



Written Comments of Dr. Edward Longe
Before the Oregon Senate Committee On Commerce and General Government
February 11, 2026
Regarding Senate Bill 1580

Dear Chair Meek, and Members of the Committee,

The James Madison Institute is a 501(c)(3) think tank based in Tallahassee, Florida. My name is Dr. Edward Longe, and I serve as the Institute's Director of National Strategy. We commend this committee for taking seriously the challenge of protecting local journalism in the digital age; however, I want to be direct: despite the intentions of this legislation, the bill will accelerate the collapse of local news in Oregon, not save it.

Firstly, let me outline what the legislation purports to do and what it will actually do. The sponsors will tell you this bill ensures "fair compensation" for journalism providers, protects local news from Big Tech monopolies, and invests in civic information. What it actually does is impose a mandatory link tax (Section 2(1))—either \$104 million annually for platforms with 6+ billion worldwide monthly active users or \$18 million annually for smaller platforms under the two-year exemption (Section 4(1)(a)-(b)), or alternatively a percentage of advertising revenue determined through forced arbitration (Section 7(1)(a))—backed by \$1,000-per-link statutory damages for non-compliance (Section 3(2)), create a state-sanctioned publisher cartel exempted from antitrust laws (Section 7(3)) while citing antitrust cases as justification, establish a new government media apparatus capturing 10% of all extracted fees (Section 4(2) and Section 7(11)), and compensate publishers based on journalist headcount rather than content quality (Section 4(2)(b) and Section 5(4))—all while guaranteeing that platforms will simply remove Oregon news entirely rather than face unlimited liability for the "crime" of sending publishers free traffic.

These proposals unfortunately, only hurt the very news sites they purport to help by denying them access to consumers who would otherwise not likely find local news outlets. In December 2023, Canada passed the Online News Act which, like this proposal, forced large technology companies to compensate local news outlets for linking consumers to their stories. One large technology company then made the business decision to end the availability of news content on its platform in Canada. Researchers from McGill University and the University of Toronto found that local news outlets saw an 85% decline in engagement.¹

Here's what this bill fundamentally misunderstands: hyperlinks are not theft, they're free marketing for local news outlets. When technology companies link to The Oregonian, The Oregonian receives free traffic they didn't have to pay to acquire, potential subscribers worth far more than any link tax, advertising impressions they monetize and keep 100% of the revenue from, and SEO authority that improves their ranking for future searches.

¹ Tim P. Vos, Julia B. Corbett, and Phillip Gill, *When Journalism Is Turned Off: Preliminary Report on Meta's News Blocking in Canada* (McGill University and University of Toronto, 2024), https://static1.squarespace.com/static/6450265301129e5dbabfe8a2/t/6622c8a408f39611294ebdb2/1713555621401/Whenjournalism+is+turned+off_Preliminary+Report.pdf.

The bill also creates significant antitrust concerns. The preamble extensively cites federal antitrust cases against Google and Meta to justify this legislation, arguing that the platforms hold monopoly power. But the solution to alleged monopoly power is not to create a legally immunized publisher cartel. Section 7(3) explicitly authorizes publishers to "organize as a group" and collectively negotiate compensation—textbook price-fixing that would violate Section 1 of the Sherman Act if it weren't shielded by state action doctrine. The legislature cannot simultaneously argue that platforms are anticompetitive monopolists while creating a state-sanctioned countervailing monopoly among publishers.