

PROGRAMMER CERTIFICATION REGARDING FOREIGN GOVERNMENT-SPONSORED PROGRAMMING

Under regulations of the Federal Communications Commission ("FCC"), **Venture Technologies Group, LLC** ("Licensee") is required to make public disclosure at the time of broadcast (including specific on-air disclosure of the sponsoring entity and its associated country) when any **"foreign governmental entity"** as defined under the FCC's rules pays for, sponsors or furnishes program time on broadcast stations licensed to Licensee. The FCC's rules require that we provide certain notifications to, and make certain inquiries of, any individual or organization leasing program time (the "Programmer"), or the advertising agency on its behalf.

Section I: Notification of the FCC's Foreign Sponsorship Disclosure Requirement

By signing below, you acknowledge that we have notified you of the FCC's foreign sponsorship disclosure requirement, as set forth in Attachment A.

Section II: Applicability of the FCC's Foreign Sponsorship Disclosure Requirement

Please refer to the definitions contained in Attachment B and answer the questions below:

1. Is the Programmer a **"government of a foreign country"** as defined by the Foreign Agents Registration Act (FARA)? ☐ yes ☒ no
2. Is the Programmer a **"foreign political party"** as defined by FARA? ☐ yes ☒ no
3. Is the Programmer an **"agent of a foreign principal"** under section 611(a) of FARA which:
 - a. is registered with the Department of Justice as an **"agent of a foreign principal"**;
 - b. has as its **"foreign principal"**:
 - i. a **"government of a foreign country,"** as defined by FARA;
 - ii. a **"foreign political party,"** as defined by FARA; OR
 - iii. a person/entity that is directly or indirectly operated, supervised, directed, owned, controlled, financed or subsidized by a **"government of a foreign country"** or by a **"foreign political party,"** each as defined by FARA; AND
 - c. is acting in its capacity as an **"agent of such foreign principal"** in providing the programming?
☐ yes ☒ no

If "yes," provide the following –

Name of foreign government entity: _____

Name of foreign country: _____
4. Is the Programmer a **"U.S.-based foreign media outlet"** as defined by section 722 of the Communications Act of 1934? ☐ yes ☒ no
 - a. If the answer to Question 4 is "yes," has the Programmer filed a report with the FCC?
☐ yes ☐ no
5. Is the Programmer aware of any individual or entity further back in the chain of producing or distributing the programming that will be broadcast on Licensee's stations who might qualify as a **"foreign governmental entity"** and has provided some form of consideration as an inducement to air the programming? ☐ yes ☒ no

- a. If the answer to Question 5 is "yes," please explain, including by providing the entity's name and the foreign country on whose behalf the entity is acting:

*****If the answer to all of the Questions in Section II is "no," skip to Section IV.*****

Section III: Compliance with the FCC's Foreign Sponsorship Disclosure Requirement
(If the answer to any of the Questions in Section II is "yes," complete Section III.)

1. Will the material to be broadcast already contain a "conspicuous statement" pursuant to FARA that contains a disclosure about the foreign country associated with the individual/entity that has sponsored, paid for, or furnished the material being broadcast? (Note that, if the primary language of the programming is other than English, the disclosure statement must be made in the primary language of the programming and no additional disclosure in English is required.)

☐ yes ☐ no

2. If the answer to Section III, Question 1 is "no," Programmer agrees to include the following FCC-required disclosure statement in the programming supplied for broadcast on Licensee's broadcast station(s):

"The [following/preceding] programming was [sponsored, paid for, or furnished], either in whole or in part, by [name of foreign governmental entity] on behalf of [name of foreign country]."

In the case of video programming, the foreign governmental entity and the country represented shall be identified with letters equal to or greater than four percent of the vertical picture height that air for not less than four seconds.

At a minimum, the required announcement will be made at both the beginning and conclusion of the programming, except that in the case of programming of 5 minutes or less in duration the announcement may be made only once. For programming of greater than sixty minutes in duration, the required announcement shall be made at regular intervals during the broadcast, but no less frequently than once every sixty minutes.

If the primary language of the programming is other than English, the disclosure statement must be made in the primary language of the programming and no additional disclosure in English is required.

☐ yes

3. By no later than 5 days after the end of each calendar quarter, Programmer agrees to supply Licensee with copies of all disclosures made under the foreign sponsorship disclosure requirement and the name, date, and time that the program aired. In the case of repeat airings of a program, all additional dates and times should be included. Where an aural announcement is made, its contents must be reduced to writing. Please supply this information in the format included in Attachment C hereto.

☐ yes

Section IV: Certification

By its certification below, Programmer (or its ad agency on Programmer's behalf) acknowledges and agrees that Programmer has an independent responsibility under 47 U.S.C. § 507(b) and (c) to communicate information to Licensee relevant to determining whether a disclosure is needed, including by truthfully responding to the inquiries above, and to inform Licensee if, during the course of the lease arrangement, it becomes aware of any information that would (a) cause the information provided herein to be inaccurate or (b) trigger a disclosure pursuant to the foreign sponsorship disclosure requirements, including a change in Programmer's status.

I hereby certify that the information provided above is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

Thank you for your cooperation in our efforts to comply with these federal legal requirements. Please sign and date below and return the completed form to us as soon as possible.

Paid Programmer Name: America's Collectibles Network, Inc. (d/b/a Jewelry Television)

Signature* of Programmer's Authorized Signer: Stephen E. Roth

Print Name and Title: Stephen E. Roth, Vice President & General Counsel

Date: 9.13.22

OR

Ad Agency on Behalf of Paid Programmer: _____

Signature* of Agency Authorized Signer: _____

Print Name and Title: _____

Date: _____

*If you are completing this form electronically, please use the "Fill & Sign" function in Adobe Acrobat or type your full name again here to indicate your signature.

ATTACHMENT A: THE FCC'S FOREIGN SPONSORSHIP DISCLOSURE REQUIREMENT

47 C.F.R. § 73.1212(a) and (d) of the Commission's rules require that a broadcast station disclose when it transmits: (i) any matter for which money, service, or other valuable consideration is either directly or indirectly paid or promised to, or charged or accepted by the station; or (ii) political broadcast matter or any broadcast matter involving the discussion of a controversial issue of public importance for which any film, record, transcription, talent, script, or other material or service of any kind is furnished, either directly or indirectly, to the station.

Under 47 C.F.R. § 73.1212(j) of the Commission's rules, where the above material has been aired pursuant to the lease of time on the station and has been provided by a foreign governmental entity, the station must make the following disclosure:

"The [following/preceding] programming was [sponsored, paid for, or furnished], either in whole or in part, by [name of foreign governmental entity] on behalf of [name of foreign country]."

The Commission's rules further provide that such a disclosure is not necessary if (i) the material broadcast contains a conspicuous statement pursuant to the FARA (see *Attachment B*) that (ii) contains a disclosure about the foreign country associated with the individual/entity that has sponsored, paid for, or furnished the material being broadcast.

The rules also require a broadcast station that airs covered programming to include the following material in its online public file in connection with any foreign government sponsored programming that is broadcast:

- Copies of the text of the on-air announcements that are made (where an aural announcement is made, its contents must be reduced to writing);
- The name of the program to which the disclosures were appended; and
- The date and time the program aired, including the additional dates and times of any repeat airings.

The full text of the Commission's foreign sponsor disclosure requirement is set forth in 47 C.F.R. § 73.1212(j) (available at <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-C/part-73/subpart-H/section-73.1212>), the public file requirement is contained in 47 C.F.R. § 73.3526(e)(19) (available at <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-C/part-73/subpart-H/section-73.3526>) and additional information regarding the requirements is contained in the FCC's adopting order (available at https://docs.fcc.gov/public/attachments/FCC-21-42A1_Rcd.pdf).

ATTACHMENT B: GLOSSARY OF STATUTORY TERMS AND RESOURCES

Statutory Definitions

The term “foreign governmental entity” includes any of the following:

1. A “**government of a foreign country**” under FARA, which “includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign de facto or de jure authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States.” 22 U.S.C. § 611(e).
2. A “**foreign political party**” under FARA, which “includes any organization or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part to, the establishment, administration, control, or acquisition of administration or control, of a government of a foreign country or a subdivision thereof, or the furtherance or influencing of the political or public interests, policies, or relations of a government of a foreign country or a subdivision thereof.” 22 U.S.C. § 611(f).
3. An “**agent of a foreign principal**” under FARA, which includes “any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person,” does any of the following:
 - a. engages with the United States in political activities in the interests of the foreign principal;
 - b. performs public relations in the United States in the interests of the foreign principal;
 - c. raises or spends money in the United States in the interests of the foreign principal; or
 - d. represents the foreign principal's interests before a federal agency or official in the United States. 22 U.S.C. § 611(e), (g), (h), (i).

Note that:

- a. An “agent of a foreign principal” includes “any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal.” 22 U.S.C. § 611(e).
 - b. An “agent of a foreign principal” excludes any United States-organized a new or press service, provided that it is at least 80 percent beneficially owned by, and all of its officers and directors, if any, are citizens of the United States; it is not owned, directed, supervised, controlled, subsidized, or financed; and none of its policies are determined by any foreign principal, or by any agent of a foreign principal required to register as an “agent of a foreign principal” with the Department of Justice. 22 U.S.C. § 611(d).
4. A “**foreign principal**” under FARA includes “a government of a foreign country and a foreign political party; a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.” 22 U.S.C. § 611(b).

A “**conspicuous statement**” under FARA is a “conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice.” 22 U.S.C. § 614(b).

The term “**United States-based foreign media outlet**” means an entity that “(a) produces or distributes video programming that is, or is intended to be, transmitted by a multichannel video programming distributor to United States consumers; and (b) would qualify as an ‘agent of a foreign principal’ if not for its status as a news or press service.” 47 U.S.C. § 624(a).

Foreign Entity Registrations

- A list of entities that are actively registered with the DOJ is available on the DOJ’s website at: <https://efile.fara.gov/ords/fara/f?p=1235:10>
- The Commission’s semi-annual U.S.-based foreign media outlets reports are available on the FCC’s website at: <https://www.fcc.gov/united-states-based-foreign-media-outlets>

ATTACHMENT C

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FOREIGN GOVERNMENT-PROVIDED PROGRAMMING DISCLOSURES

Station: _____

| Program Name | Program Air Date | Program Air Time | Contents of Disclosure ¹ |
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Attach additional sheets as necessary.

¹ Where an audio announcement is made, its contents must be reduced to writing.