STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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Fair Political Practices Commission
Generative AI Acceptable Use Policy - Draft
Policy Number

Distribution:	Expires:
All FPPC Employees, vendors, contractors, interns and volunteers working on behalf of the FPPC	When Cancelled

Introduction

At the Fair Political Practices Commission (FPPC), we recognize the potential of artificial intelligence (AI) to enhance our operations and services. This Use Policy outlines our commitment to responsible AI to ensure ethical considerations are upheld, AI risks are managed, and compliance with emerging regulations is achieved. This Use Policy will help guide the FPPC's legal and ethical obligations, secure the intellectual property resources of the State of California, and establish a baseline for the responsible and appropriate use of these tools within the FPPC.

Scope

All FPPC employees as well as vendors, contractors, interns, and volunteers who operate on behalf of the FPPC are subject to this Use Policy when using FPPC issued or managed devices (including laptop and desktop computers, tablets, smartphones, networks, and all other equipment that is part of the FPPC Information Technology system)[1] and for all work product produced by FPPC employees, vendors, contractors, interns and volunteers.

Executive Summary

Generative Artificial Intelligence (GenAI) is a branch of AI technology that interacts with user-provided creativity to generate content at the request of a user. The FPPC recognizes that we can introduce GenAI into our agency with boundaries and safeguards to ensure its proper use. GenAI use in the workplace has risks, including unauthorized data sharing, bias, and disclosure of confidential information. This Use Policy recognizes those risks and provides restrictions and guidelines to ensure transparency and take a judicious approach to implementation.
Here is a summary of the main points in this Use Policy:

[1] Aligned with ISO/IEC 42001 4.3.

1. Whether generated by GenAI or a human, you are ultimately responsible for any content you use or share. GenAI generated content is not always reliable or accurate. The FPPC requires a Human in the Loop when using GenAI.
2. Information entered into GenAI systems may be subject to a Public Records Act (CPRA) request. Keep good records to show how you got to the outcome generated. Unless using an internal FPPC approved GenAI tool, users are prohibited from using any prompts that may include information not suitable for public release (such as confidential or personally identifiable information).
3. Microsoft Copilot is available to FPPC employees as a secure option for most GenAI tasks. Other secure enterprise tools may also be available to staff, but we encourage staff to use the GenAI tools approved by the FPPC. However, if you would like to use a different public or consumer GenAI tool for FPPC tasks, you must receive prior approval (discussed in detail below).
4. FPPC requires disclosure to your supervisor when GenAI is used to complete your work. Public-facing work requires a specific disclaimer.
5. The FPPC will provide on-going training and workgroups to both train staff regarding how to use GenAI and improve GenAI usage best practices.

Definition

We define AI as an engineered or machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, or decisions influencing real or virtual environments. AI systems are designed to operate with varying levels of autonomy.[2]

1. An AI model as a component of an information system that implements AI technology and uses computational, statistical, or machine-learning techniques to produce outputs from a given set of inputs.[3]

2. An AI system as any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.[4]

3. Generative Artificial Intelligence (GenAI) as pretrained AI models that can generate images, videos, audio, text, and derived synthetic content. GenAI does this by analyzing the structure and characteristics of the input data to generate new, synthetic content similar to the original. Decision support, machine learning, natural language processing/translation services, computer vision, and chatbot technologies or activities support may be related to GenAI, but they are not GenAI on their own.[5]

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[2] Definition of AI provided by the National Institute of Standards and Technology AI Risk Management Framework (NIST AI RMF)
[3] Definition of AI model provided by United States Executive Order No. 14110 on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.
[4] Definition of AI model provided by United States Executive Order No. 14110 on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.
[5] Definition of GenAI provided by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section II, March 2024

We have developed these definitions in alignment with leading industry and ecosystem definitions to define the bounds of AI life cycle management and inventorying and compliance requirements as appropriate for our context and use cases.

Principles Governing GenAI Adoption

Principles describe general codes of conduct that represent the FPPC's values and are aligned with our responsibilities to the members of the public we serve. We aim to harness the transformative power of GenAI to increase agency efficiency, bolster enforcement of the Act, and offer greater, more meaningful transparency to the public. The proper usage of GenAI products will help streamline workflows and foster creativity across the divisions and projects.

1. **Innovation and Sustainability:** The FPPC values innovation to meet the needs of the public that we serve. We are committed to responsibly exploring and evaluating AI technologies, with the intention of furthering our agency's mission and better serving our staff, the regulated community and Californians. The use of AI is intended to complement and empower our staff, enabling them to achieve greater efficiency and creativity in their roles.[6]

2. **Unbiased, Fair, Equitable, and Responsible:** We acknowledge that GenAI systems have the potential to perpetuate inequity and bias resulting in unintended harm from its usage. We are committed to deploying GenAI solutions that are free from bias, ensuring fairness and equity in its application. The FPPC will evaluate AI-generated content to ensure that its output is accurate and free of discrimination or bias against protected classes when the nature of the use case, subject matter, or audience presents an identifiable risk of inaccuracy, bias, or discrimination.[7]

3. **Transparency and Accountability:** The FPPC values transparency and accountability and understands the importance of these values when assessing the usage of GenAI. We will ensure that the development, use, and deployment of GenAI systems are evaluated for and compliant with all laws and regulations applicable to the FPPC prior to use, and will make documentation related to the use of GenAI systems available.[8]

4. **Human In The Loop (HITL):** To maintain accountability and accuracy, a human will always be involved in the review process before the publication or distribution of AI generated content. This ensures that our GenAI outputs align with the FPPC's values and standards.[9]

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[6] As established by NIST AI 600-1, Section 2.5
[7] As established by NIST AI 600-1, Section 2.6 and 2.11; as well as SB 896, Section 11549.63.b and 11549.63.c
[8] As informed by SIMM 5305-F as well as NIST AI 600-1 GV-1.4-001; as well as SB 896, Section 11549.63.d
[9] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section III.8, March 2024; as well as NIST AI 600-1, Section GV-1.6-003

5. **Employee Preparation:** We will invest in training and development programs to equip our employees with the skills needed to thrive with the approved GenAI tools. By fostering a culture of continuous learning, we ensure our team is ready to adapt to evolving roles and responsibilities.[10]

6. **Privacy Enhancing:** The FPPC understands the importance of protecting personal data. We work to ensure that the policies and standard operating procedures that reduce privacy risk are in place and are applied to all GenAI systems throughout development, testing, deployment, and use to the greatest extent possible.[11]

7. **Security and Resiliency:** Securing our data, systems, and infrastructure is important. We will ensure GenAI systems are evaluated for resilience and can maintain confidentiality, integrity, and availability of data and critical FPPC systems through protection mechanisms to minimize security risks to the greatest extent possible, in alignment with governing policy and identified best practices.[12]

Usage Policy

1. Acquisition of GenAI Technology

a. FPPC employees may be authorized to use pre-approved GenAI software tools, such as Microsoft CoPilot, or they may request a non-standard acquisition of GenAI software through the FPPC's current request process (see *FPPC Employee GenAI FAQs* for more information about the process).[13]
b. FPPC IT shall review all proposed tools that are designed to leverage GenAI technology in some or all parts of its application. The evaluation of the tool will be dependent on the completion of the STD1000 form. Approval will be based on the risk and impact methodology, which shall include specific review criteria for GenAI technology based on instructions set by the State of California Department of Technology as well as internal application standards.[14]
c. The FPPC standard for technology acquisition applies to all technology, including free-to-use software, software-as-a-service tools, and local and offline applications.[15]
d. Once approved, GenAI tools and applications will not require additional approvals for its usage by the FPPC.[16]

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[10] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section III.3 and Section IV, March 2024; as well as SB 896, Section 11549.65.k
[11] As established by NIST AI 600-1, Section 2.4; as well as SB 896, Section 11549.63.e
[12] As established by NIST AI 600-1, Section 2.4
[13] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section IV, March 2024
[14] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section IV, March 2024; as well as SB 896, Section 11549.65
[15] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section IV, March 2024
[16] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section IV, March 2024

e. FPPC IT may revoke authorization for a technology that adds AI capabilities, or may restrict the use of those AI capabilities, if, in its judgement, those AI capabilities present risks that cannot be effectively mitigated to comply with this policy or other State policies.[17]

2. Use of Generative AI Outputs

a. Outputs of GenAI systems must be reviewed by humans prior to each use in an official FPPC capacity ("Human in the Loop" or HITL). HITL review processes shall be documented by owning departments and shall demonstrate how the HITL review was conducted to adhere to the principles outlined in this document.[18]
b. Documentation of HITL reviews shall be retained according to the appropriate records retention schedule.[19]
c. Outputs from GenAI systems should be verified by FPPC staff to assure accuracy, quality, reliability, and authenticity by comparing it to a set of known ground truth data and by using a variety of evaluation methods (e.g., human oversight, proven cryptographic techniques, review of content inputs).[20]

3. Attribution, Accountability, and Transparency of Authorship[21]

a. If text generated by a GenAI system is used in the final product, attribution to the relevant GenAI system is required both internally and externally. This does not include identification of grammar software or programs.
b. All images, audio, and videos created by GenAI systems must be attributed to the appropriate GenAI system. Wherever possible, attributions and citations to the FPPC should be stated audibly in the audio or embedded in the image or video (e.g., via digital watermark).
c. If a significant amount of source code generated by a GenAI system is used in a final software product, or if any amount is used for an important or critical function, attribution to the appropriate AI system is required via comments in the source code and in product documentation.
d. All attributions should include the name of the GenAI system used plus an HITL assertion (including the department or group who reviewed/edited the content). Example: *Some material in this brochure was generated using ChatGPT 4.0 and was reviewed for accuracy by a member of the Department of Administrative Services of the Fair Political Practices Commission before publication.*

4. Reducing Bias and Harm

a. GenAI systems may produce outputs based on stereotypes or use data that is historically biased against protected classes. The FPPC will evaluate AI-generated

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[17] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section IV, March 2024; as well as SB 896, Section 11549.65
[18] As established by California Department of Technology, State of California GenAI Guidelines for Public Sector Procurement, Uses and Training, Section III.8, March 2024; as well as NIST AI 600-1 MG-2.2-003
[19] As established by NIST AI 600-1 MG-2.2-002 and MG-2.3-001
[20] Informed by NIST AI 600-1 MP-2.3
[21] As established by SB 896, Section 11549.66; as well as informed by NIST AI 600-1, Section A.1.6

content to ensure that its output is accurate and free of discrimination or bias against protected classes when the nature of the use case, subject matter, or audience presents an identifiable risk of inaccuracy, bias, or discrimination. The National Institute of Standards and Technology has identified three major categories of AI bias and each can occur in the absence of prejudice, partiality, or discriminatory intent. The FPPC should consider these biases:

- System Bias: Based on the GenAI tool, some inherent biases may be present.
- Computational and Statistical Bias: May be present based on the computational and statistical data of the inputs put into the GenAI system.
- Human-cognitive Bias: Interpretation of the output from a GenAI system may be bias based on the person receiving the output.[22]

5. **Data Privacy and Use**[23]
   a. Use of GenAI tools shall be consistent with the principles and standards described in the Statewide Information Management Manual (SIMM) 5305-F.
   b. Unless suitable enterprise controls and data protection mitigations are in place, employees shall not submit data that is classified as confidential or data that is otherwise not considered to be acceptable to disclose to the public, to GenAI systems.
   c. Staff must not use their work email address or work phone number when using publicly accessible GenAI tools for personal use.
   d. Staff must not use GenAI tools for unauthorized purposes, including:
      - in violation of applicable policies, regulations, or laws.
      - generating malicious, inappropriate, or illegal material.
      - infringing on copyrights or using intellectual property without consent.
      - committing fraud or impersonating individuals or entities.

6. **Public Records Management**[24]
   a. Records generated, used, or stored by GenAI vendors or solutions may be considered public records and may be required for disclosure upon request.
   b. GenAI solutions and/or vendors approved for FPPC use may be required to support retrieval and export of all prompts and outputs (either via exposed functionality or through vendor contract assurances).
   c. FPPC employees who use GenAI tools will be required to maintain, or be able to retrieve upon request, records of inputs, prompts, and outputs in a manner consistent with the FPPC records management and public disclosure policies and practices.

[22] Informed by NIST AI 600-1, Sections 2.6, MS-2.11, MS-3.3
[23] Informed by NIST AI 600-1, Section 2.4
[24] Informed by NIST AI 600-1, A.1.6 Content Provenance and GV-1.5

Monitoring of GenAI

The FPPC reserves the right to access and monitor the use of GenAI on FPPC-issued or managed devices and networks to ensure compliance with this policy, improve our GenAI support, and inform our GenAI strategy.[25]

Violations of this Policy

The Chief Information Officer (CIO) is responsible for compliance with this policy. Enforcement may be imposed in coordination with individual division chiefs and the Executive Director. Non-compliance may result in department chiefs imposing disciplinary action, restriction of access, or more severe penalties up to and including termination of employment or vendor contract.

Questions

Questions regarding this policy or to determine whether specific use of GenAI tools is acceptable may be addressed via email to the FPPC IT team at ITsupport@fppc.ca.gov.

Legal Authority/ References

- **Technology Letter 24-01**: Generative Artificial Intelligence (GenAI) Inventory, Procurement, and Risk Assessment for Executive Order N-12-23
- **SIMM 5305-F:** Generative Artificial Intelligence Risk Assessment (State of California, Department of Technology, Office of Information Security)
- **State of California: Benefits and Risks of Generative Artificial Intelligence Report** (California Government Operations Agency, November 2023)
- **NIST AI 600-1:** Artificial Intelligence Risk Management Framework: Generative Artificial Intelligence Profile
- **California SB896**

Document Control

The policy shall be effective on DATE and is subject to review annually.

Version	Content	Contributors	Date Issued:
v 1.0	Draft	Author: Jesse Hidalgo – Chief Information Officer	02/05/2026
		Reviewer: Galena West, Executive Director	02/05/2026

[25]Informed by NIST AI 600-1, GV 1.5

Generative Artificial Intelligence Usage Policy Form

Please designate employment status:

ø Employee/Intern

ø Contractor/Vendor/Volunteer

Manager/Supervisor: Please forward original signed form to Human Resources Office for filing in employees' official personnel file or in the case of a non-employee, please retain original signed form.

Attached is a written copy of the Generative Artificial Intelligence Use Policy. After reading the attached policy, please read the following statement and sign (digitally or physically) in the designated area below. Once completed, please forward to your manager or supervisor for further processing.

Acknowledgement:
I have received a copy of the Generative Artificial Intelligence Use Policy. I fully understand the terms of this policy and agree to abide by them. I realize that the FPPC may record my use of GenAI systems and keep a record of any activity with the usage of GenAI systems. I know that any violation of this policy may result in access to GenAI systems being revoked without notice and, depending on the violation, lead to corrective action, dismissal or criminal prosecution.

Print Name

Signature **Date**