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October 1, 2020

To: Alaska Public Offices Commission  
From: Yes on 2 for Better Elections

Re: List of Advertisements to Support Yes on 2 for Better Elections' APOC Complaint Against Defend Alaska Elections – Vote No on 2.

### **Introduction**

On September 29, 2020, Yes on 2 for Better Elections (“Yes on 2”) informed APOC that advertisements paid for by Defend Alaska Elections – Vote No on 2 (“DAE”) continue to use false and misleading “three largest contributors” disclosures, as is explained in APOC complaint 20-06-CD. APOC requested that Yes on 2 provide the following list of offending advertisements known to date. And because of DAE’s ongoing, flagrant, and misleading “three largest contributors” violations, Yes on 2 will also be requesting expedited consideration of that complaint.

### **Website**

DAE’s website incorrectly stated that its “Top three contributors are John Sturgeon, Anchorage, AK, Mark Begich, Anchorage, AK, and Sean Parnell, Palmer, AK” through September 21. After service of Yes on 2’s APOC complaint was made on September 21, DAE corrected its “three largest contributors” on its website by September 22.

### **The Alaska Landmine**

Banner ads for a political blog, The Alaska Landmine, have incorrectly listed DAE’s “three largest contributors” since at least September 18, and have continued to this day (October 1). Those ads incorrectly state: “Top three contributors are John Sturgeon, Anchorage, AK, Mark Begich, Anchorage, AK, and Sean Parnell, Palmer, AK.” DAE’s latest expenditure report, which was submitted on September 27, indicates that a check was not written to the owner of The Alaska Landmine (Jeff Landfield) for advertising until September 27.

### **Must Read Alaska**

Banner ads for a separate political blog, Must Read Alaska, incorrectly listed DAE's "three largest contributors" since at least September 28, and have continued to this day (October 1). Those ads incorrectly list Mr. Sturgeon, Mr. Begich, and Mr. Parnell.

### **Radio**

DAE's radio advertisements have continued to incorrectly list DAE's "three largest contributors" by stating that DAE's "top three contributors are John Sturgeon and Mark Begich of Anchorage, Alaska, and Sean Parnell of Palmer." These false and misleading advertisements have been confirmed in the Anchorage media market, and continue to be played as of October 1.

Additionally, given the size of DAE's reported expenses and debts for radio advertising—which total over half a million dollars—there is no reasonable explanation for how DAE could take on such an ambitious radio advertising budget when their "three largest contributors" had only contributed a combined \$1,500. And in fact, no radio advertising expenditures or debts were listed by DAE until September 17, when DAE's "three largest contributors" were unquestionably not Mr. Sturgeon, Mr. Begich, or Mr. Parnell.

### **Facebook**

DAE's Facebook page was repurposed from a previous page entitled "This is Our Alaska," which had existed under that prior name since January 26, 2015. DAE changed the name of that Facebook page to "Defend Alaska Elections" on August 27, 2020. There are a number of aspects to DAE's Facebook page and ads that should be considered by APOC.

### ***Banner***

After repurposing an existing Facebook group, DAE changed its banner photo to include DAE's logo on August 27. That initial banner did not include any paid for by or top three contributor disclaimer. DAE's banner was updated on August 31, but it included the same incorrect "three largest contributors" list of Mr. Sturgeon, Mr. Begich, and

Mr. Parnell.

At 2:29pm on September 21, a higher-quality banner photo with the same incorrect “three largest contributors” replaced DAE’s old banner. That evening, at 10:22pm, DAE changed the banner photo again, this time correctly listing its “[t]op three contributors [as being the] Alaska Republican Party, Anchorage, AK, State Republican Leadership Committee, Washington, D.C., and Americans for Prosperity, Arlington, VA.”

### *Advertisements*

As of today, DAE has run twenty-nine (29) different advertisements on Facebook. The first started running on September 10, 2020, and twenty-two (22) are still running as of October 1.

On September 21, Facebook’s ad library would show the disclosures for each of DAE’s ads, which included the incorrect “three largest contributors” list of Mr. Sturgeon, Mr. Begich, and Mr. Parnell. But since at least September 26, it appears that Facebook’s ad library no longer shows *any* “three largest contributors” information for *any* of DAE’s ads. It is therefore impossible to tell whether any of DAE’s Facebook ads have *any* “three largest contributors” disclosure, let alone whether the “three largest contributors” disclosures are correct.

The following is a list of the starting and ending dates for all 29 of DAE’s Facebook ads as of October 1, 2020:<sup>1</sup>

- (1) Started running on September 10, 2020. Ended on September 12, 2020.
- (2) Started running on September 15, 2020. Ended on September 17, 2020.
- (3) Started running on September 15, 2020. Ended on September 21, 2020.
- (4) Started running on September 15, 2020. Ended on September 17, 2020.
- (5) Started running on September 15, 2020. Ended on September 17, 2020.
- (6) Started running on September 15, 2020. Ended on September 17, 2020.
- (7) Started running on September 15, 2020. Ended on September 17, 2020.

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<sup>1</sup>[https://www.facebook.com/ads/library/?active\\_status=all&ad\\_type=political\\_and\\_issue\\_ads&country=US&view\\_all\\_page\\_id=710770742377054&sort\\_data\[direction\]=desc&sort\\_data\[mode\]=relevancy\\_monthly\\_grouped](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&view_all_page_id=710770742377054&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped).

- (8) Started running on September 18, 2020. Continues to run through today.
- (9) Started running on September 18, 2020. Continues to run through today.
- (10) Started running on September 18, 2020. Continues to run through today.
- (11) Started running on September 19, 2020. Continues to run through today.
- (12) Started running on September 19, 2020. Continues to run through today.
- (13) Started running on September 20, 2020. Continues to run through today.
- (14) Started running on September 20, 2020. Continues to run through today.
- (15) Started running on September 21, 2020. Continues to run through today.
- (16) Started running on September 22, 2020. Continues to run through today.
- (17) Started running on September 22, 2020. Continues to run through today.
- (18) Started running on September 22, 2020. Continues to run through today.
- (19) Started running on September 23, 2020. Continues to run through today.
- (20) Started running on September 24, 2020. Continues to run through today.
- (21) Started running on September 24, 2020. Continues to run through today.
- (22) Started running on September 24, 2020. Continues to run through today.
- (23) Started running on September 24, 2020. Continues to run through today.
- (24) Started running on September 24, 2020. Continues to run through today.
- (25) Started running on September 26, 2020. Continues to run through today.
- (26) Started running on September 26, 2020. Continues to run through today.
- (27) Started running on September 28, 2020. Continues to run through today.
- (28) Started running on September 28, 2020. Continues to run through today.
- (29) Started running on September 28, 2020. Continues to run through today.

### **Mailers**

Finally, although no mailed advertisements have been confirmed as being received by voters to date, Yes on 2 has reason to suspect that upcoming mailings may have a false and misleading “three largest contributors” disclosure. The first reported expenditure for “Printing” was made on September 17, after substantial contributions had been made to change the “top three contributors” list.