Comment on Commission meeting agenda item - Tallman Trask

Tallman Trask

reported via the portal

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Good morning Commissioners, I write in response of written comment submitted by CN4 Partners regarding online advertising. As the Commission is aware, online advertising is doubtlessly a large, and constantly growing, part of the advertising ecosystem. However, the size of that advertising market, and it's large and multifaceted reach, does not mean that Washington can or should compromise our values and laws simply to encourage commercial advertisers who have violated Washington law or refuse to follow it to reopen political advertising markets to Washington candidates. Washington laws are not particularly onerous or risky for commerical advertisers. The recordkeeping requirements do not ask commercial advertisers to create new data or information, but only to maintain and make publicly available information which they already collect in their regular course of business. That is not an overbearing regulatory structure; it is a reasonable approach to regulating what's been described as the Wild West of political advertising. The disclosure structure mirrors that in place for every other kind of commerical advertiser and which Washington newspapers, television stations, and radio stations have successfully complied with for decades. Regardless of if changes could or should be made to our existing commerical advertiser disclosure laws, it should not do so now. The State continues to be tied up in litigation and appeals involving Facebook/Meta's refusal to comply with state law, attempts to circumvent state law under the guide of compliance, and efforts to impose extra-legal requirements to keep voters from accessing information Facebook/Meta has and is required to make public upon request. Facebook/Meta's efforts have, though amicus briefs, been supported by online advertising and technology industry trade associations whose members include many of the same online commercial advertisers mentioned in CN4's letter. So long as that litigation continues, the Commission should make no changes to Washington law and engage in no discussions or "dialogue" with bad actor commerical advertiser who continue to flaunt and challenge Washington law. To do otherwise would be irresponsible, certainly until all litigation is concluded and the legal questions are settled.

Thank you, Tallman Trask