



POLITICAL ADVERTISING POLICY DISCLOSURE STATEMENT 2024

KGNS-TV, (OGNS, NGNS) KYLX-LD (NYLX), KXNU-LD LAREDO, TEXAS

Effective as of: _12/28/2023

1. Applicability

This policy describes the political advertising policies of Gray Media Group, Inc., d/b/a KGNS-TV, KYLX-LD, KXNU-LD in the Laredo, Texas Market 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

The Station will provide reasonable access to all legally qualified federal candidates at least during the forty-five (45) days preceding primary elections and the sixty (60) days preceding general and special elections. Stations will make best efforts to provide reasonable access to all legally qualified federal candidates outside these periods once a candidate’s campaign is underway. The Station will agree to air political announcements and programs until **5:30p.m.** local time on the primary election day, the general election day and the special election day.

Window for Primary election:

January 20, 2024, Primary Window Opens

March 5, 2024, Primary Election Date

Window for Runoff Primary election:

April 13, 2024, Primary Runoff Window Opens

May 28, 2024, Primary Runoff Election Date

Window for General election:

September 6, 2024, General Window Opens

November 5, 2024, General Election Date

Subject to availability, legally qualified federal candidates may purchase advertising in all available programming, from all classes of time, as set forth on the attached rate card. The rate card provides the Station’s best good faith assessment of the lowest unit charge for each class; candidates may contact the Station for more up-to-date estimates. The Station will determine



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in its sole discretion which state and local races to cover on a race-by-race basis and reserves the right to determine the amount and placement of time available to state and local candidates. The Station will accept political advertising within and adjacent to its regularly scheduled news programming; however, news sponsorships are not available to any political candidate.

3. Identification

FCC Requirements for All Candidates

All political advertisements must comply with Federal Communications Commission (“FCC”) sponsorship identification and disclosure requirements. The FCC requires that spots authorized by a candidate or the candidate’s committee contain the following visual sponsorship identification: “Paid for (or sponsored) by [name of payor/sponsor].” This text must appear on the screen for at least four seconds at either the beginning or end of the spot or program and occupy not less than 4% of the vertical picture height. If the spot or program is longer than five minutes, the sponsorship ID must appear at both the beginning and the end of the spot or program. If the required identification is not included or does not meet minimum FCC requirements, the Station reserves the right to add the appropriate sponsorship identification. However, the Station will NOT add time to the length of a spot to accommodate sponsorship identification. Production costs will be billed at the Station’s usual rates.

Lowest Unit Rate Requirements for Federal Candidates

Federal election law provides that a federal candidate is eligible for the Station’s only if the candidate provides “written certification” to the Station that the candidate and the candidate’s authorized committee “shall not make any direct reference to another candidate for the same office” in a spot unless that spot complies with expanded sponsorship identification requirements. Note that this requirement applies to any “reference” to another candidate — not necessarily an attack or a negative reference.

To satisfy the expanded sponsorship identification requirements for LUR eligibility, a message must appear at the end of a federal candidate’s spot containing BOTH:

1. a clearly identifiable photographic or similar image of the candidate and
2. a clearly readable printed statement that identifies and states that the candidate has approved the spot and that the candidate’s authorized committee paid for the spot.

The image and statement must appear at the end of the spot and must remain on the screen for at least four seconds.

If a candidate’s sponsored spot airs on the Station and refers to an opposing candidate without including the foregoing enhanced sponsorship identification, that candidate is not entitled to the Station’s lowest unit rate for that spot or for any spot run from that day through the relevant election window. See “Rates,” below.

Federal Election Commission (“FEC”) Requirements for Federal Candidates



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In addition, the FEC requires that federal candidates include in the spots an oral statement that:

1. identifies the candidate on whose behalf the time was purchased; and
2. states that the candidate approved the spot.

This requirement may be met with either an unobscured, full-screen view of the candidate stating this information or a voice-over by the candidate accompanied by a clearly identifiable visual image of the candidate, which must occupy at least 80% of the vertical screen height and appear on the screen for at least four seconds. In addition, a written statement including the same information must appear at the end of the spot, in a clearly readable manner for a period of at least four seconds and occupying no less than 4% of the vertical picture height. The written statement also should state the name of the person or entity that sponsored or paid for the spot. Candidates are reminded that compliance with FEC requirements is the sole responsibility of the candidate.

4. Orders

Orders for political time may not be considered firm until the Station has received and/or confirmed the following:

1. The Station requests that the candidate or his or her authorized representative complete and sign an Agreement Form for Political Broadcasts. The Station prefers the use of NAB Form PB-18 or more recent version; copies are available from the Station. At a minimum, the Station must receive the following information:
 - a. the name of the candidate and office to which the request/order applies;
 - b. the class of time and time period that is being purchased; and
 - c. the identity of the purchaser of the time, including the name of the candidate's authorized committee and the name of the committee's treasurer.

When the purchase is made by a corporation, committee, association, or other unincorporated group, a list of the entity's chief executive officers, executive committee members and/or board of directors (as applicable) also must be provided.

2. Net payment one (1) working days prior to air date, using cash or cash equivalent (check or money order). The Station will evaluate requests from candidates for credit on the same basis used to evaluate such requests from similarly situated commercial advertisers. The Station permits candidates to use credit cards on the same basis as it permits similarly situated commercial advertisers to use credit cards. In addition, if the candidate's advertising agency accepts full responsibility for payment of time charges in writing and qualifies for credit under the standards used by the Station to evaluate credit requests from commercial advertisers' advertising agencies, the Station will extend credit to the candidate's agency. Please contact the Station for additional information.



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3. If a political advertiser does not place his/her order through an advertising agency, he/she is entitled to a 15% reduction in the gross time sales amount.
4. Where doubt exists, the Station may require satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.
5. Where doubt exists, the Station may require satisfactory proof that the purchaser is authorized to buy time for the candidate, and that the spot or programming is approved, controlled or sponsored by the candidate or the candidate's authorized campaign committee.
6. Advance orders for schedules of political advertising will be subject to reconfirmation on the later of the date payment is received or thirty (30) days before the start of the schedule and are not considered final until that time. The Station reserves the right to recapture spot time, even after spots are reconfirmed, in order to meet equal opportunity or reasonable access requirements, or to comply with other legal obligations. If spot time is recaptured, the candidate will be advised as soon as practicable and an appropriate refund or credit, at the candidate's option, will be issued.
7. Commercial materials (tape, film, slides, or copy), along with written instructions for their use, should be submitted to the Station as soon as possible to ensure proper airing, but in any event not less than twelve (12) business hours before the advertisement's first scheduled air time. All instructions for airing, including any changes to the instructions, of spots must be in writing (i.e., by letter, fax, or e-mail). Any changes to these instructions must be made in writing to the Station (by letter, fax, or e-mail). We request that candidates pre-submit tapes so that they are received in sufficient time to permit confirmation by the Station that the spot is a "use," that it complies with FCC and FEC sponsorship identification and disclosure requirements, and that it complies with broadcast technical standards. Advertisements that are not candidate-authorized "uses" or that do not conform to length specifications or broadcast technical standards may be rejected.
8. The Station will endeavor to accommodate all changes in broadcast traffic as early as possible; however, the Station cannot guarantee that it will be able to accommodate all last-minute changes. The Station can generally complete all changes up to 12:00 noon for the next day's business (Thursday for Friday and Saturday; Friday for Sunday and Monday). Candidates should not assume, however, that the Station will be able to accommodate change requests received by this deadline, particularly in the days preceding an election, when demands on Station personnel are exceptionally high.
9. Federal candidates must submit the required sponsorship identification certification as described in the section on "Rates," below, in order to be eligible to receive the Station's lowest unit rate.

Failure by a political advertiser to fulfill all requirements in advance of some deadlines may result in preemption and/or cancellation of some or all announcements or programs previously cleared.



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5. Availability

Legally qualified candidates may purchase time from the Station for “uses” subject to availabilities.

a. All lengths of spots are available to all legally qualified federal candidates for “uses” (:10's, :15's, :30's, and :60's). Our inventory of spots that deviate from the standard unit length (:30's) is limited and subject to greater preemptibility based on time period; approximately 5% of the Station’s inventory allows for natural :10's and/or :15's. Ten (:10) second announcements are calculated at 50% of the :30 second rate; fifteen (:15) second announcements are calculated at 60% of the :30 second rate; sixty (:60) second announcements are calculated at double (200%) the :30 second rate. Subject to lowest unit charge obligations, all calculations for announcements other than :30's will be rounded to the nearest \$5 increment.

b. Candidates should be aware that orders for the purchase of time made after 12:00 noon on the Thursday preceding Election Day may not be filled due to lack of availabilities. The earlier an order is placed, the greater the scheduling options will be.

c. Certain time periods may be unavailable for purchase, such as when those time periods are committed because of the Station’s compliance with its legal obligations. The Station reserves the right to recapture time, even after it has been confirmed, to satisfy equal opportunities and other legal obligations.

d. Requests for programming avails and spots in program length and non-standard increments from legally qualified federal candidates will be considered on an individual basis.

6. 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.

Level 1 – P1 Fixed (non-pre-emptible). These spots are guaranteed to air at the scheduled time or during a set time period, except in the event of unforeseen program changes or technical difficulties.

Level 2 – P4- Pre-emptible with 48 hours’ notice. These spots can be preempted by Level 1 spots with 48 hours’ notice to the purchaser. Once the notice deadline has passed, spots of this class will air, subject to unforeseen program changes or technical difficulties. Makegoods will be offered on the first available time-period within the ordered flight.

Based on its experience, Station management currently estimates that Level 2 spots will be preempted approximately fifteen to twenty percent (15-20%) of the time; provided, however, that in certain key Time Periods and/or Programs, the risk of preemption may be substantially greater.



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Level 3 – P5 - Pre-emptible with 24 hours' notice. These spots can be preempted by Level 1 or Level 2 spots with 24 hours' notice to the purchaser. Once the notice deadline has passed, spots of this class will air, subject to unforeseen program changes or technical difficulties. Make goods will be offered on the first available time-period within the ordered flight.

Level 4 – P6- Pre-emptible with no notice. These spots can be preempted by Level 1, Level 2 or Level 3 spots with no notice to the purchaser. Make goods will be offered on the first available time-period within the ordered flight.

Run-of-Schedule. These spots are cleared and scheduled to fill unsold inventory and are subject to preemption for an advertiser purchasing time in any of the classes described above. No makegoods are available for spots purchased in this class; instead, the advertiser will receive a credit if any ordered spots are not aired within the flight dates.

Other Class of Time, Special Programs. Other classes of time, special program spots (sporting events, annual entertainment events), or packages may be available. Rates for these spots are available upon request.

7. 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.



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8. Preemption/Rebates

- When deciding what spots within a class to preempt, the 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 daily. Candidates will be given the option of receiving 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.

9. Make Goods

If the class of time purchased includes a right to make goods, the station will make every effort to provide timely and appropriate make goods. If the station is unable to provide make goods, a rebate will be provided.

10. 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.



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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.

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 [*customize as needed*]:

- 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 Digital High Definition format such as, Quick Time, 4K, MP4 via any digital delivery service: FTP, Extreme Reach, Comcast, Digital Media, Javelin, We Transfer, Dropbox, Spot Media, Client Link and others.





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

LOG FOR	ORDER DEADLINES	FACILITIES DEADLINES
Monday	Friday 10:00 am	Friday 3:00 pm
Tuesday	Monday 10:00 am	Monday 3:00 pm
Wednesday	Tuesday 10:00 am	Tuesday 3:00 pm
Thursday	Wednesday 10:00 am	Wednesday 3:00 pm
Friday	Thursday 10:00 am	Thursday 3:00 pm
Saturday	Thursday 11:00 am	Thursday 3:00 pm
Sunday	Friday 11:00 am	Friday 3:00 pm

14. Station Access/Production.

The Station will permit federal candidates (but not state and local candidates) to change and edit copies 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 John Kelbe at john.kelbe@kgns.tv 469-766-3385 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 7:00pm CT. 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/>.



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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 based on 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 based on 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.

20. Compliance with Laws. By purchasing time on the Station, each advertiser certifies that the commercial or other content complies with applicable laws and regulations, including election laws and those regulating the use of content generated or manipulated by artificial intelligence.



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ACKNOWLEDGEMENT

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, preemptibility, and package plans.

Station Acknowledgement of Disclosure to Candidate
or Representative

Martin Cuellar
Printed Name of Candidate

Webb County Sheriff
Printed Title of Office Candidate is seeking.

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

Phone Number of Candidate

E-mail of Candidate or Representative

Date



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