

To the attention of the Federal Elections Commission,

The Sunlight Foundation is a national, nonpartisan nonprofit that advocates for more open government and politics. We have called for more transparency in online ads for years. Today, we renew our call for more sunshine in American government.

In 2015, former FEC chair Ann Ravel asked if the nation wanted Vladimir Putin or drug cartels to be influencing American elections?. She was prescient. In 2016, the United States of America has fallen off the online disclosure cliff that Sunlight has warned of for years.

The lack of transparency for political ad spending created a significant vulnerability in our public accountability laws that foreign entities and unscrupulous, unaccountable special interests are exploiting.

Congressional hearings in the fall of 2017 made it clear to everyone that social media platforms were used by Russians used to influence the 2016 election. The full extent of that interference is still not understood publicly, even now, but theres a growing of evidence that show when, how and who attempted to influence the election.

The status quo is not tenable.

The American public should be able to instantly know who paid for a given political ad, whether its broadcast on TV or radio, printed in a newspaper, or shared on Internet platforms.

Online political ads should have clear, plain language disclaimers that connect to a verified entity. Every company that takes money to run political ads should maintain a publicly available file of those purchases.

This isnt a radical notion: its how electioneering is handled on other media platforms! While more transparency was rendered to radio, TV and satellite stations by the Federal Communications Commission through the concerted legal action of Sunlight and our allies, dark ads have flourished online.

Self-regulation isnt good enough after a decade of technology companies shirking the public interest for commercial interest, reaping billions of dollars in profits.

Faced with the prospect of legislative action, Twitter, Facebook and Google committed to voluntarily improving transparency about the political ads that appear on their platforms, modeling their plans for disclosures and disclaimers on the Honest Ads Act, as with Google announcing its intention to create a public database.

These commitments are welcome, meaningful and constructive, but insufficient to the information needs of the public and improving the health of democracy. Technology companies can and should integrate more transparency, accountability and ethics about paid political advertising into their platforms, by default, but thats not enough to encode core public interest values into the public squares of today.

The FEC and Congress should act to ensure disclosures and disclaimers are neither discretionary nor uneven. Adding disclaimers and disclosures dont mean renouncing business or chilling speech, any more than has been the case for TV or radio stations.

They would make it harder for political actors and entities that cannot ethically or legally participate in elections to do so, which is one reason the Honest Ads Act has a significant and vital foreign policy constituency.

Secrecy enables fraud and lies to breed in the shadow. Sunshine disinfects corruption and clarifies confusion about what happened, when, where, to whom, how, and why it matters.

We strongly encourage the Federal Election Commission to reopen a rulemaking to consider revising regulations for online communications that mandate disclosure and disclaimers for paid political advertising

and hold a public hearing with the technology companies that serve ads to billions of people on the Internet.

Thank you for the opportunity to comment.

Best regards,

Alexander B. Howard
Deputy Director
Sunlight Foundation
<http://sunlightfoundation.com>

Comments provided by :
Howard, Alexander