

January 3, 2017

***VIA EMAIL TRANSMISSION***

[Kurt.Young@pdc.wa.gov](mailto:Kurt.Young@pdc.wa.gov)

Mr. Kurt Young  
Compliance Officer  
Washington State Public Disclosure Commission  
P.O. Box 40908  
Olympia, WA 98504-0908

**Re: Larry Wasserman, Strategies 360, Inc., and Dennis McLerran Complaint re  
Unregistered Grass Roots Lobbying – Response of Strategies 360  
PDC Complaint No. 8123**

Dear Kurt:

My client, Strategies 360, is in receipt of a Complaint filed by a group styling itself “Save Family Farming.” On December 27, 2016, Jeff Reading at Strategies 360 provided a preliminary response to this Complaint at your request. Mr. Reading’s preliminary response focuses in main on addressing the specific issues you asked him to address. I write to respectfully submit that the PDC should dismiss the Complaint against Strategies 360 in its entirety because of a fundamental and threshold issue. Because Strategies 360 is a mere *vendor* of the target of Save Family Farming’s Complaint (which, in all events, appears remarkably weak), there is utterly no basis for any claim against Strategies 360.

In main, Save Family Farming’s Complaint targets Larry Wasserman, the Environmental Policy Director of the Swinomish Tribe.<sup>1</sup> Strategies 360 worked as a public relations consultant for the Swinomish Tribe. On that basis, Save Family Farming alleges that Strategies 360 improperly failed to register and report as the sponsor of a grassroots lobbying campaign in violation of RCW 42.17A.640.

Under Washington law, the “sponsor” of a lobbying campaign “intended, designed, or calculated primarily to influence legislation” must timely register and report upon spending a certain amount on such a campaign. RCW 42.17A.640(1). Thus, the applicable statute explicitly states that the *sponsor* is responsible for any necessary reporting. Among other things, the sponsor must report:

<sup>1</sup> The Complaint also names an official of the Environmental Protection Agency.

The names, addresses, and business or occupation of all persons . . . hired to assist the campaign, including any public relations or advertising firms participating in the campaign, and the terms of compensation for all such persons

*Id.* 42.17A.640(2)(b). By contrast, a *vendor* engaged by a sponsor of a grassroots lobbying campaign does not *itself* incur registration and reporting obligations. *See generally id.*<sup>2</sup>

Whatever the merits of Save Family Farming’s claim (and it has none), that claim is not properly brought against Strategies 360. Here, as stated by Save Family Farming, the Swinomish Tribe (and other partners) pursued a public education campaign titled “What’s Upstream,” with the goal of informing the public about leading causes of water pollution and how that pollution affects the health of Washington’s waterways, people, and fish. Under Save Family Farming’s own account, Strategies 360 is a public relations firm hired by another party (the Tribe) to provide consulting advice.

Accordingly, even assuming, for the sake of argument, that the What’s Upstream public education campaign constituted grassroots lobbying, Strategies 360 did not “sponsor” that campaign. As such, it did not (and could not) violate RCW 42.17A.640. For that simple reason, the Complaint against Strategies 360 is specious and should be dismissed at the outset.

Very truly yours,



Kevin J. Hamilton

KJH:cma

<sup>2</sup> Form L-6 likewise indicates that it is to be completed by the “sponsor” of a grassroots lobbying campaign—not consultants engaged to assist with such a campaign.