

# **POLITICAL ADVERTISING DISCLOSURE STATEMENT**

**OF**



## **STATIONS**

**TV:** WGEM (NBC) – GGEM (FOX) – EGEM (CW) – HGEM (ME-TV)

**RADIO:** FM 105 (News Talk) – AM 1440 / FM 98.9 (Sports Talk)

Quincy, Illinois

**Gray Television**

**This Disclosure Statement is Effective for the Period  
Beginning on April 24<sup>th</sup>, 2022  
and Ending on August 5<sup>th</sup>, 2022  
(2022 State Primaries – IL, MO, IA)**

Effective as of: 3.4.22

### **1. Applicability**

This policy describes the political advertising policies of Gray Media Group, Inc., d/b/a WGEM (NBC), GGEM (FOX), EGEM (CW), HGEM (Me-TV), FM 105 (News Talk), and AM 1440/FM 98.9 (Sports Talk) in the Quincy-Hannibal-Keokuk Designated Market Area adopted in compliance with the requirements, rules and regulations of the Federal Communications Commission. These policies apply to purchases of advertising time for “uses” by legally-qualified candidates for public office (i.e., spots which feature the candidate’s recognizable voice or likeness and are controlled, sponsored or approved by the candidate or the candidate’s authorized committee), including advertising time for candidate-authorized coordinated buys. These policies do not apply to third-party ads, such as those purchased by political action committees, political parties, or issue advertisers.

## 2. Access

Reasonable access will be provided to all Federal candidates and legally qualified candidates in certain state and local races. In order to comply with its equal opportunity's obligations, the Station reserves the right to limit the amount of time made available for candidates for state or local races. The Station does not separate competitive political advertisements. Thus, a candidate's spots may be aired "back-to-back" with their opponent's spots.

## 3. Classes of Time

The Station offers the following classes of time. All rates quoted are for 30-second spots, other length spots (:60) (:15) may be available upon request.

**Section 1 – Non Preemptible** - This class of time is guaranteed to clear and run (barring any technical difficulty or unanticipated program change), in or adjacent to the specific program or time period ordered. This class of commercial time may not be preempted by any other advertiser and is the Station's highest priority class of time. Less than 15% of all the units sold by the Station fall within the Section 1 class. In the event of a technical error, make-goods will be provided in comparable programming subject to Section 7 below.

**Section 2 – Preemptible with Notice** - This class of time is very likely to clear and run (barring any technical difficulty or unanticipated program change), in or adjacent to the specific program or time period ordered. Section 2 class of time is subject to preemption by an advertiser purchasing a Non Preemptible class of time (Section 1) or by an advertiser paying a higher rate within this class of time. When this occurs, the Station will always attempt to make good the spot within the advertiser's flight, in the same program or time period; and in the event that the program is not available, a similar value program or time period is offered if available. Approximately 35% of all the units sold by the Station fall within Section 2 and approximately 5% of these units are preempted and approximately 98% are made good within the advertiser's flight.

**Section 3 – Immediately Preemptible** - This class of time is less likely to clear and run. Section 3 class of time is subject to preemption by an advertiser purchasing a higher priority class of time (Sections 1 and 2) or by an advertiser paying a higher rate within this class of time. When this occurs the Station will attempt to make good the spot within the advertiser's flight, in the same program or time period; and in the event the program or time period is not available, a similar value program or time period is offered, if available. In heavy demand times the clearance and make good percentage diminishes. Approximately 40% of all the units sold by the Station fall within Section 3 and approximately 30% of these units are preempted and approximately 60% of these units are made good within the advertiser's flight.

**Section 6 - Rotator** - This class of time is least likely to clear and run and is booked by advertisers who place a value on low rates and less value on when and if the commercial airs. The Station accepts this class of time as part of a package or broad rotation daypart requests. Broad daypart rotations are not published on the rate card (radio is published) but are available upon request from the Station. Section 6 class of time is subject to preemption by an advertiser purchasing a higher priority class of time (Sections 1 through 3). When this occurs, the Station endeavors to run all the commercials booked within this time class. However, frequently at the

Stations discretion the schedules are moved day to day, week to week and month to month. Approximately **5%** of all units sold by the Station fall within this class and approximately **50%** are preempted and approximately **50%** of these units are made good within the advertiser's flight. If requested, candidates will be furnished any special package likely to run in specific programs or time periods.

It's the Stations practice to offer advertisers its best estimate as to the appropriate Section level that is needed to clear a particular program or time period. However, an advertiser may choose to purchase at a higher Section level to lower the risk of preemption.

It's also the Stations practice to monitor and forecast spot inventory sell-out levels for all dayparts six to eight weeks in advance of air date. The Station may preempt spots in advance of the scheduled flight dates and offer makegoods in the same or similar time periods earlier in the client's flight. These "Flexible Schedule Preemptions" are made only with client approval and are based on the degree of flexibility in a client's ad schedule rather than the Section and/or Rate criteria typically used in the spot preemption process.

#### **4. Lowest Unit Rate**

The lowest unit charge is the lowest rate paid for the same class, time-period and amount of time that clears. The station will provide its lowest unit rate to legally qualified candidates and their authorized committees for candidate-authorized uses in the pre-election period 45 days before a primary election and 60 days before a general or special election. Outside of the 45-days and 60-days periods before primary and general elections, the Station will sell time to candidates at the current effective selling rate for comparable commercial advertisers.

Current estimates of the lowest unit charge and probability of preemption are included on the attached rate card. Because we cannot determine lowest unit charge until all time has aired in a particular week and because the rate levels at which time will clear vary with market demand, the Station cannot guarantee estimates of the lowest unit charge or of the preemption likelihood of a particular class of time. All such estimates are subject to the demand and supply of current market conditions.

Window for primary election opens:

- Illinois: May 15<sup>th</sup>, 2022
- Iowa: April 24<sup>th</sup>, 2022
- Missouri: June 21<sup>st</sup>, 2022

Window for general/special election opens: September 9<sup>th</sup>, 2022

#### **5. Preemption**

In the event a Preemptible with Notice, Immediately Preemptible, Rotator or a Run-of-Station announcement is preempted, we will attempt to provide and "make good" the announcement in a

comparable time period(s) to achieve an audience level comparable to that which might have been estimated or projected by us when the order was placed. The Station cannot guarantee to any advertiser that the make-goods can be provided in the time period or rotation originally ordered. Different classes of time provide different priorities for make-goods (i.e. – “preemptible with notice” ads have a higher priority than “immediately preemptible” ads). If inventory constraints preclude such identical scheduling, the Station will offer make-goods of equivalent value. In these circumstances, if a suitable make good announcement cannot be broadcast, the Station will issue a rebate or credit as the advertiser may elect.

Station selects spots on a “last in, first out” basis that turns on when the spot was purchased, without regard to the identity of the advertiser or the rate paid for the spot.

If a lower priced spot clears in the same class and time-period, the station will rebate the difference to the candidate. The station reviews its records on a weekly basis. Candidates will be given the option of receiving a credit toward future purchases or receiving a rebate.

Political Advertisers are cautioned that the risk of preemption may change significantly, especially during high-demand periods leading up to an election, and that such changes may be material. Political Advertisers should periodically call the Station to obtain the Station’s then-current estimate of the risk of preemption for any purchased schedule.

## **6. Rebates**

In the event a particular class of advertising for a specified time-period is broadcast during the 45 and 60-day periods before a primary or general election reflecting a rate lower than the rate paid by the candidate for the same class of time and time period, the candidate will be afforded the benefit and choice of the lower rate either by way of a timely rebate or credit against future/additional purchases net of agency commission at the option of the candidate.

## **7. Make Goods**

In the event a Preemptible with Notice, Immediately Preemptible, Rotator or a Run-of-Station announcement is preempted, we will attempt to provide and “make good” the announcement in a comparable time period(s) to achieve an audience level comparable to that which might have been estimated or projected by us when the order was placed. The Station cannot guarantee to any advertiser that the make-goods can be provided in the time period or rotation originally ordered. Different classes of time provide different priorities for make-goods (i.e. – “preemptible with notice” ads have a higher priority than “immediately preemptible” ads). If inventory constraints preclude such identical scheduling, the Station will offer make-goods of equivalent value. In these circumstances, if a suitable make good announcement cannot be broadcast, the Station will issue a rebate or credit as the advertiser may elect.

## **8. Sponsorship ID**

All political advertisements must contain sponsorship identification that complies with Section 73.1212 of the FCC's rules and with applicable federal and state election laws. Such sponsorship ID must fully and accurately identify the organization or individual that has paid for the spot using the terms "paid for by" or "sponsored by."

Section 73.1212 requires political spots to contain visual sponsorship identification in letters not less than 4% of total picture height broadcast for not less than four seconds. The station will add the required sponsorship identification to any spots not containing it and will charge candidates for production costs in doing so on the same basis as would be applicable to commercial advertisers. THE STATION WILL NOT ADD TIME TO THE LENGTH OF A SPOT TO ACCOMMODATE SPONSORSHIP IDENTIFICATION.

Additionally, advertisements for federal candidates must also include a statement that identifies the candidate and states that he or she approved the communication. The candidate must convey the statement either through an unobscured full-screen view while identifying themselves and making the required statement, or by including a voice-over in which the candidate identifies himself and makes the required statement while a clearly identifiable photographic or similar image – which must occupy at least 80% of the vertical screen height – appears on screen. If the spot makes a direct reference to another candidate for the same office, then the end of the spot must include a similar statement in writing. The written statement must appear in letters no smaller than 4% of the vertical picture height and must remain on screen for a period of at least four seconds. The written statement should also state the name of the person or entity that sponsored or paid for the spot.

## **9. Sponsorship ID and LUC for Federal Candidates**

In compliance with Bipartisan Campaign Reform Act of 2002 ("BCRA"), a federal candidate is only eligible to receive the station's lowest unit rate if the candidate or the candidate's authorized committee, certifies to the Station that the proposed political advertisement will not make a direct reference to an opponent candidate unless the spot complies with the enhanced disclosure requirements of BCRA. The enhanced BCRA disclosure requirement requires that the spot contain a clearly identifiable photo or image of the candidate, and a clearly readable statement that identifies the candidate, states that he or she approved the broadcast, and that his or her authorized committee paid for the spot. If a federal candidate does not provide the required certification or does not comply with the enhanced disclosure requirements, he or she is not entitled to receive the station's lowest unit rate for the remainder of the time leading up to the election for that office.

**10. Ratings.** We may negotiate with an advertiser to provide a certain agreed upon audience delivery rating for a specific advertising purchase. We do not provide cash refunds or rebates to any advertiser as a result of our failure to deliver an estimated audience rating, rather we will offer make-good spots. The provision of such make-good spots will be governed by the terms of our agreement with the advertiser, are subject to other time demands, availabilities, and may not be available in the same time periods as the original schedule. Political advertisers should note that the ability of the station to offer make-good spots for audience under-delivery may be limited or unavailable due to lack of audience ratings data or inventory or timing constraints during the political season.

**11. Agency Commission.** The Station provides a 15 percent discount for ad buys made by an advertising agency. Political candidates and authorized campaign committees who purchase time without an advertising agency will receive a 15 percent discount.

**12. Placing an Order.** Orders for time will not be considered firm, until the Station has received the following:

- A complete, accurate and signed NAB PB-18 Form (or all information required by this form);
- Proof that a candidate is legally qualified.
- Proof that a purchaser is a candidate's authorized committee; and
- Advance payment for ordered time.

Note: Advance orders for schedules of political advertising will be subject to reconfirmation on the later date of the date payment is received or thirty (30) days before the start of the schedule, and are not considered final until that time.

### **13. Traffic Instructions and Deadlines**

All traffic instructions, and any changes, must be received in writing. The Station will accept spots delivered by:

In order to ensure sufficient time to conduct pre-broadcast review of spots, candidates must respect the following order deadlines.

<i>LOG FOR</i>	<i>ORDER AND FACILITY</i>
For Monday:	11am Friday
For Tuesday:	11am Monday
For Wednesday:	11am Tuesday
For Thursday:	11am Wednesday
For Friday:	11am Thursday
For Saturday/Sunday:	11am Thursday

#### **14. Station Access/Production.**

The Station will permit federal candidates (but not state and local candidates) to change and edit copy outside of regular business hours on the weekend before the election. Contact the station for more specifics.

The Station may make production facilities available for political advertisements and programs, subject to availability. Production charges are handled separately from time charges. Contact General Sales Manager at 217-228-6627 for information and rates.

**15. Cancellation.** An advertiser who has paid in advance for a flight of advertisements may cancel that flight, or any part thereof, five (5) or more days before the first spot is scheduled to run for a full refund or credit. Any advertiser who cancels less than five (5) but more than two (2) days before the first spot is scheduled to be run will receive a refund or credit for 50% of the amount paid for the cancelled spots. Any advertiser who cancels two (2) or fewer days before the first spot is scheduled to be run will receive no refund or credit for the cancelled spots.

**16. Election Day Schedules.** The Station will air political ads on Election Day until 6:00pm CST. All requests for Election Day availabilities must be received by close of business on the Tuesday prior to the election.

**17. Public File.** The Station maintains an online political file. Information in this file can be found at <https://publicfiles.fcc.gov/>.

**18. Non-Discrimination.** Stations licensed to Gray Television do not discriminate in the sale of advertising time, and will accept no advertising which is placed with intent to discriminate on the basis of race or ethnicity. The parties to an agreement for the sale of advertising time on a station licensed to Gray Television affirm that nothing in that agreement will discriminate in any way on the basis of race or ethnicity.

**19. Commercial Advertising Loudness Mitigation Act (CALM Act) Certification.** By purchasing time on the Station, each advertiser certifies that it has properly measured the loudness of the commercial or other content and has accurately reported that loudness, consistent with the Advanced Television Systems Committee (ATSC)'s "Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television" (A/85), and any successor thereto approved by the ATSC.

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1440 / FM 98.9 (Sports Talk)

Quincy, IL

**A C K N O W L E D G E M E N T**

Advertiser has been advised that a variety of classes of time (preemptible and non-preemptible) and package options are available to advertisers at a variety of rates, and the purchaser has been furnished with all requested information concerning classes, rates, discounts, preemptible, and package plans.

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Station Acknowledgement of disclosure to candidate

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Printed Name of Candidate

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Printed Title of Office Candidate is seeking

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How disclosure made available to Candidate  
(fax, mail, in person, e-mail, etc.)

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Phone Number of Candidate

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Email

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Date