



August 7, 2020

BY EMAIL

[REDACTED]
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It has come to our attention that a Super PAC known as America First Action has purchased advertising time to air false claims regarding Vice President Joe Biden. We write to request that you immediately remove and take down the ad from circulation or, alternatively, reject the placement that has been sought.

The ad, known as “Granted,” claims falsely that Vice President Biden will “ban fracking” and refers in text to a non-existent and never proposed “fracking ban.” The ad then refers to job losses, allegedly tied to a fracking ban, that he does not support. Media outlets that have assessed these claims have uniformly concluded that they are false -- often in the context of prior false advertising by America First Action.

Most recently, the *Philadelphia Inquirer* addressed the claims in an article headlined: “No, Joe Biden Doesn’t Want to Ban Fracking or Kill the Pennsylvania Jobs it Supports.” The article continued: “Biden wants to block the federal government from issuing new permits for drilling on public land, but he has not called for banning fracking. He also would allow existing fracking operations to continue.”¹ A prior America First Action ad, making the same claims, was rated false by *USA Today*, which concluded that “[t]he claim that Joe Biden wants to eliminate fracking is false because it ignores his publicly stated opposition to such a ban.”² *Politifact* has reached the very same conclusion.³ The analysis of these false claims by objective fact-checkers has been clear and uniform.⁴

¹ Jessica Calefati, “No, Joe Biden Doesn’t Want to Ban Fracking or Kill the Pennsylvania Jobs it Supports,” *Philadelphia Inquirer* (Jul. 21, 2020), available [here](#).

² Steve DeVane, “Fact Check: Joe Biden Wants to Eliminate New Fracking Permits, Not All Fracking,” *USA Today* (Jun. 20, 2020), available [here](#).

³ Clara Hendrickson, “Joe Biden Called for Limits on Fracking, Not a Ban,” *Politifact* (Jun. 19, 2020), available [here](#).

⁴ D’Angelo Gore, “Misleading Ad Targets Biden on Fossil Fuels, Fracking,” *FactCheck.org* (Jun. 10, 2020), available [here](#).

Now that you are on notice about the absolute falsity of these claims, we ask that you decline to run the ad that makes them. The legal duty governing your conduct so obligates you. So, too, should a sense of responsibility to your viewers who expect that their networks will inform them rather than profit from false advertising.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

General Counsel