800 Bradbury Dr. SE
Suite 217
Albuquerque, NM 87106
www.sec.nm.gov

STATE ETHICS COMMISSION

CONTACT:
Amelia Bierle
Deputy Director
Amelia.Bierle@sec.nm.gov
(505) 554 7706

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PRESS RELEASE

State Ethics Commission announces settlement agreement with Elevate New Mexico over Project Jupiter lobbying advertising campaign

Albuquerque, NM, August 11, 2026 – The New Mexico State Ethics Commission has reached a settlement agreement with Elevate New Mexico, a Virginia-based nonstock corporation, resolving alleged violations of the Lobbyist Regulation Act (“LRA”) arising from a 2026 advertising campaign for the purpose of lobbying for Project Jupiter, a proposed data center campus in Doña Ana County.

As part of the proposed data center development, Yucca Growth Infrastructure, formerly operating as Acoma, LLC, applied to the New Mexico Environment Department (“NMED”) for air quality permits necessary to construct two microgrid power plants intended to power the data center campus. According to the Commission, Elevate conducted an extensive advertising campaign from February through March 2026 urging NMED officials to approve those permit applications.

The Commission alleged that Elevate failed to meet its obligations under Section 2-11-6(I) of the LRA, which provides that organizations attempting to influence the actions of a state official through a lobbying advertising campaign must register with the Secretary of State and disclose the contributions and expenditures for the campaign.

On April 17, 2026, after Elevate declined the Commission’s requests for voluntary compliance, the Commission filed a civil lawsuit against Elevate.

Under the settlement agreement executed by both parties on July 24, 2026, Elevate agreed to file the lobbying advertising campaign registration and campaign finance disclosures with the Secretary of State and the Commission. According to its disclosures, Elevate received $3,667,000 in contributions, all from Yucca Growth Infrastructure LLC, and reported

$419,478.44 in advertising expenditures. Among the largest reported expenditures were approximately $85,898 to Analytics Pros, Inc. for digital advertising services, $80,421 to Meta Platforms, Inc. for social media advertising, $52,415 to Wilkins Media, LLC for billboard and out-of-home advertising, $51,468 to Malbert Media for direct mail, and $42,500 to Continuum Media for television advertising.

"Project Jupiter has attracted widespread public attention because of its potential economic, environmental, and energy impacts for New Mexico," said Amelia Bierle, Deputy Director of the State Ethics Commission. "These disclosures reveal the significant financial resources devoted to influencing both the public and, indirectly, the NMED officials considering the permits required for Project Jupiter. By enforcing the Lobbyist Regulation Act, the State Ethics Commission ensures that this information is publicly available, allowing New Mexicans to evaluate advertising campaigns with an understanding of who financed them, the magnitude of the financial resources behind them, and how those resources were deployed."

Read more here:

- Click here to read the State Ethics Commission's complaint.
- Click here to read the settlement agreement between the Commission and Elevate.
- Click here to review Elevate New Mexico's expenditures.
- Click here to review Elevate New Mexico's contributions.

About the State Ethics Commission

The State Ethics Commission is an independent, constitutional state agency with the authority to enforce civil violations of New Mexico's governmental ethics and disclosure statutes, including the Lobbyist Regulation Act. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as "decline to state."

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For more information about the State Ethics Commission, please visit sec.nm.gov.