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*Sent via email to pdc@pdc.wa.gov*

August 13, 2019

Fox Blackhorn  
Public Disclosure Commission  
105 Capital Way, Suite 206  
Olympia, WA 98033

Re: Response to Complaint 55345 (Trask)  
Our File No. 2500-998

Dear Mx. Blackhorn:

I write to you today on behalf of UNITE HERE! Local 8 PAC (the Committee), in response to the complaint from Tallman Trask dated July 23, 2019. In it, he alleges that the Committee violated RCW 42.17A.320 by purportedly failing “to provide required sponsorship information,” that the Committee allegedly violated RCW 42.17A.235 by inaccurately reporting the source of its contributions (with no basis for such claims), and an allegation that the Committee violated RCW 42.17A.250 contingent on the failure to report contributions from UNITE HERE.

All of these allegations are premised on the incorrect assumption that information has been misreported by the Committee. The Committee has diligently reported all contributions and expenditures, and has complied with the letter of the law in reporting and identifying the source of the ads. None of these allegations are true, and this complaint must be dismissed outright.

***1. There Was No Violation of RCW 42.17A.320.***

RCW 42.17A.320 outlines the requirements for identification of sponsors of political advertising. In a video, such as the ads in question, the sponsor is to make sure that a voice clearly identifies or speaks the sponsor’s name, displaying its “Top 5” contributor names on the screen for at least four seconds in letters greater than four percent of the visual screen height at a reasonable color contrast with the background. WAC 390-15-030(3) requires that online political advertising provide the same disclosures that apply to non-online advertising to the extent practical. The ads in question comply with these requirements; as they are video ads, they contain the sponsor information in the required place for the required amount of time—and the public has access to a “pause” button on the ad if they wish to view the information for any longer length of time.

Mr. Trask seems to imply that there is some sort of temporal requirement for when the language should appear. There is not. Furthermore, the page in question is merely the Facebook landing page for

the video ad, which itself does not require additional disclosure language beyond what is already contained within the ad. This allegation should be dismissed.

**2. *There Was No Violation of RCW 42.17A.235.***

Mr. Trask asserts that the source of funding identified in the ad “appears inaccurate” because he incorrectly asserts that the page in question was being managed “by the national Unite Here organization.” He is undoubtedly referring to the International level of the UNITE HERE! Union. But his assertion is simply incorrect. The Committee has disclosed each and every source of its contributions and expenditures on the reports filed with the PDC, and this allegation must be dismissed.

Mr. Trask’s assertions appear to come from his confusion over what page belongs to the International and what page does not. A simple search of Facebook would have directed him to the International’s (verified) Facebook page at <https://www.facebook.com/UniteHere/>, which Local 8 and the Committee have no control over. That is the only page managed by the International.

The page Mr. Trask is citing in his complaint, which he did not include the link for, was <https://facebook.com/uniteherepage/>. The company Print Logistics, which was responsible for design, production, and broadcast of the ads in question, inelegantly selected this Facebook handle as a location in which to post the ads—but that is the sole source of this page, which was set up specifically for this particular campaign with funds coming solely from the Committee. Furthermore, Report 100917428 correctly shows the expenditure for the design, production, and broadcast of the ad—an expenditure made entirely by UNITE HERE! Local 8 PAC, not by the International or anyone else.

In the event that Mr. Trask is trying to articulate a violation of the new disclosure requirements implemented by Laws of 2019, ch. 261, § 2(2), these ads were created and run prior to those changes taking effect.

Regardless, there is no violation of RCW 42.17A.235.

**3. *Therefore, There Was No Violation of RCW 42.17A.250.***

Mr. Trask himself acknowledges that this allegation is contingent on the incorrect assertion that “the ads placed on Facebook were, in fact, placed by the national Unite Here organization, and not Unite Here Local 8 PAC.” As this is simply not the case, then this allegation must also be dismissed.

If you have any questions, or if we can be of any additional assistance as you investigate these meritless allegations, we would be happy to assist. Please let us know if there is anything else we can provide.

Very truly yours,



Laura Ewan

*Attorneys for UNITE HERE! Local 8 PAC*