



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

The League of Women Voters of Oregon is a 97-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

May 24, 2017

To: [Senate Committee On General Government and Accountability](#)
[Senator Chuck Riley, Chair](#)

Re: [HB 2874 A](#) Email list disclosure exemption for legislative messages – **Support with comments**

The League of Women Voters of Oregon supports transparency and efficiency in government processes. We have submitted supportive testimony this session for public records bills for policy (SB 481), formation of an Advocate/Ombudsman position and Council (SB 106), and public records request disclosure exemption management (HB 2101). This bill addresses a category of exemption from mandatory public records disclosure. SECTION 1 (40) (c) addresses privacy of email addresses for those receiving newsletters from legislators. It is assumed that those corresponding with Legislators would be subscribed to incumbent newsletters and their emails would then be available.


(c) This subsection and ORS 244.040 do not prohibit the campaign office of the current officeholder or current candidates who have filed to run for that elective office from receiving upon request the electronic mail addresses used by the current officeholder's legislative office for newsletter distribution.

The intention would be to change currently unlimited email newsletter subscriber disclosure, by request. Information would be available to candidates for the office, including transfer (commonly assumed) from an incumbent's legislative office to his or her campaign side.

There is growing societal concern with both online privacy and the increasing lack of transparency as commercial data management evolves. The concept of "if you're not the consumer [of electronic communications, social media and so forth], you are the product," has been argued as not binary, that if you are paying, you may not get better service, or have privacy assured. It highlights an understanding that there is a commercial value to electronic data, especially contact information. We feel that the common expectation for those emailing their legislators would be for a "right to privacy," that their addresses would not be sold, not be publicly available, and that their contact information will not be used as "products."

It may be that this will ultimately become a transparency expectation. We supported HB 3274 A, to clarify ORS coverage that was found to be ambiguous, to reinstate the original intended purpose of maintaining privacy between small businesses and the Office of Small Business Assistance (OSBA). Currently, OSBA correspondence with their clients is appended with a privacy disclaimer: *This email communication is subject to ORS 56.203(4) regarding confidentiality.* If email addresses are publicly available, perhaps a similar confidentiality disclaimer should be added. We urge support of this bill.

Thank you for the opportunity to discuss this legislation.


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