

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MEETING OF THE  
CALIFORNIA PRIVACY PROTECTION AGENCY

PUBLIC COMMENT SESSION

TUESDAY, JUNE 10, 2025

Pages 1 - 13

Cannabis Control Appeals Panel Hearing Room  
400 R Street, Suite 350, Sacramento, California 95811

Transcribed by: iDepo Reporters  
898 North Pacific Coast Highway  
Suite 475  
El Segundo, California 90245  
(323) 393-3768

1 APPEARANCES:

2  
3 Tom Kemp, CPPA Executive Director

4 Megan White, CPPA Deputy Director of Public and  
5 External Affairs

6 Philip Laird, CPPA General Counsel

7 Tamara Michelle Colson, CPPA Assistant Chief Counsel

8 Serena Marzion, CPPA Moderator

9 Benjamin Isaacson  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 TUESDAY, JUNE 10, 2025

2 1:00 p.m.

3 -o0o-

4  
5 MR. KEMP: Good afternoon, and welcome to  
6 the California Privacy Protection Agency Public  
7 Comment Session on the proposed regulations for the  
8 delete, request, and opt out platform, or DROP,  
9 system requirements.

10 My name is Tom Kemp, and I serve as the  
11 Agency's executive director. Today is Tuesday, June  
12 10, 2025, at approximately 1 p.m. I am located at the  
13 California Cannabis Appeals Panel Hearing Room at 400  
14 R Street in Sacramento, California. The hearing is  
15 also being broadcast online to allow for virtual  
16 participation.

17 Here with me today are Phil Laird, our  
18 Agency's general counsel, Tamara Colson, assistant  
19 chief counsel for the Agency's legal division, Deputy  
20 Director Megan White, and Serena Marzion with our  
21 public affairs division.

22 Today is the last day the Agency will be  
23 accepting public comments orally or in writing on  
24 these draft regulations as proposed in the notice  
25 package.

1 I sincerely appreciate everyone's  
2 participation in the process and look forward to  
3 listening to your comments today.

4 Now, I'll turn it over to Phil for a few  
5 housekeeping matters before we start.

6 MR. LAIRD: Thanks, Tom.

7 Just a few points to make before we get  
8 going. During this hearing, we will listen to and  
9 record the comments from members of the public about  
10 the proposed regulations. You may also submit  
11 written public comments to staff here physically by  
12 e-mailing them to [regulations@coppa.ca.gov](mailto:regulations@coppa.ca.gov), or by  
13 mailing them to the Agency's Sacramento office. All  
14 comments are due today, and written comments must be  
15 received by 5:00 p.m.

16 Please note that oral and written  
17 comments are treated equally, so you are only  
18 required to submit your comment by one method for it  
19 to be considered and responded to in the final rule  
20 making record.

21 Now, given the number of participants in  
22 attendance today, we will begin by limiting comments  
23 to three minutes per speaker. Once all participants  
24 have had an opportunity to make a three minute  
25 comment, we will allow speakers to make additional

1 comments if they were unable to complete their  
2 remarks during the first round.

3 If there are still members of the public  
4 waiting to make a comment at 3:00 p.m. we will  
5 continue the hearing until everyone has had a chance  
6 to make their comment. Otherwise, we will conclude  
7 the hearing at 3:00, as stated on the notice.

8 So, in terms of how you participate, if  
9 you are attending in person and wish to speak, please  
10 wait for me to call for public comment, then move  
11 toward the podium and form a line.

12 It is helpful if you identify yourself  
13 when you begin speaking. But this is entirely  
14 voluntary, and you are free to refer to yourself with  
15 a pseudonym or not give a name. We will first take  
16 comments from those in person, and then move to those  
17 who are joining us virtually.

18 If you were here in person, please hold  
19 the microphone very close to your mouth, and speak  
20 directly into the mic so everyone participating  
21 remotely can hear you, and so your remarks can be  
22 recorded in the meeting record. If you're attending  
23 via Zoom and you wish to speak, please use the raise  
24 your hand function, which is in the reaction feature  
25 at the bottom of your Zoom screen. If you're joining

1 by phone, please press star-nine on your phone to  
2 show the moderator that you're raising your hand.

3 Our moderator will call your name when it  
4 is your turn and request that you unmute yourself to  
5 make your comment. When your comment is completed,  
6 the moderator will mute you. As is the case with  
7 in-person participation, it is helpful if you  
8 identify yourself, but this is entirely voluntary.

9 Now, in the event of technical  
10 difficulties, and you're attending remotely and  
11 experience an issue with the remote meeting, for  
12 example, audio dropping or something of that nature,  
13 please e-mail [info@coppa.ca.gov](mailto:info@coppa.ca.gov). That's I-N-F-O at  
14 CPPA, dot CA, dot GOV. This e-mail account will be  
15 monitored throughout the meeting. If there is an  
16 issue that affects the remote meeting, we will pause  
17 the meeting to let our technical staff work on fixing  
18 the issue.

19 Now, we will not be responding to the  
20 public comments or discussing the requirements in the  
21 proposed regulations during today's hearing. But in  
22 accordance with the Administrative Procedures Act,  
23 all public comments submitted during the comment  
24 period, including the oral comments from today's  
25 hearing, will be responded to in the Agency's final

1 statement of reasons later in the rulemaking process.

2 After considering the public comments,  
3 the agency may propose amendments to the proposed --  
4 the original proposed text to the regulations. If  
5 the Agency proposes such amendments, each person who  
6 has provided a public comment will receive notice of  
7 the proposed amendments to the text. To receive this  
8 notice, however, you will need to provide us with an  
9 e-mail or mailing address as part of your public  
10 comment.

11 I just want to echo Mr. Kemp to say,  
12 thank you so much for being here today. We truly  
13 value your comments and carefully consider all the  
14 feedback we receive.

15 And so, with no further ado, I'm going to  
16 turn it over now to Ms. Marzion, who's serving as our  
17 moderator today.

18 MS. MARZION: Thank you so much, Phil.

19 We are now open for public comment.  
20 You'll have three minutes to state your public  
21 comment, and I'll give you a thirty-second warning.  
22 We'll first take comments from attendees in the room.

23 If you'd like to take -- to make a  
24 comment, please form a line by the podium.

25 We will now be taking comment from

1 virtual attendees. To make a public comment at this  
2 time, please raise your hand by using the raise hand  
3 feature or by pressing star-nine. If you're joining  
4 us by phone, I'll call your name and unmute you when  
5 it's your turn to speak.

6 Benjamin Isaacson, I'm going to unmute  
7 you now. You'll have three minutes.

8 MR. ISAACSON: Thank you. My name is Ben  
9 Isaacson. I am the principal at In-House Privacy,  
10 Inc. We're a law practice based in California.

11 MS. MARZION: Benjamin, you can go ahead  
12 and speak. You are unmuted.

13 MR. ISAACSON: Thank you. My name is Ben  
14 Isaacson. I'm the principal with In-House Privacy,  
15 Inc. We are a law practice based in California.  
16 These comments reflect my own. They do not reflect  
17 any particular clients of ours. We will be  
18 submitting written comments, but I'd like to  
19 summarize a few key policy points.

20 MS. MARZION: Benjamin, do you mind just  
21 holding for a few, I can't hear you. One second.

22 Okay. Benjamin, if you can begin again.

23 MR. ISAACSON: Okay. Can you hear me  
24 now?

25 MS. MARZION: Yes.



1 MR. ISAACSON: Great, thank you.

2 So the first -- the first policy point  
3 is, you know, due to the statutory penalties inherent  
4 in SB 362, the Delete Act, that directly apply to the  
5 DROP mechanism, we recommend that there be a cure  
6 period, or at least a warning system, that the CPPA  
7 adopt as part of these regulations to allow for  
8 erroneous applications of the DROP, at least within,  
9 you know, the one year plus of implementation to  
10 avoid, you know, the complications of potential  
11 statutory penalties where companies are data brokers,  
12 are operating in good faith, attempting to comply,  
13 but do run into errors or mistakes in their  
14 application.

15 Another potential regulation that should  
16 be added to the scope of the DROP, as well as, you  
17 know, the definition of data broker, are  
18 intermediaries that provide services to data brokers  
19 that should be exempt from registration with the  
20 DROP. And, in particular, the examples are  
21 advertising and marketing agencies and  
22 software-as-a-service platforms.

23 These entities make available third-party  
24 data, but they do so under a service provider  
25 agreement with their clients. So, they are directly

1 required to procure the third-party data on their  
2 behalf. They might, you know, provide that data as  
3 part of a platform to use for things like e-mail,  
4 marketing, or call centers. But they shouldn't be  
5 included as part of the definition of data broker.

6 And a number of companies are very  
7 confused about whether they do need to register and  
8 participate in the DROP, and apply the deletion and,  
9 potentially, suppression files before they share that  
10 data with clients.

11 And then another area where there's  
12 confusion is whether or not consent -- in this case,  
13 we'll just call it affirmative consent, would  
14 override an individual's participation in the DROP.  
15 And so, the example being a consumer registers with  
16 the DROP, and then later on they participate in a  
17 sweepstakes or some other incentive program where  
18 there is an explicit consent provided to sell their  
19 data to data brokers. In which case, those data  
20 brokers would seemingly not be able to use that data  
21 because of the individual's participation in the  
22 DROP, regardless of whether they had affirmative  
23 consent and any evidence of capturing that after the  
24 DROP.

25 And then the last comment I'm going to

1 make today is related to just the overall technical  
2 requirements as part of the DROP regulations. And,  
3 again, you know, we are providing written comments  
4 that go into more detail, but don't necessarily  
5 reflect the interest of small businesses. Many of  
6 the data brokers on the registry are small businesses  
7 that don't necessarily maintain data bases in the  
8 traditional sense that you would think of it with  
9 data brokers.

10           These are companies that might procure a  
11 list from one data broker or multiple data brokers,  
12 and then combine them and pass them off to their  
13 clients for use with their marketing or other  
14 campaigns. But they're not necessarily sophisticated  
15 in the same way that I think that some of the  
16 assumptions made in the DROP, in particular, some of  
17 the requirements to engage in data hygiene, and  
18 combining data attributes, or different data, you  
19 know, data points about, you know, mobile ad ID's or  
20 other e-mail addresses that they might possess in  
21 cross-disparate networks where, you know, some of the  
22 comments that we're making just to the -- to make it  
23 more simple in terms of how the DROP is applied to  
24 lists that they might possess at that moment. But  
25 not necessarily to create databases and technical

1 infrastructure in order to support some of the more  
2 complicated aspects of the DROP.

3 So thank you for your time today, and,  
4 you know, you'll -- my time.

5 MS. MARZION: Thank you for your comment.

6 All right. Thank you so much. If you  
7 would like to make a comment and you're joining this  
8 virtually, to make a public comment at this time,  
9 please raise your hand using the raise hand feature,  
10 or by pressing star-nine if you're joining us by  
11 phone. I'll call your name and unmute you when it's  
12 your turn.

13 MR. LAIRD: As we approach the end of our  
14 time for this hearing, 3:00 p.m., we just want to say  
15 thank you to those that joined us today and  
16 participated in this comment period, as well as those  
17 submitting their written comments. We again really  
18 appreciate your participation in this rulemaking  
19 process.

20 Thank you for your time. And that  
21 concludes this hearing for the California Privacy  
22 Protection Agency.

23 (End of recorded audio.)  
24  
25

1 State of California )

2 ) ss.

3 County of Sacramento )

4  
5  
6  
7 IDEpo Reporters transcriptionist hereby  
8 certify:

9 The proceedings were transcribed from  
10 audio files by us;

11 The foregoing audio transcription is a  
12 true and correct transcript to the best of our  
13 ability;

14 we further certify that we are neither  
15 counsel for nor related to any party to  
16 said action, nor in any way interested in  
17 the outcome thereof.

18  
19 In witness whereof, we have hereunto  
20 subscribed our name this 17th day of June, 2025.

21  
22  
23 iDepo Reporters  
24 898 North Pacific Coast Highway  
Suite 475  
25 El Segundo, California 90245  
(323) 393-3768