September 27, 2024

 Public Disclosure Commission

Attn: Alice Fiman, PDC Enforcement

 Re: Response to Complaint dated July 21, 2024 Added to PDC Case Number 155941

 Hello Alice Fiman Enforcement,

 As we discussed yesterday on the telephone I have been asked by the Bird for Governor Campaign to respond to the latest complaint referenced below. Please note the campaign did not received notice of this complaint until September 18, 2024.

 In response, it is my understanding that on October 10, 2022 Misipati Semi Bird using personal funds reserved the subject “birdforgovernor.com” domain name to insure that it would be available for his use should he decide seek the subject office. No website was launched, no public announcement was made, no donation were solicited and no other expenses were incurred at that time.

 He then made his final decision to seek the Governor’s office and made his first public announcement of his candidacy on November 11, 2022, Verterans Day, in a speech in Olympia. He then registered with the PDC (C1) the next day on November 12, 2022.

There was no campaign bank account until later in November following his public announcement. In addition, the campaign website did not go live until later in the year or in early 2023.

 I note that the complaint has patched together RCW 42.17A.210, RCW 42.17A.205 and RCW 42.17A.005 ‘definitions’ (8) (a) in some kind of absolute expenditure public announcement declaration of candidacy. I do not believe it was the legislative intent that to reserve domain names to insure future availability is “…intent to promote the individual’s candidacy for office”. In this case there was no public announcement of candidacy until the day before the C1 was registered with the PDC. No us of the domain name was used for contributions or received prior to the C1 being filed.

Sincerely,

Bruce Ayers, PDC Compliance Services

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