and are not disclosed, the completeness of those filings is itself a renewal issue.

III. THE FCC’S OWN ORDERS MAKE THESE RENEWALS NON-ROUTINE

None of the ABC Stations’ licenses was due for renewal in the ordinary course; the Bureau directed early filing because it determined that early renewal was essential to the proper conduct of its investigation.²³ The Order recites that Disney’s ABC “purported to respond” to two Letters of Inquiry, and that the Commission nonetheless determined that additional action was appropriate—a determination that at least supports the conclusion that the Bureau did not regard the then-existing responses as sufficient to end the inquiry.²⁴

Two consequences follow. First, the subject matter of the investigation, as the Commission itself has framed it, is employment conduct—hiring, promotion, compensation, and workplace opportunities allegedly affected by race, gender, or other protected characteristics—not programming, editorial judgment, or viewpoint.²⁵ That framing defines the legitimate scope of this proceeding, and this Comment stays within it. Second, the procedural posture forecloses routine treatment. An agency that accelerates eight license renewals because they are essential to an investigation cannot coherently grant those renewals, full-term and without conditions, while the investigation remains open and the record remains incomplete. The renewal proceeding is the procedural vehicle through which the Commission has chosen to test issues central to the investigation.

²⁰47 U.S.C. § 308(b).

²¹*Policy Regarding Character Qualifications in Broadcast Licensing Amendment of Rules of Broadcast Practice and Procedure Relating to Written Responses to Commission Inquiries and Making of Misrepresentations to the Commission by Permittees and Licensees*, Report, Order, and Policy Statement, 102 F.C.C.2d 1179 (1986), *recon. dismissed/denied*, 1 FCC Rcd 421 (1986); *Policy Regarding Character Qualifications in Broadcast Licensing*, Policy Statement and Order, 5 FCC Rcd 3252 (1990), *modified*, Memorandum Opinion and Order, 6 FCC Rcd 3448 (1991), *further modified*, Memorandum Opinion and Order, 7 FCC Rcd 6564 (1992).

²²*FCC v. WOKO, Inc.*, 329 U.S. 223, 227–29 (1946).

²³Public Notice at 1.

²⁴Early Renewal Order ¶ 1 (noting that Disney’s ABC “purported to respond” to two Letters of Inquiry and that “additional actions are appropriate at this time”).

²⁵ Public Notice at 1–2.

IV. PUBLIC REPORTING RAISES SUBSTANTIAL QUESTIONS ABOUT DISNEY'S CORPORATE DIVERSITY INFRASTRUCTURE

The following public reporting identifies concrete subjects for station-specific record development. The question at this stage is not whether the reporting proves a violation, but whether it warrants supplemental disclosure of materials within Disney's control and relevant to the Commission's stated investigation. These materials matter because the Commission's stated investigation is about whether protected characteristics affected employment opportunities. Corporate DEI infrastructure is not unlawful by itself, but if it was operationalized through employment decisions, compensation incentives, representation targets, or access to workplace opportunities at the stations, it becomes directly relevant to § 73.2080(a), Title VII-style nondiscrimination concerns, and § 309(k) renewal findings.

In May 2021, Manhattan Institute senior fellow Christopher F. Rufo reported in *City Journal*, based on documents attributed to Disney employees, that Disney had launched a diversity initiative known as "Reimagine Tomorrow" encompassing employee trainings on subjects such as systemic racism and white privilege, a checklist-style self-assessment for white employees, and racially defined employee affinity groups.²⁶ A later *City Journal* article referenced that earlier reporting and described an internal company all-hands meeting associated with the "Reimagine Tomorrow Conversation Series."²⁷ In a televised appearance, Mr. Rufo showed that Disney training materials addressed "systemic racism" and urged employees to reject "equality" in favor of "equity."²⁸ Later reporting described a January 2021 company-wide meeting associated with the Reimagine Tomorrow initiative.²⁹ What remains unclear from the public record is whether and how those materials, trainings, meetings, or related corporate initiatives applied to any ABC Station employment unit, and whether they affected any hiring, promotion, compensation, training, assignment, or workplace-access decision at any ABC Station. Those are station-specific questions the Commission can and should require Disney's ABC to answer.

Disney's own public materials supply important context. The company's inclusion materials have described inclusion as core to its culture and business and have linked a workforce reflecting its consumers to business performance. The relevant question is how those corporate commitments were operationalized—and in particular whether they were translated into goals,

²⁶Christopher F. Rufo, *The Wokest Place on Earth*, *City Journal* (May 7, 2021), <https://www.city-journal.org/article/the-wokest-place-on-earth>.

²⁷Christopher F. Rufo, *Disney Is Interested in Your Kids*, *City Journal* (Mar. 30, 2022), <https://www.city-journal.org/article/disney-is-interested-in-your-kids>.

²⁸*Chris Rufo discovers Disney is forcing employees to comply with "woke" agenda*, Fox News, transcript of Tucker Carlson Tonight (May 7, 2021), <https://www.foxnews.com/transcript/chris-rufo-discovers-disney-is-forcing-employees-to-comply-with-woke-agenda>; see also *Chris Rufo: Once great Disney is telling America it's "fundamentally racist," founded on discrimination*, Fox News (May 7, 2021), <https://www.foxnews.com/media/chris-rufo-the-once-great-disney-is-telling-america-its-fundamentally-racist-founded-on-discrimination>.

²⁹Christopher F. Rufo, *The Moment Disney Went Political* (Feb. 14, 2024), <https://christopherrufo.com/p/the-moment-disney-went-political> (publishing video and transcript excerpts from a Jan. 23, 2021 company-wide meeting associated with Disney's Reimagine Tomorrow initiative, including statements by Bob Iger and Bob Chapek concerning Disney's public posture on social issues, charitable giving to underrepresented communities, diverse-supplier spending, and diversity in content).

metrics, incentives, manager guidance, or workplace programs that touched employment decisions at the ABC Stations.³⁰

Disney’s own proxy statements confirm that, during at least part of the relevant period, diversity-and-inclusion considerations were included among the non-financial factors used in Disney’s executive annual-bonus framework. Public reporting further indicates that Disney later revised those programs, including by replacing a diversity-and-inclusion factor with a “talent strategy” factor and rebranding or revising materials associated with Reimagine Tomorrow.³¹ That reporting is significant in two respects. It suggests that, during a portion of the relevant period, diversity-related metrics figured in compensation—a subject squarely within the Commission’s stated investigation. And it confirms that practices changed during the license term, which means that candid disclosure must address past practices throughout the term, not merely the practices in effect on the date of filing. A renewal record describing only current policy would be materially incomplete.

V. THE COMMISSION SHOULD REQUIRE STATION-SPECIFIC DISCLOSURE

Because § 309(k) findings must be made with respect to each station, the legally relevant question is station-level implementation. The FCC should require Disney’s ABC to answer, for each of the eight ABC Stations and relevant station employment units, at minimum the following:

1. Did the Reimagine Tomorrow initiative, or any related or successor diversity, equity, inclusion, belonging, representation, or talent-strategy policy, apply to the station or its employment unit during the license term?
2. Were any station-level decisions concerning hiring, promotion, compensation, or assignment influenced by race, color, religion, national origin, sex, or any other protected characteristic within the scope of the Commission’s investigation?³²
3. Were station managers, news directors, human-resources personnel, producers, or supervising executives evaluated, rewarded, or compensated, in whole or in part, by reference to demographic goals, representation targets, or inclusion metrics?

³⁰ See, e.g., The Walt Disney Company, 2023 *Sustainability and Social Impact Report*, <https://impact.disney.com/resources/2023-ssi-report>, at 29 (stating that Disney is committed to creating a diverse workforce and inclusive culture, that it seeks talent reflecting its global audiences, and that its inclusion efforts include People, Culture, Market Reach, and Community components); The Walt Disney Company, 2021 *Corporate Social Responsibility Report*, <https://impact.disney.com/resources/2021-csr-report>, at 15–16, 26 (2022) (describing Reimagine Tomorrow, workforce-reflection objectives, talent-acquisition practices, DEI metrics, and related transparency/accountability mechanisms)

³¹The Walt Disney Company, 2024 *Proxy Statement* 38, 45–46 (fiscal 2023 annual-bonus plan weighted 70% against financial performance targets and 30% against Other Performance Factors, and stating that diversity and inclusion had the highest weighting among those Other Performance Factors); The Walt Disney Company, 2025 *Proxy Statement* 35, 43–45 (fiscal 2024 annual-incentive plan weighted 70% against financial performance targets and 30% against Other Performance Factors, including Diversity & Inclusion, Synergy, and Storytelling & Creativity as equally weighted Other Performance Factors); The Walt Disney Company, 2026 *Proxy Statement* 45–47 (fiscal 2025 annual-incentive plan weighted 70% against financial performance targets and 30% against Other Performance Factors, including Talent Strategy, Synergy, and Storytelling & Creativity); see also Dawn Chmielewski, *Disney tweaks DEI programs to focus on business outcomes, memo says*, Reuters (Feb. 11, 2025) (reporting that Disney removed “Reimagine Tomorrow” from its 2024 annual report and changed an executive-compensation factor from a diversity-and-inclusion factor to “talent strategy”).

³² 47 C.F.R. § 73.2080(a); see also Public Notice at 1–2.

4. Were internships, fellowships, mentoring programs, leadership-development programs, newsroom assignments, or production opportunities allocated, in whole or in part, on the basis of protected characteristics?
5. Did employee-resource or affinity groups operate within the station or its employment unit, and were such groups connected to hiring pipelines, promotion decisions, access to management, or other employment opportunities?
6. Were any diversity-related trainings mandatory for station employees or managers, and what were their contents?
7. Did any training or guidance instruct employees or managers to reject colorblindness, equal treatment, or neutrality in employment-related decisions?
8. Were vendor, contractor, supplier, internship, fellowship, or other workplace-adjacent opportunities connected to station operations affected by demographic criteria, to the extent those opportunities formed part of employment, training, promotion, or workplace-access pipelines?
9. Were there internal complaints, objections, investigations, discipline, or remedial measures relating to race-, sex-, or identity-conscious employment practices at the station, and were they disclosed?
10. Are the station's Schedule 396 filings, EEO public-file reports, and supporting records complete and accurate with respect to the foregoing, as § 73.2080(f)(4) requires them to be verifiable?³³

These questions track the Commission's own description of its investigation. They are answerable from documents within Disney's exclusive control. And they are framed to separate aspiration from operation: a corporate value statement is not a rule violation, but an operational target tied to selection decisions, performance reviews, or compensation may be. Only disclosure can tell the difference.

VI. ROUTINE FULL-TERM RENEWAL WOULD BE PREMATURE

Routine full-term renewal on the present record would be premature for four reasons. First, the investigation is ongoing, and the Bureau has already concluded that the responses to two Letters of Inquiry left additional action appropriate.³⁴ Second, § 309(k) requires affirmative, station-specific, term-specific findings that cannot presently be made on generalized corporate assurances.³⁵ Third, deferral creates no operational hardship: the ABC Stations may continue broadcasting while the applications are pending.³⁶ Fourth, the Commission's remedial menu is graduated.

If the completed record permits the Commission to make the findings required by § 309(k)(1), full-term renewal follows. If the record shows a failure to satisfy § 309(k)(1), the Commission may deny renewal after the required hearing or grant renewal on appropriate terms

³³ 47 C.F.R. § 73.2080(f)(4) (Commission may conduct inquiries of licensees "if it has evidence of a possible violation of the EEO rule").

³⁴Early Renewal Order ¶ 1 (noting that Disney's ABC "purported to respond" to two Letters of Inquiry and that "additional actions are appropriate at this time")

³⁵ 47 U.S.C. § 309(k)(1) (findings made "with respect to that station")

³⁶See 47 U.S.C. § 307(c)(3); Public Notice at 1–2 (stations may continue operating while the Commission considers renewal).

and conditions, including renewal for a term less than the maximum otherwise permitted. Denial is required only if, after notice and opportunity for hearing, the Commission determines that the licensee failed to meet the § 309(k)(1) standard and that no mitigating factors justify lesser sanctions.³⁷ Only if substantial and material questions of fact remain would hearing designation be required.³⁸

Finally, the public's statutory role should be preserved. The Public Notice directs interested parties to raise all issues in their initial filings and provides for public access to filings through ECFS.³⁹ If Disney's ABC supplements the record in response to the investigation or to this proceeding, the Commission should afford the public a meaningful opportunity to comment on the supplemental material before acting on the applications.

This requested relief does not depend on any content- or viewpoint-based licensing theory. WABC has objected that the Early Renewal Order burdens First Amendment interests, but this Comment does not ask the Commission to evaluate Disney's ABC based on programming, editorial judgment, political advocacy, or viewpoint.⁴⁰ It asks only that the Commission complete the employment-discrimination inquiry it has already identified and require a station-specific record sufficient to determine compliance with neutral, generally applicable nondiscrimination obligations.⁴¹

VII. REQUESTED RELIEF

For the foregoing reasons, Commenter respectfully requests that the Commission:

1. Continue and complete a station-specific investigation into whether Disney's ABC licensees complied with federal nondiscrimination law and the Commission's broadcast EEO rule during the relevant license terms;
2. Require Disney's ABC licensees to supplement the record with complete, station-specific information concerning diversity, equity, inclusion, belonging, representation, and talent-strategy policies and their application to hiring, promotion, compensation, training, and workplace opportunities during the license term;
3. Require production, supplementation, or public filing, to the extent not already publicly filed and to the extent consistent with law and appropriate confidentiality protections, of the relevant policies, training materials, manager guidance, executive-compensation criteria, employee-resource-group materials, EEO records, and station-level implementation documents for the eight ABC Stations;

³⁷47 U.S.C. § 309(k)(2)–(3).

³⁸47 U.S.C. §§ 309(e), 309(k)(3).

³⁹Public Notice at 4 (directing that filings be made in MB Docket No. 26-131 through ECFS and that parties raise all issues in their initial filings).

⁴⁰*WABC Television (New York), LLC*, Renewal of License, Form 2100, Schedule 303-S, File No. 0000298318, Attachment: Objection to Unlawful Early Renewal, at 1, 4–5, 13–15 (filed May 28, 2026) (objecting that the Early Renewal Order is unlawful, arbitrary, unconstitutional, and incompatible with the First Amendment, and asking the Commission to rescind it).

⁴¹*See, e.g., Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181, 206–08 (2023) (race-based decision-making is subject to the most exacting scrutiny); 42 U.S.C. § 2000e-2(a) (Title VII).

4. Defer routine full-term renewal until the Commission completes its investigation and can make the findings required by 47 U.S.C. § 309(k);
5. Impose any remedy warranted by the completed record, including short-term renewal, reporting conditions, compliance conditions, hearing designation, or denial where authorized by 47 U.S.C. §§ 309(e) and 309(k); and
6. Afford the public an opportunity to comment on any supplemental submission by Disney's ABC before final action on the applications.

CONCLUSION

The Commission should not grant ordinary, full-term renewals on an incomplete record in a proceeding the Commission itself created because early renewal was essential to an investigation into potentially unlawful employment practices. The statute requires the Commission to make station-specific findings before granting renewal; the rules require station-level EEO records; and the public interest requires a complete record. The Commission should require that record before it acts.

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Respectfully submitted,

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