

**Rob McKenna** replied (Wed, 15 May 2024 at 12:43 PM)

To: "PDC Support" [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov)

Cc: [hennigan@meta.com](mailto:hennigan@meta.com)

External Email

Tabatha, I re-sent my email from Monday to you just now. I'm not seeing a bounce back but just in case the file sizes are a problem, I've removed the two large files, which are spreadsheets, and will send those separately.

2024 05 13 Meta Response to PDC.pdf

211.68 KB

Gmail - RCW 42.17A.345 Request (February 13, 2024).pdf

128.75 KB

Fw: RCW 42.17A.345 Request (April 30, 2024)

20.01 MB

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**Rob McKenna** replied (Wed, 15 May 2024 at 12:43 PM)

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Cc: [hennigan@meta.com](mailto:hennigan@meta.com)

External Email

Re-sending, minus another attachment which I will send separately.

2024 05 13 Meta Response to PDC.pdf

211.68 KB

Gmail - RCW 42.17A.345 Request (February 13, 2024).pdf

128.75 KB

**From:** McKenna, Rob <[rmckenna@orrick.com](mailto:rmckenna@orrick.com)>

**Sent:** Monday, May 13, 2024 2:20 PM

**To:** PDC Support <[pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov)>

**Cc:** Karen Hennigan ([hennigan@meta.com](mailto:hennigan@meta.com)) <[hennigan@meta.com](mailto:hennigan@meta.com)>

**Subject:** RE: PDC - Meta Platforms, Inc. (formerly Facebook, Inc.): Alleged violation of RCW 42.17A.345 for failure to timely provide complete commercial advertiser books of account upon request. (Feb'24)

Tabatha, please see the attached letter response of Meta Platforms, Inc. to the above-referenced Feb. 21, 2024, complaint filed with the PDC by Conner Edwards, along with supporting documents referenced in the letter.

Thank you,

Rob McKenna

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**[Rob McKenna](#)** replied (Wed, 15 May 2024 at 12:46 PM)

To: "PDC Support" [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

External Email

Tabatha, I've re-sent my email to you from Monday, with Meta's response. I've removed some of the attachments to shrink the overall file size. Please let me know if you have not received it.

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**[Rob McKenna](#)** replied (Wed, 15 May 2024 at 12:55 PM)

To: "PDC Support" [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Cc: [hennigan@meta.com](mailto:hennigan@meta.com)

External Email

Tabatha -- Here is the first attachment I removed from the email I just re-sent to you: the spreadsheet of political ads provided to Mr. Edwards on Feb. 14.

washington\_state\_political\_ads\_2024\_2\_14.csv  
14.6 MB

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**[Rob McKenna](#)** replied (Wed, 15 May 2024 at 12:55 PM)

To: "PDC Support" [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Cc: [hennigan@meta.com](mailto:hennigan@meta.com)

External Email

Here's the second of the attachments that I removed; it includes a large spreadsheet that was sent to Mr. Edwards in response to second request he made on April 30.

attachment.eml  
20.01 MB



**Orrick, Herrington & Sutcliffe LLP**

401 Union Street  
Suite 3300  
Seattle, WA 98101-2668

+1 206 839 4300

**orrick.com**

May 13, 2024

***Via Email***

Ms. Tabitha Blacksmith, PDC  
PDC Support [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov)

**Rob McKenna**

E [rmckenna@orrick.com](mailto:rmckenna@orrick.com)  
D +1 206 839 4415  
F +1 206 839 4301

Re: PDC - Meta Platforms, Inc. (formerly Facebook, Inc.): Alleged violation of RCW 42.17A.345 for failure to timely provide complete commercial advertiser books of account upon request. (Feb. 21, 2024, Conner Edwards complaint))

Dear Ms. Blacksmith:

On behalf of Meta, I write to respond to the above-referenced complaint filed with you by Conner Edwards on February 21, 2024.

On February 14, 2024, Mr. Edwards emailed Meta at [washingtonpoliticalads@gmail.com](mailto:washingtonpoliticalads@gmail.com), "requesting to view Facebook's commercial advertising books of account." That same day, less than 11 hours later, Meta responded to his request with a spreadsheet containing data from political ads that ran in Washington state. (That spreadsheet, along with a PDF of Edwards' request and Meta's response to his request, are attached to the email transmitting this letter.) In addition, Meta's response noted, "You can access the ad creative through a combination of Ad Library links (after May 2018) and PDF exports (before May 2018) which can be downloaded in zip format. Further instruction on how to cross-reference the .csv and PDF files is also available, attached." A hyperlink was provided to the downloadable PDF exports.

Mr. Edwards did not reply to Meta's response. He did not ask questions about it, did not request additional information, and did not indicate any concerns with the data and other information that was provided to him the same day that he requested it. Instead, on February 21, he filed a complaint with PDC, alleging a handful of deficiencies in Meta's response out of nearly 12,000 ads linked in the spreadsheet that had been provided to him, dating back to 2018, plus many thousands of additional ads from before May 2018 that were available to him via PDF exports. Meta's responses to the short list of deficiencies alleged by Mr. Edwards are interlineated below between *excerpts* of that complaint and demonstrate Meta's compliance with the requirements of RCW 42.17A.345 and WAC 390-18-050.

On April 30, 2024, at 10:25 PM, Mr. Edwards again emailed Meta via [washingtonpoliticalads@gmail.com](mailto:washingtonpoliticalads@gmail.com), making an identical request: "I am requesting to view Facebook's commercial advertising books of account." Again, Meta responded promptly, at 3:18 PM on May 1, providing a spreadsheet of political ads from Washington and a link to downloadable PDFs of ads from before May 2018 and demonstrating compliance with the commercial advertiser statute and regulation. (That spreadsheet,

Tabitha Blacksmith, CDC  
May 13, 2024  
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along with Meta's email response to his request which includes Edwards' April 30 email, are attached to the email transmitting this letter.) As in February, Mr. Edwards has not replied to Meta's response with any questions, concerns, or requests for further information.

**Meta's responses to deficiencies alleged by Mr. Edwards in his February 21st complaint, interlineated between excerpts of that complaint:**

***Row 5. "This was a 'Future 42' advertisement that promotes a statewide initiative, but the sponsor or person actually paying for the ad is not listed in Column F 'Sponsor'."***

Sponsor information for this advertisement is available in the Ads Library (<https://www.facebook.com/ads/library/?id=223442314130629>) and is noted in the below image of the ad.

A screenshot of a Facebook advertisement. At the top left is the "Future 42" logo, a green circle with a white 'X' inside. To its right, the text "Sponsored · Paid for by Future 42" is displayed. Below this, the ad text reads: "Washington's state constitution caps the income tax at 1%. But that didn't stop Gov. Inslee and state lawmakers from passing an unconstitutional 7% 'capital gains' tax on income." This is followed by a red dot icon and the text "We have the chance to stop it, but we have to act quickly." Below that, it says "If Ballot Initiative I-2109 gets enough signatures, it will leave lawmakers with a choice – repeal the tax immediately or let the voters decide in November 2024." Then, "Your signature is critical. Add your voice to make sure this income tax is repealed." At the bottom of the text section, a pencil icon is next to the text "Find a signing location near you at the link below TODAY." Below the text is a photograph of the Washington State Capitol building. In the top right corner of the photo is a button that says "About this ad". At the bottom left of the ad, the text "letsgowashington.com" is above "Stop the unconstitutional inco...". To the right of this is a button that says "Learn more".

**Future 42**  
Sponsored · Paid for by Future 42

Washington's state constitution caps the income tax at 1%.  
But that didn't stop Gov. Inslee and state lawmakers from passing an unconstitutional 7% "capital gains" tax on income.

● We have the chance to stop it, but we have to act quickly.

If Ballot Initiative I-2109 gets enough signatures, it will leave lawmakers with a choice – repeal the tax immediately or let the voters decide in November 2024.

Your signature is critical. Add your voice to make sure this income tax is repealed.

✎ Find a signing location near you at the link below TODAY.

**letsgowashington.com**  
**Stop the unconstitutional inco...**

**About this ad**

**Learn more**

**Row 39. “This was a “Re-Elect John Clauson” advertisement for a Port Orchard City Council race. The sponsor or person actually paying for the advertisement is not listed in the Column F ‘Sponsor’.”**

Sponsor information for this advertisement is available in the Ads Library (<https://www.facebook.com/ads/library/?id=1043886420131534>) and can be accessed by clicking “see ad details.”

**Row 53. “This was a ‘Re-Elect Mayor Barb Tolbert’ advertisement for an Arlington City Council race. The sponsor or person actually paying for the advertisement is not listed in the Column F ‘Sponsor’. (Additionally, when you click on the link that FB provides to view the original ad, you are told that the ad has been removed. When you click on “see advertisement details” and then “see ad”, you cannot view the actual ad that ran and allegedly generated 4542 impressions – this is likely a violation of WAC 390-18-050(6)(b), which requires the commercial advertiser to produce a copy of the advertisement that ran.)”**

Sponsor information for this advertisement is available in the Ads Library (<https://www.facebook.com/ads/library/?id=619844273653954>) and can be accessed by clicking “see ad details.” That ad also clearly states that it was “Paid for by Barb Tolbert” and “Paid for by the Committee to Re-Elect Mayor Barb Tolbert.”



The screenshot shows an Instagram post from Barb Tolbert, marked as 'Sponsored'. The post features a screenshot of a HeraldNet article titled 'Arlington Mayor Tolbert cares for youths in community'. The article text discusses Mayor Barbara Tolbert's role in mentorship and mentions a candidate, Kayla Cheatham. Below the article, there are icons for heart, comment, and share, followed by the text 'Paid for by Barb Tolbert' and 'Paid for by the Committee to Re-Elect Mayor Barb Tolbert.'

**Row 206. "This was an ad that was apparently sponsored (and directly paid for by the candidate committee at least according to the committee's PDC filings) by Kitsap-based 'Hinman for Commissioner'. However, Column F appears to indicate that it was paid for (or sponsored by?) Josh Hinman as an individual as opposed to his campaign committee. See link: [https://www.pdc.wa.gov/political-disclosure-reporting-data/browse-searchdata/candidates/567859/expenditures?recipient\\_name=Facebook](https://www.pdc.wa.gov/political-disclosure-reporting-data/browse-searchdata/candidates/567859/expenditures?recipient_name=Facebook) (note: the cost associated with this ad is listed by FB as being '\$244.78' but this appears to not correspond to what the campaign reported.)."**

Sponsor information for this advertisement is available in the Ads Library (<https://www.facebook.com/ads/library/?id=1463209740867164>) and can be accessed by clicking "see ad details." That ad clearly states that it was "Paid for by Friends of Josh Hinman."

**Elect Josh Hinman**

Sponsored · Paid for by Friends of Josh Hinman · 

...

X

We are so thankful to everyone helping with the campaign to elect Josh Hinman to County Commisioner. We have been getting flooded with messages and videos from supporters all over Kitsap County. Check out this video from Oran Root, a retired navy veteran and business owner in South Kitsap! Thank you Oran for your support!





MESSENGER

 Send message

Tabitha Blacksmith, CDC  
May 13, 2024  
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**Row 65. "This was a 'Peter Harpster for Pasco City Council' advertisement however this information was not included in the books of account spreadsheet. There appears to be no column associated with the info required to be disclosed per WAC 390-18-050(6)(a) [i.e., "(a) The name of the candidate or ballot measure supported or opposed or the name of the candidate otherwise identified"]. My understanding is that this information must be included in the books of account, even though it is discernable from the copy of the advertisement image in this particular case. Many other entries appear to have this same issue."**

As noted in the complaint itself, the name of the candidate in this advertisement appears in the ad itself, which was provided to Edwards in a copy of the ad.

**Row 78. "This was a 'Nate For Redmond City Council' advertisement that generated 648 impressions according to the spreadsheet. But the cost associated with the advertisement is not listed in Column C. Many other entries appear to have this same issue."**

Cost information is generally available by viewing the ad in the Ads Library. For Row 78, the cost of the ad was \$9.36.

**"The political committee 'Tacoma For All' supported Initiative 1 in Tacoma and paid for Facebook advertisement in November 2023. I was unable to find this instance of advertising in the books of account provided. I searched via the sponsor name and also by the amount listed on the C4 as being paid."**

Edwards evidently believes this campaign placed an ad on Facebook because he examined a campaign finance filing. He did not locate it in the Library because it was blocked, removed, or otherwise never ran.

**"The political committee 'Friends of Si View Pool' supported Prop 1 for the Si View Metropolitan Park District and indicated it took out Facebook advertising from 11-3-2023 to 11-5-2023 on its C4. I was unable to find this instance of advertising in the books of account provided. I searched via the sponsor name and also by the amount listed on the C4 as being paid."**

Edwards evidently believes this campaign placed an ad on Facebook because he examined a campaign finance filing. He did not locate it in the Library because it was blocked, removed, or otherwise never ran.

The above responses and attached documents demonstrate Meta's compliance with the requirements of RCW 42.17A.345 and WAC 390-18-050; thus the PDC should dismiss the complaint at issue.

Very truly yours,

A handwritten signature in blue ink that reads "Rob McKenna".

Rob McKenna

Attachments to email transmitting this letter:

Transmittal Email (emailed to Edwards at 5:37 PM on Feb. 14, 2024)

washington\_state\_political\_ads\_2024\_2\_14.csv

Transmittal Email (emailed to Edwards at 3:18 PM on May 1, 2024)

washington\_state\_political\_ads\_2024\_05\_01.csv



Conner Edwards <cg.edwards53@gmail.com>

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## RCW 42.17A.345 Request (February 13, 2024)

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Washington Political Ads <washingtonpoliticalads@meta.com>

Wed, Feb 14, 2024 at 5:37 PM

To: Conner Edwards <cg.edwards53@gmail.com>

**In accordance with WAC 390-18-050(4)(b)(i), Meta is producing information responsive to your request.**

**The attached .csv contains data from political ads that ran in Washington state.**

**You can access the ad creative through a combination of Ad Library links (after May 2018) and PDF exports (before May 2018) which can be [downloaded in zip format](#). Further instruction on how to cross-reference the .csv and PDF files is also available, attached.**

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**From:** Conner Edwards <[cg.edwards53@gmail.com](mailto:cg.edwards53@gmail.com)>

**Sent:** Wednesday, February 14, 2024 6:49 AM

**To:** Washington Political Ads <[washingtonpoliticalads@meta.com](mailto:washingtonpoliticalads@meta.com)>

**Subject:** RCW 42.17A.345 Request (February 13, 2024)

Hello:

Per RCW 42.17A.345, I am requesting to view Facebook's commercial advertising books of account.

Please let me know if you need additional information from me to process this request.

--

Best,

Conner Edwards  
(425) 533-1677 cell

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 **washington\_state\_political\_ads\_2024\_2\_14.csv**  
14260K



**From:** [Washington Political Ads](#)  
**To:** [Erica Fernandez](#); [Rachel Stutz](#)  
**Subject:** Fw: RCW 42.17A.345 Request (April 30, 2024)  
**Date:** Wednesday, May 1, 2024 8:19:18 AM  
**Attachments:** [washington\\_state\\_political\\_ads\\_2024\\_05\\_01.csv](#)

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Confirming I responded to Conner

Bella

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**From:** Washington Political Ads <washingtonpoliticalads@meta.com>  
**Sent:** Wednesday, May 1, 2024 3:18 PM  
**To:** Conner Edwards <cg.edwards53@gmail.com>  
**Subject:** Re: RCW 42.17A.345 Request (April 30, 2024)

**In accordance with WAC 390-18-050(4)(b)(i), Meta is producing information responsive to your request.**

**The attached .csv contains data from political ads that ran in Washington state.**

**You can access the ad creative through a combination of Ad Library links (after May 2018) and PDF exports (before May 2018) which can be [downloaded in zip format](#). Further instruction on how to cross-reference the .csv and PDF files is also available, attached.**

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**From:** Conner Edwards <cg.edwards53@gmail.com>  
**Sent:** Tuesday, April 30, 2024 10:25 PM  
**To:** Washington Political Ads <washingtonpoliticalads@meta.com>  
**Subject:** RCW 42.17A.345 Request (April 30, 2024)

Hello:

Per RCW 42.17A.345, I am requesting to view Facebook's commercial advertising books of account.

Please let me know if you need additional information from me to process this request.

--

Best,

Conner Edwards  
(425) 533-1677 cell

