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ANNIVERSARY

August 7, 2014

VIA EMAIL TO: info@begich.com and HAND DELIVERY

ALASKANS FOR BEGICH

c/o:

Suzanne Fleek-Green, Campaign Manager
Max Croes, Communications Director
440 West Benson Blvd.
Anchorage, Alaska 99503

Re: Demand to cease and desist broadcast of advertisement containing false statements, misuse of Senator Murkowski's image and misappropriation of official U.S. Senate resources

Our File No.: 4079-028128

Dear Ms. Fleek-Green and Mr. Croes:

We represent the Lisa Murkowski for U.S. Senate Committee (the "Committee"), the principal campaign committee for Senator Lisa Murkowski. We are writing on the Committee's behalf to demand that Alaskans for Begich *immediately* cease all broadcast and/or web hosting of the television spot entitled "Great Team."

This advertisement is factually incorrect. It also misuses Senator Murkowski's image, and implies her support, without her permission—and, in fact, over her known objections. Finally, this advertisement prominently features a photograph taken in Senator Murkowski's official U.S. Senate office, an apparent violation of Federal law and Senate rules.

Your advertisement makes False and Deceptive Statements to Alaskans

Many of the statements made in this advertisement are at best misleading and, at worst, patently false:

- The narrator of the advertisement, Skip Nelson, claims to be a "lifelong Republican" who voted for Senator Murkowski in 2010, and is voting for

Begich this fall. Mr. Nelson also claims to have gone to “several fundraisers” for Senator Murkowski.¹ *In reality*, Mr. Nelson has never been registered as a Republican in Alaska—he has been registered as “undeclared” since 2000. Additionally, Mr. Nelson did not vote at all in 2010. Finally, despite his claim to have attended fundraisers, we have confirmed that Mr. Nelson never made a single contribution to Senator Murkowski’s Committee. Although you have stated that this advertisement is meant to share Mr. Nelson’s “personal story,” you have an obligation to ensure that story is not a complete fabrication.

Your advertisement misuses Senator Murkowski’s image without permission

- Typically, when a candidate wishes to use the image of another public official or individual, that candidate will seek permission first. You have not asked permission from Senator Murkowski, nor would it be granted. You attempt to use this image to somehow imply Senator Murkowski’s support. This is far from true. Senator Murkowski has repeatedly made clear that she wants *a Republican* elected to Alaska’s other Senate seat. Senator Begich should run on his own record and not attempt to deceive the public into believing he has support that does not exist.

Your advertisement appears to Violate Federal Law and Senate Ethics Rules

- Your advertisement prominently features a photograph of the Senators in Senator Murkowski’s official Senate office. As you are aware, use of official Senate resources to assist Senator Begich’s campaign is strictly prohibited by U.S. Code and Senate Ethics Rules.² Senator Murkowski condemns such improper use of official resources.

In short, the content of the “*Great Team*” advertisement indicates that Alaskans for Begich has an alarming lack of regard for the truth and seeks to mislead and deceive Alaskan voters. It also evidences a willingness to disregard basic courtesy while playing fast and loose with restrictions on campaign use of official resources.

¹www.sfgate.com/news/article/Lifelong-Republican-in-Begich-ad-undeclared-5659884.php

²See e.g. 18 U.S.C. § 607 (No campaign activity in a Federal building); 31 U.S.C. § 1301 (Senate resources may only be used for official purposes. No official resources may be used to conduct campaign activities); Senate Ethics Manual (2003 edition) at page 150 (“Senate space, equipment, staff time, and resources generally should not be used to assist campaign organizations”); an Overview of the Senate Code of Conduct and Related Laws (January 2013) at page 14 (“Senate space and equipment **may not** be used for campaign activities.”) (Emphasis in original).

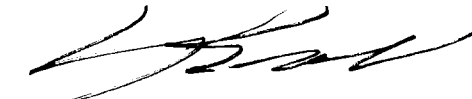
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Therefore, the Committee hereby demands that Alaskans for Begich immediately stop running this advertisement and immediately pull it down from any website linked to its official campaign site.³ The Committee also demands that Alaskans for Begich refrain from any future use of this advertisement or any other message that uses Senator Murkowski's image or name, while implying her support.

Thank you in advance for your immediate compliance with this letter. Please be advised that any future false advertisements naming Senator Murkowski, or any further misuse of her image, will not be tolerated.

Very truly yours,

HOLMES WEDDLE & BARCOTT, P.C.



Scott M. Kendall

³See, e.g. <http://www.markbegich.com/news/2014/new-ad-great-team/> (last reviewed on August 4, 2014)