

February 11, 2026

Re: Opposition to OR SB 1580

Dear Chair Meek, and Members of the Committee,

My name is Nathan Trail, and I am the Vice President of State Government Affairs at the Information Technology Industry Council (ITI). ITI represents the world's leading technology companies, and we advocate for public policies that promote innovation, economic growth, and responsible technology development.

ITI strongly supports the essential role that local journalism plays in sustaining informed communities and civic engagement. We appreciate the Legislature's focus on strengthening Oregon's news ecosystem.

However, we respectfully oppose OR HB 1580 because we are concerned that its approach, while well intentioned, may produce unintended consequences that undermine its stated goals.

First, HB 1580 would condition the ability of certain platforms to access and link to publicly available news content on mandatory compensation agreements. Linking and indexing are foundational to how information flows across the internet. Requiring payment as a precondition for linking to freely available content represents a significant structural shift in how the internet operates. Such a model risks fragmenting access to information and may discourage the distribution of news content rather than expand it.

Experience in other jurisdictions suggests that when faced with compelled payment regimes tied to linking, platforms may reduce or remove news content altogether rather than operate under open-ended liability and arbitration frameworks. If that occurs, Oregon publishers could see a decline in referral traffic and audience reach, the opposite of the bill's intent.

Second, the economic challenges facing the news industry are complex and long-standing. The decline in newspaper circulation began well before the rise of social media. Technological change, from radio to television to digital platforms, has reshaped advertising markets and consumer behavior over decades. Classified advertising revenue peaked around 2000, and structural shifts in how readers access information have intensified competition across local and national outlets.

As the U.S. Copyright Office noted in a 2022 report, internet-based competition accelerated preexisting trends in declining circulation and advertising revenue. Increased competition, consolidation, and evolving consumer habits have all contributed to the pressures facing news

organizations. Addressing these systemic challenges likely requires broader, sustainable solutions rather than a revenue-transfer mechanism directed at a narrow set of companies.

Third, HB 1580's framework introduces significant litigation, arbitration, and compliance uncertainty. The combination of mandatory agreements, private rights of action, statutory damages, and final-offer arbitration tied to advertising revenue creates substantial legal and operational risk. Smaller publishers may lack the resources to meaningfully participate in complex arbitration processes, while larger incumbents may be better positioned to navigate the system, potentially reinforcing existing market concentration rather than alleviating it.

Additionally, applying the bill to a limited subset of companies based on size thresholds raises concerns about neutrality and long-term policy sustainability. Durable policy solutions should operate predictably across the market and avoid creating incentives that distort competition or entrench existing dynamics.

Fourth, to the extent this discussion intersects with generative AI and emerging technologies, caution is warranted. Consumer-facing AI tools are evolving rapidly, and a number of companies have already entered into voluntary licensing agreements with publishers. Market-based negotiations are ongoing, and it may be premature to impose rigid statutory mandates before the ecosystem has matured.

ITI shares the Legislature's commitment to strengthening local journalism. However, we are concerned that HB 1580's approach, compelled payment for linking, mandatory arbitration, and expansive liability, may reduce news availability, create legal instability, and generate unintended consequences for both publishers and consumers in Oregon.

We respectfully urge the Committee to carefully consider these risks and to explore alternative approaches that preserve the open flow of information online while supporting a sustainable future for local journalism.

Thank you for your time and consideration. ITI would be pleased to serve as a resource to the Committee moving forward.

Respectfully,

Nathan Trail

Nathan Trail,
Vice President of State Government Affairs
Information Technology Industry Council (ITI)