



February 12, 2018

Dear Senator Nelson:

On behalf of Internet Association, which represents the nation's leading technology companies, we write to ask Substitute Senate Bill 6075, concerning disclosure of contributors to online political advertising, be held in the Rules Committee.

While we appreciate Sen. Palumbo holding a stakeholder meeting following the public hearing in committee, IA remains concerned with the bill as passed out of committee. IA members have suggested to the prime sponsor additional language that would address our concerns and address the intent of the bill.

SSB 6075 will create liability risks for internet platforms and privacy concerns for individuals because it requires digital platforms to collect and disclose more information without requiring an advertiser to identify what is a political ad.

While the bill attempts to update a decades-old law on political disclosure, it does so in a manner that does not fully consider how online digital advertising works. Digital platforms have numerous small advertisers amid billions of items of content. Many do not collect information such as physical addresses of its users.

Yet the bill would require platforms to proactively review numerous personal accounts to determine which are running political ads. If an ad is not clearly marked as a political ad, then the platform risks disclosing personal information in violation of privacy protections under the federal Stored Communications Act (18 U.S.C. 2702). Such requirements also encroach upon federal prohibitions against an internet platform being treated as the publisher or speaker of information provided by another content provider (47 U.S.C. § 230).

IA respectfully requests the legislation be amended to require the advertiser to self-identify when their ads are covered by the statute, and for the law to allow us to rely, in reasonable good faith, on the information advertisers provide.

I look forward to working with the sponsor toward a workable transparency framework that makes sense for digital advertising, however, at this point, IA remains concerned with the legislation as drafted.

Sincerely,

Rose Feliciano
Manager, Northwest Region, State Government Affairs