



ACKNOWLEDGEMENT OF POLITICAL BROADCASTING POLICIES ON KYTX TV

This will acknowledge receipt of KYTX-TV Political Advertising Time Policies, issued January 1, 2023.

I agree that all purchases of advertising time on KYTX-TV, which I make by or on behalf of legally qualified political candidates, will be subject to this Acknowledgement and the Political Advertising Time Policies of KYTX-TV.

I acknowledge that I have been fully informed concerning all classes of time that are available to advertisers, including every level of preemptibility; the chances of preemption for the various levels of preemptibility; KYTX-TV's lowest unit charge and related privileges for each class of time; a description of preemptible time based upon advertiser demand; and KYTX-TV's policy, with respect to orders, makegoods, and underdelivery.

Candidate – I certify that all advertising purchases by me on KYTX-TV will be controlled, approved and sponsored by me, and further represent that I will immediately notify KYTX-TV of and specifically identify any advertisement not purchased by me which I control, approve or sponsor.

Agent – I am an agent acting on behalf of a candidate. I certify that I have made full disclosures to the candidate of the information provided to me by KYTX-TV concerning its political advertising policies, and, if not, that I have been specifically authorized by the candidate to purchase advertising time on KYTX-TV on his or her behalf without the need to make such full disclosure. I further represent that all advertising which I purchase on the candidates behalf will be controlled, approved or sponsored by the candidate. I further represent that I am authorized by all candidates on whose behalf, I purchase time to agree to the terms and conditions set forth herein.

By: _____

On Behalf of: _____

Date: _____

**KYTX-TV
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Political Advertising Time Policies

**January 20, 2024, Window Opens for March 5 Primary Election
March 5, 2024 Primary Election**

**April 13, 2024 Window Opens for May 28 Primary Runoff Election
May 28, 2024 Primary Runoff Election**

**September 6, 2024 Window Opens for November 5 General Election
November 5, 2024 General Election**

The following sets forth the policies and practices of KYTX-TV Station, Tyler, Texas, regarding the sale of time to political candidates. It is intended for the sole purpose of complying with the rules of the Federal Communications Commission (FCC), the Federal Election Commission (FEC), and any other applicable laws and regulations, and is not a contract for the sale of advertising time.

- 1. APPLICABILITY:** These policies apply only to authorized uses of Station time by legally qualified candidates for public office or their authorized campaign organizations to promote their candidacy 45 days prior to the Primary Election and 60 days prior to the General Election or any special election (Political Window). They are not applicable to purchases by candidate or others for non-“uses” to purchases by political action committees or political parties that are not authorized by the candidate, to third party endorsements, or to non-candidate political committees or non-candidate “issue” advertising or advertising directed at ballot propositions.
- 2. ACCESS:** Reasonable access will be provided to all legally qualified federal candidates 45 days before Primary Elections and 60 days before General and Special Elections. Subject to availability, legally qualified federal candidates may purchase advertising in all available programming. While candidates may request specific programming and the Station will negotiate specific requests, the Station reserves the right to determine the amount of time and program availability to legally qualified candidates.
- 3. IDENTIFICATION:**

FCC REQUIREMENTS FOR ALL CANDIDATES

All political advertisements must comply with FCC sponsorships identification requirements. The FCC requires that spots authorized by a candidate, or the candidates committee contain the following visual sponsorship identification: Paid for (or sponsored) by [name of payer/sponsor]. The text must appear on the screen for at least 4 seconds at either the beginning or end of the spot or program and occupy not less than 4% of the vertical picture height (generally 20 scan lines). For programs longer than 5 minutes a sponsorship identification announcement must appear at both the beginning and end of the program. Ads must be submitted to the Station prior

to broadcast for screening purposes to determine compliance with these requirements. The Station reserves the right to add the appropriate sponsorship identification if in its sole judgment, the ad does not comply with the identification requirement. 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 Charge Requirements for Federal Candidates

Federal election law provides that a federal candidate is eligible for the Station's lowest unit rate only if the candidate provides written certification to the Station that the candidate and the candidate's authorized committee will 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 a negative one.

To satisfy the expanded sponsorship identification requirements for lowest unit charge 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 the candidate and states that the candidate has approved the spot and that the candidate's authorized committee paid for the spot.

This 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 this 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 Political Window. Compliance with the enhanced sponsorship identification requirement is the sole responsibility of the candidate; the Station will not create an enhanced sponsorship identification for spots that lack it except under a separate order for Station production services.

FEC Requirements for Federal Candidates

The FEC requires that federal candidates include in a spot 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 occupy no less than 4% of the vertical screen height. The written statement should state the name of the person or entity that sponsored or paid for the spot.

Compliance with the FEC's sponsorship identification requirements is the sole responsibility of the candidate; the Station will not create an FEC sponsorship identification for spots that lack it except under a separate order for Station production services.

4. ORDERS: Orders for political time will not be considered for clearance until the following have been provided:

- a) Completed and signed KYTX-TV "Acknowledgement of Political Broadcasting Policies" Form.
- b) Completed and signed Agreement Form for Political Candidate Advertisements (NAB Form PB18 or a more recent version if available may be used).
- c) Net cash-in-advance payment.
- d) Where the purchase is made by a corporation, committee, association or other group, a list of the entities' chief executive committee or board of directors.
- e) Where doubt exists, satisfactory proof that the candidate is "legally qualified", as that term is defined by the FCC.
- f) Where doubt exists, satisfactory proof that the purchaser is authorized to buy time for the candidate.
- g) Advance orders for schedules of political advertising will be subject to reconfirmation. 30 days preceding the start of schedule.
- h) The standard broadcast week is Monday – Sunday. We request that all schedules be ordered on a Monday – Sunday week.
- i) KYTX-TV will air political advertising until the polls close on Election Day.
- j) Videotapes (Beta), along with written instructions for their use, should be submitted to the Station as soon as possible to ensure proper placement. Changes to instructions should be in writing to the Station (by e-mail, letter, fax) prior to the expected change. All commercial materials should be received in sufficient time (seventy-two (72) hours in advance of broadcast) to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.
- k) Deadlines for all commercial material, time orders, and contract changes can be found below. Candidates may contact the station prior to the Friday before the weekend prior to the election for a list of contacts to facilitate copy changes during the weekend prior to election only.

1pm Monday for Tuesday's log
1pm Tuesday for Wednesday's log
1pm Wednesday for Thursday's & Friday's log
1pm Thursday for Saturday's & Sunday's log
1pm Friday for Monday's log

*All times listed is Central Standard Time.

*Changes may occur during Holiday advanced logs.

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

- l) Confirmation of broadcast or changes to schedules as ordered, will be sent to the political advertiser, and placed in the Station's Public Inspection File in a reasonable period of time, and will be available for inspection as outlined by the Station.

5. PRODUCTION: Station facilities may be utilized for the production of political announcements or programs, subject to available production time (production ratecard available upon request). Production charges are handled separately from time charges. Agencies and / or candidates who schedule production time with the Station are required to provide a check for payment of accrued charges following the production session. No spots will air, nor will any dubs be produced, until a check is received for the correct net amount. No Station news talent is available for political advertising purposes (on camera or voice-over).

6. AVAILABILITIES:

- a) Legally qualified candidates may purchase time on the basis of any class set forth on the attached chart, subject to availabilites. The base availability is a 30 second ad. 15/15 second bookends are priced as a: 30 second spot subject to availability. Ad time is available in other lengths (10, 15, 60, 90 and 120 seconds), at the following adjusted pricing:
 - : 10 = 50% of: 30 rates
 - : 15 = 65% of: 30 rates
 - : 15/15 bookend = 100% of: 30 rates
 - : 60, 90,120 = increasement of: 30 rates apply
- b) Candidates should be aware that, unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 4 pm 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 option will be.
- c) The Station will place all orders as to the day and time, subject to availabilities. Due to potential "equal opportunities" obligations for opposing candidates, certain time periods may be unavailable for candidates in other races.
- d) Request for program time, including lengths of 30 and 60 minutes, will be considered on an individual basis. No promotional announcements will be scheduled to promote political programs unless purchased separately by the candidate.

7. RATES:

- a) Each separate class of time is offered for candidate-authorized uses at its lowest unit charge: the lowest clearing rate of the class of time ordered by the candidate for the time period, when the ad is broadcast during the 45- or 60-day window before a primary election or general or special election, respectively. Federal election law provides that a federal candidate is only eligible for the Station's lowest unit charge if the candidate complies with the requirements detailed in the "Identification" section above, under "Lowest Unit Charge Requirements for Federal Candidates." The Station will provide its best, good faith estimate of the lowest unit charge for each class upon request.

- b) Rates fluctuate daily according to class of time ordered. Quoted rates from availability requests are for 30 second ads. Rates for other lengths of spots will be quoted upon request.
- c) The Station reserves the right to designate the rates at which preemption will occur. The Station will provide its best, good faith estimate of the likelihood of preemptions at specified rate levels upon request. Candidates or their respective agencies must utilize rates designated on the Station's rate card for the class of time to be utilized by the candidate.
- d) During the time outside of the 45- and 60-day pre-election windows, legally qualified candidates may purchase advertising time at the then-current effective selling rate for the class of time desired, subject to availability and preemption.

8. REBATES: In the event a particular class of advertising time for a specified time period is broadcast during the 45- and 60- day pre-election window, 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 as a credit against future purchases, net of agency commission. The Station plans to review its records and to send candidates rebates on a [weekly] basis.

9. MAKEGOODS: The Station will use its best efforts to provide makegood spots prior to the election for candidate "use" spots that are preempted due to technical problems or because of the nature of the time purchased. Although the Station's policy is to offer all candidates makegoods before the election, it cannot guarantee to any advertiser that the makegoods can be provided in the time or rotation originally ordered. If inventory constraints preclude such identical scheduling, the Station will offer makegoods of equivalent value. If these are not acceptable to the advertiser, the Station will provide credits or refunds of preempted spots.

10. PACKAGES: Combinations of classes are available. Each ad ordered will reflect the appropriate class of time for lowest unit charge purposes. The Station will allocate rates for each ad in the package for each class. Packages and volume discounts outside of the 45- and 60-day pre-election windows are negotiable. Packages shall be made available upon request.

11. VALUE ADDED FEATURES: If scheduled during the 45- and 60- day pre-election window, candidates may purchase value-added elements in conjunction with airtime, including, but not limited to, project or program sponsorships (excluding news time periods and updates).

12. ROTATIONS: Ads may be purchased individually or in designated rotations within several designated days or time periods, upon request.

13. UNDERDELIVERY: It is not the Station's policy to guarantee rating point or demographic target delivery on any program or combination of programs for any advertiser. Should cumulative actual delivery for an entire schedule of advertising for a particular advertiser reflect a level below 90% of a pre-negotiated gross household rating point or demographic target level, the Station will occasionally air additional spots at no additional charge to adjust the actual delivery to the 90% level. To determine "actual delivery", advertisers must furnish a copy of a post-broadcast quantitative analysis prepared on the entire advertising schedule using the Donovan, BMP, TV Scan, OSI or One Domain system methodology and based upon the Rentrak rating analysis for the calendar quarter in which the advertising schedule ran. Make good spots,

if necessary, normally will be aired on a Run of Schedule basis at the Station's discretion as immediately preemptible spots in the two quarters following the quarter in which the political advertising ran. No other adjustments are available, including cash rebates. Given election timetables, it is normally not feasible for candidates to obtain this type of adjustment.

14. CLASSES OF TIME:

Fixed (FX): Spots in this Class will air at the Station's discretion within or adjacent to the program, time, daypart or day specified by the advertiser. These ads may not be preempted in favor of any other ad and will air as scheduled absent unforeseen program changes or technical difficulties. Station reserves the right to adjust rates within any class of time prior to broadcast to insure availability and equal opportunity.

Pre-emptible with Notice (P1): Spots in this Class will air at the Station's discretion within or adjacent to the program, time, daypart, or day specified by the advertiser. These ads may be preempted in favor of FX level ads upon 72 hours notice to the advertiser. If notice is not given by the Station, the ads become non-preemptible. The Station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any rate level requested. The Station reserves the right to adjust rates within any class of time prior to broadcast to insure availability and equal opportunity.

Pre-emptible with Notice (P2): Spots in this Class will air at the Station's discretion within or adjacent to the program, time, daypart, or day specified by the advertiser. These ads may be preempted in favor of PE1 level ads or higher upon 48-hour notice to the advertiser. If notice is not given by the Station, the ads become non-preemptible. The Station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any rate level requested. Station reserves the right to adjust rates within any class of time prior to broadcast to insure availability and equal opportunity.

Pre-emptible with Notice (P3): Spots in this Class will air at the Station's discretion within or adjacent to the program, time, daypart or day specified by the advertiser. These ads may be preempted in favor of PE2 level ads or higher upon 24 hours notice to the advertiser. If notice is not given by the Station, the ads become non-preemptible. The Station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any rate level requested. The Station reserves the right to adjust rates within any class of time prior to broadcast to insure availability and equal opportunity.

Immediately Pre-emptible (P4): Spots in this Class will air at the Station's discretion within or adjacent to the program, time, daypart or day specified by the advertiser. These ads may be preempted in favor of all higher levels or above classes without notice. The Station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any rate level requested. The Station reserves the right to adjust rates within any class of time prior to broadcast to insure availability and equal opportunity.

R.O.S. (P5): "Run of Schedule" spots are Immediately Pre-emptible spots in which the Station has the widest discretion to air the ads. Make goods are not available.

Special Class (P6): KYTX has a special class that from time to time is arranged by an advertising agency representing multiple clients, wherein the agency pays a lump sum up front and then runs schedules at a discounted value, over an agreed time period. These schedules have a low priority when it comes to clearance and make good privileges. If a federal candidate is interested in learning more about this class of time, please contact the station for further information.

Other Classes: The identities of an Advertiser that have purchased time off the listed rate grid system and the predictability of preemptions can be provided by the Station upon request. The Station offers “Direct Response” ads which are scheduled to air at the Station’s discretion in the program, time or daypart specified by the advertiser. Makegoods are not available. Rates and other conditions of use are available upon request.

15. NON-DISCRIMINATION POLICY: The Station does not discriminate in advertising contracts based on race or ethnicity. Any provision in any order or agreement for advertising that purports to discriminate based on race or ethnicity, even if handwritten, typed or otherwise made a part of a particular contract, is hereby rejected.

16. 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’s (ATSC)’s “Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television” (A/85), and any successor thereto approved by the ATSC.

17. PUBLIC FILE: Required information regarding purchases of time for uses by legally qualified candidates for public office is maintained in the Station’s public inspection file. All such records may be reviewed through the Station’s online public file, available at <https://stations.fcc.gov/station-profile/kytx-tv>. No phone calls will be accepted regarding political information.

Contacts:

Station Direct Line (903) 581-2211
Donna Valentine Director of Sales 903-504-2149
DValentine@Tegna.com

Ashley Davidson Account Manager 903-781-3817
ADavidson@Tegna.com

Reily Clifton Traffic 903-253-4876
RClifton@tegn.com

KYTX-Traffic
Traffic@cbs19.tv

Questions concerning the policies outlined in this Station document should be directed to Elliott Moore, General Manager 903-581-2211

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9/29/2023