

MEETING OF THE
CALIFORNIA PRIVACY PROTECTION AGENCY

Pages 1 - 193

Location: California Public Utilities Commission
Auditorium, 505 Van Ness Avenue, San Francisco, CA
94102
Date: Friday, September 26, 2025
Transcribed by: Joseph Bottiglieri

1 APPEARANCES:

2
3 Jennifer M. Urban - Chairperson

4 Drew Liebert - Board Member

5 Alastair Mactaggart - Board Member

6 Brandie Nonnecke - Board Member

7 Jill Hamer - Board Member

8 Jeffrey Worthe - Outgoing Board Member

FRIDAY, SEPTEMBER 26, 2025

9:00 A.M.

-000-

CHAIR URBAN: Good morning. Welcome to the September 26th, 2025 meeting of the California Agent -- Privacy Protection Agency Board. It's 9:08 a.m. on this Friday morning, we're meeting in San Francisco, I have to say this beautiful Friday morning in San Francisco.

And I'm very pleased to be here with my fellow Board Members in person and members of the public as well as those joining us on Zoom. Before we get started a few quick reminders. Please make sure your microphone is muted when you're not speaking. If you're here in person, please silence your cell phone to avoid any interruptions. And finally, importantly, please note that this meeting is being recorded.

The meeting is taking place in a hybrid format in person and online. Today we have five Board Members participating. Four Board Members are here in person, and Dr. Brandy Nonnecke is joining us remotely today. CPPA staff are also present in person, and we continue to offer the public the

1 opportunity to watch and participate in today's
2 meeting virtually. Please bear with us if we
3 experience any technical issues as the virtual -- the
4 hybrid format is a little technically complicated.
5 If we do, we'll pause the meeting to address them as
6 needed.

7 Today's meeting is physically being held
8 at the California Public Utilities Commission in San
9 Francisco. We appreciate the CPUC team for their
10 hospitality and allowing us to use their boardroom
11 and their hearing room and also to provide AV
12 assistance today.

13 Today's meeting will follow the
14 Bagley-Keene Open Meeting Act as required by law, the
15 agenda and supporting materials are available here in
16 Sacramento and on the CPPA website on the meetings
17 page. You may notice Board Members accessing their
18 laptops, phones, or other devices during the meeting,
19 they are using the devices solely to access Board
20 materials.

21 As I mentioned, this is a hybrid
22 meeting, that means the public comment is welcome
23 both in person and via Zoom. After each agenda item,
24 there will be an opportunity for questions and
25 discussion by Board Members. We will then invite

1 public comment. Each speaker is limited to three
2 minutes per item. Please note the legal rules for
3 public comment, under the Bagley-Keene Open Meeting
4 Act, both Board Members and the members of the public
5 may only discuss items that are listed on the agenda
6 with a couple of set exceptions I will get to in a
7 moment.

8 All comments must relate to the agenda
9 item being discussed at that time. There are two
10 limited exceptions to this rule. First, Item 10 on
11 the agenda for today is our general public comment
12 item. It is labeled public comment on items not on
13 the agenda, descriptively. When I call this item,
14 members of the public can speak about topics that are
15 not on today's agenda. Board Members cannot indeed,
16 we may only listen and cannot respond.

17 Section second Item 9, I believe on the
18 agenda for today is called future agenda Items.
19 Under this item, both Board Members and members of
20 the public can suggest topics for the Board to
21 consider for a future meeting. We cannot discuss
22 these topics, but only whether to put them on the
23 agenda for a future meeting.

24 If you are joining via Zoom and you wish
25 to speak on an item, please wait until I call for

1 public comments and then use raise your hand feature
2 to gain the attention of our moderator. If you are a
3 participating on the Webinar, you can use the raise
4 hand feature under reactions, which is at the bottom
5 of your screen. If you're joining by phone, press
6 star nine to show the moderator that you are raising
7 your hand. When it's your turn the moderator will
8 call your name and ask you to unmute. Zoom users can
9 use the unmute button. Phone users can use Star six.
10 That's Star six to unmute. After your comment,
11 you'll be muted again.

12 Please note, the Board cannot see Zoom
13 participants. We can only hear you. Therefore, it
14 is helpful if you identify yourself. However, you
15 are in no way obligated to do this. It is the
16 privacy agency, and you're welcome to use a pseudonym
17 or simply not say your name at all. And you can use
18 a pseudonym when logging into Zoom. If you're here
19 in person and you wish to comment on an item, please
20 wait for the public comment period to be announced
21 and form a line at the podium to my left, when
22 called, speak clearly and directly into the
23 microphone so remote participants can hear you. And
24 so your marks can -- remarks can be recorded in the
25 meeting record. Again, it's helpful, but not

1 required to state your name or pseudonym when
2 speaking.

3 I mentioned that hybrid meetings can be
4 a little technically complex, so we appreciate your
5 patience if anything happens. If you're attending
6 remotely and experience technical issues like the
7 audio dropping, please email info@coppa.ca.gov, which
8 is I for India, N for November, Foxtrot, Oscar at
9 CPPA, for the California Privacy Protection Agency
10 dot CA dot gov. The inbox will be monitored through
11 the meeting.

12 We'll take breaks as needed, including a
13 lunch break. I'll announce each one and let you know
14 when we'll resume if I can. Please also note that
15 Agenda Item 12 is a closed session item, which we
16 will likely call during the lunch hour. I'll let the
17 public know when we will begin and when we return to
18 open session.

19 My many thanks to the Board Members for
20 their service and to everyone helping to make today's
21 meeting possible. Special thanks to Executive
22 Director Tom Kemp and General Counsel Philip Laird,
23 who's our counsel for this meeting. And special
24 thanks to Ms. Serena Carwile who is the reason for
25 the smooth setup so far, and is our moderator as

1 well. And I would like to ask her to please conduct
2 the roll call.

3 MS. CARWILE: Board Member Hamer?

4 MR. HAMER: Yes, here.

5 MS. CARWILE: I'm going to have you push
6 on the button so that you're heard.

7 MR. HAMER: Yes, here.

8 MS. CARWILE: Thank you.

9 Board Member Liebert?

10 MR. LIEBERT: Here.

11 MS. CARWILE: Board Member Mactaggart?

12 MR. MACTAGGART: Here.

13 MS. CARWILE: Board Member Nonnecke?

14 MS. NONNECKE: Here.

15 MS. CARWILE: And I have Chair Urban?

16 CHAIR URBAN: Present.

17 MS. CARWILE: All right. I have five
18 people Board Members present today.

19 CHAIR URBAN: Thank you, Ms. Carwile.

20 The Board has established a quorum. I
21 would like to remind the Board that we will take a
22 roll call, vote on any items we vote on today. I'm
23 actually going to do something a little bit unusual
24 this morning. We are welcoming a new Board Member
25 today, and we will be thanking for his service

1 Jeffrey Worthe, who was the governor's appointee
2 until the last meeting.

3 And for this reason, our first agenda
4 item is a -- is a resolution and an opportunity to
5 thank Mr. Worthe and to welcome Ms. Hamer. But I'm
6 actually going to take Item 8 first. Item 8 covers
7 an, "Update and possible action on proposed
8 regulations regarding automated decision-making risk
9 assessment, cybersecurity audits, insurance, and
10 updates to existing regulations, including possible
11 modification of text."

12 And I haven't read that whole title in a
13 while, but I feel like this is the occasion and I'm
14 taking it first. So Mr. Worthe can be here for it
15 because he contributed substantially to the
16 development and finalizing of the regulations. And
17 he doesn't have to stay until Agenda Item 8 in order
18 to do that.

19 I'm delighted to say that the title on
20 the agenda says an update and possible action. There
21 will be no possible action because there is not
22 action to be taken. It is merely an update, and the
23 update will be handled by our general counsel, Mr.
24 Philip Laird.

25 Mr. Laird, please go ahead.

1 MR. LAIRD: Thank you. Apologies. So
2 this agenda item was included as a bit of an
3 insurance measure today, since we were required to
4 post the agenda 10 days in advance of today's
5 meeting. At that point, we didn't actually have a
6 decision yet from the Office of Administrative Law,
7 and so we included it to ensure that if there was any
8 issues identified, we'd have the opportunity to
9 address those today.

10 However, as we announced Tuesday, I'm
11 very pleased to report that the Office of
12 Administrative Law approved these regulations that
13 the Board adopted back in July, and they officially
14 take effect on January 1st, 2026. However, as
15 detailed in Tuesday's press release, there's
16 additional time for businesses to comply with some of
17 the new requirements.

18 Specifically for cybersecurity audits,
19 businesses required to complete cybersecurity audits
20 are going to have to submit certifications to the
21 CPPA by April 1st, 2028, if the business makes more
22 than a hundred million dollars in annual gross
23 revenues. April 1st, 2029, if the business makes
24 between 50 and a hundred million dollars in revenue,
25 or April 1st, 2030, if the business makes less than

1 \$50 million.

2 For risk assessments, businesses subject
3 to the risk assessment requirements must begin
4 compliance on January 1st, 2026. However, it is not
5 until April 1st, 2028 that they must submit to the
6 CPPA an at attestation that required risk assessments
7 were completed, and a summary of their risk
8 assessment information.

9 Finally, for automated decision-making
10 technology businesses that use ADMT to make
11 significant decisions must comply with the ADMT
12 requirements beginning January 1st, 2027. And in
13 addition to what I think are very helpful compliance
14 on-ramps, I wanted to go ahead and mention that staff
15 are currently planning on a robust business education
16 initiative to ensure businesses are aware of and
17 fully grasp these new requirements.

18 We anticipate having multiple resources
19 on our website to help businesses navigate these
20 regulations. And in the new year, we plan to provide
21 presentations for businesses -- business
22 associations, and other networks to get the message
23 out about these new requirements.

24 In fact, for those listening now, please
25 consider this an invitation to partner with the

1 Agency so that together we can educate your
2 membership and communities across the state. We are
3 truly committed to supporting businesses in achieving
4 compliance so that the promise of these enhanced
5 privacy protections can be fully realized by
6 Californians.

7 And with that said, I just one more time
8 when I congratulate the Board on your leadership
9 through this rulemaking process, and as well as
10 acknowledge the fantastic work of so much of the
11 staff at the Agency, and the entire legal division
12 essentially had their hands on this, but I was been
13 blown away by staff's performance on this package,
14 and it is to their credit that this past on the first
15 run.

16 CHAIR URBAN: Thank you very much, Mr.
17 Laird.

18 Comments or questions from Board
19 Members?

20 Yes, Mr. Liebert and Mr. Mactaggart.

21 MR. LIEBERT: Phil, I like the way you
22 said that, that you've been blown away by the work of
23 the staff. It's been truly extraordinary. I came in
24 midway through this process, but to see the amount of
25 expertise and just real hard work and listening that

1 the staff did to make this happen is really
2 noteworthy for California, because this effort really
3 puts California once again in the lead, not just in
4 the country, but internationally on a lot of these
5 issues. And it's something that the Agency can be so
6 proud of. So thank you all for all that incredible
7 hard work. I know it's not over, there's a lot of
8 listening to be done, a lot of implementation, but
9 really congratulations.

10 CHAIR URBAN: Thank you, Mr. Liebert.

11 Mr. Mactaggart?

12 MR. MACTAGGART: Well, I also want to say
13 congratulations to the staff and the Agency. You
14 know, since I joined the Board this has sort of been
15 80 percent of the time and effort has been spent on
16 this one issue. And it's a thorny issue. It's a
17 difficult one, so obviously it deserves attention and
18 time, but I'm so gratified that I think we have a
19 reasonable set of regulations right now that are
20 workable.

21 And as Mr. Liebert just said, it's a
22 work in progress, but it is the end of the beginning
23 anyway, to steal a phrase. And I want to also want
24 to congratulate -- I will have a chance in a second,
25 but Mr. Worthe's input was really vital on making

1 sure that these regulations appeared in the form they
2 did.

3 And then Mr. Kemp as well it's not lost
4 on me that four or five months after he shows up
5 these things are done. And so again, congratulations
6 to the team. The executive team, everybody worked
7 really, really hard, and I'm really grateful that we
8 have these finally, that we can look elsewhere up to
9 other things.

10 CHAIR URBAN: Thank you, Mr. Mactaggart.
11 Dr. Nonnecke?

12 MS. NONNECKE: I would also like to
13 second the comments from my fellow Board Members in
14 that this was quite the herculean effort, and I think
15 has turned out, you know, very good for the State of
16 California, especially as we look at the country as a
17 whole. California can lead by example, as you know,
18 a laboratory of democracy demonstrating the types of
19 safeguards we can put in for the public. So I wanted
20 to second all the remarks that incredibly proud of
21 the work that's been done.

22 Second, echoing others that really we
23 encourage the public and those who want to have input
24 on this to engage with the Agency, we must
25 collaborate with you in order for this to be fit for

1 purpose.

2 CHAIR URBAN: Thank you, Dr. Nonnecke.

3 Wise words, I really appreciate the
4 service of Board Members all of whom, except for me
5 came in at some point midstream of this process. And
6 it can't have been easy to pick it up -- to dive into
7 it and pick it up. I am -- I'm the last woman
8 standing from the beginning of this.

9 And our attorney, our wonderful senior
10 counsel, Lisa Kim, is the first attorney we hired, I
11 think. And General Counsel Laird has been here as
12 well since very close to the beginning. And their
13 intelligence and their expertise really shined
14 through. But that makes me reflect on the fact that
15 this truly is a capstone moment for the Agency.

16 We've had some big ones. We had the
17 first large package of regulations in 2023. We had
18 our first enforcement action. We had our first CCPA
19 enforcement action. All of those things move things
20 forward in very concrete ways to protect the privacy
21 of Californians and to give businesses the guidance
22 that they need in order to make good decisions. And
23 this is another capstone movement.

24 It was on September 7th, 2021, and I
25 know this just because I know some of the dates of

1 Board meetings that then Board Member, Lydia De Torre
2 and I, who were the regulation subcommittee presented
3 at the Board meeting -- at a Board meeting with --
4 and present a preliminary initial invitation for
5 comments that solicited views on rulemaking.

6 The Board first met in June of that
7 year, so this was just two or three months later.
8 The very first question in the invitation was asking
9 about cybersecurity audits and risk assessments. And
10 the second was asking about automated
11 decision-making.

12 The initial invitation for comments went
13 to the public for comment on September 22nd, 2021, so
14 almost four years ago today. And then Lydia De La
15 Torre and Vincent Lee, who was the assembly appointee
16 at that time took on the role of being a subcommittee
17 to work with staff to develop a package of
18 regulations on these topics and to present them to
19 the Board. It's exceptionally complex undertaking.

20 In addition to that invitation for
21 comments there were informational sessions with
22 stakeholders and with academics. There were more
23 additional -- initial comments. And of course, there
24 were the rounds of comments and the rounds of
25 discussions by the Board led by Ms. De La Tore and

1 Mr. Lee, and then by staff as Mr. Mactaggart said, I
2 do think about 80 percent is right. We've added a
3 lot of meetings and had many rounds of public
4 comment.

5 And the Board has really just been
6 engaged the whole time. Which brings me to Mr.
7 Worthe who has always had a capacity for maintaining
8 focus and diligent attention to detail when things
9 are thorny and complicated as they are with the
10 regulations. And a lack -- for lack of a better
11 phrase a real ability to just cut through the bowl
12 and to be able to see, you know, where there is a
13 solution that will balance interests that can be
14 simply stated and really move the ball forward.

15 So while when he started on the Board,
16 you know, he said, this is not my area of expertise.
17 Has some experience from working with the hospital in
18 L.A., it is clear that his business acumen and his
19 general sort of practical way of thinking about
20 things contributed enormously to these regulations.

21 All those comments brings me to the
22 public industry groups, civil society groups, labor,
23 academic, studying the issues, and providing guidance
24 about how things work and how things might work.
25 Individual businesses and consumers participated over

1 this entire time. Thousands of pages of comments, I
2 think is fair. Many hours of public comment and
3 Board meetings, informational sessions and so forth.
4 This is a real investment by California in your
5 future, and I'm immensely grateful to every person,
6 group and council. Council for companies, and for
7 these groups, really thought through their comments
8 for us -- for their participation. I think we can
9 safely call it robust public participation.

10 All of that information was taken into
11 account and thoughtfully analyzed and digested for
12 the Board by our exceptional legal division team.
13 Philip Laird the General Counsel, as I mentioned,
14 Lisa Kim, I mentioned the senior privacy counsel and
15 advisor, Kristen Anderson and Neelofer Shaikh, CPPA
16 attorneys. As well as I'm sure as I think you said,
17 Mr. Laird, a lot more of the legal division over
18 time.

19 But these are the folks who came before
20 the Board always completely prepared knowing the
21 regulations inside and out in order to be able to
22 work with the Board to improve the regulations.
23 Honestly, Ms. Anderson, Ms. Shaikh and Ms. Kim
24 appeared unstoppable to me over a lot. It was -- it
25 was like watching a Supreme Court advocate.

1 I'm a lawyer, and so it's hard to, like
2 -- for those of you who aren't, if you are, you know
3 what I mean, if you aren't it was really
4 extraordinary. The stamina they exhibited over the
5 course of years of development meetings, public
6 comment, et cetera, and controversy. These are
7 regulations that a lot of interests care about.
8 They've carefully considered every viewpoint, and I
9 think that we and the public can know, can tell from
10 their performance that they really thought through
11 things and considered every viewpoint.

12 They served as essential advisors to the
13 Board, and worked to reflect and balance those needs
14 of the public and develop legal solutions that are
15 somehow both creative and legally very sober and
16 careful. So -- and I think the OAL's decision, the
17 office of its administrative law's decision says that
18 better, right? It underscores that better than I
19 ever could.

20 I've mentioned how impressed I am with
21 this work multiple times, so, of course, the
22 proceeding, but they continue to find ways to surpass
23 their previous work. And this seems like a time to
24 recognize it. The Office of Administrative Law goes
25 through our regulations with a fine-tooth comb before

1 they can take effect, and they approve this
2 incredibly complex regulatory package, which covers
3 issues that are new and fundamental -- of fundamental
4 public importance that involve fundamental changes in
5 technology and practice without requiring changes.

6 Mr. Laird, who has overseen hundreds of
7 regulatory packages can affirm that this is
8 extraordinary. Indeed, it's almost unheard of, and
9 I'm not exaggerating. So I have before -- I have
10 before me, the finalized package with the stamped
11 approval on the top. And that is a seal of approval
12 that speaks volumes to the intelligence,
13 thoughtfulness, care, diligence, and the exceptional
14 level of skill represented on this team.

15 There are models for regulators. There
16 are models for attorneys, and the Agency is
17 unbelievably lucky to have them. This is the A team,
18 and they're a gift to the Board and to the Agency,
19 and most importantly, the People of California.

20 This really is an extraordinary
21 achievement. And I am proud the Agency has so
22 carefully and meticulously addressed some of the
23 major issues of our time, and found a balance that
24 has, as Mr. Laird said, on ramps that make them
25 practically possible and protections that, as Dr.

1 Nonnecke said, are meaningful for Californians.

2 The collection and use of personal
3 information by businesses fuse multiple sectors of
4 the economy, and it creates profound privacy and
5 security risks. The moment your data goes into a
6 system that will make a decision made about you based
7 on your personal information, is a moment of profound
8 privacy risks.

9 The moment your data goes into some data
10 lake with millions and billions of others data is a
11 moment of profound privacy and security risks,
12 requiring business to assess risks at the outset,
13 fuels better design, minimizes per these profound
14 risks and forces businesses to consider the effects
15 on consumers when it's practical for them to do so
16 and before they have a lot of sunk costs.

17 Requiring businesses to audit
18 cybersecurity practices is a no brainer. The
19 ecosystem of data is vulnerable and rife with soft
20 targets, and both consumers and other businesses are
21 put at risk if some players fail to properly invest
22 in cybersecurity. And decision-making about some
23 fundamental aspects of people's lives simply must be
24 the subject of some choice.

25 So these are things that the drafters of

1 the law foresaw Mr. Mactaggart being one of them. I
2 said, cybersecurity is a no-brainer, but California
3 is way ahead of the game on this. So it isn't a
4 no-brainer for some folks even though maybe it should
5 be. And they -- and the many millions of
6 Californians who voted for this law put California at
7 the forefront of consumer protection and certainty
8 for businesses using data all at once.

9 So I do want to emphasize this isn't the
10 end of the story, as others have alluded to. This
11 package also provided a lot of much needed updates to
12 the 2023 regulations. And as we've all said, and Mr.
13 Laird has requested, please work with the Agency to
14 help implement these regulations in a good way that
15 is protective of Californians, amenable for
16 businesses and helps us update them as we need to.

17 But I'm grateful to the staff and the
18 public and the Board for ensuring that the agency is
19 paying attention and listening and ready to do the
20 work that's needed. So thanks for listening to a
21 little bit of history. But it really is -- has been
22 a huge part of the Board's work for a long time. And
23 I think it's important to take a moment to recognize
24 it. I will take public comment if there's any.

25 MS. CARWILE: This is for Agenda Item

1 Number 8, update on regulations regarding ADMT and
2 updates to existing regulations. If you'd like to
3 make a comment at this time, please raise your hand
4 using the raised hand feature or by pressing Star
5 nine if you're joining on us by phone. Again, this
6 is for Agenda Item Number 8.

7 Madam Chair, I'm not seeing any hands
8 raised at this time.

9 CHAIR URBAN: Thank you, Ms. Carwile.

10 And I will say I'm not very good at
11 using notes, and I realize that I didn't mention
12 something that's very important. I appreciate Mr.
13 Mactaggart mentioning Mr. Kemp's efforts which were
14 certainly important. And I want to mention the
15 efforts of our previous executive director, Mr.
16 Ashkan Soltani. Whose deep technical knowledge and
17 commitment and dedication to the issues really have
18 contributed to the work of the Agency, of course, to
19 building the agency, to the Agency being here, and
20 very much so to these regulations as well.

21 So Mr. Soltani if you're listening thank
22 you and congratulations on this capstone moment.

23 With that, we'll move to Item Number 2,
24 which is a resolution to recognize distinguished
25 service by outgoing Board Member Jeffrey Worthe. And

1 a welcome to our incoming Board Member Jill Hamer.
2 I'm very pleased to present this item. Item 2 is in
3 two parts. So we will provide a grateful and warm
4 ending. And then hopefully an exciting new
5 beginning.

6 First we'll send off our colleague Mr.
7 Jeffrey Worthe and thank and honor him for his
8 service. Please look to your materials for a
9 resolution we've prepared in his honor, which the
10 Board will vote on. But first though, I'd like to
11 invite thoughts from colleagues on the Board if they
12 have them.

13 Mr. Liebert, Mr. Mactaggart?

14 MR. LIEBERT: I'm not happy about your
15 departure, by the way. What a great last name for
16 you. Your participation in this effort to reasonably
17 protect California's privacy interests has not just
18 been worthy. It's been critical. I have watched and
19 (inaudible) I know my fellow Board Members have, when
20 it's appeared, we've been stumped on something, some
21 issue involving privacy.

22 And we inevitably turn to look at you
23 and you're thinking about things and you make what
24 seems like just a general comment, and it kind of
25 unstick us all. And that's been so very helpful.

1 And it's that quality of yours, of being a great
2 listener, and then trying to figure out how to bridge
3 the gap. And you did that so many times that I
4 watched you.

5 Your incisive qualities in that calm
6 that you bring to our meetings has been so very
7 helpful, and it's just been such a joy to get to work
8 with you. I'm -- I know this won't be the end of
9 that because you're heading out to do some other
10 really tough chores for the State of California, but
11 we are all I know very grateful for the contributions
12 that you've made, Jeff, you've just been such a
13 pleasure to work with, and I've been in awe about the
14 skills that you bring to whatever subject you're
15 being thrown into. I can see why the governor keeps
16 throwing you around different places. Thanks so much
17 for your service.

18 CHAIR URBAN: Thank you, Mr. Liebert.

19 Mr. Mactaggart and then Dr. Nonnecke.

20 MR. MACTAGGART: Well, Jeff, when you
21 showed up, you tested, you didn't know about privacy,
22 and you were into privacy expert. But I think what
23 you demonstrated in spades is that common sense is
24 way more important than expertise generally in life.

25 And when you think about the two main

1 things that have happened since you showed up,
2 getting all these regs approved and out the door and
3 unsticking a log jam, and hiring a new executive
4 director you were critical on both sides and on both
5 fronts. And obviously a lot goes on and behind the
6 closed doors in these meetings and your ability to
7 get traction in a meeting and get it moving forward
8 shows that you are experienced as a executive
9 administrator or leader.

10 And obviously, I just couldn't be more
11 grateful for the time you spent getting this Board
12 moving in the right direction. And really, when you
13 think about where we were and where we are now, it's
14 a world of difference. And so thank you for your
15 time.

16 You know, and as I confront, I look at
17 you going off to this next problematic area, I think
18 to myself, you know you're the epitome of what is so
19 wonderful about our country. Someone who's achieved
20 success in one area and wants to give back. I mean,
21 you're -- you know, the thanklessness of having to
22 fly up here and come to these meetings back and
23 forth, and, you know, you're certainly not doing it
24 for the per diem recon.

25 You know, so I just wanted to say it's

1 really inspiring watching someone like you. There's
2 a million things you could be doing and you could be
3 enjoying some of your success in other areas
4 especially spending time with your family or
5 whatever.

6 And here you are doing something that
7 didn't really, you didn't wake up one morning
8 thinking, you know, oh gosh, I want to be a privacy
9 expert. But you did wake up thinking, I want to make
10 a difference and I want to give back to the society
11 that's been good to me, and you're inspiring. So
12 thank you, because there's a million other things you
13 could be doing, and you did this out of the goodness
14 of your heart. Thank you.

15 CHAIR URBAN: Thank you, Mr. Mactaggart.
16 Dr. Nonnecke?

17 MS. NONNECKE: Yes. I also want to echo
18 some of the comments from my colleagues here. Board
19 Member Worthe, thank you so much for all of your time
20 served your business acumen has shown brightly but
21 also your dedication to the people of the State of
22 California. I want the public to know that Board
23 Member worth actually carried around, I swear, a
24 binder that was almost a foot thick with all of the
25 comments received from the public, all of which he

1 had poured over.

2 And it was quite obvious because the
3 questions that he would ask were drawn from the
4 public commentary. So thank you so much for doing
5 that and really putting in all of that effort. Thank
6 you for your service on the CPPA Board, and you will
7 definitely be missed.

8 CHAIR URBAN: Thank you, Dr. Nonnecke.

9 I echo the many of the thoughts of my
10 colleagues as well. Mr. Worthe, I already mentioned
11 your practical approach. Mr. Mactaggart mentioned
12 common sense and practical approaches and common
13 sense are key, and they have to be married to
14 preparation and understanding. And I've just been
15 incredibly impressed with both the kind of
16 preparation that you always brought to every Board
17 meeting as Dr. Nonnecke suggested.

18 And your sense of what is the goal and
19 how we might get to the goal. So making sure that
20 you have married those sort of practical ways of
21 thinking with a full understanding and the desire and
22 the ability to balance interests fairly and
23 effectively for California.

24 As Dr. Nonnecke said, I've always seen
25 your eye to be directly on the mission of this

1 Agency. And that is crucial for a Board Member.
2 It's also important and impressive as Mr. Mactaggart
3 alluded to you know, you could do many things with
4 your time. And you have selflessly given your time
5 and your fine mind and your ability to organize both
6 material and people and with heart to this Board and
7 to this Agency.

8 So we are just tremendously grateful to
9 you for doing it. We wish you very well in your
10 future endeavors and you might be out of the frying
11 pan and into the fire, but that just speaks of your
12 -- that just speaks of your tremendous service, your
13 service commitment to the People of California. And
14 with that I will request a motion to approve the
15 following resolution. Yeah.

16 Oh, sorry, Mr. Liebert.

17 MR. LIEBERT: Yeah, no, I'm giving you
18 the motion.

19 CHAIR URBAN: Oh, you're giving, you're
20 --

21 MR. LIEBERT: Before you even made the
22 resolution.

23 CHAIR URBAN: Well, gosh, I could work
24 something in there, couldn't I?

25 MR. LIEBERT: You could.

1 CHAIR URBAN: Okay. Well, you know --

2 MR. LIEBERT: But I might withdraw the
3 motion.

4 CHAIR URBAN: Yeah. And you know, I
5 won't do that anyway. So the resolution is from the
6 State of California Privacy Protection Agency, a
7 resolution in recognition and appreciation of
8 distinguished service by Jeffrey Worthe. Whereas
9 Jeffrey Worthe as a member of the California Privacy
10 Protection Agency Board, through his dedication,
11 countless hours of work and wise counsel to the Board
12 and Agency has contributed to their work on behalf of
13 the People of California.

14 And whereas, Mr. Worthe has consistently
15 demonstrated knowledge, commitment, thoughtfulness,
16 and tenacity in approaching the work of the Agency,
17 contributing significantly to its mission. And
18 whereas Mr. Worthe's expertise, guidance, and common
19 sense approach have been essential to the Agency's
20 efforts in establishing -- effective privacy
21 regulations, enforcement and public awareness of
22 privacy rights in California.

23 And specifically, whereas Mr. Worthe has
24 helped shape and move to approval, California
25 Consumer Privacy Act regulations that place consumers

1 in a position to exercise meaningful control over
2 their personal information when it is used for
3 automated decision-making, is collected by data
4 brokers, or is otherwise collected and used.

5 And whereas Mr. Worthe has carefully
6 considered and with the Board rendered decisions on
7 the Agency's inaugural enforcement actions, thereby
8 providing valuable guidance to businesses and
9 protecting consumers. And whereas Mr. Worthe
10 colleagues on the Agency Board recognize his many
11 contributions and wish him success and his future
12 endeavors, therefore be it resolved that we, his
13 agent -- colleagues on the Agency Board extend our
14 great appreciation for Mr. Jeffrey Worthe's service
15 to the State of California and his role in advancing
16 consumer privacy protections. The Board wishes Mr.
17 Worthe well and all of his future pursuits dated this
18 26th of September, 2025.

19 I have a motion on the table. Do I have
20 a second? I have a second. Ms. Carwile, I have a
21 motion from Mr. Liebert and a second from Mr.
22 Mactaggart, could you please perform the roll call
23 vote?

24 MS. CARWILE: Yes. One second. This is
25 a roll call for the motion as stated by the Chair.

1 Board Member Hamer?

2 MS. HAMER: Approved.

3 MS. CARWILE: Board Member Liebert?

4 MR. LIEBERT: Approved.

5 MS. CARWILE: Board Member Mactaggart?

6 MR. MACTAGGART: Aye.

7 MS. CARWILE: Board Member Nonnecke?

8 MS. NONNECKE: Aye.

9 MS. CARWILE: Chair Urban?

10 CHAIR URBAN: Aye.

11 MS. CARWILE: Madam Chair, you have five
12 yeses.

13 CHAIR URBAN: Thank you very much, Ms.
14 Carwile and to the Board. The motion has been
15 approved by a vote of five to nothing. And we
16 gratefully recognize your service, Mr. Worthe. If
17 you -- yeah. Oh, I'm so sorry. Yes. Do you want to
18 comment Mr. Worthe? I don't want to put you on the
19 spot.

20 Thanks, Mr. Mactaggert.

21 MR. WORTHE: I just, real quick, I don't
22 want to take a lot of time. I just want to first
23 thank staff. I think it's been a couple years that
24 I've been on this Board, but the dedication that
25 staff took to this process and the preparation they

1 came to the table with made me feel much more
2 comfortable about the decisions we made.

3 I've got to get a special shout out to
4 Mr. Laird for holding my hand between meetings to get
5 me through some materials, because this was a foreign
6 language me when I first got here. So thanks to all
7 the staff. I know not everyone's here, but hopefully
8 they're listening because I really appreciate the
9 dedication they gave us.

10 And to the Board, you know, at a time
11 when as American citizens, our rights are being less
12 clear every day. Let's keep up the good fight here.
13 We can only do what we can do, but we've got to do
14 something. And for Californians to know what their
15 rights are for privacy maybe is one clear beacon in
16 this confusing state that we're currently sitting in.
17 So thank you for what you do, and I appreciate the
18 friendships.

19 And by the way, I think unfortunately,
20 I'll be up in Sacramento now regularly. I was sold
21 on every other month, but the calendar so far is
22 September, October, November, December. So I think I
23 got billed into something I didn't sign up for. So
24 hopefully we'll cross paths up there. And I
25 appreciate the friendships that have been made, and I

1 hope they continue. And you -- I'm certainly
2 embarrassed about my -- you got a replacement that's
3 far better than what you're leaving. So you're in a
4 much better place than you were last meeting. But
5 thank you, everybody, I appreciate it.

6 CHAIR URBAN: Thank you, Mr. Worthe.

7 Could you pause wait around for just
8 five minutes so we can give you your resolution. So
9 that is a warm, somewhat bittersweet ending, but I'm
10 really delighted about the beginning. And I'm very
11 pleased to welcome Jill Hamer as the other
12 gubernatorial appointee on the Board taking over the
13 seat that Mr. Worthe until recently occupied.

14 I'm actually -- I'm absolutely delighted
15 to welcome Ms. Hamer. And Mr. Worthe, you are
16 leaving your seat in excellent hands. Jill Hamer is
17 an experienced C-Suite executive who has worked with
18 multiple companies, including Fortune 500 companies
19 on a variety of end-to-end initiatives including
20 cyber risk strategizing and management and privacy
21 and data protection development integration and
22 compliance.

23 She brings to the Board experience in
24 legal processes. She is trained as a lawyer
25 technical thought processes and business

1 transformation. And she has been for some time a
2 nationally recognized expert in data privacy and
3 protection. She developed this practice and skillset
4 after time as a business litigator. So she has a lot
5 of skill and she has a lot of very practical
6 experience that I know will serve the state extremely
7 well.

8 She is also providing a tremendous
9 service to the Board in the State of California. By
10 joining us after having sold her company and could do
11 really anything that she would like. And she has
12 come to join us as part of many things that she's
13 doing in order to support our work.

14 She's a supporter of ESG and DEI
15 missions, which is very important in California. And
16 she provides leadership and mentorship through Santa
17 Clara University's Miller Center for Social
18 Entrepreneurship and Mentoring Women Executives from
19 Santa Clara University School of Business as well.
20 So she's very service-oriented. She's very skilled.
21 And we're, I'm absolutely delighted to have her on
22 the Board.

23 Welcome, Ms. Hamer.

24 MS. HAMER: Thank you, Chair Urban. It
25 sounds like I have some very large shoes to fill.

1 I've already been referred to as the new Jeff, so I
2 think I'll get my badge to say that. But thank you
3 for your tremendous service and opening this
4 possibility. I'm very excited to participate in the
5 very important work that this Agency performs for the
6 state.

7 CHAIR URBAN: Thank you, Ms. Hamer.

8 Any additional comments from the Board?
9 All right, just welcome. Yeah, welcome. And
10 comments from the public.

11 MS. CARWILE: This is for Agenda Item
12 Number 2, resolution to recognize distinguished
13 service by outgoing Board Member Jeffrey Worthe And
14 welcome incoming Board Member, Jill Hamer. If you'd
15 like to make a comment at this time, please raise
16 your hand using the raised hand feature or by
17 pressing Star nine if you're joining us by phone.
18 Again, this is for Agenda Item Number 2.

19 Madam Chair, I'm not seeing any hands
20 raised at this time.

21 CHAIR URBAN: Thank you, Ms. Carwile.
22 And thank you to the Board. And again, thank you for
23 -- to Mr. Worthe and Ms. Hamer. We'll take a short
24 break in order to complete the resolution process and
25 be back let's say 10 after 10:00. Yeah. Okay,

1 great.

2 (Recess taken).

3 CHAIR URBAN: To the September 26th, 2025
4 meeting of the California Privacy Protection Agency
5 Board. We will now move to Agenda Item Number 3
6 which is an update from our executive director, Mr.
7 Tom Kemp.

8 Mr. Kemp, please go ahead when you're
9 ready.

10 MR. KEMP: Thank you, Chair Urban and
11 good morning Board Members and myself and staff also
12 thank Mr. Worthe for his service. And we welcome Ms.
13 Hamer.

14 So we have a number of items on today's
15 agenda, six to be exact. We obviously covered one,
16 which was the regulations. And it's kind of a wide
17 gamut of topics that we're covering today from
18 enforcement to regulations, to public affairs to
19 policy and legislation.

20 So I want to use my very brief update to
21 discuss how these topics tie together to the major
22 initiatives we are be -- we are pursuing before staff
23 dives into the details. So, one major initiative,
24 which I've talked about in the past, is that we're
25 very much focused on wanting to enable the exercise

1 of privacy rights at scale for Californians. And we
2 do, as Californians have the strongest privacy rights
3 in the United States, but individuals often lack the
4 time and expertise to make difficult decisions about
5 privacy and rights cannot practically be exercised at
6 scale, given the thousands of organizations that
7 process people's data.

8 And so we are focused very much on
9 addressing this need for scale in multiple ways which
10 dovetails with some of the things that we'll be
11 discussing today. For businesses that consumers
12 don't have a direct relationship with that sell our
13 personal data i.e., data brokers, we are implementing
14 the Delete Request and Opt-Out Platform or DROP. So
15 that's going to come up a number of times today.

16 Today we will be asking for approval of
17 the DROP Regulations and also approval of next
18 calendar's year's data broker registration fees.
19 We're very happy that Mr. Laird and Ms. Allen will
20 give you updates on both topics. I'm also pleased to
21 inform the Board that development of the DROP is
22 progressing very well, and we plan to begin beta
23 testing of the systems application programming
24 interface in October. We've reached out to the data
25 broker community and we've gotten very positive

1 feedback for their participation as testers of the
2 API.

3 We are also sponsor of Assembly Member
4 Lowenthal AB 566, that would require all browser
5 vendors to support an opt-out preference signal, or
6 OOPS. That's another acronym that we'll be using a
7 lot today. OOPS, is commonly implemented via the
8 global privacy control or GPC which is an easy to use
9 browser setting or extension that automatically
10 signals to businesses a consumer's request to stop
11 selling or sharing their personal information to
12 third parties.

13 Like the DROP system is for deletion
14 from third parties that have our personal
15 information, OOPS addresses opting out of the sale
16 and sharing of our personal data at scale. The bill
17 passed the legislature and is on the governor's desk
18 for his consideration, and Ms. Mahoney will give you
19 additional color commentary later this morning,
20 including the discussing the Broad Coalition of
21 Supporters for AB 566.

22 Furthermore, as it relates to this topic
23 of scale, we are right now working in partnership
24 with State AGs from California, Colorado, and
25 Connecticut on an investigative sweep involving

1 potential non-compliance with the GPC.

2 As part of the sweep, the coalition is
3 contacting businesses may -- that may not be
4 processing consumer requests to opt-out of the sale
5 of personal information submitted via the GPC as
6 required by law. And we're requesting that those
7 businesses comply.

8 We believe our enforcement actions in
9 this area will further enable privacy at scale for
10 consumers. And Mr. Macko will talk more about our
11 significant enforcement progress. And the last
12 example on this topic of scalability is that we've
13 rolled out a major set of prescriptive privacy tips
14 for Californians on our privacy.ca.gov website, as
15 well as recent blog posts, thus educating
16 Californians on how to take advantage of both OOPS.
17 And the upcoming DROP platform.

18 On a side note, I have spent a lot of
19 time looking at other state's privacy websites, and
20 I'm pleased to report that no other state delivers
21 the depth and breadth of privacy content as the CPPA
22 delivers for Californians. Congrats to Ms. White and
23 her team, and she'll discuss our great progress on
24 that front later today.

25 Another major initiative is that -- is

1 that we want to prevent privacy harms before they
2 happen to Californians. As we previously discussed,
3 we're very pleased that the Omnibus regulation
4 packages and approved. And congrats again to Mr.
5 Laird and his team for the great work on this. And
6 as well as the great support and work that the Board
7 has done.

8 As noted by experts and pundits, these
9 regulations mark a new error in U.S. privacy
10 regulations by focusing on privacy protective
11 governance of personal information by businesses.
12 Examples of what these regulations mean for
13 businesses include that privacy and cybersecurity can
14 no longer be treated as separate disciplines, but
15 need to work holistically together from a compliance
16 perspective.

17 And really for the first time,
18 executives within organizations must provide
19 oversight when it comes to CCPA compliance. As Mr.
20 Laird alluded to, we are very much committed to
21 educating the business community and industry to
22 enable them to operationalize the regulations, and
23 that will be a very big focus of our public affairs
24 efforts moving forward.

25 And then finally, the last major

1 initiative that today's agenda highlights is that the
2 Agency continues to seek to gain more leverage by
3 partnering with other governmental entities. The
4 Board is already familiar with the Consortium of
5 Privacy Regulators, a bipartisan effort that we're
6 actively participating in with State AGs across the
7 country.

8 On top of that I mentioned the -- some
9 of the investigation sweeps that we're providing.
10 And then furthermore, to gain more leverage, we are
11 working with the Department of Finance in the
12 development of the budget for fiscal year '26 and '27
13 to provide more resources to the Agency.

14 Our efforts in public affairs also
15 include partnering with other state agencies and
16 members of the legislature to help us have a bigger
17 megaphone, gain more leverage with respect to
18 community outreach, to better evangelize
19 cybersecurity and privacy best practices for
20 Californians, and our plans to make our Agency name
21 more memorable with consumers. And that tie that in
22 with major website improvements, should facilitate
23 more web traffic to our website, thus enabling even
24 more Californians to take advantage of OOPS, DROP as
25 well as other comprehensive privacy tips. And Ms.

1 White will also update you on those items.

2 So, in summary, I'm very proud that the
3 team here at the Agency is executing at a high level
4 across multiple disciplines, while also making great
5 progress, delivering for Californian's innovation
6 such as DROP and our content-packed privacy website
7 that no other state or country matches. I believe
8 today's updates will demonstrate that progress.
9 Thank you.

10 CHAIR URBAN: Thank you very much, Mr.
11 Kemp for that sort of thematic overview. And all of
12 it sounds amazing.

13 I'll ask for any comments or questions
14 from the Board. I do need to make a note about the
15 Bagley-Keene Open Meeting Act for the items that Mr.
16 Kemp mentioned that are on the agenda for today.
17 This is not an agenda item during which we can
18 discuss the items. We need to hold our comments, so
19 I'm going to express my general suit enthusiasm and
20 my deep thanks to Mr. Kemp and to the whole team.
21 And leave it there.

22 I think I saw a hand from Mr.
23 Mactaggart.

24 MR. MACTAGGART: Thank you. You know, I
25 just was, while you were talking, went online and

1 looked at your list of privacy tips, which I think is
2 fabulous. So well done. One thing, you know, I
3 think we're all -- I personally always get tired of
4 the safety route, and I know that we're trying to be,
5 you know, not --

6 CHAIR URBAN: And Mr. Mactaggart think
7 there's a really important comment and it's going to
8 need to come during Mr. -- Ms. White's item.

9 MR. MACTAGGART: Okay.

10 CHAIR URBAN: Which is the notice item.
11 Ms. White, are you planning to talk
12 about the privacy website?

13 MR. MACTAGGART: Okay.

14 CHAIR URBAN: Yeah, that's the notice.
15 I'm sorry. I know it's awkward and weird. Yeah.
16 Other -- so you can continue if you had more. All
17 right. Other comments from the Board? All right,
18 wonderful.

19 Thank you so much, Mr. Kemp.

20 Are there comments from the public?

21 MS. CARWILE: This is for Agenda Item
22 Number 3, the executive director's update. If you'd
23 like to make a comment at this time, please raise
24 your hand using the raised hand feature, or by
25 pressing star nine if you're joining us by phone.

1 This is for Agenda Item Number 3, executive
2 director's update.

3 Madam Chair, I'm not seeing any hands
4 raised at this time.

5 CHAIR URBAN: Thank you, Ms. Carwile.

6 Thanks so much, Mr. Kemp, and I'm sure
7 we all -- we -- I'm sure I think I can speak with
8 confidence that we all look forward to talking about
9 this incredible work as we move through the day in
10 more detail.

11 With that, we'll move to Agenda Item
12 Number 4, which is our annual enforcement update and
13 priorities. For the benefit of the public and
14 perhaps for Ms. Hamer who is new, we have standing
15 items on our meeting schedule that we check in with
16 on a regular basis. And this is our time for hearing
17 from the director of the enforcement -- deputy
18 director of the enforcement division the excellent
19 Mr. Michael Macko.

20 The Board is precluded from specifically
21 suggesting enforcement actions and so forth, because
22 we are the adjudicated body. But I believe Mr. Macko
23 is going to give us an update and talk to us about
24 priorities.

25 Please go ahead when you're ready, Mr.

1 Macko.

2 MR. MACKO: Good morning, Chair Urban,
3 Members of the Board. Thank you very much for having
4 me. And I'm really happy to be here to provide this
5 update. It's been a really exciting year for privacy
6 enforcement for us and for really nationwide. I've
7 divided today's presentation or update into three
8 different parts. You'll see slides, but as per usual
9 there -- the slides are really meant to be guideposts
10 for our discussion and mostly non-substantive.

11 So first, I will address what we've
12 heard from consumers and what we're seeing in terms
13 of consumer complaints. The second broad area of the
14 update will concern our enforcement evolution. So
15 for this -- it's where we are as a team, but it's
16 also where we are in the kind of the spectrum of
17 enforcement over time. And I've found that context
18 to be especially useful when I think about our own
19 enforcement efforts. And finally, the third part,
20 I'll address what we've done recently in terms of
21 enforcement actions and investigations as well as our
22 proposed priorities so that we can seek the Board's
23 direction and feedback there.

24 So let's start with the first part
25 delving into consumer complaints and what we've

1 learned there. As the Board knows, the CCPA calls
2 for us to receive complaints from consumers about
3 potential violations that they see. And we launched
4 our consumer complaint portal on our website in July
5 of 2023 as the first month that we had our
6 enforcement authority, we launched this portal.

7 And as you can see, we've received 8,265
8 consumer complaints since launching that system.
9 Anecdotally, I can tell you that we're receiving
10 about 150 complaints or so every single week. That
11 number has been increasing over time. But I did want
12 to give the Board a sense of what the current volume
13 looks like.

14 We receive evidence in our
15 investigations in a lot of different ways, as the
16 Board knows but consumers do remain and have always
17 been a vital source of evidence for us. Last year at
18 the update that I provided to the Board, I shared
19 some of the first pieces of data that we had
20 available from the system at that time aince we --
21 since the launch.

22 I would like to update the Board today
23 with the more recent data that we have because it
24 does show kind of the overall growth and volume of
25 complaints coming in. Take a look at this chart if

1 you would. This is -- it shows kind of a remarkable
2 trend line and a really remarkable response to our
3 law. You can see that the number of consumer
4 complaints we receive has been growing. It's been
5 growing steadily each year. I haven't seen this
6 volume of privacy complaints at any other Agency.

7 And I think this trend line tells the
8 Board a few things. Above all, it shows that
9 Californians care deeply about their privacy. It's
10 telling us that Californians care more about their
11 privacy with each passing year. The data is telling
12 us that just by the increases. Implicit in this
13 chart, although perhaps not obvious, is that there's
14 also been an increase in the rate of complaints.

15 So when we first launched the system, we
16 were getting about 150 complaints a month, and as I
17 mentioned, we're now getting close to 150 a week. So
18 the rate has also been increasing. I think this data
19 validates and reinforces the mandate that we have in
20 the CCPA to conduct vigorous enforcement. It's part
21 of our law. I think the data backs that up. And
22 perhaps most importantly, this data to me supports
23 our continued growth as an enforcement division to
24 tackle the issues that Californians obviously care
25 deeply about.

1 If we dig into the data a little more
2 deeply, we do see a few other trends and kind of
3 categories that I'd like to share. The most common
4 consumer complaint that we receive is about the right
5 to delete more than half of the consumer complaints
6 that we receive involve the right to delete as some
7 component of the complaint. That's been consistent
8 since we launched the system in 2023. Last year, the
9 Board might recall that about 50 percent of the
10 complaints had a right to delete component to them.

11 That percentage is followed closely by
12 collection use and sharing of personal information at
13 44 percent the right to limit at 37 percent. And of
14 course, you'll see similar to last year, those
15 percentages don't add up to a hundred because you can
16 have more than one category per complaint. Less
17 common complaints on the other side of the slide
18 there include the right to correct at 13 percent
19 children's privacy and financial incentive programs
20 that it's six and 5 percent respectively.

21 The fact that those kinds of complaints
22 are less common from consumers doesn't mean that the
23 violations there -- potential violations are any less
24 important or less present. To the contrary it just
25 -- it might mean that violations are a little more

1 difficult for consumers to see your notice. So we do
2 need to be vigilant and pursue those kinds of
3 violations regardless of their visibility to
4 consumers.

5 I'd like to shift to kind of keeping in
6 mind this volume of consumer complaints that we've
7 received and that we've been receiving, and putting
8 that into the perspective of where we are in the
9 overall universe of privacy enforcement. This won't
10 come as a surprise to the Board, of course but it is
11 useful context. It's been useful for me when I think
12 about the universe of consumer protection enforcement
13 over time and where we are and where we fit in.

14 So you'll see just from this rough
15 timeline to put the -- in this into perspective that
16 some of the earliest consumer protection laws that I
17 have worked with start really after the Civil War
18 with the False Claims Act, where the government was
19 responding to harms to the -- to public money that
20 led to -- in California, we had the predecessor to
21 our Unfair Competition law back in 1872. We had
22 other laws not long after that, like the FTC Act in
23 1914. After the Great Depression, we saw all these
24 efforts at financial regulation we saw the Securities
25 Act of 33, the Exchange Act of 34.

1 Ww saw additional financial regulation
2 later on in the sixties, in the nineties. In the
3 nineties with more of an online ecosystem. We saw
4 COPPA as a response to some of that. But what the
5 takeaway from this -- from what you see with the
6 timeline like this, is that you have hundreds of
7 years almost of precedent in other areas of consumer
8 protection law. We have generations of foundational
9 precedent across other laws.

10 And it was only in 2020 that we saw the
11 CCPA go into effect, and it was only in July of 2023,
12 all the way over on the right on our chart that we as
13 an Agency obtained our enforcement authority. I'm
14 mentioning this timeline, and I'm sharing this
15 perspective because our task as an enforcement
16 division, the way we have seen it, is that we need to
17 develop foundational precedent under the CCPA.

18 We don't have the benefit of the
19 hundreds of years of evolution in the law or in the
20 -- in precedent that has taken place in other areas
21 of consumer protection. And so we're trying to take
22 lessons from history from these other aspects of laws
23 and also develop our own precedent there.

24 So if you kind of combine what I've
25 shown so far, I think they add up to an opportunity.

1 We spoke about the influx of consumers who were
2 submitting complaints to us about potential
3 violations, and you see the trend line up there on
4 the right side. And we also have a historic need.
5 You can see the timeline there on the left to develop
6 precedent under our law that's enforcing our law.

7 And when you put these two together, it
8 really does add up to a new era of privacy
9 enforcement, a new era of state enforcement in
10 particular. And it's pretty historic. California
11 isn't alone. As the Board knows, there are
12 additional states coming online. They're building
13 out some of their own enforcement teams specific to
14 privacy. You are going to see as Director Kemp
15 mentioned cooperation with other states and with us.
16 And that's going to continue to increase. We know
17 that as a team, we're trying to capitalize on the
18 generations of precedent that we do see in other
19 consumer protection cases to kind of build out the
20 precedent for us.

21 I'd like to pause there to tell you all
22 about how our own team fits into this as an
23 enforcement division. We have built a world-class
24 privacy enforcement team. I've described that team
25 to the Board before. It's now since I've presented

1 previously the largest in the United States that's
2 dedicated solely to privacy enforcement.

3 It is the quality though that I think
4 really matters. And the team now includes a mix of
5 former federal and state prosecutors. And we have
6 in-house counsel from major tech companies who left
7 those firms to join us, many of whom had advised
8 companies on privacy compliance. We have attorneys
9 from some of the world's top law firms who have
10 joined us. We have legal professional staff with
11 decades of experience.

12 Now, since I last presented to the Board
13 we have expanded the team in a couple of significant
14 ways that I'd like to mention. We now include a
15 former enforcement attorney from the Federal Trade
16 Commission. We now include an expert in our Agency's
17 own regulations who has just joined the enforcement
18 division. We've also added more legal professional
19 staff with expertise in administrative enforcement
20 actions in particular. On top of that, growing our
21 technical capacity has been a priority for the
22 enforcement division over the past year.

23 The Board will recall that in 2024 we
24 joined the FTC and about 24 other competition
25 authorities and additional states on top of it, in a

1 commitment to build out technical capacity in
2 government. We have followed through with that
3 commitment. We now have multiple in-house
4 technologists in the enforcement division who hold
5 PhDs in computer science. These are published
6 authors, they're experts in their field. We have
7 additional technologists working with us through
8 partnerships with universities including one who will
9 be starting with us next week.

10 These individuals could work anywhere.
11 Both the -- from the technologist side, from the
12 attorney side, from the legal professional staff
13 side. They have all chosen to be here because of
14 their passion for this kind of work. And for what
15 we're building as an enforcement team. And I know
16 that's true for everyone at the Agency in the
17 different divisions that we all work really well
18 together. And there is that shared passion.

19 Director Kemp mentioned the consortium
20 of privacy regulators. This development, this -- the
21 creation of this consortium for me, shows that our
22 team isn't alone in this fight. Cooperation is part
23 of our statutory mission. The consortium is
24 something we announced earlier this year as the
25 bipartisan group with shared priorities and interests

1 in privacy enforcement. I hope that consortium will
2 continue to grow and I think it will over time.

3 That brings me to enforcement actions.
4 This will include kind of the public actions that
5 we've taken and also what we are proposing for
6 priorities. The Board has, of course, seen and
7 approved these actions, but this will be the first
8 time that we've presented them and kind of
9 consolidated them formally all in one place. So I
10 will just review them briefly. It started in
11 November of 2024 with our data broker enforcement
12 sweep in terms of updates in the past year where we
13 announced our intention to look for data brokers who
14 were in violation of the Delete Act and who were not
15 registered with our Agency.

16 We followed that up very quickly with an
17 action against a data broker, Roblox. We followed
18 that with an action against UpLead another data
19 broker. After that, we brought an action against
20 Infillion, a New York-based data broker in December
21 of last year. Shortly afterwards, we brought an
22 action against the data group for the Board's
23 consideration a Connecticut data broker or that one
24 was in Florida. And then after that was the
25 Connecticut data broker Key Marketing Advantage.

1 Shortly after that, we brought an action
2 for the Board's consideration against Background
3 Alert, another data broker. Background Alert is a
4 case that's significant to me because it's an entity
5 that had amassed a large volume of public records.
6 And the company drew inferences from those public
7 records identified patterns to then generate profiles
8 about people. And if that's your business model,
9 you're collecting and selling inferences about
10 Californians then you are a data broker who needs to
11 register each year.

12 We then built from there to the Honda
13 case, a CCPA case in March. And Honda, to me, stands
14 for a few important propositions. Again, our team is
15 looking to build out that foundational precedent that
16 you saw in the timeline. And for Honda, it shows
17 that businesses can't require verification or
18 excessive information to opt-out. We think of the
19 opt-out, right, as one of the real innovations of
20 CCPA and the way the law is structured, it's meant to
21 make that opt out right, easy to assert. And Honda
22 -- the Honda decision for me stands for that right
23 needs to be -- to be honored, and businesses
24 shouldn't be requiring excessive information or
25 verification merely to opt-out.

1 Honda also stands for the principle that
2 if you're using an online privacy management tool of
3 some kind in interface, that you need to present the
4 choices -- privacy choices in a symmetrical way,
5 consistent with the Agency's regulations. Honda also
6 underscores that if a business is sharing information
7 with others, you know, ad-tech companies, for
8 example, that there need to be appropriate contracts
9 in place that contain the terms in our law to protect
10 privacy. Those terms in there are not just -- are
11 not merely in the abstract in a contract. They're
12 meant to be operational, that they have effect and
13 they're significant.

14 Honda, lastly to me, underscores the
15 importance of authorized agents in their role in our
16 system, and making sure that authorized agents
17 consistent with our law are able to assert certain
18 consumer rights. We followed this with an action
19 against Todd Snyder that we brought for the Board's
20 consideration. The Board we called Todd Snyder is a
21 clothing retailer. This was in May that matter
22 underscores the importance of privacy portals and
23 technical interfaces that consumers see.

24 So we know that these products exist.
25 We know that businesses can use them and can purchase

1 licenses or purchases the products themselves. And
2 if you're doing that businesses need to implement
3 those solutions properly and make sure that the
4 technical implementation lines up with what the
5 product is supposed to do. And that is what Todd
6 Snyder, at least to me, teaches and why that is
7 another foundational precedent.

8 Most recently we had actions that we
9 brought involving another data broker, National
10 Public Data, and another one accurate append that was
11 in July of this year. That's a Washington data
12 broker. And that -- those matters to me show that
13 data broker registration enforcement, and our review
14 of data broker practices in general is something
15 that's ongoing and very much live. And of course
16 just last month or so, the enforcement division filed
17 a subpoena enforcement matter against a large
18 retailer.

19 That you're not going to spot from this
20 review and this summary, an obvious trend in the type
21 of case, we have been intentional and deliberate
22 about pursuing cases that will build out precedent
23 across different pieces of our law and across
24 different industries. So we don't -- through our
25 enforcement work, want to create an impression that

1 we will be pursuing cases only against the companies
2 that people think of as the biggest names out there.
3 Because if we did that and only that, we would be
4 ignoring way too much and we wouldn't be building out
5 the precedent that we're trying to build out.

6 What you will see, though is a
7 connection and a through line between what we have
8 proposed as priorities and what we have then
9 announced through public actions. We issued
10 enforcement advisories last year on things like data
11 minimization and arc patterns also known as deceptive
12 design. We brought cases for the Board's
13 consideration involving both of those issues. We've
14 said that implementation of privacy requests is going
15 to be something that's important to us, that it would
16 be a priority. We brought cases involving those
17 issues as well.

18 What I've discussed so far relates, of
19 course, to the public actions that we've brought, but
20 most of our work and most of our day-to-day, our
21 bread and butter as an enforcement division relates
22 to non-public investigations. And you'll see an
23 image of an iceberg on the slide there. We all know
24 this. The thing about icebergs that we know is that
25 they -- you know, you see the tip of the iceberg

1 often underneath, concealed underneath is something
2 much larger, a much larger structure that the public
3 might not see from the top. And for us, you know,
4 the tip of the iceberg for the enforcement division
5 is the enforcement actions that we bring publicly
6 that I just summarized, and that the Board has
7 considered.

8 Underneath that for us, is a massive
9 structure of investigations that are non-public. And
10 as a reminder to the public, as Chair Urban alluded
11 to at the beginning, since the Board is the decision
12 maker and adjudicator in the cases that we bring,
13 I'll be pretty high level here when I discuss ongoing
14 investigations. I won't be discussing any of the
15 details of those investigations except at a very high
16 level.

17 But last year, I told the Board that we
18 were pursuing a number of investigations that was
19 easily in the double digits. With the growth in
20 staff and the growth infrastructure that we have seen
21 in the past year, we are now pursuing even more. We
22 are now pursuing hundreds of -- and open
23 investigations. In most of those investigations the
24 businesses do not know about us. We haven't surfaced
25 yet in most of them. We have concerns, and we are

1 doing our own analysis and evidence collection behind
2 the scenes as appropriate. We are prioritizing the
3 pace and sequence of those investigations based on
4 how we can help the largest number of Californians as
5 possible. And the strategy for us has continued to
6 be built -- just building out the foundational
7 precedent across different parts of the law.

8 The Board might recall from last year's
9 presentation that the investigative phase isn't just
10 the -- where we spend the, you know, most of our time
11 as a division, but it's also -- it's also the longest
12 part of any case. You know, think of investigations
13 as like this much of the time and lifespan of any
14 given matter. And then the litigation piece of it is
15 smaller. It's very intense time, but it is -- in
16 terms of temporal length, it's shorter.

17 So the cases that we are pursuing in a
18 non-public way, these investigations are things that
19 will take some time to play out. When I say that
20 we're on the cusp of a new era and a new wave of
21 privacy enforcement, it's because we've been building
22 along with our partners in other states and within
23 California and within our division itself.

24 It's something you're going to see play
25 out over the coming years not months. It consumer

1 protection cases can take years to develop and result
2 in public actions, but we have moved remarkably fast,
3 and we are still very much in the seed planting mode.
4 When you look at the number of investigations that we
5 are pursuing right now and the number of concerns
6 that we have and what we're trying to build the --
7 it's a very exciting and busy time for our
8 enforcement division.

9 If you think of the most innovative
10 businesses out there it's common for innovative
11 businesses also to plant many different seeds and try
12 to pursue different ideas. And some of those will
13 really take off and some of them might not in
14 industry and as a business matter. We are doing the
15 same thing from an enforcement perspective where we
16 may be pursuing investigations that don't lead to
17 enforcement actions. And that's a good thing.

18 If we brought cases every time we did an
19 investigation, that would probably suggest that we're
20 not exercising our discretion in an appropriate way,
21 and that we're -- that we're not -- that we're --
22 that the incent -- there's something wrong with the
23 incentive structure there. We are pursuing
24 investigations and bringing cases where it will
25 benefit Californians. We will help us build out the

1 precedent that we need, and it will underscore
2 different foundational aspects of our law that has,
3 after all, been on the books for a long time now,
4 even if it has not been on the books for generations.

5 So in terms of moving forward you're
6 going to see -- and you often see when you look at
7 government enforcement, two different strategies that
8 you can often choose from that you see. One is you
9 might see regulators go deep on one issue or a single
10 type of case that has an eye-catching penalty.

11 So think about the government's case
12 against Microsoft in the eighties or nineties, maybe
13 it was the nineties. That was a case that lasted a
14 really long time. I know that when I joined the
15 federal government in 2008 for many years we -- I
16 couldn't even use Microsoft products, right, because
17 there was this government fee. So these cases, if
18 you go deep on a given issue, can take a very long
19 time to play out.

20 I'm reminded of the \$3 billion
21 settlement with Wells Fargo a few years ago over the
22 fake accounts that the bank was allegedly creating
23 for consumers. The theory with any of these kinds of
24 cases that go for a more eye-catching penalty is to
25 get the headlines, then drive more compliance. And

1 so the strategy is to invest a lot of resources in a
2 smaller number of large significant matters and to
3 see them through over some long period of time.

4 And the second way of second option on
5 the menu of strategies for enforcers is focusing on
6 breadth, expanding the scope to include a larger
7 number of investigations of various sizes. And the
8 theory with that strategy is you can make an impact
9 through the volume. You can make an impact by
10 engaging with the industry, by pursuing
11 investigations that help any enforcement Agency
12 develop precedent that it needs, and that helps
13 businesses.

14 As a newer enforcement division, we have
15 been on the path of pursuing that latter strategy of
16 pursuing a larger number, larger volume of
17 investigations. That's very much underway.
18 Enforcement actions that we've brought to the Board
19 so far speak to that approach.

20 We do have to keep in mind that we now
21 enforce both the CCPA and the Delete Act. So with
22 the CCPA, of course, we have a statutory obligation
23 to bring vigorous enforcement. With the Delect Act,
24 we don't have the same explicit statutory duty, but
25 we do know that data brokers pose significant risks

1 to consumer privacy, and that's why we have made data
2 broker enforcement a priority.

3 We've been trying to strike the right
4 balance as a division between what we pursue, the
5 investigations that we pursue under the CCPA and
6 those that we pursue under the Delete Act. We know
7 that CCPA investigations typically take longer.
8 They're more resource intensive. We know at the same
9 time that DROP is coming next year and enforcing
10 data, broker registration is more important than
11 ever. So we propose to continue pursuing both types
12 of investigations. I welcome the Board's input on
13 whether the balance we have struck so far is the
14 right one, or whether we should focus more on one
15 versus the other.

16 Lastly, I know the Board has asked about
17 enforcement resources before. As Director Kemp
18 mentioned, we are currently working on developing the
19 budget for next year. And additional resources for
20 enforcement will continue, of course, to be a
21 priority for us. With the -- we have the data here
22 to back up continued vigorous enforcement, the
23 consumer complaints, certainly speak to that.

24 And before I close and then I will and
25 happy to entertain questions and -- from the Board.

1 I do want to express appreciation to the enforcement
2 division team. I am summarizing their work. It's
3 their passion, it's their commitment. Everybody on
4 this team is excited to be doing what I have just
5 described, and I want to express my appreciation for
6 those really hard efforts that have been ongoing and
7 that have we've seen over the past year.

8 So with that, I welcome questions from
9 the Board, thank you, Chair Urban and Board Members
10 for the opportunity to provide the update today.

11 CHAIR URBAN: Thank you very much, Deputy
12 Director Macko.

13 Ms. Carwile, is Dr. Nonnecke in
14 attendance?

15 MS. NONNECKE: Yes.

16 MS. CARWILE: Yes.

17 CHAIR URBAN: Wonderful. Welcome back,
18 Dr. Nonnecke. So I will invite questions and
19 comments from the Board. I have Mr. Liebert. Mr.
20 Mactaggart.

21 MR. MACTAGGART: Thank you. I consider
22 your presentation, Mr. Macko actually a celebration
23 of democracy. It reminds me of just the
24 extraordinary staff that we have working on these
25 issues, the work that's going in. So we have a new

1 Board Member, and just to give a sense I'm totally
2 blown away by Mr. Macko's personal history.

3 A lawyer who's worked in the federal
4 government the U.S. Department of Justice as it once
5 was, and the Securities and Exchange Commission.
6 He's clerked for top judges in the United States.
7 And my gosh, here we have him here leading this
8 organization. It's a -- also a credit to our first
9 executive director who brought in, obviously
10 remarkable staff, Mr. Laird leading his team, all of
11 Tiffany, everybody here Tom, who's dedicating his
12 time now, he doesn't have to be doing this. He could
13 be doing other things for sure. So thank you for
14 that.

15 I was impressed with you noting that
16 right now your staff is dealing with -- I think you
17 said 150 complaints on average per week. And my
18 recollection was we don't have that large of a staff
19 yet. And you didn't mention the numbers.
20 Approximately what are we talking about in terms of
21 the attorneys who are reviewing these complaints?
22 How many do we have right now, Mike?

23 MR. MACKO: We have -- we are dividing up
24 the review of consumer complaints between staff and
25 attorneys, depending on the --

1 MR. MACTAGGART: Okay.

2 MR. MACKO: The issues that arise. And
3 at any given moment anybody in our enforce -- and
4 everybody in our enforcement division is playing a
5 role in the review of consumer complaints.

6 MR. MACTAGGART: And what would those
7 numbers.

8 CHAIR URBAN: Could I follow up really
9 quick just to -- so maybe rather than people.

10 MR. MACTAGGART: Yeah.

11 CHAIR URBAN: One metric might be sort
12 of, do you have a sense -- and we're putting you on
13 the spot, Mr. Macko, but do you have a sense of the
14 kind of proportion of time it's taken the enforcement
15 division to process the complaints?

16 MR. MACKO: It's a very large proportion
17 of time right now, but we have -- it is less than it
18 once was, and we continue to see efficiencies there,
19 and we have plans for making that even more efficient
20 going forward through different technical solutions
21 that will -- that will minimize the review times and
22 the kind of the administrative aspect of those that
23 will allow us more time to focus on the act -- the
24 substantive issues of those complaints that they're
25 raising and less time on the administrative aspect of

1 processing them.

2 And so that's something as a new
3 division that was time intensive at the -- it was
4 very time intensive at the beginning. It's more
5 time-intensive now than it should be, and we have a
6 plan for getting that down to where we would like it
7 to be.

8 MR. LIEBERT: So let me, if I can follow
9 up with that. I'm trying to figure out where the
10 greatest stressors are when you see these charts that
11 have been so helpful showing the increase in
12 complaints that are occurring which is in some ways,
13 as you pointed out, reassuring that consumers feel
14 like they can reach out to government to try to get
15 some help. Where are the kind of the biggest
16 pressure points that the enforcement is feeling right
17 now?

18 MR. MACKO: For us, it's a ruthless
19 prioritization of figuring out which investigations
20 -- where we really need to focus the efforts to bring
21 results. And with hundreds of open investigations.
22 They're all in different stages. And so for us, the
23 pressure point or the difficulty is making the hard
24 judgment calls of which matters deserve the most
25 time.

1 MR. LIEBERT: And is how much of that is
2 the limitation, not having enough staff, attorneys,
3 et cetera to be doing the work? Is that a part of
4 this process?

5 MR. MACKO: Well, look, the way the U.S.
6 Department of Justice staff cases, or the Securities
7 and Exchange Commissioner or any other regulator
8 staffs cases is there's always a kind of smaller
9 number of attorneys available to do it compared to
10 the workload that exists. And of course, nobody ever
11 says or thinks that the Department of Justice or the
12 SEC isn't a very powerful and effective regulator.
13 And so for us, we have taken the resources that we do
14 have, and we focus them on different investigations.

15 If we have additional resources, and I
16 hope we do -- we would be able to do even more. We
17 would be able to do a higher volume and then a faster
18 pace of investigations. But the way it stands now we
19 have a high volume, we are at a -- working at a very
20 fast clip. And the results I mean, the proof is in
21 the pudding for what we've done over the past year.
22 But absolutely, I would like to see continued growth
23 and resources, and that's why we propose continuing
24 to have enforcement resources as a priority for the
25 Agency. Thank you.

1 CHAIR URBAN: Thank you, Mr. Liebert.
2 Mr. Mactaggart?

3 MR. MACTAGGART: Yeah, this is a great --
4 it's a celebration of democracy. I echo Mr.
5 Liebert's common sense of celebration of just what
6 this Agency is set up for and really are the pointy
7 tip of the -- of the spear here. And it's -- you
8 know, I've never been a fan of just regulating for
9 the sake of regulating, but without the consequence.
10 It's hard for sometimes businesses to remember how
11 important this is. So you're super important, your
12 team, very impressive.

13 One thing, you know, you're talking
14 about obviously forever, no matter how long, how many
15 people you have, you will always be in a resource
16 constrained role versus the -- versus the industry.
17 What's your thought? You were talking briefly about
18 technical assistance that, you know, maybe solutions
19 out there. Can you just maybe talk without giving
20 away any particular secrets you're working on, but
21 are there -- is there a way of using any kind of
22 automated both a response and a way of sort of
23 vetting the consumer complaints that come in, but
24 also just kind of out there crawling the web and just
25 sort of seeing, okay, this site's not compliant, that

1 site's not compliant.

2 And then on top of that, have you had a
3 sort of a thought of, okay, well, for this kind of
4 level of stuff, we'll send out a letter, even if, you
5 know, we had the resources, we could pursue them for
6 a fine, but maybe on the thought of, look, let's just
7 get the -- you know, spread the word here.

8 So for the more low level stuff, we'll
9 send out, you know -- you know, hundreds of thousands
10 of letters because we've identified these, you know,
11 our automated system, and it really doesn't -- in
12 that perfect world, it may not need people being
13 involved other than maybe just to kind of review and
14 make sure that the letter is correct before it goes
15 out. Something like that.

16 MR. MACKO: Yeah. So I there are -- let
17 me address that in two ways. First you asked about
18 really indirectly the sources of the investigations.
19 Can we go on our own and look online and let me
20 address that head on because It's a really important
21 point.

22 Consumer complaints are one source of
23 investigations. They're one way for us to maintain a
24 pulse on what is important to consumers, and they're
25 often a source of leads for potential investigations.

1 But we also have a team -- the team of in-house
2 technologists that I mentioned, who are doing
3 research and analysis proactively. We have a team of
4 attorneys looking at different issues that may be
5 reported in the press or reported to us from other
6 regulators or from their own experience or that they
7 hear about otherwise.

8 And that also forms a big part of our
9 investigations in what we do. So absolutely, we are
10 looking for examples, like you mentioned if you
11 encounter a website that seems to be problematic,
12 that's something we want to know about from
13 consumers, and it's something we want to know about
14 in the course of our daily work. We've opened
15 investigations based on that very thing, when it may
16 or may not relate to a consumer complaint, it may be
17 from a different source or even from our technologist
18 team. So absolutely, we're looking at those.

19 As for what about an automated approach
20 where we might be able to contact a larger percentage
21 of businesses or a larger volume of businesses based
22 on possible violations and kind of have noticed
23 letters go out to thousands or some other large
24 number of entities. The way we are doing it now, and
25 the way we are structured is if you're a business and

1 you hear from us, there is a reason.

2 So we don't have an automated approach
3 at the moment where a superficial issue alone prompts
4 a contact. I mean, there may be a superficial issue,
5 but it comes with an analysis, and it comes with some
6 level of scrutiny by our team.

7 As we grow as an Agency there may be a
8 role for more frequent and less deliberate contacts
9 with businesses through the audits function. I think
10 that's something that the chief privacy auditor will
11 have an opportunity to figure out if that's going to
12 be a priority or not with the Board's direction.

13 But for us, from an enforcement arm, at
14 least given what we have now and the strategy we've
15 taken so far, we are contacting businesses with an
16 eye toward finding out if a violation has occurred
17 and is there -- what is the proper response. It --
18 there are examples though where we may contact a
19 business and learn that the issue is -- maybe it's
20 isolated or it was already fixed, or fixed
21 proactively or otherwise isn't an appropriate use of
22 our discretion to bring an enforcement action. And
23 we do that too. That's very case specific and very
24 fact intensive.

25 CHAIR URBAN: Thank you.

1 I will call on Dr. Nonnecke in a second.
2 I just want to underscore something that Mr.
3 Mactaggart said and Mr. Macko's response before I
4 forget, which is that it's so important for -- in my
5 view, for the Agency enforcement team to be able to
6 put themselves in the midst of that two-way
7 information deficit that happens. So consumers as
8 Mr. Kemp pointed out earlier, like they don't know
9 what data brokers are doing. Like that's the whole
10 model or the whole sort of -- there's a lack of
11 relationship, so they have no visibility into things
12 that are happening and may not be able to identify
13 privacy harms in order to make a complaint. That's
14 an obvious example, but I bet there are lots and lots
15 where it's pretty invisible to consumers.

16 And then at the same time, the Agency is
17 going to find that some things consumers are
18 experiencing and they care about a lot aren't highly
19 visible to the Agency. And so that's where the
20 complaint structure is crucially important for the
21 Agency to be able to understand that sort of what's
22 going on and make good decisions about resource use
23 in order to have the broadest benefit. So I really
24 wanted to commend and underline that both the
25 question and the response before I forgot what I was

1 going to say about it. And with that Dr. Nonnecke,
2 can you please go ahead.

3 MS. NONNECKE: Thank you so much. Also,
4 apologies for having to drop off my children . My
5 child's school called me which I needed to take. I
6 have a question about the uptick in complaints that
7 were submitted in between January and February of
8 2025. Do you have any insight into why we might've
9 seen this significant uptick in submissions?

10 MR. MACKO: I would have to double check
11 the data on tha before I speculate. I have a
12 speculative answer, but I would need to check that
13 before I say that. And I'm happy to look -- I'm
14 happy during a break to ask about that.

15 MS. NONNECKE: Thank you. I raised it
16 because perhaps if it was tied to an announcement of
17 enforcement or a public comment period or part of our
18 marketing campaign, it would just be insightful for
19 us to know.

20 MR. MACKO: Yeah. And I think that the
21 rate of increase that we've seen in consumer
22 complaints, that kind of, that weekly increase, not
23 just the absolute increase, does speak to, at a high
24 level it is a consequence of the public engagement.
25 It is a consequence. It must be a consequence of

1 increased visibility of Californian's privacy rights,
2 and of the options available to them to report
3 violations. So I -- it's hard to prove causation,
4 but there's a clear correlation between the efforts
5 of our public affairs division and what we're seeing
6 with consumer complaints.

7 CHAIR URBAN: Is there more, Dr.
8 Nonnecke?

9 MS. NONNECKE: (No audible response.)

10 CHAIR URBAN: Okay. Just wanted to be
11 sure, since I can't look at you directly. Thank you
12 for that. So Mr. Macko, you asked us about our
13 thoughts on the sort of the broad strategy that you
14 outlined which was to speak -- was rather than going
15 really deep on one issue or one sort of part of the
16 laws that we enforce to take a broader view and
17 enforce them.

18 And so I've been sitting here thinking
19 about that since you said it. And I think that -- so
20 my view of this as one Board Member is that that is
21 exactly the right approach, and it shows the way to
22 maximize the resources that we have in the most
23 efficient way for consumers and importantly, to
24 provide guidance for businesses. You know, I share
25 Mr. Liebert sort of curiosity as to like exactly what

1 we've got here and where can we go, we can always use
2 more resources.

3 And for a moment, I thought you were
4 going to compare us to DOJ, and I was like, well you
5 know, we're smaller. But we do have the biggest team
6 focused on this particular issue. But that's not
7 really -- you know, and I think Mr. Liebert, I could
8 be -- I don't want to speak for you at all, but I --
9 you know, I think we're wondering sort of what do you
10 need you know, how can we support you as well? So
11 all of that's important, but your strategy I think is
12 incredibly important right now.

13 This is a new law. It is a new kind of
14 legal analysis and enforcement. I thought your chart
15 showing the consumer protection, law development and
16 privacy squished up at the very, very end was
17 important and quite telling because it shows how
18 little experience, even as important as it is society
19 has with this issue. And all of that means there's a
20 lot of unknowns. There are unknowns for consumers,
21 there are unknowns for the regulated community, and
22 they're unknowns for the Agency.

23 And the -- I think the legal division
24 has done an exceptional job with the regulations to
25 implement the law, which adds clarity, but then

1 enforcement and public awareness, we're going to hear
2 about I know have been going out and doing wonderful
3 things because I've seen the collateral. But there's
4 nothing that focuses the mind like enforcement. And
5 it directly protects consumers.

6 And for businesses like a court case, it
7 brings clarity to a particular set of facts and how
8 the Agency is thinking about it and how the law
9 applies. So the CCPA settlement agreements that the
10 team have pursued and have reached, I think, are
11 models of this and can be used by businesses to see
12 where their peers fell short. And they serve as a
13 warning.

14 The Agency's not playing around when it
15 comes to consumer rights and practical news they can
16 use to improve their operations and their
17 interactions with consumers. And I think you're
18 going to get the most bang for the buck with that.
19 If you continue with the approach that you have
20 described, where you are finding places where the law
21 should be enforced to give this sort of guidance.
22 The data broker settlements and their ways are for
23 the same purpose. They show that failing to register
24 has consequences, and they show the specific
25 shortcomings in the interpretation of the law.

1 As you mentioned, for example, you might
2 use public data, but if you make inferences from
3 public data, then that becomes personal information.
4 And that's just key info for businesses as well as
5 key protection for consumers. I'm amazed that the
6 team has done what it's done in two years to provide
7 this much guidance and this much protection.

8 I'm confident it's having wide ripple
9 effects in agencies making a big impact quickly and
10 efficiency -- efficiently. You know, I've mentioned
11 this before, but it continues to happen in the legal
12 privacy community. The -- these actions are the
13 subject of a lot of attention of council who use them
14 to help businesses understand how best to comply.

15 And I know they're useful for council
16 and useful for businesses, and of course, they
17 directly protect consumers. So you know, I'm ready
18 to say, you know, (inaudible) and go -- you know,
19 make you follow the path that you are taking. No
20 notes on that. It -- I think it's being -- it's been
21 really effective.

22 MR. MACKO: Thank you.

23 CHAIR URBAN: Mr. Liebert?

24 MR. LIEBERT: I just want to second to
25 what you said. I think the balancing act that you're

1 doing makes perfect sense. I feel strongly that we
2 need to make sure that we get the Delete Act
3 implemented as effectively as possible. And I see
4 enforcement being a key part of that. Obviously
5 we're at the initial stages of that, making sure that
6 data brokers are properly registering.

7 But to me, the Delete Act has such great
8 promise for Californians, and ultimately as a model
9 for the country to deal with the fact that we started
10 the internet in the wrong way as a way where
11 everybody could trade with personal information
12 unless people opted out, which presumed that they
13 understood the rights that they had, that they could
14 easily exercise those rights and that those rights
15 would be honored. So extraordinary work that you're
16 doing, the balancing act that you're trying to do
17 seems to make perfect sense. And keep up the great
18 work. Thank you.

19 CHAIR URBAN: Thank you. Thank you, Mr.
20 Liebert.

21 Seeing no more immediate comments from
22 the Board, I will ask if there's public comment.

23 MS. CARWILE: This is for Agenda Item
24 Number 4, annual enforcement update and priorities.
25 If you'd like to make a comment at this time, please

1 raise your hand using the raised hand feature or by
2 pressing Star nine if you're joining us by phone.
3 This is for Agenda Item Number 4, annual enforcement
4 update and priorities.

5 Madam Chair, I'm not seeing any hands
6 raised at this time.

7 CHAIR URBAN: Thank you very much, Ms.
8 Carwile and the Board for the discussion, and
9 especially Deputy Director Macko for that very
10 helpful update and questions to us. With that, we
11 will move on to Agenda Item Number 5, which is a --
12 excuse me, a legislative update, which will be
13 presented by Deputy Director of Policy and
14 Legislation Maureen Mahoney. Please do turn your
15 attention to the materials provided for this agenda
16 item. Ms. Mahoney will present the slides.

17 And Ms. Mahoney, would you -- I
18 apologize, Mr. Macko, I forgot to ask you this.
19 Would you like to go through the slides in full or
20 would you like to take questions while you go?

21 MS. MAHONEY: I'm going to be doing a
22 federal update and a California update, and I was
23 going to pause after the federal.

24 CHAIR URBAN: After the federal. Okay,
25 great.

1 MS. MAHONEY: But certainly question.

2 CHAIR URBAN: We are on -- we are on
3 notice. All right. Thank you.

4 MS. MAHONEY: Okay to go ahead?

5 CHAIR URBAN: With the transcript, please
6 go ahead, Ms. Mahoney thank you.

7 MS. MAHONEY: Thank you, Chairperson
8 Urban. Board Members really appreciate the
9 opportunity to provide an update on our legislative
10 work. So as I mentioned, first of all, provide an
11 update on our federal engagement and then move to
12 California.

13 Next slide, please.

14 So on the federal level there's been a
15 significant focus on AI regulation particularly on
16 the interplay between federal regulations and state
17 regulation. For example, there have been recent
18 hearings both in the Senate Commerce Committee
19 examining implementation of President Trump's AI
20 action plan. Also last week, a house judiciary
21 subcommittee held a hearing that specifically focused
22 on whether federal AI regulations should preempt
23 state regulations.

24 So we submitted letters to both
25 committees, urging them to reject legislative

1 proposals that would restrict the states either
2 through express preemption or by conditioning federal
3 funds. And we encourage the committees to instead
4 consider federal legislation that set a floor and
5 allow states to adopt stronger protections.

6 We're also seeing new AI legislative
7 proposals. Senator Cruz, who's the chair of the
8 Senate Commerce Committee, recently released two AI
9 proposals for consideration. So first, he put out a
10 high level federal framework for AI legislation that
11 had five principles, one of which is preventing a
12 patchwork of in his words burdensome regulations
13 specifically aimed at state regulation.

14 Second, he also sponsored the
15 introduction of the SANDBOX Act that would allow AI
16 developers to apply to federal agencies for a
17 two-year waiver from federal rules to test and
18 experiment new AI products. So, the bill does have a
19 provision that provides for a cooperation between
20 federal and state SANDBOX programs. For example,
21 Texas recently passed legislation with the SANDBOX
22 Program. But the bill in our view in its current
23 form, does not preempt or restrict state regulation.

24 However, given what's in Senator Cruz's
25 overall AI principles I wouldn't be surprised to see

1 separate light touch AI regulation that seeks to
2 preempt the states, or some form of resurfacing of
3 the more moratorium on enforcement in the states on
4 AI and ADMT in some form, either through another
5 reconciliation bill that Republicans have talked
6 about pursuing or in some other must pass bill. So
7 we will continue to monitor that.

8 Also related to preemption, but in a
9 non-AI related matter more on privacy, the House
10 Financial Services Committee issued a request for
11 information on current federal financial data privacy
12 laws and possible amendments specifically asking
13 about the Gramm-Leach-Bliley Act, whether that should
14 be amended and specifically asking about the states.
15 So Gramm-Leach-Bliley Act, as you know, currently
16 sets a floor on protections and allows states to go
17 further. So our Agency submitted comments, again,
18 urging the community to maintain the current approach
19 of GLBA, to keep that floor in long states go
20 further.

21 So we may see legislation on this in the
22 coming months. In the past, that committee has
23 advanced GLBA update bills that add language that
24 seeks to preempt the states and this space that have
25 advanced out of the committee, but have not been

1 taking up on the floor in previous years.

2 And then finally, we're continuing to
3 monitor potential privacy legislation on the federal
4 level house. The House Energy and Commerce Committee
5 has a working group to create a new framework for
6 privacy. Apparently that work is ongoing. So we
7 could see something come out of that committee, some
8 form of draft or efforts to take up kids privacy,
9 kids online safety or any of these in the coming
10 weeks and months. So we're keeping an eye on that as
11 well. And I'll pause here for any questions about
12 the federal work.

13 CHAIR URBAN: Thank you, Ms. Mahoney.

14 Questions come in.

15 Yeah, Mr. Mactaggart, please go ahead.

16 MR. MACTAGGART: What's the there's
17 locked up sort of boiling the ocean, you know, work
18 as you confront the country. So what's -- are we
19 just kind of staying in touch by the news? Do we
20 have any ways of trying to have we thought had any
21 thoughts about lobbying out there or trying to get a
22 lobbying presence or trying to, you know, obviously
23 we probably have good relationships with the people
24 you know, the Californians there, but what's any kind
25 of thought about a bigger strategy for how we engage

1 with the (inaudible)?

2 MS. MAHONEY: Yeah, that's a good
3 question. So, you know, we keep in close touch with
4 staff and legislative offices to keep in touch with
5 what's going on. A big part of our strategy is
6 making sure we have a strong base of support and that
7 we're not the only ones out there. So, you know,
8 working with our other state partners to make sure
9 they're informed and able to take action is
10 necessary.

11 And then working with other State AG
12 offices to get on the same page as well and
13 coordinating where necessary. So a lot of the work
14 in enforcement to develop relationships with these
15 other entities the same work is happening
16 legislatively as well.

17 CHAIR URBAN: Thank you. Just to follow
18 up on Mr. Mactaggart's good question. The
19 subcommittee on courts -- what is it? Courts
20 intellectual property, I keep for, because they add
21 things, but they've now added AI in the -- in house.
22 The title of the hearing was something good, which I
23 don't recall exactly or Californication. Yes.

24 MS. MAHONEY: That was very memorable.

25 CHAIR URBAN: Yes.

1 MS. MAHONEY: Well, I certainly noticed
2 the Californication point. And so I really
3 appreciate that the team is working closely with
4 partners within the state to have a united front.
5 And again, like I think the consortium of Privacy
6 Regulators and the -- and the consortium of states
7 that we've had as we have gone through the sort of
8 many rounds of this threat to California's
9 sovereignty and our ability to make decisions for
10 Californians directly particularly with our law,
11 which is a law that was passed directly by
12 Californians in an initiative.

13 I think that's crucially important. And
14 I'm glad to hear that there's close contact as well
15 to be sure that there's, you know, discussion with
16 the federal partners so that they're aware of our
17 position. For Ms. Hamer's benefit the Board has
18 discussed the issue of Congress working to preempt
19 our law for a while and has previously been in full
20 consensus to take a very strong position that is
21 unacceptable to California. It's a very bad policy.
22 The initiative has a feature that makes it very
23 difficult, if not impossible to amend for any reason
24 other than to further the purposes of the law, which
25 I think is a stroke of genius by Mr. Mactaggart and

1 team because it means that we have a floor and we can
2 build on that in California.

3 And, you know, some of the laws that the
4 federal Congress have come up with have good features
5 but it's very difficult for us to ever agree to
6 something that could preempt that fundamental
7 protection for Californians. So we want all states
8 to have privacy, we want everybody to have privacy
9 but not at the cost of Californians. And I just want
10 to underscore that again, Ms. Mahoney. So, I mean, I
11 know you know that and to give Ms. Hamer sort of a
12 sense of sort of where the Board has been on that
13 before.

14 CHAIR URBAN: Yes. Please go ahead.

15 MS. HAMER: Yes. So I understand the
16 issue really clearly, and I am fully on Board with
17 what the Board has done in the past on that.

18 CHAIR URBAN: Yes, Mr. Liebert?

19 MR. LIEBERT: That's great to hear. One
20 of the ironies of the whole preemption debates that
21 are going on is that typically with federal
22 preemption, as you all know, the federal government
23 preempts because they're actually having law in the
24 area. And this is one of those or unique times where
25 the federal government is contemplating the idea of

1 preventing the states from regulating in an area
2 where the federal government not only has not been
3 regulating, but is pursuing a down-regulation type
4 strategy. So it's an unusual approach to preemption
5 and it's also an unusual approach, of course, to the
6 principles of state's rights.

7 And so certainly whatever the staff can
8 do to help educate those members of the congressional
9 delegation of California, for example, about the
10 importance of California's law and the importance of
11 California being able to continue to work to protect
12 those important privacy rights of Californians is
13 super paramount. And I hope that staff are doing all
14 they can on that educational basis to do that.
15 There's plenty of press suggesting that there are
16 members of the congressional delegation of California
17 that are supportive of this preemption effort. And
18 hopefully those folks can be educated that that's
19 really not good for California.

20 CHAIR URBAN: Thank you. Thank you, Mr.
21 Liebert.

22 Ms. Mahoney, you want to continue?

23 MS. MAHONEY: Great. So next I'll turn
24 to California.

25 Next slide please.

1 Great. So as you've likely heard, the
2 California legislature has wrapped up for the year
3 they do on September 13th. And Bill's passed by that
4 deadline have been submitted to the governor for his
5 consideration. So he'll have until October 13th to
6 make a determination on those bills. He can sign
7 veto, or if he takes no action, the the bills will
8 become law, although in my understanding, this is
9 rare.

10 So I'm going to first provide an update
11 on the bills that the Agency has taken a formal
12 position on and then move to a few significant bills
13 that we were watching. So first the bills that we
14 have a formal position on, we are thrilled that
15 AB566, the California Opt Me Out Act, the Agency
16 sponsored bill has passed Chambers, is on the
17 governor's desk. So I'll get into a bit more detail
18 on that after this overview.

19 Additionally, SB 3601 a bill from
20 Senator Becker has to do with data brokers amends,
21 the Delete Act. The Agency also supported that bill.
22 It is on the governor's desk right now. And this
23 bill increases data brokers disclosure requirements
24 under the Delete Act. It also fixes some technical
25 issues with the Delete Act. If signed, it will

1 provide us more information about the identifiers
2 that data brokers are collecting so that we can
3 better ensure that consumer deletion requests under
4 the Delete Act are matched up and honored by data
5 brokers. And also, as you know, under the Delete
6 Act, there's a provision that requires data brokers
7 to honor deletion requests that they can't verify as
8 opt-out requests. And this bill clarifies that
9 there's the same timeline for data brokers to respond
10 to the opt-out requests as deletion requests. And
11 that's 45 days.

12 Moving on to our next supported bill SB
13 470. That has to do with the Bagley-Keene Open
14 Meeting Act, which regulates how we hold these
15 meetings. Some center-layered, also supported by the
16 Agency on the governor's desk. It extends the
17 teleconferencing requirements under the Bagley-Keene
18 Open Meeting Act for another 10 years. So if that's
19 signed into law then nothing will change and we'll
20 continue to be able to have Board Members under
21 certain conditions participate remotely.

22 And then two bills that the Board took a
23 position on at the July meeting or designated
24 two-year bills by the Senate Appropriations
25 Committee. So we will likely see those return next

1 year. First AB 302 from Assembly Member Bauer-Kahan.
2 That requires the CPPA to obtain and maintain a list
3 of state and local elected officials and to submit
4 deletion requests pursuant to the Delete Act on their
5 behalf by March 1st, 2026, and update the list
6 following any election. So we had to support if
7 amended position on that bill. So we will continue
8 working with the author to address any concerns over
9 the next year.

10 And then secondly, another bill we're
11 supporting AB 322 from Assembly Member Ward that
12 would've amended the CCPA to increase the privacy
13 protections for location data, including prohibiting
14 the sale of that data that was also designated a
15 two-year bill. So we hope that it'll be taken off
16 next year.

17 Next slide please.

18 And then next I will go over a few bills
19 that we were watching closely. First AB 1018 from
20 Assembly Member Bauer-Kahan. That's to do with
21 automated decision systems. It was placed on the
22 inactive file which means that it won't be taken up
23 this year, but it could come back next year. So that
24 regulated automated decision systems used for
25 consequential decisions. We'll continue to monitor

1 that.

2 AB 1043 from Assembly Member Wicks
3 having to do with age signals that's on the
4 governor's desk. The bill requires operating systems
5 to have an interface to collect user's age and then
6 convey that to add developers to indicate the age
7 range of the user. The final text of the bill
8 clarified that the age range signals would not
9 interfere with the consent requirement of the CCPA
10 for minors. So we were pleased about that.

11 We were also watching AB 1064 from
12 Assembly Member of Bauer-Kahan having to do with kids
13 and AI that passed. Both Chambers is on the
14 governor's desk. That's seen a lot of changes over
15 the course of the year, but as it advanced out the
16 legislature, it prohibits making companion chatbots
17 available to kids in California unless that chatbot
18 is not foreseeably capable of causing harm to the
19 child. So, as enrolled, the bill does not appear to
20 impact the CCPA or the CPPA.

21 And then finally, for watched bills SB 7
22 from Senator McNerney, that has to do with automated
23 decision systems in the employment context. That's
24 also on the governor's desk. It has many similar
25 requirements to our ADMT regulations and extends or

1 expands protections in some situations, but in Staff
2 Steward does not conflict with them. And a provision
3 was added to the final version of the bill that
4 clarifies that businesses must still comply with the
5 requirements of the CCPA.

6 Next slide, please.

7 And then lastly, I wanted to write a
8 little bit more detail on our sponsored bill, the Opt
9 Me Out Act authored by Assembly Member Lowenthal.
10 Really appreciate Mr. Lowenthal leadership on this
11 issue as well as the Boards. So the bill requires
12 browsers to offer opt-out preference signals which
13 allow Californians to easily exercise their right to
14 opt-out of sale and sharing of their personal
15 information in a single step. Along with the
16 author's office, we worked closely with stakeholders
17 on amendments as part of our willingness to address
18 industry concerns while maintaining a high standard
19 of protection in the bill. So just to go over some
20 of those amendments to run an overview of where the
21 bill wrapped up.

22 The final version applies to browsers
23 only previous versions applied to mobile operating
24 systems as well. This was responsive to the
25 governor's veto message as well as to industry

1 stakeholders. The bill also requires that browsers
2 provide disclosures to consumers about how the
3 opt-out signals will work. This was responsive to
4 the opposition's concerns that consumers wouldn't
5 know necessarily what they were getting into with
6 these signals.

7 Third, it clarifies that browsers will
8 not be held liable for a receiving business' failure
9 to honor the signals. This is language similar to
10 what's in the CCPA already, but tweaked a bit for the
11 purposes of this bill and is consistent with the bill
12 intent. And then if signs of bill would go into
13 effect January 1st, 2027, giving businesses more time
14 to comply.

15 And then finally, we're proud that the
16 bill received a wide spectrum of support. Not only
17 including privacy groups like -- and consumer groups
18 like Consumer Reports and Electronic Frontier
19 Foundation, but also other groups as well.
20 Reproductive privacy groups like Planned Parenthood,
21 groups folks on kid safety like Common Sense Media
22 and Mothers against Media Addiction, immigrants
23 rights and civil rights groups like the Southeast
24 Asia Action Resource Center and greenlining labor
25 like the California Federation, labor Unions and

1 browser companies such as Mozilla and Brave and their
2 support underscores the importance of this bill to a
3 wide spectrum of Californians who see value in light
4 of the increasing, you know, weaponization of their
5 data. And again, the governor has until October 13th
6 to make a determination on the bill. And that
7 concludes my legislative update, and I'm happy to
8 answer any questions you have.

9 CHAIR URBAN: Thank you, Deputy Director
10 Mahoney. On that last point, I, of course absolutely
11 agree that this impressive group of supporting
12 organizations underscores the importance of the issue
13 across California and to Californians. I also really
14 want to commend your team and everyone who was
15 involved. I know the executive director worked on
16 this as well for making sure to do the outreach to
17 talk to organizations and, you know, develop a
18 coalition that is really sort of very strong.

19 I think sometimes organizations that
20 aren't as focused on privacy or digital rights aren't
21 maybe as aware, which is fair enough. They're
22 focusing on a variety of issues. But again, it's
23 that information sharing and being able to help
24 people. You sort of see what the options are, like
25 enforcement like everything else. And so I think

1 this is just wonderful and critically important. So
2 thank you all for that.

3 Comments, questions from the Board about
4 the California legislation.

5 Yes, Mr. Liebert, our representative, or
6 our appointee from the Senate.

7 MR. LIEBERT: Thank you. I'll go over
8 here. Is it just a slow thing right now? There we
9 go. Thank you so much. Well, first of all,
10 congratulations. We talked about this earlier, that
11 there's always some risk in taking a bill back to a
12 governor who's already said no. And I think that
13 Agency staff led by Mr. Kemp and Maureen have just
14 done absolutely fabulous work in trying to address
15 the governor's concerns to address the concerns that
16 had been raised by industry last year. Just
17 extraordinary amounts of work went into this effort,
18 I know. And if this bill is signed by the governor,
19 it will not only be a great victory for the Agency,
20 of course, but it will be for Californians.

21 California will once again be taking the
22 lead in trying to create a mechanism that's pretty
23 easy for consumers to use to express their desire for
24 privacy if they wish to have it. They don't have to
25 do it, but we want to make it easier. Right now,

1 there's just way too many hurdles facing consumers to
2 have a sense of what harms they may be facing by the
3 misuse of their private information. And this is
4 just an extraordinary effort on the part of the
5 Agency.

6 And hopefully the governor will see fit
7 to see that the Agency has done all that it can to
8 address those concerns that have been raised and to
9 make a system that's going to really benefit
10 Californians that will, I think, be replicated across
11 the country again. So thank you so much.

12 CHAIR URBAN: Thank you, Mr. Liebert.

13 Mr. Mactaggart?

14 MR. MACTAGGART: I want to say
15 congratulations on all the work you've done. Ms.
16 Mahoney, it's been great to watch this legislative
17 season. And I just -- you know I spoke out in favor
18 of 3048 last year, pretty vehemently. And I just
19 went and looked right now, and I'm looking, and last
20 year in the analysis in front of the Senate
21 judiciary, there were 16 groups. And I think I've
22 got just on this page, which is probably not all the
23 groups like 33. So you're about double. And that is
24 a real testament to both you and Director Kemp, your
25 outreach. And I'm so happy you did this because it's

1 clear that across the Board, you know, people really
2 support this.

3 And I'm so hoping that the governor
4 signs it because, you know, this is where the rubber
5 meets the road. And this is giving people the
6 ability to exercise their rights. I would urge my
7 two fellow Board Members who are appointed by the
8 governor to contact their people in the office and
9 try to get, see if they can push that along. Because
10 honestly this is a really important bill for
11 Californians. And this is the kind of thing which
12 will make or break, you know, not this one thing, but
13 over time, this is how we build on privacy in
14 California, these kinds of common sense really
15 consumer friendly ways.

16 And eventually -- my dream is that
17 eventually people will think it would, they'll look
18 back on the time that, you know, all these tech
19 companies could look in you on your browsing history
20 and monitor it and profit from it the same way today.
21 If you went to an average person and said, hey, AT&T
22 can listen to your phone call and monetize it, can
23 sell it, is that okay? People would be totally
24 shocked. And yet that is exactly what happens on the
25 internet. And no one cares. People don't understand

1 because they can't do anything about it. And this
2 would let help you do something about it.

3 So I'm -- thank you both and I know it's
4 more than just the two of you, but thank you both
5 for, you know, Maureen, I can just imagine how many
6 hours, you know, on the phone explaining this to
7 people. So thank you all.

8 CHAIR URBAN: Thank you, Mr. Mactaggart.

9 And you know that the implementability
10 by consumers is so important and goes back to what
11 Mr. Kemp was saying in his executive director update
12 to make, what was the word you used, Mr. Kemp,
13 actionable for consumers or -- yeah. It's just --
14 it's absolutely key. And I think we're hearing a
15 theme throughout the day that is really heartening.

16 Seeing no additional Board Member
17 comments, Ms. Carwile, I would like to ask for public
18 comment on this item.

19 MS. CARWILE: Thank you.

20 First Francisco, you can kill the slide.
21 This is for Agenda Item Number 5, legislative update.
22 Again, this is for Agenda Number 5. If you'd like to
23 make a public comment at this time, please raise your
24 hand using the raised hand feature or by pressing
25 Star nine if you're joining us by phone. This is for

1 our legislative update.

2 Madam Chair, I'm not seeing any hands
3 raised at this time.

4 CHAIR URBAN: Thank you, Ms. Carlwile.

5 So we find ourselves at a fork in the
6 road which is to lunch a bit early or to continue
7 with the conversation. I will be frank and say if we
8 continue, I will need a short break. But I am open
9 to what the Board and the team from the Agency would
10 like to do. We have a pair of items coming up on
11 data broker regulations, and then the adjustments to
12 the data broker registration fee. So we could
13 certainly -- I will take Mr. Laird's advice as to
14 whether he thinks that it would be reasonable to take
15 one of these before lunch but also hear from the
16 Board as to what their preferences are. I guess I'm
17 asking, are you hungry?

18 MR. LAIRD: I'll just say we can
19 accommodate either approach.

20 CHAIR URBAN: Okay.

21 MR. LAIRD: Sorry to not be right. Yeah.

22 CHAIR URBAN: Mr. Liebert, Mr. Mactaggart
23 and Ms. Hamer, any preferences?

24 CHAIR URBAN: No preferences. Okay.
25 You're all making this hard on me. Let's go for

1 lunch. And so we will be eating lunch but we will be
2 having a working lunch. I'm going to call now Agenda
3 Item Number 10 -- oh, excuse me, I'm sorry. Agenda
4 Item Number 12 which is a closed session item. It
5 will cover personnel matters under authority of
6 government SEC code section 11126(a)(1).

7 And also pursuant to government code
8 section 1126(e)(1), and 2A, the Board will meet in
9 closed session to confer and receive advice from
10 legal counsel regarding litigation for which
11 disclosing the names would jeopardize the Agency's
12 ability to conclude existing settlement negotiations
13 to its advantage.

14 The Board will now go into closed
15 session. We will not be back before noon -- no,
16 sorry 1:00 -- no, 12:00 -- sorry, 12:30, apologies.
17 And I say so it could take longer, but I say that so
18 that people know they have a window if they would
19 like to step out for a while. Thank you very much
20 and we will see you when we return.

21 (Recess taken).

22 CHAIR URBAN: Thank you, everyone and
23 welcome back from recess -- sorry, from closed
24 session. We have ended our closed session and are
25 coming back into public session at this meeting of

1 the California Privacy Protection Agency Board.

2 We will now move to Agenda Item Number
3 6, which is discussion and possible action on
4 proposed amendments to regulation Section 7601 to
5 7604, and adoption of regulations Section 7610 to
6 7622, implementing Delete request and opt out
7 platform requirements, Delete request and opt out
8 platform commonly known as or familiarly known as
9 DROP, including possible adoption or modification of
10 the text. This item will be presented by members of
11 our legal division, the CPPA General Counsel, Mr.
12 Phillip Laird, and CPPA Attorney Liz Allen. Welcome
13 back Ms. Allen, it's delightful to see you. And
14 please go ahead when you are ready.

15 MR. LAIRD: Thank you, Chair Urban. I'm
16 actually going to turn things over to Ms. Allen right
17 now.

18 MS. ALLEN: Great. Okay. Hello. Thank
19 you, Chair Urban. And as a brief refresher on where
20 we are for this particular rulemaking package, the
21 Board originally directed staff to begin formal
22 rulemaking in its March, 2025, meeting. Staff
23 conducted the usual 45-day written comment period in
24 public hearing, and then returned to the Board in its
25 July, 2025, meeting with the proposed modifications

1 to the regulatory text. In response to the comments
2 received.

3 The Board voted to send the
4 modifications out for another 15-day comment period,
5 which ran from July 31st to August 18th. The Agency
6 received 11 comment submissions resulting in 118
7 individually identified comments requiring responses
8 during this most recent 15-day comment period. You
9 can find that attached to the Board meetings, it's a
10 separate PDF and it's got 61 pages of -- again, date
11 -- sorry, the 11 comment submissions was 61 pages of
12 feedback for us.

13 The material provided in connection with
14 this agenda item include the draft summaries and
15 responses to the public comments received during both
16 the 45-day and the 15-day public comment period. In
17 the most recent round of feedback, the comments
18 focused on one, the standardization requirement for
19 the individual identifiers used in the DROP. Two,
20 the continued concern with verification standards for
21 authorized agents and consumers. Three, the deletion
22 lists needing sufficient identifiers to match to the
23 consumers within a data broker's own database, and
24 concerns with being required to retain complete
25 deletion lists to screen against newly collected

1 records.

2 So after reviewing those public -- these
3 public comments, and as you'll see in the draft
4 responses provided today, staff does not believe that
5 further modifications to the regulations are
6 necessary at this time. Many of the comments
7 reiterate the same or similar concerns raised in the
8 initial comment round, and we believe that we have
9 addressed those concerns in the modifications that
10 we've already been proposed to and made by the Board.

11 Another thing I'll note is that
12 commenters at times appear to be under the impression
13 that complete system details need to be laid out in
14 the regulations. However, this rulemaking is not
15 meant to serve, of course, as a comprehensive
16 description of the actual system. Its
17 functionalities, safeguards, et cetera, is they're
18 not developer docs.

19 This instead merely states the rules
20 that data brokers must follow when utilizing the
21 system in compliance with their statutory obligations
22 under the Delete Act. I think that commentators may
23 find that when as DROP launches next year, that at
24 least some of their stated concerns are mitigated, if
25 not resolved by the system's technical features and

1 implementation.

2 So with all that said, staff today
3 recommends that the Board adopt the modified text of
4 the regulations and authorized staff to submit the
5 drop rulemaking package to the Office of
6 Administrative Law for approval. We're, of course,
7 happy to take any questions or -- that you have.

8 CHAIR URBAN: Thank you very much, Ms.
9 Allen.

10 Questions or comments from the Board?

11 Mr. Mactaggert, please go ahead.

12 MR. MACTAGGART: I have a number, but
13 I'll just start with kind of a basic one. And I'm
14 glad that our director has a history of security.
15 Obviously, this is going to be a pretty prime target
16 for people. Like, oh, this is a whole State of
17 California. Everybody's got their information there,
18 yay, let's go. You know, if nothing else embarrass
19 the Agency by you know, mining their data and putting
20 it on the web.

21 So I'm obviously not the first person to
22 think about this. So could you just walk us through
23 steps that you've taken to make sure both that our
24 data is secure and that I can't pretend to be a data
25 broker and show up and download it all and be like,

1 hey, here I am, you know, all that stuff. So why
2 don't you kind of walk us through that, if you
3 wouldn't mind.

4 MR. LAIRD: Liz, do you want to take a
5 first cut and I'll take a second cut?

6 MS. ALLEN: Sure. So I'd say the first
7 thing that we're doing is we're hashing all data
8 coming into the system. Well, first I would say data
9 minimization, so we're collecting the least amount of
10 data that we can from consumers. Of course, it's up
11 to the consumer how much information that they give
12 us.

13 But the first principle, of course, is
14 the most important, which is a -- you know, minimal
15 amount of data and certainly a reduction of a
16 sensitive personal information. So we're not
17 collecting social security numbers from consumers,
18 stuff that might put them at risk.

19 The second thing we're doing is we're
20 hashing all data that comes into the system. So
21 everything will be -- right now using the SHA-256
22 hash, which is like kind of the cutting edge way to
23 obfuscate data. I know of course it's not flawless
24 as we know, but it certainly, if somebody hits the
25 system, there'll be nothing in plain text for them to

1 see. So that's part of the way the system is
2 architected.

3 We also have, you know, CDT, the
4 California Department of Technologies building the
5 system and is thinking a lot about how we'll be a
6 target and has systems and technology in place to
7 kind of be monitoring the security on that side. And
8 I'm sure Phil and Tom can jump in with others.

9 MR. LAIRD: Yeah, I'll note first off,
10 just by partnering with CDT for this build, we are
11 able to leverage essentially the state's resources
12 for hosting the system and leveraging the
13 cybersecurity practice that is in place essentially
14 for all state data systems housed by CDT including,
15 you know, pretty much every California government
16 site you visit and a lot of those systems hosted by
17 the state.

18 And then in addition to what Ms. Allen
19 said you know, we've also implemented certain
20 practices too where -- when deletion lists actually
21 get shared with data brokers, again, as mentioned
22 information will already be hashed and then we'll
23 have to be compared against the data broker's own
24 records, but it's not going to be the full profile of
25 a consumer. We'll never give just the complete set

1 of information that a consumer gave us.

2 We're breaking it into segmented lists
3 that really communicate only limited identifiers to a
4 data broker. So again, not connecting a full profile
5 for any data broker of what we receive within the
6 system itself. So sort of various angles we are
7 anonymizing and reducing sort of connection of
8 personal information within the system.

9 MR. KEMP: Mr. Hartigan do you who's our
10 head of it, do you have anything to add to that?
11 Sorry to put you on the spot there, but thank you.
12 Yeah, no -- I -- this is a significant concern that
13 we have and we have spent a lot of time, and I've
14 been very fortunate to work with Mr. Hartigan on this
15 who does come from CDT. And in looking and double
16 clicking on the infrastructure itself, that we are
17 through our partnership with CDT using
18 state-of-the-art technology to protect the actual
19 system itself, including, for example protecting the
20 system from bots that may try to break into the
21 system either through the front door or the back
22 door. Specific to the front door, I'm very impressed
23 with what we've put forth in terms of the residency
24 verification. And so once people acknowledge the
25 terms of service they will have two options to verify

1 their residency.

2 One of which would be login.gov, one of
3 which is a third party. And that also provides very
4 robust security login.gov is used by 190 million
5 Americans as of three or four months ago. And it's
6 been in production, it's the backend authentication
7 and verification mechanism for social security and
8 other mission-critical applications as well. So the
9 fact that that's kind of our front door, the front
10 porch to -- and they have to open that door to get
11 through also makes it so that I -- we have a high
12 degree of confidence that the system would not be
13 flooded with spurious information. It would only be
14 true residence.

15 And then we've even taken additional
16 steps with -- to verify the data. We do provide the
17 verification of email addresses that people would
18 actually have to respond as well as they would
19 actually have to verify the phone numbers. So from a
20 security perspective you know we're very conscious
21 and cognizant of people trying to stuff in bad data
22 or trying to trick the system from that perspective.

23 So in terms of the design of the
24 application, the backend infrastructure you know,
25 we're very -- we think we have the right team and and

1 what CDs put -- CDT has put forth should provide a
2 secure reliable and highly available platform that
3 we're delivering for consumers.

4 CHAIR URBAN: Thank you. That all sounds
5 great. I just wanted to follow up on the second half
6 of Mr. Mactaggart's question which was about the
7 verifying the data brokers. So obviously protecting
8 the information directly is a big step in protecting
9 against bots is a big step. But I wanted to follow
10 up on that piece.

11 MS. ALLEN: Sure. And then you can jump
12 in. So we are doing a -- each account will have to
13 be verified. So when data brokers go to sign up for
14 their drop account, that actually gets kicked over to
15 our team and we're going to do take steps to verify
16 the data broker themselves and including things like,
17 you know, did they register last year or the year
18 before, are they on a different registry, working
19 websites, et cetera. So our team will have you know
20 a way to kind of verify those accounts before
21 somebody can just enter the system with some sort of
22 made up data broker name and then access.

23 And we will be of course, tracking and
24 logging all events within the system itself partially
25 for enforcement, but also partially for security. So

1 in terms of API access the, you know, the keys
2 themselves, if a data broker's running through a lot
3 of API keys, you know, there's some things that will
4 also kind of trigger within our internal team that
5 something might be amiss.

6 CHAIR URBAN: And I assume they'll be
7 registered right as data records?

8 MS. ALLEN: Yes.

9 CHAIR URBAN: Okay.

10 MS. ALLEN: So you create an account, but
11 you have to go through the registration where you
12 have to pay in order to access the system. So though
13 you'll have to pay a -- you know fee this year,
14 \$6,600. So --

15 MR. MACTAGGART: And all we send out, we
16 only ever send a different hash list per, you know,
17 whatever the list. They'll write -- they'll say we
18 want emails, or we want emails and phone. How do we
19 prevent the gaming of -- they say, well, I'd like to
20 get, you know, emails and phones, but their list is
21 incomplete. Some people have emails, some people
22 have phones, some people have both.

23 Their hash might be different because,
24 you know, 30 percent of the people have phones and 40
25 percent of both. And they intentionally set it that

1 way to be like, oh, well this is not going to be
2 exactly the same match, and I can only imagine that,
3 you know, with millions of people, it's really easy
4 to tweak it so that, you know, the input becomes a
5 different output for on the hash. So how do we
6 address that?

7 MS. ALLEN: Yeah, that's a good question.
8 So we -- I have thought a lot about this question in
9 particular, and we've actually, and working on the
10 regs, this was probably the -- one of the parts we
11 work shopped the most trying to think through this.
12 And so the regs, and one of the things we actually
13 changed in our 15-day. So are we added, I guess and
14 clarified for folks.

15 So you know, the overall like
16 requirement is that data brokers have to choose the
17 lists that will give them the highest number of
18 matches, period. So that's what we're requiring.
19 And of course, enforcement can go and check in on
20 that, but that is the base requirement. And if that
21 changes over the course of the year, you have to
22 change which list you're pulling. So if you have 40
23 percent phone numbers and 30 percent emails, you
24 should pull both lists because that's going to give
25 you the most matches. So that's like kind of the

1 base requirement.

2 And then in terms of how we're standard
3 requiring folks to standardize data temporarily to
4 then try to also facilitate the most number of
5 matches. So -- and this is -- if you look at -- I
6 wish I had not quite as good at as (inaudible)
7 knowing the sections, but 7613. And if you look at
8 (a)(1)(a), you'll see kind of the way that we're
9 asking folks to standardize data temporarily to then
10 hash so that we can get the most number of hashes.

11 And a lot of data brokers have told us,
12 which you can imagine things like names are very
13 difficult. Most data brokers don't use names as a
14 primary identifier way to index data because names
15 change. There's shortened names and short names and
16 juniors and maiden names and all sorts of ways that
17 that can, you know, O'Connors with you know, so we'd
18 give some examples of how to format data so that not
19 only if -- you know, if you're pulling email, how it
20 would -- how that email should be formatted to get
21 the highest match rate.

22 MR. MACTAGGART: But can you educate me,
23 because as I understand it, you know, you have a --
24 we have a million names we hash and we send it to the
25 data broker. The data broker could have literally

1 999,999, the same and one different, and it comes out
2 with a different hash.

3 MS. ALLEN: Yeah.

4 MR. MACTAGGART: And so if that's the
5 case, how do we possibly think that there's value in
6 our transmission? Like I just I don't understand.
7 Maybe you can tell me, like, because that's a -- you
8 know then as I understand it, then the data broker
9 just says, well, I don't -- there's no matches
10 because the hashes are different.

11 MS. ALLEN: Yeah, that's true. So if the
12 hashes don't match, there's not a match and they
13 would, so -- and then of course you would not be
14 deleting the data if there was no match. However, if
15 you're doing something like a phone number, which is
16 just a series of numbers with no dashes or
17 parentheticals, it's pretty easy. You're either
18 matching or not on, you know, one, two, three, four,
19 five, six, seven, eight, nine.

20 Same with email addresses, there's often
21 not as much variation in an email address. It's much
22 more durable. It's a more durable identifier. So I
23 think that like -- you know, and some of these
24 identifiers, it will be harder and also depends what
25 the consumer gives us.

1 MR. MACTAGGART: Sorry, can I just --

2 MS. ALLEN: Yeah.

3 MR. MACTAGGART: In -- is -- first of all
4 is what I'm saying, correct. I don't know, but you
5 have the million names and one email is spelled
6 incorrectly. That's going to give you a different
7 output on your hash versus the CPA's hash.

8 CHAIR URBAN: Can I -- am I -- if I'm
9 understanding you correctly, Mr. Mactaggart. Are you
10 asking about the effect of hashing the entire million
11 names?

12 MR. MACTAGGART: I think that's what
13 we're not -- are you individually hashing each name?

14 MS. ALLEN: Yeah.

15 MR. MACTAGGART: Oh.

16 MS. ALLEN: Yeah. Okay. Thank you,
17 Chair Urban. Yeah. We're individually hashing, so
18 it would have to be a change in a single number or a
19 single letter within the email, which is a much lower
20 rate of, yeah.

21 MR. MACTAGGART: That answered my
22 question.

23 MS. ALLEN: No problem.

24 CHAIR URBAN: Great, thank you.

25 Additional questions or comments from the Board?

1 Okay.

2 MS. HAMER: Okay, I have one.

3 CHAIR URBAN: All right. Ms. Hamer,
4 please.

5 MS. HAMER: I might be off base, but I
6 just heard the login.gov registration place. So does
7 that mean Doge who has kind of consolidated a lot of
8 information can get California residents that, you
9 know, in one scenario could become a target.

10 MR. KEMP: That would just be for the
11 initial verification and authentication of the
12 consumer and verifying the residency. Once they've
13 done that, then they go through the front porch into
14 the proverbial house where they put the personal
15 information and we immediately hash that information
16 as they enter that information. So it's a one-time
17 verification.

18 Furthermore, we're providing a secondary
19 mechanism to verify. So if people don't have a
20 login.gov they don't feel comfortable about that
21 we're leveraging a third-party vendor that they can
22 also do the residency verification as well.

23 MS. HAMER: Got you. So that answered
24 the second part of my question that was going to come
25 out. So they don't have to create a login.gov no

1 account to access ours?

2 MR. KEMP: That is correct. I do want to
3 add to Mr. Mactaggart's question that one of the
4 things -- one of the concerns that we have is that
5 some of the data brokers will have identifiers that
6 we don't know about project and so they're able to
7 kind of skirt the deletions.

8 And so one of the things that Ms.
9 Mahoney and others put into SB 361, which is an
10 amendments to the Delete Act, is that there's three
11 specific questions regarding what identifiers do the
12 data brokers use to uniquely identify consumers.

13 And so assuming that passes and that
14 will be effective January 1st, that will give us more
15 visibility to ensure that we have a higher hit ratio
16 and may eventually, you know, tailor-tweak the system
17 to ensure that we're capturing how data brokers are
18 identifying consumers.

19 MR. MACTAGGART: And is there a mechanism
20 to check that I sort of like -- how do you check up
21 on whether in fact the data broker is complying with
22 not selling the information? How would one checkup
23 and what's our plan?

24 MS. ALLEN: Two ways.

25 MR. KEMP: Yes, maa'm. Go ahead. I'll

1 heat up here, but I'm going to let Ms. Allen and Mr.
2 Laird. So --

3 MS. ALLEN: Two ways, well, one is that's
4 the enforcement, well certainly be doing some of
5 that. And we also have an audit requirement that's
6 coming online in 2028. So data brokers every few
7 years have to have an independent third-party audit
8 come in and check to see how they are doing in terms
9 of complying with this law. And that has to be
10 available to the Agency for up to six years.

11 So this -- you know, you'll probably
12 hear more about this as it gets closer. Because
13 we'll have to do, write some regulations around what
14 is in an audit and what does it look like and all of
15 that. And so we'll have some chance to kind of think
16 about and kind -- I think in an exciting way. What
17 are the levers and what are the things that we would
18 want to see that would tell us? Yeah, you are
19 actually complying with the law. So I don't know if
20 you. That's all.

21 CHAIR URBAN: Okay.

22 MR. KEMP: We've also integrated into the
23 system a complaint system. The DROP system has a
24 complaint system. So we also expect consumers that
25 once they go through the process, put their

1 information, they wait the 45 days that they're
2 probably, if they notice that their information is
3 not being deleted, that they would also notify us
4 through the, the complaint system. And we've set up
5 the infrastructure and the people to follow up on
6 that and do additional research.

7 So in some sense, we're going to kind of
8 get a realtime fee -- well, realtime being the 45
9 delays, but of whether or not it's working or not.
10 And we certainly know, given the volume of the
11 consumer complaints coming in for CCPA and now that
12 if we make this DROP system available to millions of
13 Californians, that there will be complaints flowing
14 through because we've definitely seen that
15 Californians are getting more and more comfortable
16 alerting us of issues. And as Mr. Macko pointed out
17 that over half of the complaints involve right to
18 deletes.

19 CHAIR URBAN: Thank you.

20 MR. MACTAGGART: One other question here.
21 Thanks for that answer. One other question?

22 CHAIR URBAN: Same topic?

23 MR. MACTAGGART: Oh, yeah.

24 CHAIR URBAN: The same question.

25 MR. MACTAGGART: Oh not I'm on the

1 regulations, but if you want to --

2 CHAIR URBAN: Let's hang on for just a
3 minute. So to keep the conversation as efficient as
4 possible, I just have a brief follow-up on Ms.
5 Hamer's comment. Which is not directly on the -- I
6 mean, it's not on the language of the regulations.
7 And I think that the team has done a fantastic job
8 with security and thinking this through, making it
9 easy for consumers, making it easy for data brokers,
10 but also security.

11 It's just really important as the system
12 continues to be developed and as it's deployed to
13 recognize that the threat model has changed and that
14 all aspects of the threat model should be taken into
15 account on behalf of the consumers. So I'm sure you
16 have that in mind. So you can take this as a -- as
17 an underlining a message of support for that. But I
18 think that's going to be critically important for
19 trust. So thank you, Mr. Liebert.

20 MR. LIEBERT: I just wanted to follow up
21 Mr. Kemp, with that comment that you made that -- of
22 that two different ways that we can kind of make sure
23 that the consumer's request for deletion is actually
24 being honored. And you said a consumer will know
25 whether or not that's happened over time. What would

1 be ways, examples you could give that consumers will
2 be able to tell that that deletion process has in
3 fact been honored?

4 MR. KEMP: Yeah, I mean, there is a
5 significant number of the data brokers that are known
6 as people search sites. And so it will be pretty
7 obvious to consumers that if they do a search of
8 their name, their address, their email, whether or
9 not it appears, and then they will say, wait a
10 minute, I went into the DROP system. This data
11 broker is a registered data broker. I put my
12 information in and 45 days later, lo and behold, my
13 information is still there as well.

14 And so we definitely see a scenario
15 where consumers raising that flag to us as well. It
16 gets trickier with some data brokers that do that
17 focus more on B2B sales of information for them to
18 know about that. And so the data is not publicly
19 available on websites.

20 And so therefore that's the significance
21 of the independent audit that's been built in the
22 statute is going to be really key to, you know for
23 the auditors to catch whether or not the data brokers
24 are honoring the deletion requests through the DROP
25 system.

1 MR. LIEBERT: I guess what ideally we
2 would have a mechanism probably both also on the
3 website that's telling folks how they can use the
4 system, but also how they can check to see if their
5 requests are being honored. Whatever those tools
6 might be, that should be something that's part of it.
7 Yeah, go ahead. Sorry.

8 MS. ALLEN: Yeah, no I think consumer
9 public education is going to be a huge piece of this
10 and something that we're, you know, really focused on
11 in terms of how do we teach consumers how to, you
12 know, what information they can delete, what can they
13 expect, how do they do it, how do they check, what
14 would the best case scenario be for you know, a full
15 deletion of all 535 currently registered data
16 brokers. So yeah, I think that's something we are
17 actively working on and thinking about as a team
18 currently.

19 MR. KEMP: Mr. Liebert there's also part
20 of the capabilities of the DROP system is the data
21 brokers actually also have to report back to the DROP
22 system, the status of the various deletions there as
23 well. And so the consumers can go back into the DROP
24 system 45 days later, and then they can see an actual
25 listing of the data brokers and the status of each

1 and every deletion request.

2 And if there's a -- and then there may
3 be reasons provided why the data broker did not
4 delete it, and that the system facilitates that as
5 well, so they can come back and check to see what the
6 data brokers are saying. And we assume that there
7 will be some members of the public that will want to
8 trust but verify what's happening.

9 MR. LIEBERT: Yeah, that education
10 process would be great that some consumers are going
11 to want to go check to see if that's happened. So
12 that'd be super.

13 CHAIR URBAN: I think that's just an
14 incredibly promising feature of the system and so
15 important because, you know, of course it's what the
16 data brokers report to the Agency, but then the
17 Agency can also follow up. And I think sort of
18 implicit in what the executive director was saying is
19 that, you know, some data falls into the publicly
20 available exemption, 1798.145 something or other.

21 And so for information that falls in the
22 exemption, that actually may be the most visible to
23 the consumer as well. But some of the information
24 isn't as visible to the consumer, so they're not
25 going to know if it got deleted. But now they have a

1 -- they'll have a signal that they can check out. So
2 helping people understand that I think will be
3 valuable.

4 All right. Mr. Mactaggart, I think you
5 had another question. Shall we move on to that?

6 MR. MACTAGGART: Yeah. Thank you. Can
7 you just walk me through the requirement or the -- it
8 says after you've downloaded the list for the first
9 time, you just, the data brokerage just download the
10 changes in the future?

11 MS. ALLEN: Yeah, it does.

12 MR. MACTAGGART: And then it says you
13 have -- they have to get their permission to
14 redownload it. And so two questions. One is, if I
15 was going to be super responsible data broker, I
16 could download those changes every day, right?

17 MS. ALLEN: Uh-huh.

18 MR. MACTAGGART: Like there's no --
19 there's no issue there.

20 MS. ALLEN: Uh-huh.

21 MR. MACTAGGART: What's the -- what's the
22 thinking? And I don't really have thoughts about it
23 one way or another, but there was obviously thinking.
24 What's the thinking why you have to get your
25 permission to redownload it, and is that a bot thing,

1 or I mean, or -- and what's the -- yeah, so --

2 MS. ALLEN: Yeah, mostly it's just a
3 capacity. So imagine there's 40 million requests in
4 there. If we had 500 or a thousand people asking for
5 40 million plus records, it's just -- it's going to
6 be a lot. However, if you need it, you want to do an
7 audit, you really, you know, a new CPO comes in chief
8 privacy officer, they're like, you know, they -- you
9 know, if they need to take and tie, then like, of
10 course the answer will be yes. It's just you know,
11 some sort of rate limit essentially.

12 MR. MACTAGGART: By the way, I thought
13 your definition of the direct relationship was great.
14 You know, the changes there really were clarifying
15 and I thought they were great. So actually, thanks.

16 CHAIR URBAN: Thank you, Mr. Mactaggart.
17 Additional comments or questions before
18 Dr. Nonnecke I want to be sure to give you a chance
19 if you -- if there's anything that you want to ask.

20 MS. NONNECKE: Thank you for asking me.
21 I don't have any questions at this time.

22 CHAIR URBAN: Okay, wonderful. I
23 appreciate that, really appreciate all the amazing
24 work of the team on all of this, and I know that
25 there are always other people who aren't visible to

1 us and I appreciate the executive director
2 introducing us to Mr. Adam's work as well. And I
3 know he represents a lot of folks who are -- who are
4 at CBT as well who are working -- who've been working
5 to put this together in a way that is workable and
6 fulfills the requirements of the law.

7 This once again makes California a real
8 leader, and I know that other states have been eager
9 to see what we are able to do and might even be
10 interested and do -- you know, using the same model,
11 which would be would -- which would be absolutely
12 wonderful. So really commend the team, really
13 appreciate how you've consulted really carefully and
14 broadly. The back and forth and the comments I think
15 is valuable and I'm sure -- I'm sure that there was a
16 lot more consulting as well besides that.

17 So I will ask for public comment. So
18 everyone knows the possible motion that I will
19 request or the a motion I'll request that will be on
20 the floor, is to approve and adopt the regulations
21 discussed under this item of the Board agenda as
22 modified -- oops, sorry, we didn't actually modify
23 them. I wrote that's in there just in case to
24 approve and adopt the regulations discussed under
25 this section of the agenda for today. And to direct

1 staff to take all steps necessary to complete the
2 rulemaking process, including filing the final
3 rulemaking package with the Office of Administrative
4 Law.

5 The amendment of any documents within
6 the rulemaking package other than the text of the
7 rules as necessary to ensure clarity, accuracy, and
8 compliance with the Administrative Procedures Act,
9 and authorizing the executive director to make non
10 substantive changes to the proposed regulations and
11 to further authorize staff to withdraw the rulemaking
12 in whole or in part from consideration by the Office
13 of Administrative Law at any time, if in their
14 opinion, the legal risks associated with disapproval
15 of these regulations would warrant further
16 consideration by the Board.

17 We might as well go ahead and I'll ask
18 if I do have a motion. I have a motion from Mr.
19 Mactaggart. Do I have a second? Thank you. I have
20 a motion on the floor from Mr. Mactaggart and a
21 second from Mr. Liebert and Ms. Carwile is there
22 public comment on this item?

23 MS. CARWILE: This is for Agenda Item
24 Number 6, discussion and possible action on proposed
25 amendments to regulations regarding the Delete

1 request and opt-out platform requirements. We are
2 now taking public comment, and if you'd like to make
3 a comment, please raise your hand using the raised
4 hand feature or by pressing Star nine. If you're
5 joining us by phone, I believe we have a hand raised.

6 Seamus, I'm going to unmute you at this
7 time. You'll have three minutes. Go ahead and begin
8 when you're ready.

9 MR. ABSHER: Hi everybody, can you hear
10 me?

11 MS. CARWILE: Yes, we can hear you.

12 MR. ABSHER: Great. Hi everybody. My
13 name is Seamus Absher. I'm the Chief Technology
14 Officer at Faraday. We're a data broker based in
15 Vermont and registered with the CPPA. I have worked
16 with all the major data brokers. I implemented our
17 CCPA compliance program here at Faraday. I hope that
18 you pass this motion here today. And I support the
19 DROP system for three reasons.

20 First, what the staff has described
21 today is possible with existing technology. This is
22 not rocket science. What they figured out how to do
23 with the hashing, it will work. And even if a bot
24 manages to steal the list of hashes they'll be able
25 to make it so that that is not actually a significant

1 breach of data.

2 Second, it will make compliance simpler
3 and more reliable. Any data broker who is trying to
4 respect consumer preferences, I would say every data
5 broker who is trying to act in good faith will
6 appreciate a single source of truth.

7 And third, in the absence of such a
8 system, it seems like a new opt-out vendor is born
9 every day. Just last month, we started receiving
10 opt-out requests from an authorized agent based in
11 Belarus. That means that Californians are sending
12 their PII to a company in Belarus. I question
13 whether the spirit of the CCPA supports sending data
14 out of the country just to opt-out at home. So the
15 DROP system can't come soon enough. Thank you to the
16 staff that is working on it, and I hope that other
17 states copy the idea. Thank you.

18 CHAIR URBAN: Thank you very much.

19 MS. CARWILE: Thank you for your
20 comments. If we have any other commenters, please
21 raise your hand by using the raised hand feature or
22 by pressing Star nine if you're joining us by phone.
23 Madam Chair, I'm not seeing any other hands raised at
24 this time.

25 CHAIR URBAN: Thank you, Ms. Carwile, and

1 thank you very much to the commentator. With that,
2 I'll ask Ms Carwile to please conduct the roll call
3 vote. The motion on the table is as stated made by
4 Mr. Mactaggart and seconded by Mr. Liebert.

5 MS. CARWILE: Yes, this is a roll call
6 for the motion stated by the Chair.

7 Board Member Hamer?

8 MS. HAMER: (No audible response.)

9 MS. CARWILE: Board Member Liebert?

10 MR. LIEBERT: Aye.

11 MS. CARWILE: Board Member MacTaggart?

12 MR. MACTAGGART: Aye.

13 MS. CARWILE: Board Member Nonnecke?

14 MS. NONNECKE: Aye.

15 MS. CARWILE: Chair Urban?

16 CHAIR URBAN: Aye.

17 MS. CARWILE: Madam Chair, you have five
18 yeses.

19 CHAIR URBAN: Thank you very much, Ms.
20 Carwile, the Board, and especially to the amazing
21 staff and all the different expertise sectors who
22 have come together to put this together. We will be
23 delighted to see the regulations finally approved and
24 take place on the DROP system when it arrives.
25 Congratulations and thank you.

1 With this we will move on to Agenda Item
2 Number 7 for today, which is discussion and possible
3 action to adjust the CPPA's data broker registration
4 and access fees pursuant to civil code Section
5 1798.9980 at sec. This will be also presented by
6 General Counsel Phillip Laird and Attorney Liz Allen.
7 Please go ahead.

8 MR. LAIRD: Thank you once again, Chair
9 Urban. So now that we've discussed the regulatory
10 components of DROP, we turn next to the registration
11 and access fees associated with its construction.
12 Included with your materials today is a short memo
13 and fund condition summary that describes the history
14 and reasoning behind staff's proposed adjustments to
15 these fees.

16 And I'll note, as you look at the fund
17 condition document that PY refers to prior year
18 '24/'25, current year refers to -- or CY refers to
19 current year, which is 2025 to '26, and BY refers to
20 budget year, which is 2026 to 2027, always the next
21 fiscal year after the current one. So, as a very
22 brief background, I'll remind the Board that the
23 Delete Act established the Data Broker's Registry
24 Fund, which is administered by the Agency and used
25 for the deposit of all monies collected or received

1 by the Agency under the Delete Act and offsets the
2 costs of administering the law.

3 In short, this means that the fund is
4 intended to cover the costs of maintaining the data
5 broker registry, building an operating DROP and
6 salaries for personnel necessary to administer these
7 systems and the law generally. Prior to the
8 construction of DROP, the annual registration fee was
9 set at \$400. However, this amount only reasonably
10 covered the cost of maintaining the data broker
11 registry.

12 So last year as the projections for the
13 development and launch of DROP were finalized, the
14 Board voted to set the annual registration fee at
15 \$6,600. Now the construction of DROP is well
16 underway and we have updated projections through the
17 next fiscal year. Staff have determined that the
18 Agency is in a position to lower this year's
19 registration fee by \$600 for a total of \$6,000 in
20 2026.

21 Now, a variety of factors contributed to
22 the proposed decrease in fees, including a slightly
23 higher than anticipated registrant population, an
24 increase in penalty revenue and utilization of the
25 fund's existing balance. And so staying true to our

1 statutory mandate to only adopt fees that offset the
2 reasonable costs of administering the Delete Act
3 staff project, that the \$6,000 fee will ensure the
4 solvency of the Data Broker registry fund through
5 fiscal year '26/'27. And of course, the Agency will
6 continue to monitor expenditures and adjust fees to
7 an amount necessary to cover reasonable costs in
8 future years as well.

9 Finally, just a note that this
10 recommendation to adjust fees applies to the proposed
11 access fee as well. As you'll recall, the DROP
12 regulations we just discussed include an access fee
13 that start with a fee in January that is parallel to
14 the current registration fee and then pro-rates each
15 month based on when the business actually begins
16 operating as a data broker in a calendar year.

17 Accordingly, staff also recommends that
18 the Board authorize staff to amend the access fee to
19 \$6,000 for the month of January with \$500 prorated
20 each month thereafter. So with that overview and if
21 you've had the opportunity to review the attached
22 materials that covers our presentation for this
23 afternoon, but as always, we're happy to take
24 questions.

25 CHAIR URBAN: Thank you very much. Just

1 really brief check in on my understanding, but also
2 understanding for public who may not, who may be
3 joining in the middle of the conversation and our new
4 Board Member the funding for this part of our
5 authority comes through the fees, right? And that
6 was decided by the legislature.

7 So this has to be adjusted based on what
8 are the -- what are the reasonable costs to run the
9 system and to enforce the law. And I see Mr. Kemp
10 nodding. I just want to be sure that that is -- that
11 is clear because I know it's been a point that's been
12 important for people.

13 MR. LAIRD: Yes, that's correct.
14 Essentially, the general fund tax funds are not
15 leveraged. It's implementation of this law is fully
16 born by these registration and access fees paid by
17 data brokers.

18 CHAIR URBAN: Which is 179899.82. Thank
19 you very much, (inaudible) 1798.9982. Yeah.
20 Comments, questions from Board Members? I think
21 we're for it.

22 Ms. Carwile is there public comment on
23 this item?

24 MS. CARWILE: This is for Agenda Item
25 Number 7, discussion of possible action to adjust

1 CPPA's data broker registration and access fees. If
2 you'd like to make a comment at this time, please
3 raise your hand using the raised hand feature or by
4 pressing star nine if you're joining us by phone.
5 This is for Agenda Item Number 7.

6 Madam Chair, I'm not seeing any hands
7 raised at this time.

8 CHAIR URBAN: Thank you, Ms. Carwile.

9 In that case, I'd like to request a
10 motion to direct staff to amend Section 7600 of the
11 regulations to adjust the California Privacy
12 Protection Agency's data broker registration fee to
13 \$6,000 plus associated payment processing fees, and
14 to also amend and adopt the access fee described in
15 the proposed regulation Section 7611 to \$6,000 in
16 January and prorated by \$500 for each subsequent
17 month plus associated payment processing fees. May I
18 have that motion? Thank you. I have a motion from
19 Ms. Hamer. May I have a second? Thank you. I have
20 a motion from Ms. Hamer and a second from Mr.
21 Mactaggart.

22 I believe was first Ms. Carwile will you
23 please call the roll call?

24 MS. CARWILE: Yes, this is a roll call
25 for the motion as stated by the Chair.

1 Board Member Hamer?

2 MS. HAMER: Approved.

3 MS. CARWILE: Board Member Liebert?

4 MR. LIEBERT: Aye.

5 MS. CARWILE: Board Member Mactaggart?

6 MR. MACTAGGART: Aye.

7 MS. CARWILE: Board Member Nonnecke?

8 MS. NONNECKE: Aye.

9 MS. CARWILE: Chair Urban?

10 CHAIR URBAN: Aye.

11 MS. CARWILE: Madam Chair, you have five
12 yeses.

13 CHAIR URBAN: Thank you very much. The
14 motion carries with the vote of five to zero. Thanks
15 everybody. I have to say this particular motion
16 carried me back to my days writing contracts in
17 Silicon Valley and all of the price and payment
18 provisions. So thanks very much.

19 I'm glad to have that decision made for
20 the next -- the next period of time. Having taken up
21 Agenda Item Number 8 earlier in the day we will now
22 turn to Agenda Item Number 9. Agenda Item Number 9
23 is the awaited public affairs outreach update. And
24 it will be presented by our Deputy Director of Public
25 and External Affairs Ms. Megan White. Please do turn

1 your attention to the materials provided for this
2 agenda item. Ms. White will present the slides and
3 request our questions and comments as they come up.

4 Is that correct, Ms. White? Okay,
5 wonderful. Please go ahead whenever you're ready and
6 take your time.

7 MS. WHITE: Wonderful, thank you so much,
8 Chair Urban and Members of the Board. As mentioned
9 my name's Megan White, Deputy Director of Public and
10 External Affairs here at the Agency, and I'm pleased
11 to provide an update on the public affairs and
12 outreach efforts. My last update was in May of this
13 year, and since then we've been hard at work on
14 additional outreach efforts that I wanted to
15 highlight for you. We've wrapped up our first paid
16 media campaign, so I'll share some metrics around the
17 success of the campaign. I'll also provide a look
18 ahead at our next campaign, which has actually just
19 launched, and then I'll provide an update on the 2026
20 campaign, which will include the rollout of DROP that
21 we were just speaking about.

22 Next slide, please.

23 Okay. So this summer we wrapped up our
24 previous paid campaign, which was themed exercise
25 your rights as you might remember. The campaign ran

1 from June, 2024 to June, 2025, and it was all across
2 the State of California. We used a wide range of
3 tactics including digital display -- including
4 digital, which includes digital displays, paid
5 search, and paid social. We also used traditional
6 formats such as radio and print. And in addition, we
7 had out of home tactics that are things such as
8 billboards, bus tails, airports, and movie theaters.

9 So a few highlights, I'm excited to
10 share. The campaign had a massive reach, over 742
11 million impressions statewide. That means it
12 received broad visibility. It reached nearly every
13 Californian multiple times. It had strong
14 performance overall, the click-through rate was 0.76
15 percent which exceeds industry benchmarks. We made
16 sure momentum was sustained throughout the campaign
17 as well.

18 So we would have out-of-home billboards,
19 running and radio. And as that would taper off, we'd
20 come in with paid social and ads on websites, and
21 then we would go back to billboards. So we always
22 made sure that we had different things to keep people
23 interested, but that we had a common presence
24 throughout the whole length of the campaign.

25 In addition, we used innovative tactics.

1 So as I mentioned, we were in movie theaters right
2 before you're going to see the premiere of your -- of
3 your next movie that you want to see. You saw our
4 ad, we were also in airport, so maybe you're waiting
5 for your luggage and there's our ad, and you go to
6 our website. So we really had a wonderful campaign.
7 We really, really enjoyed it, and we plan to continue
8 that success in the next media buy, which we'll start
9 -- which just started actually. So now let's pivot
10 to what's new, the new campaign. And that's what
11 you're seeing right in front of you. This is going
12 to start running through the fall and winter.

13 CHAIR URBAN: I'm sorry, Ms. White, could
14 I ask a quick question?

15 MS. WHITE: Yes, of course.

16 CHAIR URBAN: First of all, the campaign
17 was tremendous.

18 MS. WHITE: Thank you.

19 CHAIR URBAN: I did my small part -- a
20 very small part.

21 MS. WHITE: I appreciate it.

22 CHAIR URBAN: You know forwarding the
23 lovely -- the lovely sort of social notices and
24 collateral which would regularly just surprise me.
25 And also make me realize like how very clear the team

1 have made the message, which I think is really
2 impressive because one of the things that privacy as
3 an issue struggles with is it can be a little bit
4 abstract to people and you've made it really
5 concrete. And the commercials are fantastic, which I
6 think I said last time, but it bears repeating. I
7 just had a quick -- and not necessarily a quick
8 question but just a question without expectation
9 behind it, which is to plan this campaign as part of
10 the planning process, which I think was very
11 carefully done.

12 MS. WHITE: Uh-huh.

13 CHAIR URBAN: Your team conducted a
14 survey.

15 MS. WHITE: Right.

16 CHAIR URBAN: To find out sort of what
17 people knew, what they knew about us, what they knew
18 about their privacy rights, sort of what their
19 concerns were.

20 MS. WHITE: Uh-huh.

21 CHAIR URBAN: And I was wondering if you
22 were going to do any testing by doing a follow-up
23 survey or some similar sort of methodology. And
24 again, I asked this without expectations.

25 MS. WHITE: No, actually it's a great

1 question because, and I'm -- I have a great answer,
2 we are. Contract three had a carve out for research.
3 And so we've started -- I'm sorry, I should go back.
4 We have a contract with census. They're our media by
5 consultant. They also did the research for us, the
6 first research. We have three contracts with them.
7 Contract three includes an allocation for research.
8 So I've started talking with them about the research
9 that they do. We had a meeting with their research
10 -- their head of research, and they're starting to do
11 a little deeper dive on previous results and what
12 questions we should be asking as we round out the
13 campaign.

14 CHAIR URBAN: Fantastic. I'm really glad
15 to hear that.

16 MS. WHITE: Yeah.

17 CHAIR URBAN: Because that can also
18 support interventions in the future where people
19 didn't get the information fully. So that's great.
20 Thank you.

21 MS. WHITE: Yeah, of course. Thank you.
22 Great question. And so in addition to the research
23 we'll be doing with census before their final
24 contract wraps in June of 2026, we also started
25 working with them on this new campaign that you see

1 here. As mentioned, this is going to run in fall and
2 winter, so this year and throughout the winter, and
3 it's called Protect What Matters.

4 So right here you're seeing some of the
5 social media posts. In addition, we have a little
6 mockup of what it's going to look in a print ad. Now
7 this is a limited campaign in terms of channels and
8 length. Let me explain that a little bit more. We
9 started running this month with these ads and we are
10 going to keep it going, like I said, until January
11 and February of 2026, in which case we will still
12 likely have some of these ads running, but we will
13 pivot a lot of our paid advertising to DROP, and that
14 was at the Board's direction as well. And we've also
15 talked about it internally. It makes a lot of sense.

16 So that's why this campaign is somewhat
17 limited. It's also limited in the channels that
18 we're running it on. So you're going to see it in
19 paid ads in numerous languages in newspapers
20 throughout the state. You also see it on social
21 media. And then we just recorded three new radio
22 spots. They're in post-production, so unfortunately
23 I can't share them with you today, but three spots,
24 they're all done in English and in Spanish as well.
25 So six spots total. And they really focus in on

1 dealing with everyday privacy concerns from
2 Californians.

3 So we have an older person who's dealing
4 with a scammer, and then they realize that they can
5 be empowered to better protect their personal
6 information by visiting the privacy website. And
7 then in addition, as Chair Urban mentioned, those two
8 32nd spots that we did earlier this year, those will
9 continue to run all the way through the summer of
10 2026. So those are the ads that you're seeing in
11 your movie theaters, and they will start playing
12 additional places as well.

13 So this new campaign, by doing Protect
14 What Matters and Freshening up our Exercise, retiring
15 or Exercise Your Rights campaign, and moving into
16 Protect What Matters, it helps to keep the campaign
17 fresh and it allows us to move to the next phase of
18 messaging. So what does that mean? Well, we are
19 shifting from phase one, which was, I consider
20 Exercise Your Rights, and that was our old campaign.
21 It told people about their rights. Now we're
22 entering into phase two with Protect What Matters.
23 We're telling people why it matters to them. And
24 then phase three, which we'll launch next year, we'll
25 focus on operational -- helping Californians

1 understand how to operationalize their privacy
2 rights, most notably with DROP.

3 So as I mentioned, this reflects the
4 Board's direction to shift some of our paid
5 advertising dollars to 2026 with the launch of DROP.
6 And so that's why you'll see maybe a little bit of a
7 lighter campaign through the rest of this year, and
8 then a lot more of the paid advertising campaign in
9 2026.

10 Next slide, please.

11 Okay. Moving on to the website. On the
12 topic of operationalizing your rights, we've already
13 pivoted that way on our privacy website. So, as you
14 may remember our goal is for our campaigns to -- all
15 of our paid advertising campaigns to drive people to
16 privacy.ca.gov so they can learn more about their
17 rights and how to exercise them. And we're proud to
18 share that the privacy website now has a lot of
19 practical tips for consumers.

20 So right when you go to our home screen
21 on privacy.ca.gov, you'll see a big yellow button and
22 it says view tips. There you'll find straightforward
23 and actionable steps you can take to exercise your
24 privacy rights. For those who like even deeper
25 dives, our blog, which we post to at least once a

1 month, provides some deeper dive information for
2 those who are interested. And we will continue to
3 add more helpful and easy to understand information
4 on a regular basis. I want to pause there in case
5 Board Member Mactaggart had questions about the
6 website.

7 CHAIR URBAN: Thank you, Ms. White
8 Mr. Mactaggart, now's the time.

9 MR. MACTAGGART: Yeah, thanks. You know,
10 this is the kind of thing that I think drives the
11 lawyers as batty, but I still feel like, you know, I
12 just want to back and review the statute. The
13 statute's pretty clear about our mandate to educate
14 Californians. And so, you know, if you look at the
15 privacy landscape, and I won't mention companies here
16 because less people freak out, but there are
17 definitely companies, big companies that have a whole
18 different, you know, approach to privacy. And, for
19 example, one of the two major mobile browsers just
20 released an update, actually, I'm going to call it
21 out. So, you know, iOS 26 has anti fingerprinting in
22 it, right in there. And it's -- the whole thing is,
23 let's help you protect yourself. Other browsers
24 don't. Right? Why would we -- as a privacy Agency,
25 I think when I talk to people, they're like, what do

1 I do?

2 MS. WHITE: Uh-huh.

3 MR. MACTAGGART: They don't have time.

4 MS. WHITE: Uh-huh.

5 MR. MACTAGGART: I know we want to like
6 walk the middle ground and everything, but why can't
7 we call out, you know, sort of, I like consumer
8 reports, you know, saying like, this is a better
9 entity if you are interested in privacy, get this
10 operating system, use this browser, use this phone.
11 And I just feel like that's a -- such a no brainer
12 for us to do. And I'm almost -- you know, we we're
13 so meek about, oh, well we can't like, take on, you
14 know we sort of did anyway, so I feel like we're a
15 privacy agency. We should take a stand and say, this
16 is a better -- this is a better solution for you.
17 And here's one way of, you know, use so far if you
18 want. And it's going to be way better for you than
19 using Chrome because the whole ecosystem is set up to
20 protect you. So I just -- I'd like us to do that.
21 This is a great -- by the way, let me not -- let me
22 -- let me rephrase it. It's fabulous what you've
23 done.

24 MS. WHITE: Thank you.

25 MR. MACTAGGART: I mean, I'm really,

1 really a fan of it. And instead of saying use a
2 privacy protection -- protective browser, let's say,
3 use one of these -- use Brave, you know, use I don't
4 know I would really urge us to do that. And if we
5 want to say to the vendors out there that, hey, if
6 you meet these six things, you too can have a little
7 star from the California Privacy Agency. Great.
8 Let's do that then. You know and anyway, I -- that's
9 kind of what I would like to say.

10 MS. WHITE: No I think you make an
11 excellent point. Like, this is on a list of a
12 million other things that Californians are trying to
13 do every day. You know, we live and breathe it. For
14 most people, it's like, I don't have time, I won't
15 get to it. So we have to make it quick and easy.
16 And I completely agree with you. We do have certain
17 legal constraints that we have to abide by, but I
18 work so closely with the legal team and they're
19 really wonderful. They give me a good amount of
20 leeway.

21 CHAIR URBAN: I just want to say, all
22 lawyers are not just naysayers. And I think you've
23 produced something that is really incredibly helpful
24 because we have constraints about not being able to
25 give guidance, you know, and we can give without

1 regulations, and in a lot of circumstances we can --
2 we have more flexibility probably with consumers,
3 which is great.

4 You know, with regards to -- with the
5 government. So we can't be picking and choosing in
6 the marketplace. But Mr. Mactaggart's point in terms
7 of, you know, consumers just needing something
8 concrete that they can -- that they can hold onto is
9 certainly well taken as a general matter. And I
10 think you're doing a really nice job of working with
11 the tools that you have.

12 MS. WHITE: Thank you.

13 MR. MACTAGGART: Can I actually -- I'd
14 love to request from legal some kind of an analysis
15 of why we can't -- you know, where -- what -- where
16 are the lines, you know can the Federal Highway
17 Department say this is a safer car than another, you
18 know, car? There are -- you know, can the consumer
19 whatever, says that these airlines are more on time
20 than other airlines? You can get all that
21 information and it's all kind of publicly available.
22 So I'd love to figure out what the roadblocks are to
23 us, and maybe just has to be -- you know, it takes a
24 while. You have to tell everybody what you're going
25 to do. You have to let everybody have an opportunity

1 to jump through hoops to prove that they are as
2 privacy centric.

3 But it would be great for us to be, you
4 know, taking a stand on some of this stuff and be out
5 there saying, yes, we have looked at it and we think
6 that this is better than others. And even if we have
7 to refer to a consumer reports you know, a link that
8 does it for us and says, read this, we agree with it.
9 I don't know, but something -- because right now I'm
10 busy, it's great, but it tells me I'm -- you know,
11 I've got kids screwing in the back of the car. It
12 tells me, you know, use a privacy protective browser.
13 I don't know I'm operating fast. I -- and then it
14 says, and you know, I go into Chrome and says, oh, we
15 protect your privacy, but the reality (inaudible)
16 does a better job. So, you know, I'd love us to
17 figure out, and I'm looking at you, but it's probably
18 --

19 MS. WHITE: Yeah.

20 MR. MACTAGGART: -- you know, the
21 executive director, Mr --

22 CHAIR URBAN: I think it's legal
23 division.

24 MR. MACTAGGART: You know to figure out
25 if we have the time at some point to put it on the

1 agenda for us to take a look at.

2 CHAIR URBAN: So let's pick that up under
3 the agenda item for that. It's now on my list. And
4 that would be a question for legal division.

5 MR. MACTAGGART: Yeah.

6 CHAIR URBAN: Mr. Liebert?

7 MR. LIEBERT: There may be more creative
8 ways. I do think we'll find out from legal that the
9 State of California or one of its agencies can't say,
10 just use Brave or just use this. On the other hand,
11 it's interesting to think about creative ways, for
12 example, that the state could say these different
13 sites have these different capabilities, you know and
14 that kind of thing could be explored. And I think
15 the point you're making is exactly right, that we
16 need to give those types of quick tools to make,
17 again, under that rubric of making it easy, right?
18 We've got to make this easy. And of course, we also
19 need consumers to understand why they should care,
20 right? So what's at stake.

21 But I do very much applaud how this
22 website's improving dramatically. I'm not even sure.
23 The one thing I would just say on the -- on the tips
24 page, enable opt-out preference signals that may be a
25 little obtuse for some consumers. There might be a

1 simpler way to say that, right? Something to think
2 about. For us, it's kind of you know, quick nature,
3 what it means to have an opt-out preference signal.

4 But a lot of folks might not know what
5 that means quickly looking at it, but overall, I'm
6 just really impressed we want this website to be as
7 you're working so hard to make it really user
8 friendly, right? Just get right to what you want to
9 get -- want to get to know and, and, and to be able
10 to do it quickly.

11 CHAIR URBAN: Thank you, Mr. Liebert.

12 Other comments? Ms. White, are you --

13 MS. WHITE: Yes ready to move on to the
14 next slide in fact. Moving over to the social media
15 campaign. So we've carried this focus of
16 operationalizing your privacy rights into our social
17 media campaign as well. So social media platforms
18 are vehicles for education, not just broadcasting
19 news. And until recently, a lot of our social media
20 content focused on telling the public what we were
21 doing as an Agency. So we shared a lot about our
22 press releases, Board meetings, hearings, things like
23 that. We will always do that on social media. It's
24 a great way to get our information out to the public.

25 But this summer we made the shift

1 providing a lot more engaging information information
2 on the social media via the social media campaign.
3 So our summer campaign had a nature and camping
4 theme, and we focused on practical tips for
5 protecting your personal information with this fun
6 team, with this fun theme between advertising, social
7 media, and our outreach, which I'll talk about next.

8 We've really broadened the number of
9 people visiting the privacy website. We had 240,000
10 unique viewers from May 1st, 2025, the last time I
11 presented to this Board, to today. So just since May
12 to today, we had 2000 and 40,000 unique viewers. And
13 this is significant because these are unique views
14 rather than page views. So it seems like we're
15 reaching a lot of new people over the last couple
16 months, which is really exciting.

17 To put that in perspective, when I
18 presented in May of this year, I shared that we had
19 411,000 visitors from January, 2024 to March, 2025.
20 That's a much longer period of time. So we've
21 already had more than 50 percent of that amount come
22 to our website in just the past four months. I think
23 it's really a testament to our social media campaign,
24 the ramping up of our advertising campaign, and we're
25 actually driving that message home that we're here to

1 help.

2 Next slide, please.

3 So, moving on to outreach, we've also
4 really ramped up our outreach efforts since my last
5 presentation. We started with an outreach campaign
6 focused on older Californians. We've actually --
7 because we're a fairly new Agency and there's a lot
8 of agencies who've been out there doing this a lot
9 longer than us, we've found that partnerships are key
10 to helping us get into the areas that we'd like to
11 get in with. And we have some amazing government
12 partners who've been wonderful in terms of letting us
13 into the Cool Kids Club and letting us join them for
14 their presentations. This includes the Contractor
15 State License Board, Department of Insurance, and
16 DFPI. They all already were doing senior scammer
17 stopper presentations, and so they've allowed us to
18 join them, and we're part of the road show where we
19 go around and give these presentations.

20 We've also partnered with elected
21 officials, and we are starting to present at their
22 town halls as well. In addition, we've made
23 presentations for other organizations, including ARP,
24 Consumer Action, and the Democratic Office of
25 Communications and Outreach. It helped us reach a

1 lot of district directors that are part of the
2 Democratic caucus.

3 We also developed a flyer specific to
4 older Californians, and we're providing them to
5 senior organizations throughout the state, such as
6 the area agencies on aging. That's, each county has
7 area Agency on aging, and we've provided our flyers
8 to them. We're providing the flyers to elected
9 officials as well, to have them at district events,
10 and they're also passing them out at their events.

11 This is addition into continuing to do
12 the outreach that we're all more familiar with that
13 industry outreach that we've been doing for a while.
14 And that's speaking at privacy conferences and things
15 like that. There we're not taking -- we're not not
16 doing that anymore. We're doing it just as much, but
17 we're also incorporating the public outreach speaking
18 opportunities as well.

19 Ready to move on to the next slide.
20 Media coverage.

21 CHAIR URBAN: See, Ms. White, you
22 offered, and so we're --

23 MS. WHITE: I know, I was like --

24 CHAIR URBAN: Is that dangerous thing?
25 Are you sure you want to do that? I actually just

1 have a comment, which I really want to commend you
2 and your team and the executive director on joining
3 with the agencies and with the legislators to reach
4 communities. I think the Senior Scam Stopper forum
5 is a really excellent place to reach Californians and
6 help them take advantage of their rights. And I just
7 am excited to see it.

8 MS. WHITE: Thank you. I really
9 appreciate it. Yes, Ms. Garcia and Mr. Kemp were
10 instrumental in that, and it really has helped so
11 much.

12 CHAIR URBAN: Wonderful. Well thank you
13 Ms. Garcia and Mr. Kemp.

14 MS. WHITE: Any other questions about
15 outreach? Great. We'll move on to media coverage.
16 So, earned media coverage and media relations
17 continues to be a core focus for my team. We've
18 really ramped up the number of media interviews we've
19 done since my last presentation. And as you may have
20 noticed, it's resulted in an increase in coverage.
21 We work with reporters, I work with reporters every
22 day, just making sure that they get the information
23 they need.

24 But beyond that, we've really ramped up
25 the proactive media outreach that we've done. This

1 includes everything from pitching stories to just
2 having general off the record conversations with
3 reporters to make sure that that dialogue is still
4 going. They know they can come to us with any
5 questions that they have. Transparency is very
6 important, and we make sure to do that through our
7 reporter partners. Mr. Kemp and I have talked
8 regularly with members of the media, and it's just
9 made a real, real nice impact in terms of forming
10 those relationships. Any questions around media
11 relations? And I'm going to move to the look ahead.

12 Next slide, please.

13 CHAIR URBAN: Francisco, next slide,
14 please.

15 MS. WHITE: Thank you so much. And this
16 is my next to last slide. The last one is questions.
17 So now I'd like to pivot to a look ahead. As we look
18 at the launch of DROP, and we really want to
19 strengthen our outreach efforts in terms of how to
20 operationalize your privacy rights. We really want
21 to -- and I really appreciate the Board emphasizing
22 what I've just talked about in the sense that we
23 really just want to make privacy easier for
24 Californians.

25 And so we understand that our staff

1 might be thinking of privacy all the time. The
2 average Californian isn't, and we need to meet people
3 where they are. So we brainstormed as a team, how
4 can we make this even easier? And one of the key
5 ways we think we can do this is by changing our
6 abbreviated name. So I want to emphasize that part
7 to something that is easy for people to understand
8 where our name is and will always be, I would assume,
9 the California Privacy Protection Agency. Many
10 people tend to call us CPPA for short.

11 Now that can get a little confusing
12 because there are so many more well-established
13 agencies with similar acronyms. For example, we are
14 currently sitting at CPUC, last month we had our
15 Board meeting at CCAP, which is CCAP. In addition,
16 we regulate the CCPA. You can see how it quickly
17 becomes alphabet soup for even us. But certainly for
18 members of the public. And so we looked around at
19 what other state agencies are doing that they're --
20 that they're in the same situation. And we thought,
21 one great example of somebody doing this well is
22 CalRecycle proud of Cal PA, but they really define
23 who they are right there in their name. And so we
24 are suggesting that perhaps we change our nickname
25 from CPPA to Cal privacy, specifically for our

1 communication efforts.

2 One, it's going to make it so much
3 easier for people to remember. And two, it says
4 exactly what we do right there in the name. So we've
5 done some very early and casual testing of this name
6 with other government agencies, elected officials,
7 and key stakeholders. We just wanted to hear from
8 them, do we have any blind spots? Is this -- is this
9 a great idea? Is this a bad idea? We didn't receive
10 any negative feedback, rather we received astounding
11 positive feedback.

12 Now, some people did say, did you think
13 about this? What about that? So we got a lot of
14 great things that helped us identify some things that
15 we needed to sort through, but we didn't hear anybody
16 say, Cal Privacy is a horrible idea. We also
17 discussed it with our advertising consultant, and
18 they completely agree with the approach. So we've
19 already started to have very early conversations just
20 as an internal team, could we easily incorporate this
21 into our ads? What does it mean for our marketing
22 materials for our website? So we're aware that it's
23 going to take some time and there's some certain
24 things that we'll definitely have to do on a positive
25 note. Our social media handles are already Cal

1 Privacy, so that's at least a light lift there. As
2 we look -- and so I do want to actually pause there
3 in case you all have any feedback that you'd like to
4 add specific to that.

5 CHAIR URBAN: Mr. Liebert?

6 MR. LIEBERT: Fantastic. Got to do. It
7 makes perfect sense. Let's see, what other
8 superlatives could I come up with?

9 CHAIR URBAN: I thought you were going to
10 stop at fantastic.

11 MR. LIEBERT: I think it's great. I
12 mean, when I tell people I work with CPPA that's not
13 very helpful.

14 MS. WHITE: That's so many Cs Ps
15 (inaudible) yes.

16 MR. LIEBERT: And I think I told Tom the
17 other day, remind me, Tom, but if you put in cppa.org
18 right now you come up with a organization, I think in
19 Cincinnati, Ohio or something. But anyway, I think
20 it's a great pivot for us to make so perfect as we
21 gear up for the DROP campaign. And most of all for
22 consumers, it's easy to remember. And that's what
23 we're trying to do, obviously with all of our
24 advertising. So I just really applaud everybody on
25 the team for that effort. And I think it makes

1 perfect sense.

2 CHAIR URBAN: Thank you, Mr. Liebert.

3 Ms. Hamer?

4 MS. HAMER: I couldn't agree more. I was
5 telling people internationally and nationally that
6 I'm just, you know, a new member of the CPPA Board
7 and it's five minutes of explanation right away.

8 MS. WHITE: Uh-huh.

9 MS. HAMER: But if it's Cal Privacy no, I
10 think it's a great idea.

11 MS. WHITE: Thank you.

12 MS. HAMER: Holy support.

13 MS. WHITE: Appreciate.

14 CHAIR URBAN: Mr. Mactaggart?

15 MR. MACTAGGART: Yeah, huge fan. Great.
16 Do it.

17 MS. NONNECKE: And I also need to throw
18 in my support every -- with everybody else. I
19 absolutely agree.

20 CHAIR URBAN: Thank you, Dr. Nonnecke.

21 So I'm going to be the only one to sound
22 a note of caution.

23 MS. WHITE: Sure.

24 CHAIR URBAN: Not that I don't love it, I
25 do love it. And I can tell you war stories about

1 trying to get a certain URL before goodness me. So
2 that success alone, I think is worth a gold star or a
3 few to the team. And I think it's wonderful to use
4 it as our handles. I think it's wonderful to use it
5 as you know a nickname by which people can think of
6 us. You know, CalRecycle is not the only thing that
7 Cal EPA does. And then that may be just an example
8 of the note of caution, which I'm sure is already
9 built into the plan, which is that we do want to be
10 sure that we don't lose a connection with the
11 particular role that we play, which is that we are a
12 California Government Agency. And so making sure
13 that things like, you know, Cal Privacy redirects.

14 MS. WHITE: Uh-huh.

15 CHAIR URBAN: In a way so that it's clear
16 that like, you know, you can connect things easily
17 and then you know, you understand the right context
18 and the context that you have. But that's just a
19 small note of caution about implementation. And I
20 remain absolutely amazed that we managed to get
21 privacy.ca.gov as a URL I usually -- I usually manage
22 to persuade when -- and I -- that I ran up against a
23 bureaucracy that just did not move. And so I'm
24 incredibly impressed and happy about it because it's
25 just a lot easier --

1 MS. WHITE: Uh-huh.

2 CHAIR URBAN: -- for people to connect to
3 the issue, which is so important.

4 Yes, Ms. Hamer?

5 MS. HAMER: Just a quick note there. I
6 just did a search and there is a -- in calprivacy.com
7 that we want to make sure doesn't -- we don't get
8 redirected to.

9 MS. WHITE: Thank you for flagging that.

10 CHAIR URBAN: Sorry. I'm sorry Dr.
11 Nonnecke it's not showing up in the same place it was
12 before. Please go ahead.

13 MS. NONNECKE: Oh, no worries. Also as
14 somebody who was at UC, Berkeley commonly referred to
15 as Cal there could be some market confusion that
16 somehow Cal Privacy is related to the university.
17 And since we already have privacy.ca.gov, I think
18 another name could be Privacy CA, Privacy California
19 for short. So I think that there's some additional
20 brainstorming that can be done, but I will end by
21 saying it's a brilliant idea to make this more
22 approachable and easily memorable to the public.

23 CHAIR URBAN: Thank you. Dr. Nonnecke,
24 which is a note of -- she reminds me of a
25 notification in the opposite direction. She and I

1 will be very well aware that we were told that we
2 should not use Cal because we're academics and we are
3 talking about research and teaching.

4 MS. WHITE: Uh-huh.

5 CHAIR URBAN: And Cal belongs to the
6 sports teams which of course is meaningless in
7 practice because, you know, no -- everybody -- like,
8 nobody is going to know that. I don't think we're
9 headed anywhere close to that direction, but I think
10 --

11 MR. LIEBERT: That's totally silly. Have
12 you ever (inaudible).

13 MS. WHITE: That's another good example.
14 Yeah.

15 CHAIR URBAN: Yeah. Well, and I also was
16 thinking, what was the mission of the university
17 again? You know so anyway on this -- the light note.
18 Anyway, it's fantastic and I -- you all are really --
19 I really appreciate the creative approach to reaching
20 consumers.

21 MS. WHITE: Thank you. And I'm so
22 pleased that my team actually came up with the idea.
23 So it's very, very excited to have those ideas come
24 out of your own team. Okay, wonderful. So as I kind
25 of mentioned, we'll start with Protect What Matters

1 campaign. I'm sorry, pivoting back to where we're
2 going with DROP. So moving on to the -- to the next
3 bullet point I have up here. As we look forward to
4 launching the consumer outreach efforts around DROP
5 now we feel is the perfect time to sort of switch
6 this nickname and we'll start with the current
7 Protect What Matters campaign. And it could roll
8 right into the DROP advertising campaign, which we
9 would launch next year. Since we have approximately
10 nine more months of advertising dollars left. Making
11 this shift now would also be really nice because we
12 could use it on our upcoming billboards and paid
13 advertising campaign for next year. So I do really
14 appreciate the Board's feedback here. We'll take
15 everything that you flagged in terms of concerns and
16 then discuss next steps.

17 CHAIR URBAN: Remember though that we
18 started with fantastic.

19 MS. WHITE: Yes.

20 CHAIR URBAN: Okay.

21 MS. WHITE: Oh, I'll never forget that.
22 So thank you I appreciate it. As I mentioned
23 earlier, protect what Matters is a limited term
24 campaign. And that is because we are going to shift
25 a good amount -- oh, we have shifted a good amount of

1 our media by dollars to 2026 to support the launch of
2 DROP. This campaign, which we are currently
3 brainstorming creative ideas for, will be more robust
4 in terms of reach. It will include those billboards,
5 TV ads, likely airports, bus tails.

6 We'll also do, for those who've been on
7 the Board a while, you might remember that we were
8 actually in convenience stores in communities
9 throughout the state with our flyers and then also
10 signage. We'll continue to do that as well. We also
11 plan to run our 32nd spots in very different areas,
12 not just movie theaters, but I know I feel like I
13 talk about this every time, but those videos at the
14 gas station pump and things like that, you'll start
15 to see them out of home places all around. So we're
16 very, very excited about that as well. But that
17 concludes my presentation. Happy to answer any
18 additional questions that you have.

19 CHAIR URBAN: Thank you very much. Ms.
20 White and the team and everyone who's been working on
21 this you've just been doing a fantastic job. You
22 know, as you'll recall, the Board has been very keen
23 on our public guidance and outreach function for a
24 long time.

25 And as the Agency built out you know we

1 have to do the regulations, et cetera, and it took a
2 little time to build up your team, but I think we
3 are, again, at a capstone moment with the completion
4 of this campaign and moving into the next one. It's
5 very exciting time.

6 Comments or questions from the Board.

7 Yes, Mr. Liebert.

8 MR. LIEBERT: Just quick -- just quick.
9 I'm really excited about what you're doing with the
10 website. Do you have just like normal consumers
11 navigate this for you so they can raise issues or you
12 can see problems that come up who aren't as used to
13 all this stuff as we are? I'm just wondering to make
14 it as consumer-friendly as possible to hit that mark.
15 Do you go through that process as you do the design
16 process?

17 MS. WHITE: That's a really good flag,
18 and we haven't done it in a formal sense in terms of
19 working with an actual focus group through our
20 consulting contract.

21 MR. LIEBERT: Okay.

22 MS. WHITE: But I will say my whole team
23 is big on sending it to family members. We have our
24 whole staff. We have an amazing staff here at the
25 Agency. And even though my division is public

1 affairs, there's not one person who doesn't work for
2 the Agency that does -- isn't great about providing
3 us some guidance as well.

4 MR. LIEBERT: Yeah.

5 MS. WHITE: But I think you make a really
6 important point that maybe we need to have people who
7 aren't at the Agency and who aren't spouses start to
8 navigate this website and maybe more of a formal
9 research way to see where there are some pain points.
10 And I think that now we're starting to put more
11 information up there. It might be the right time to
12 do something like that.

13 MR. LIEBERT: Yeah, that would be great.
14 We want to get it just optimal, right?

15 MS. WHITE: Yeah.

16 CHAIR URBAN: Where someone jumps into
17 this, they're seeing Cal Privacy, I'm going to, get
18 my answers real quick. And you know, they're just a
19 typical consumer wanting to do it, so it'd be great
20 to have that type of feedback.

21 MS. WHITE: Yeah, I think that's a
22 wonderful point.

23 CHAIR URBAN: Thank you, Mr. Liebert.

24 With regards to the DROP campaign I
25 think it's really smart to plan for targeted

1 messaging you know, at the right time so that people
2 are able to pick it up when it's ready. So I think
3 it -- I commend you all for thinking ahead to that
4 and making sure that the tool that we've -- we were
5 talking about earlier today is so important for
6 making privacy rights actionable for California is
7 available and is understood to be available by the
8 public and is understandable.

9 I just wanted to question to ask a
10 little bit about you know, the sort of the threads
11 that you've begun with helping people sort of know
12 that we're here and know what their rights are
13 generally. I worry a little bit that if we were to
14 -- I -- yeah -- I don't think you said this, but
15 maybe I'm like, if we were to sort of abandon those
16 threads that it would be something like the -- it
17 takes a while for familiarity to set in and for
18 people to have this sort of wherewithal to be able to
19 trigger for themselves to go to privacy.ca.gov, for
20 example and learn more. So I was just wondering how
21 you were thinking about allocating for that and
22 ensuring that the message doesn't, you know, sort of
23 stop.

24 MS. WHITE: And I just want to make sure
25 I understand your question. So is it that we would

1 do DROP outreach, but that we'll also have other
2 messaging from the Agency so people know we're not
3 just DROP? Is that --

4 CHAIR URBAN: And that is part of it, but
5 also because I don't -- I think this is wonderful and
6 fantastic and tremendous progress and by nature -- by
7 its nature and by the nature of people and by the
8 nature of the issue and the newness of the issue,
9 it's an ongoing process. It's not something that is
10 really amenable to an effort that is, you know,
11 started and then stopped or then, you know, sort of
12 punctuates over time. It's going to be most
13 effective when there are threads that continue in
14 some form.

15 And so I'm just curious about how the
16 team is thinking about, you know, continuing that
17 outreach to community groups making sure that there's
18 still some messaging out for people to see and in
19 sort of a broader sense as well.

20 MS. WHITE: Yeah, absolutely. Because I
21 think we really had the luxury when I started here to
22 have this large contract where we could do media buy.
23 And that of course is going away June, 2026. And
24 that's -- I'm so grateful that we had it, but ever
25 since I started here at the Agency, I realized that

1 that was not what we have every year. That is a one
2 time thing.

3 So we wanted to get the most bang for
4 our buck in terms of getting the Agency name out
5 there. And then the earned, you know I would call it
6 earned, but outreach efforts really have to just
7 continue to rise. And we've talked about this as a
8 team specifically, like after the excitement of the
9 DROP launch and the end of the paid advertising
10 campaign. I don't want to be sitting here a year
11 from today and say, oh, our website has gone -- you
12 know, we don't have many people visiting our website
13 anymore, and things like that.

14 And so we've talked about even as people
15 come into the website, perhaps for the first and only
16 time because they're interested in DROP and they want
17 to sign up for DROP, how do we have that once they're
18 done with the DROP sign off process, have a little --
19 as Mr. Kemp refers to it a little, a gift shop that
20 they land at right after they signed up for DROP, and
21 then maybe they are signing up to get regular
22 communications from the Agency or things like that.

23 At the same time, our roadshow and our
24 community outreach doesn't stop. Once DROP is
25 launched, it just keeps ramping up. I just need to

1 get my foot in the door. And now that I have my foot
2 in the door a little bit with Californians, or not
3 me, the Agency, we're all excited to just continue to
4 share how we're here to help.

5 But I completely agree it's not a one
6 and done, like most government agencies we're
7 providing a service that isn't just transactional,
8 it's relationship wise. And we want to continue to
9 build that trust so when somebody has something that
10 they're not quite sure, even if we could help with
11 they remember the privacy website, they go there.
12 And that's why we have all the additional resources
13 too.

14 So even if our Agency doesn't handle the
15 issue they're looking for, they don't have to go find
16 it at the AG's website or anything else. We link to
17 that information on the AG's website. So we really
18 want to become a one-stop shop for privacy concerns
19 for Californians. If we don't address that concern,
20 we want you to be able to find the information about
21 where you can get it on that website.

22 CHAIR URBAN: Thank you very much. And
23 yeah, I think this is a flavor of some of the
24 questions we've asked earlier in the day, you know,
25 to Mr. Macko, what kind of, what do you need? And,

1 you know, I think that's sort of embedded in here is,
2 you know you've done an amazing job with the contract
3 that we were able to secure.

4 MS. WHITE: Uh-huh.

5 CHAIR URBAN: For some time. As you --
6 as you mentioned, then, you know, kind of
7 understanding resources and your plan for using those
8 resources can help support the -- help the Board
9 support your effort. So it really it sounds like --
10 it sounds like your team is being really thoughtful
11 about it.

12 MS. WHITE: Uh-huh.

13 CHAIR URBAN: And I really appreciate
14 that. And we're always -- we're always looking
15 forward to hearing kind of what -- how we can
16 support.

17 MS. WHITE: Thank you. Yes. All this
18 work is because of the team. We're small but mighty.
19 There's five of us in the public affairs team. And
20 some of us run at the same time, so.

21 CHAIR URBAN: Don't tell really.

22 MS. WHITE: So yes, because normally in
23 my updates, I tell you everything else that our team
24 does as well, internal communications and things like
25 that. I wanted to just focus today on outreach, but

1 we are small but mighty and we care deeply about what
2 we do.

3 CHAIR URBAN: Yes, it shines through.

4 MS. WHITE: Thank you.

5 CHAIR URBAN: Thank you very much.

6 I will now ask Ms. Carwile if there's
7 public comments on this item.

8 MS. CARWILE: This is for Agenda Item
9 Number 9, public affairs outreach update. If you'd
10 like to make a comment at this time, please raise
11 your hand using the raised hand feature or by
12 pressing star nine if you're joining us by phone.
13 This is for Agenda Item Number 9.

14 Madam Chair, I'm not seeing any hands
15 raised at this time.

16 CHAIR URBAN: Thank you, Ms. Carwile.

17 Thank you again, Ms. White for the
18 presentation and to everyone for the fantastic work
19 on behalf of the Agency and ultimately for the People
20 of California.

21 We will move now to Agenda Item Number
22 10, which is the item I mentioned at the top of the
23 meeting for public comments on items not on the
24 agenda. Under this item, members of the public may
25 offer comments that are not related to noticed agenda

1 items for today. As the Board, we cannot raise any
2 issues under this item. Only the public may and the
3 Board may not act on or discuss any matter raised
4 during the public comment except to decide whether to
5 place the item on the agenda of a future meeting.
6 And that is for those (inaudible) under government
7 code Section 11125, and 11125.7(a).

8 Is there public comment from the -- from
9 anyone Ms. Carwile?

10 MS. CARWILE: Yes, I had do have a couple
11 hands raised.

12 Carpenter Econn I'm going to unmute you
13 at this time. You'll have three minutes. Go ahead
14 and begin when you're ready.

15 MR. ECONN: Thank you so much. Good
16 afternoon Board, Honorable Madam Chair Urban
17 Executive Director, Tom Kemp. My name is Carpenter.
18 I'm an undergraduate student at UC, Berkeley,
19 representing the Center for AI and Digital Policy. I
20 would like to dedicate my time to speak on Agenda
21 Item Number 8, as I did not see it called upon
22 earlier this morning.

23 We at the CIADP commend the
24 extraordinary work being done at the California
25 Privacy Protection Agency to protect consumers. My

1 peers at the CIADP have submitted comments to ADMT
2 proposals before. As such, I would like to reiterate
3 our recommendations for the Board's consideration.
4 We recommend that the CCPA requires stronger data
5 minimization, a fact specific, reasonably necessary,
6 and proportionate standard does not ensure data
7 minimization. Individuals interacting with a myriad
8 of ADMTs in their day-to-day lives may not be able to
9 understand or assess whether a business is collecting
10 the minimum necessary personal information.

11 Data minimization can address this
12 information and control asymmetry to better protect
13 Californian's privacy. Embedding these safeguards
14 would establish clear standards that limit data
15 collection and use and reduce unnecessary risks and
16 burdens for California consumers.

17 Second, we urge the CPPA to include a
18 prohibition on using children's personal data to
19 train ADMT systems. The CPPA should prohibit the
20 collection and use of children's personal data to
21 train ADMT systems. ADMT's are used in numerous
22 contexts where children regularly interact direct
23 through EdTech platforms and social media
24 applications and indirectly through welfare and
25 benefit allocation systems.

1 Lastly, we urge the CCPA to require
2 implementation of privacy enhancing techniques to
3 minimize data collection, anonymize consumer data,
4 and prevent unauthorized transfers of personal
5 information. Genuine PTs reduce privacy and security
6 risks as data that is not collected, cannot be
7 misused by a data collector or be subject to data
8 breach. And that's about it. Thank you all so much
9 for your time regarding this matter, and have a
10 wonderful day.

11 CHAIR URBAN: Thank you very much.

12 MS. CARWILE: Thank you for your
13 comments. If there are any other members of the
14 public who'd like to speak at this time, please go
15 ahead and raise your hand using the raise hand
16 feature or by pressing Star six if you're joining us
17 by phone. This is for Agenda Item Number 10, public
18 comment on items not on the agenda.

19 Elizabeth, I'm going to unmute you at
20 this time. You'll have three minutes. Go ahead and
21 begin when you're ready. Elizabeth, you have the
22 floor. Go ahead and begin when you're ready.

23 MS. ELIZABETH: Can you hear me?

24 MS. CARWILE: Yes, now we can hear you.
25 Go ahead.

1 MS. ELIZABETH: Thank you. I have two
2 concerns as a consumer. They're mostly around
3 protecting my health data. The first example is I'd
4 really like to see more protection around restricting
5 my reproductive health data. I have a recent example
6 where I went to see a dentist and I saw my
7 reproductive health data exposed in the institution
8 where I had seen many different specialists. And I
9 would like to have some mechanism for protecting
10 that, especially at this time when women's
11 reproductive health rates are really at risk across
12 the country.

13 The second issue is related where I
14 would like to have some mechanism to opt out of AI
15 tools. When I visit a health provider. Recently I
16 was at an institution where I went to see a
17 dermatologist. And when I went to pay my copay, I
18 had to also agree to a very long list of consenting
19 to paying on time, making sure that my health
20 insurance was up to date. And also AI tools,
21 including AI scribes, were embedded in that release.
22 And I couldn't go forward with the appointment until
23 I consented to that.

24 So I had to take it upon myself to go
25 around that and refuse to sign that release until I

1 was able to speak to the provider and request that
2 she did not use an AI scribe. I'm not sure if that
3 falls under the CCPA, but I would love to see some
4 work around protecting consumer rights when it comes
5 to protected health information. Thank you.

6 CHAIR URBAN: Thank you very much. We
7 have a public comment here in person. Please go
8 ahead when you're ready and you'll have three
9 minutes.

10 MS. CHAVEZ: Good afternoon, and thank
11 you for the opportunity to speak. My name is Amber
12 Chavez. I am general counsel at Optery, a privacy
13 and data rights management company. My background is
14 in consumer protection, identity verification, fraud
15 prevention, cybersecurity, AI privacy. I've been
16 doing this for quite some time and having recently
17 managed a global supply chain attack, my comment for
18 the Agency is in the identity verification space, for
19 the data broker -- for the DROP system there are
20 fourth party vendors involved in verifying telephone
21 numbers, email addresses, home addresses, and other
22 information that often take advantage of the fraud
23 exception, if you will, under CCPA and do not
24 register as data brokers.

25 So it's an area to be mindful of the

1 intersection of identity verification, fraud
2 prevention and data brokers. And just wanted to, you
3 know, mention that because these are companies that
4 hold very sensitive information, government IDs,
5 biometric data, social security numbers, birth dates,
6 family connections. And so really just wanted to
7 highlight that for the Agency in thinking about
8 fourth party risks when using vendors who might
9 otherwise retain or be considering retaining some of
10 that information under the kind of fraud exception.
11 Thank you again for the opportunity to speak.

12 CHAIR URBAN: Thank you very much.

13 Ms. Carwile is there anyone else online?

14 MS. CARWILE: If there are any other
15 members of the public who'd like to speak at this
16 time, please go ahead and raise your hand by using
17 Zoom's raised hand feature or by pressing Star six if
18 you're joining us by phone. This is for Agenda Item
19 10.

20 Madam Chair, I'm not seeing any other
21 hands raised at this time.

22 CHAIR URBAN: Thank you, Ms. Carwile.

23 Thank you very much to all the
24 commenters this afternoon. We can't comments but on
25 the topics, but I will say I really appreciate

1 hearing these concrete examples for us to consider.
2 With that we'll move on to Agenda Item Number 11,
3 which is our item for future agenda items. I usually
4 have the -- I have a -- I keep a running list and I
5 will quickly go through that as well as highlighting
6 our standing agenda items that are coming up. And
7 then I will ask Board Members if they have additional
8 items they'd like to add to the list for
9 consideration on a future agenda. We can't discuss
10 the items themselves substantively just a matter of
11 putting them on the agenda.

12 So the budget will be coming out from
13 the governor. And we talked about -- we talked about
14 some details with that in July. And there will be
15 updates I think by December. Legislation and policy,
16 we'll have two of the items that are on our standing
17 agenda. One is the annual legislation proposals and
18 priorities. So today we heard updates from Ms.
19 Mahoney, which we've heard periodically and in May,
20 she gives us a preview of what's happening in the
21 legislature. And we talk about whether we want to
22 take positions on various bills that affect the
23 Agency. This is to talk about potential priorities
24 for the Agency itself, for the upcoming legislative
25 session.

1 And then secondly, a discussion of
2 annual intergovernmental affairs and update and
3 priorities. So there are opportunities, for example
4 for the Agency to participate in things like the
5 Global Privacy Assembly. And it has -- it's just a
6 chance for us to do some planning and to highlight
7 those.

8 On -- in November, we are going to talk
9 about the Agency and Board's regulatory priorities.
10 I'm guessing that the folks who've been through it
11 maybe thinking, oh my gosh, how can we be talking
12 about like regulations like we have run a gauntlet
13 over the past four years, which is absolutely true.
14 And it does put us in a position of thinking
15 proactively the Board, I usually discusses this in
16 May and last May, not just this past May, but the
17 year prior we had a substantive discussion with staff
18 where we offered some thoughts and priorities for
19 future packages. And we rescheduled that discussion
20 this year because we were very focused on the
21 existing packages and the list of required
22 regulations that we were tasked to do with this
23 statute.

24 But this means that we can now pick up
25 our discussion of priorities from previous Board

1 meetings as well as interest use, new ones in here
2 from division heads, what things have come up that
3 they might suggest so that we can help the staff
4 allocate resources and think about how to move
5 forward. I will preview -- I hope this is fair. I
6 didn't -- I didn't check with anybody, but I'm going
7 back off the last conversation that the team will be
8 looking for the Board's guidance on prioritizing so
9 that resources can be allocated efficiently. So
10 those are standing items, one of which has been held
11 over before and will be discussed in November.

12 Then in terms of rulemaking, I know some
13 of you have heard these many times before, I just
14 like to say them so the public's aware of what is on
15 our list. So Mr. Mactaggart has requested
16 consideration of rulemaking that would implement the
17 right to Delete, to include partial deletion that you
18 don't necessarily have to treat everything partial
19 deletion of your information. And he earlier today
20 asked about an agenda item for how we can more
21 concretely guide consumers. I'm stating that in a
22 sort of a general sense and let me know Mr.
23 Mactaggart, if that sort of captures the basic idea
24 of being sort of more concrete.

25 I know that I've suggested, and I have

1 question marks, somebody else did too. An
2 exploration of -- a deeper exploration of the CPPA's,
3 coverage of employees and employers. I know that
4 this is something that is a matter of resources and
5 time. At some point I would like to discuss how we
6 can provide guidance for businesses in the form of
7 models like model privacy policies and model notices
8 to give them the sorts of tools that could be
9 actionable.

10 I know that this is something that their
11 procedural limitations. So I put that we have a
12 adequacy under the general data protection regulation
13 that is on our list. And we'll be considering having
14 a briefing from Europeans about what the -- what the
15 parameters for that are.

16 For Mr. Worthe and I will carry it
17 forward. Discussion of small businesses, what's a
18 small business and who's actually covered by our law
19 and regulations so that we have a good sense of that
20 as well. And Mr. Liebert has asked for informational
21 sessions for the Board where we can hear from experts
22 and we can hear practical tips. We will have
23 eventually a report on rulemaking process, which
24 should be a good time over the next year or so.
25 Okay. That's my list. Additional agenda items.

1 Yes, Mr. Mactaggart?

2 MR. MACTAGGART: I'd like to request that
3 when we're looking at that partial deletion, we add
4 language telling the company that they really have a
5 responsibility to be clear about what the impact of
6 each level of deletion is because so often you'll see
7 something being like, it may not work and you're
8 thinking like Google is great. Like are all my
9 photos going to go if I do this.

10 You know, and you want to delete your --
11 you know, browsing history and I'm being a little
12 facetious, but sometimes it's very hard to determine
13 whether you know, what the functionality and I can
14 just see the partial deletion not having that
15 corollary where each -- impact of each level is
16 clearly explained. So I know exactly what's going
17 on. That would be super useful for me. Thank you.

18 CHAIR URBAN: Okay, thank you. Other
19 agenda items from the Board? Yes, Ms. Hamer.

20 MS. HAMER: I don't know if, is it
21 possible to get some legal briefing on --

22 CHAIR URBAN: Can't hear.

23 MS. HAMER: Is it possible to get some
24 legal briefing on the fourth party usage issue that
25 was just raised, and is that an appropriate agenda?

1 CHAIR URBAN: It's not really an agenda
2 item, but it is perfectly fine to request legal
3 advice to the Board.

4 MS. HAMER: Okay.

5 CHAIR URBAN: Thank you very much.

6 Mr. Liebert?

7 MR. LIEBERT: I would like to just
8 reiterate that the Board has been so involved with
9 staff for so long on the regulatory work. We haven't
10 yet had the opportunity to do -- to fit in some
11 informational items, if you will, educational items,
12 not really just for the Board, but frankly for the
13 public as well.

14 And one issue that I'm really keen to
15 learn more about is what I consider to be the current
16 ineffectiveness of our privacy policy disclosure
17 process in California. That privacy policies are
18 30,000 words and 60 pages long, and they're just not
19 helping consumers or businesses or anybody. And that
20 would just be one idea that I would have, but I would
21 love to have the opportunity for the Board to start
22 to incorporate, as we discussed, don't know how to do
23 it, but whether it's an hour's time or whatever to
24 have stakeholders, academics, et cetera, as we figure
25 this out. But I think it'd be a great new component

1 for our work.

2 CHAIR URBAN: Thank you, Mr. Liebert.

3 So just a concrete desire for a topic.
4 There's academic research on this.

5 MR. LIEBERT: Yeah.

6 CHAIR URBAN: And that may be a -- that
7 may be substantive. So sorry. I probably should.
8 So privacy policy, sort of exploration of their
9 usability and meaningfulness and --

10 MR. LIEBERT: Yeah.

11 CHAIR URBAN: And so forth. Okay, great.
12 Thank you. Other agendas.

13 Yes, Ms. Hamer?

14 MS. HAMER: Do we schedule the future
15 meetings as an agenda item or?

16 CHAIR URBAN: So that's a really -- I'm
17 so glad you brought that up. So we have our meetings
18 now for the -- this year fully scheduled. Indeed I
19 have it in my notes. So thank you for the nudge.
20 The last meeting of the year will be on November 7th
21 here in San Francisco. And we have the standing
22 items I mentioned, and I'll work with staff on our
23 list and other things that might come up.

24 That meeting also, I intend to have an
25 item or as part of this item for us to discuss

1 scheduling the meetings for 2026. And we'll go
2 through the usual standing items and see if the Board
3 have anything, you know, changes or additions that
4 they want to make. It is ideal if we are able to
5 schedule our quarterly meetings at that time so that
6 everybody's expectations are set staff and the Board
7 and everybody. I've struggled for those to stick for
8 just various reasons, people, but that is -- that is
9 usually the plan and is what we try to do.

10 Mr. Mactaggart?

11 MR. MACTAGGART: Yeah, I'd like to
12 recommend that we publish them online. Like it's
13 weird to --

14 CHAIR URBAN: Oh, thank you, Mr.
15 Mactaggart. Yeah.

16 MR. MACTAGGART: Privacy Agency, a lot of
17 people depend on us. A lot of people have to make
18 plans to make our meetings and we should be able to
19 publish them a year in advance and just say our 2026
20 calendar is here so that, you know, people can plan
21 people who work and have to attend our meetings and
22 then plan their vacations and whatnot. You know, I
23 think --

24 CHAIR URBAN: So we have the -- we have
25 the standing items in order, like we have the

1 different meetings, but we don't have dates. So
2 sometimes we have to reschedule things or move things
3 for various reasons or add meetings, but that's
4 something we can certainly talk about and take into
5 consideration and plan for in the December meeting.
6 I believe Ms. Garcia seems, is nodding.

7 MS. GARCIA: Yes. That's what staff
8 would recommend to have a discussion at the November
9 7th meeting for the 2026 calendar. And we would love
10 to publish the dates.

11 CHAIR URBAN: Okay.

12 MS. GARCIA: At least we had, you know,
13 the first Friday of every other month, for example.
14 But if we could get the Board to agree on dates, we
15 would be more than happy to put that on our website
16 and make it available.

17 CHAIR URBAN: Thank you. Yes.

18 MR. MACTAGGART: And could we also put on
19 the calendar like how many to have, like, because I
20 think we were super involved in all the regs, but we
21 may not -- we may find ourselves, you know, maybe
22 time to let the -- you take the train let you all not
23 have to be so involved with us, even though I'm sure
24 you, it's your highlight of your -- of your
25 individual month, so.

1 MS. GARCIA: We could absolutely do that.

2 CHAIR URBAN: Thank you.

3 Ms. Hamer, did that answer there
4 further?

5 MS. HAMER: No, I guess it sounds like we
6 discuss it in November, but if it's the first Friday
7 of these four months, then we'll discuss that in
8 November, right?

9 CHAIR URBAN: Yeah, there -- I mean,
10 there are sometimes things crop up. Like for example
11 Congress makes a big move to preempt which is one of
12 the few reasons why we can meet with less than the 10
13 days notice. As Mr. Mactaggart alluded to, the
14 regulations package did require, I think it was like
15 one extra meeting, but also things -- we had
16 wildfires in L.A. and we had to move one of the
17 meetings back as well. So things can happen. And
18 last year we tried having holes that would at least
19 give some notice in case something happened. And so
20 we can talk about whether we want to try that system
21 again or not. All right. Ms. Carwile -- oh yes, Ms.
22 Garcia.

23 MS. GARCIA: Just from a staff
24 perspective, one other item we were considering for
25 --

1 CHAIR URBAN: Uh-huh.

2 MS. GARCIA: -- the November meeting
3 would be a presentation on DROP.

4 CHAIR URBAN: Okay. Oh, that would be
5 fantastic. You mean like a, well, a description of
6 like a demo. Really. Oh, see, I didn't want to hold
7 you to it. That's very exciting. Okay.

8 MR. LIEBERT: I'm going to hold them to
9 it.

10 CHAIR URBAN: Yes. I've been not the
11 main person but around too many tech projects, to put
12 that kind of pressure on people, that's very
13 exciting.

14 Ms. Carwile are there any comments from
15 the public?

16 MS. CARWILE: This is for Agenda Item
17 Number 11, future agenda items. If you'd like to
18 comment at this time, please raise your hand using
19 the raised hand feature by pressing Star nine, if
20 you're joining us by phone. This is for Agenda Item
21 Number 11.

22 Madam Chair, I'm not seeing any hands
23 raised at this time.

24 CHAIR URBAN: Thank you, Ms. Carwile.

25 With that, we will move to the last item

1 on the agenda. We've already covered Agenda Item 12
2 in closed session earlier in the day. Agenda item --
3 the last agenda item is number 13, adjournment. I
4 would like to thank everyone the Board Members, staff
5 and members of the public for their contributions to
6 this meeting, which had a very, sort of a joyful sort
7 of number of capstones and and accomplishments and
8 exciting news to discuss. And all the contributions
9 we've had in the Board's work. A special thanks to
10 Serena Carwile our moderator, and Mr. Francisco
11 Hernandez and Mr. Robert Stanford for managing the
12 technical side of today's meeting. Thank you back
13 there in the booth for keeping everything going so
14 smoothly today. Thank you for -- to Dr. Nonnecke for
15 joining us remotely. May I have a motion to adjourn
16 the meeting?

17 MR. LIEBERT: Absolutely.

18 CHAIR URBAN: Thank you. Mr. Liebert
19 moves with enthusiasm. May I have a second? Mr.
20 Mactaggart seconds.

21 Ms. Carwile, would you please call the
22 vote?

23 MS. CARWILE: Yes. This is a motion to
24 adjourn.

25 Board Member Hamer?

1 MS. HAMER: Aye.

2 MS. CARWILE: Board Member Liebert?

3 MR. LIEBERT: No, I'm just kidding. Yes.

4 MS. CARWILE: Board Member Liebert,
5 that's aye?

6 MR. LIEBERT: That's an aye.

7 MS. CARWILE: Okay. Thank you.

8 Board Member Mactaggart?

9 MR. MACTAGGART: Aye.

10 MS. CARWILE: Board Member Nonnecke?

11 MS. NONNECKE: Aye.

12 MS. CARWILE: Chair Urban?

13 CHAIR URBAN: Aye.

14 MS. CARWILE: Madam Chair, you have five
15 yeses to adjourn.

16 CHAIR URBAN: Thank you. The motion to
17 adjourn has been approved by a vote of five to zero.
18 This meeting of the California Privacy Protection
19 Agency Board stands adjourned. Thank you very much
20 everybody. Thank you to the public.

21 (End of recorded audio.)

22

23

24

25