

January 11, 2019

VIA ELECTRONIC MAIL

Washington Public Disclosure Commission
Att'n: Mx. Fox Blackhorn, Compliance Coordinator
711 Capitol Way
Room 206
Olympia, Washington 98504-0908

Re: Case Number 42958

Dear Mx. Blackhorn,

Thank you very much for providing us with additional time to answer your two follow-up questions regarding the response of Washington Conservation Voters Action Fund (“WCVAF”) in PDC Case 42958. Set forth below are the responses of WCVAF to the following questions:

1. What was the rationale for using “bit.ly/SnohoPUD” rather than say, “<https://wcvoters.org/>”?
2. How does your “bit.ly” link provide Sponsor ID to recipients of the text message whose phones are not internet capable?

Response to Question 1: WCVAF chose to use the link “bit.ly/SnohoPUD” in order to keep its text message short. The website https://wcvoters.org is the homepage of Washington Conservation Voters (“WCV”). WCVAF is the Washington state PAC sponsored by WCV. Because WCV is not a state PAC, its homepage does not – and is not required to – include any sponsor ID information. The sponsor ID appears only on the pages bearing political content paid for and maintained by WCVAF. The electoral information regarding the Snohomish County Public Utility Candidates appears at the page <https://wcvoters.org/snohomish-county-public-utility-commission>, which bears the required sponsor ID.¹

The text messages included the short 22-character link <https://bit.ly/SnohoPUD> because it was more efficient than the longer, 63-character link <https://wcvoters.org/snohomish-county-public-utility-commission>. Both URLs resolve to the same website page with the relevant sponsor identification language. But using a 22-character URL rather than a 63-character URL is easier for recipients to read and allows the organization to use its texts to convey more information.

Response to Question 2: The short URL provided by WCVAF allows recipients of the text message with non-internet capable phones to easily enter the URL into another device or computer with internet access to obtain the sponsor identification information. A short URL with a readily remembered abbreviation makes this easier than would the 63-character URL of

¹ WCVAF actually provided more information in its sponsor ID than is required, an indication of its good-faith effort to comply with both the letter and the spirit of the law and the PDC regulations. Sponsors are not required to identify the committees that their communications benefit as an in-kind contribution, but WCVAF included that information to bolster transparency.

the landing page. We do not understand Mr. Ulrich to have complained or alleged that his phone lacked internet access, nor to have claimed that he was unable to use the link provided to obtain the required sponsorship identification information. Regardless, WCVAF complied with all legal requirements for sponsor IDs, as set forth in RCW section 42.17A.320 and WAC section 390-18-030(3)(b): “Online political advertising must provide the same disclosures that apply to non-online advertising to the extent practical. As an alternative, small online advertising may provide the required disclosures by using an automatic display with the advertising that takes the reader directly to the required disclosures. ... Examples include ... [a] link that automatically appears with or in the advertising that automatically takes the reader directly to the required disclosures upon being clicked once.”

As set forth in our earlier response and in light of the additional information provided above, the text message complies with the statute and PDC regulations. We respectfully request that the PDC dismiss the Complaint in PDC Case 42958 and make a determination that WCVAF complied with the applicable provisions of law.

Sincerely,

DocuSigned by:

Sean Pender

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Sean Pender

Treasurer

Washington Conservation Voters Action Fund