



## NOTICE AND AGENDA Digital Transparency Task Force<sup>1</sup>

California Fair Political Practices Commission  
1102 Q Street, Suite 3800  
Sacramento, CA 95811

Thursday, April 23, 2020  
1:30 P.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article.

**Pursuant to Executive Order N-29-20, certain provisions of the Bagley Keene Open Meeting Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, this Task Force meeting will be conducted by teleconference only. None of the locations from which Task Force Members will participate will be open to the public. Members of the public who wish to observe the meeting may do so via [YouTube](#) or via telephone by calling (877) 411-9748; access code 723284. Members of the public who wish to comment during the meeting may do so by telephone or using the Commission's public participation portal found at <http://mediasite.fppc.ca.gov/>.**

Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto:ADACoordinator@fppc.ca.gov). TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities.

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<sup>1</sup>You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, Sacramento, CA, 95811, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov). To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

The agenda and related documents are posted on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Materials submitted by the public regarding each agenda item will be made available on the website.

Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [YouTube](#).

The meeting location is accessible to the disabled. Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto:ADACoordinator@fppc.ca.gov). TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities. Please allow three business days between the request and the meeting date.

## Welcome

Richard C. Miadich, Chair of FPPC and Allison Hayward, FPPC Commissioner

**1. Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Task Force and before any action is taken.

### **2. Introductions.**

- a. Discussion of the need for the Task Force, and its mission and goals.
- b. Introduction of Task Force members.
- c. Introduction of key FPPC staff members assisting the Task Force, and other individuals presenting to the Task Force.
- d. Proposed timeline and tentative schedule.
- e. Brief overview of Bagley-Keene rules. Staff: David Bainbridge, General Counsel

**3. Introduction to Campaign Advertising in the Digital Realm.** Staff: Jay Wierenga, Communications Director. Overview of the growing significance and presence of digital political advertisement; differences from traditional political advertising; and, the challenges presented.

**4. Current Legal Landscape for Regulating Digital Political Ads.** Staff: Sukhi Brar, Supervising Attorney and Katelyn Greene, Commission Counsel. FPPC Legal Division attorneys discuss California law, as well as the status of regulatory laws at the federal level and in other states. Representatives from the California Secretary of State's Office discuss efforts by the Secretary of State's Office to address challenges associated with digital political ads. Representatives from Washington State Public Disclosure Commission discuss how Washington State is approaching regulation of digital campaign ads.

**5. Enforcement Challenges Presented by Digital Political Advertising.** Staff: Megan Van Arsdale, Commission Counsel and Paul Rasey, Special Investigator. FPPC Enforcement staff discusses the differences in digital political ads compared with those in traditional media, and the challenges presented in enforcing regulations relating to digital ads.

**6. Digital Ad Archives.** Presentation by: Brendan Fischer, Campaign Legal Center. Discussion of digital archives for political advertisements, including (1) examples of current archives; (2) information and data collected in archives; (3) source of information and data to be collected; (4) public v. private housing of archives; and, (5) policy and legal considerations

**7. Public Access to Archive Data.** Representatives from the City of Los Angeles present the City's public portal to access digital ads and supporting information.

**8. Discussion of Presentations and Next Steps.**