



(Unapproved and subject to change)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
Minutes of Digital Transparency Task Force Meeting
Friday, January 22, 2021
10:00 a.m.

Present: Chair Miadich, Brian Brokaw, Rena Davis, Amber Maltbie, Jennifer Waggoner, Abby Wood, and Katie Zoglin

Staff Present: Amanda Apostol, Regulations Coordinator

A. Call to Order

Chair Miadich called the meeting to order at 10:00 a.m.

B. Public Comment for items not on the agenda.

C. Approval of December 2020 meeting minutes.

MOTION: Motion to approve December 2020 minutes. Moved by Abby Wood, seconded by Chair Miadich. Motion approved 6-0.

D. Representatives from Google will present an overview of their political advertising products and transparency report.

Alea Mitchell, Google, gave a demonstration on how Google's self-service platform used by all sized advertisers works and the types of ads that are available for advertisers. Ms. Mitchell also gave an overview of how a digital ad gets placed on different websites based on the criteria of the ad and the Google Ad Policy Enforcement. Some of the different topic areas discussed were political content and election ad policies, targeting restrictions, verification process, and the transparency report. Abby Wood, Task Force Member, asked how 'keywords against sites' works and if they could be misused. Ms. Mitchell responded with an example of using keywords in an ad and stated misuse of keywords would be a violation of written terms and policies.

Katie Zoglin, Task Force Member, asked how political content is defined by region. Ms. Mitchell stated that Google has definitions varied by country and then by state if there are different requirements that need to be applied.

Jennifer Waggoner, Task Force Member, asked if Google has a complaints process for political advertisers. Ms. Mitchell stated that the public can report ads they feel are inappropriate or violate a policy and Google has a team that looks at complaints and responds to them quickly.

Ms. Wood asked why Google does not put merchandise related ads, especially when they're closely identified with a campaign, in the ad archive. Ms. Mitchell responded that Google has made the decision that an election ad will not include ads for products and services or promote political merchandise. This decision was made because it would be nearly impossible to capture every ad that would feature the merchandise.

Chair Miadich asked if local races are included when defining political ads on Google. Ms. Mitchell responded that political ads are only on the federal or state candidate level and ballot measures because there are many forms of local races and being able to support all of them is not possible at this time. Chair Miadich asked if the FPPC ID was an allowable identification for a political ad and if Google verifies the IDs given. Ms. Mitchell responded she believes state regulatory IDs are allowed and Google does verify each ID but that the ID given to Google can be any allowable identification. Chair Miadich also asked if they allow academic institutions or press access to underlying raw data in the ad archive. Ms. Mitchell added that this would not be allowed because it would violate privacy concerns by releasing the data from the advertiser without their consent.

E. Presentation on Facebook Ads.

Sarah Schiff, Facebook, gave an overview of how the Facebook Ad system works and discussed policy for ads regarding social issues, election policies, and authenticity, and transparency requirements for ads. Ms. Schiff discussed how the Facebook Ad Library is set up and how to search for specific terms.

Ms. Zoglin asked which parameters or targeting criteria is allowed when a user purchases an ad. Ms. Schiff stated that ads about social issues, elections, or politics have the same access to targeting features as other ads on Facebook, however there is a restriction on geography. Someone is only eligible to run ads in the country they've been authorized through the Facebook authorization process.

Ms. Wood raised concern on the tradeoff between regulation and transparency regarding query problems that are preventing users from using the API to the full extent. Ms. Schiff said that Facebook does provide transparency around the actual impact of an ad and who was reached with that ad and added that Facebook is exploring ways to be more transparent with different types of data, but, will not do it at the expense at compromising user's privacy. Ms. Wood suggested it would helpful to establish a minimum bin size for how this would affect voters and users.

Ms. Waggoner asked if Facebook discloses any social political election related content that would not be captured as an ad in the ad archive. Ms. Schiff said that the ad library does not include any non-ad formats at this time but can follow up if this could be included in the future.

Chair Miadich asked if a committee who advertises on Facebook is required to provide an FPPC ID number. Ms. Schiff stated a tax ID, an FEC ID number, a street address, phone number, email, and website are all accepted forms of identification for Facebook ads. Chair Miadich asked if all the different permutations and derivations of an ad are included in the ad archive or is it just the initial ad. Ms. Schiff stated that every ad that delivers an impression is snapshotted, copied, and maintained in the Ad Library. There is also a dynamic creative where someone could submit three versions of an ad and indicate Facebook should use the where best suited and that would indicate on the ad itself that it might have different variations.

F. Identified Formatting Issues with DISCLOSE Act and Discussion on how to Rectify Those Issues.

Trent Lange, President, California Clean Money Campaign, discussed clarifying who is paying for

political ads under the California Disclose Act. The history of the California Disclose Act was explained. Mr. Lange suggested a solution to a perceived long committee name disclosure problem by requiring top contributors to be yellow and separated by a half line from the committee name for television ads. Proposals for AB 249 also suggested offering better solutions for online videos. Mr. Lange stated that the bill is currently under development with plans to pass through the legislature in 2021 as a follow up to the other disclose act bills.

G. Trends and Emerging Issues Regarding Digital Political Speech and Advertising From the 2020 Election Cycle.

Chair Miadich moved the discussion on Trends and Emerging Issues Regarding Digital Political Speech and Advertising From the 2020 Election Cycle to the February agenda due to the two-hour time constraint.

MOTION: Adjourn the meeting. Moved by Rena Davis, seconded by Chair Miadich.
Motion approved 6-0.

The meeting adjourned at 12:00 p.m.

Respectfully Submitted,
Sasha Linker
Commission Assistant
Approved February 9, 2021

Richard C. Miadich, Chair
Fair Political Practices Commission