



March 8, 2022

Senate Majority Leader Andy Billig
307 Legislative Building
PO Box 40403
Olympia, WA 98504

Speaker of the House Laurie Jinkins
339C Legislative Building
PO Box 40600
Olympia, WA 98504

Senator Reuven Carlyle
233 John A. Cherberg Building
PO Box 40436
Olympia, WA 98504

Representative Vandana Slatter
368 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504

RE: Letter in Opposition Washington HB 1850 and SB 5062 – End of Session

Dear Senator Billig, Representative Jinkins, Senator Carlyle, and Representative Slatter:

On behalf of the advertising industry, we ask the Washington legislature to not move forward on HB 1850 and SB 5062 in the waning days of the legislative session.¹ We and the companies we represent, many of whom do substantial business in Washington, strongly believe consumers deserve meaningful privacy protections supported by reasonable government and responsible industry policies. However, important matters like consumer privacy should be given the informed, meaningful, and careful consideration and analysis that a full legislative process provides. Such a process is impossible during the few days left in Washington's general legislative session, which is scheduled to adjourn on March 10, 2022. Passing privacy legislation hastily in the eleventh hour would likely lead to significant adverse effects for Washington consumers and businesses alike.

The three days left in Washington's 2022 general session gives the legislature, Washington residents, business stakeholders, and other invested members of the public virtually no time to assess and weigh in on the important provisions in HB 1850 and SB 5062. Needlessly rushing to push through substantive, onerous privacy legislation in a matter of days leaves little opportunity for a careful analysis of the appropriate way to regulate this highly technical and significant topic, or for incorporating critical feedback from consumers or businesses.

To help ensure Washington residents benefit from a fulsome legislative discussion of appropriate privacy provisions and careful consideration of the impacts of related new requirements, we ask the legislature to hold off on passing HB 1850 or SB 5062 this year. Holding the privacy provisions and reassessing privacy legislation in a new session would help Washington residents reap the benefits of experience, and it would help avoid unintended negative consequences for consumers and businesses.

¹ HB 1850 (Wash. 2022), located [here](#); SB 5062 (Wash. 2022), located [here](#).

As the nation’s leading advertising and marketing trade associations, we collectively represent thousands of companies across the country. These companies range from small businesses to household brands, long-standing and emerging publishers, advertising agencies, and technology providers. Our combined membership includes more than 2,500 companies that power the commercial Internet, which accounted for 12 percent of total U.S. gross domestic product (“GDP”) in 2020.² Our group has more than a decade’s worth of hands-on experience it can bring to bear on matters related to consumer privacy and controls. We strongly encourage you to decline to pass omnibus privacy legislation in the final days of the legislature’s 2022 general session.

* * *

Thank you in advance for your consideration of this letter.

Sincerely,

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² John Deighton and Leora Kornfeld, *The Economic Impact of the Market-Making Internet*, INTERACTIVE ADVERTISING BUREAU, 15 (Oct. 18, 2021), located at https://www.iab.com/wp-content/uploads/2021/10/IAB_Economic_Impact_of_the_Market-Making_Internet_Study_2021-10.pdf (hereinafter, “Deighton & Kornfeld 2021”).