# MEETING OF THE

# CALIFORNIA PRIVACY PROTECTION AGENCY

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Location: California Public Utilities Commission Auditorium, 505 Van Ness Avenue, San Francisco, CA 94102

Date: Friday, September 26, 2025

Transcribed by: Joseph Bottiglieri

APPEARANCES:

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|---|---|
| Jennifer M. Urban | - Chairperson |
| Drew Liebert | - Board Member |
| Alastair Mactaggart | - Board Member |
| Brandie Nonnecke | - Board Member |
| Jill Hamer | - Board Member |
| Jeffrey Worthe | - Outgoing Board Member |

FRIDAY, SEPTEMBER 26, 2025

9:00 A.M.

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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

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

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

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

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

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

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

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

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

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

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

required to state your name or pseudonym when speaking.

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

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

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

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

MS. CARWILE: Board Member Hamer?

MR. HAMER: Yes, here.

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

MR. HAMER: Yes, here.

MS. CARWILE: Thank you.

Board Member Liebert?

MR. LIEBERT: Here.

MS. CARWILE: Board Member Mactaggart?

MR. MACTAGGART: Here.

MS. CARWILE: Board Member Nonnecke?

MS. NONNECKE: Here.

MS. CARWILE: And I have Chair Urban?

CHAIR URBAN: Present.

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

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

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

Mr. Laird, please go ahead.

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

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

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

$50 million.

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

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

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

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

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

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

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

Comments or questions from Board Members?

Yes, Mr. Liebert and Mr. Mactaggart.

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

Mr. Mactaggart?

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

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

sure that these regulations appeared in the form they did.

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

CHAIR URBAN: Thank you, Mr. Mactaggart.

Dr. Nonnecke?

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

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

purpose.

CHAIR URBAN: Thank you, Dr. Nonnecke.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Nonnecke said, are meaningful for Californians.

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

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

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

So these are things that the drafters of

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

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

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

MS. CARWILE: This is for Agenda Item

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

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

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

Mr. Liebert, Mr. Mactaggart?

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

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

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

Mr. Mactaggart and then Dr. Nonnecke.

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

And when you think about the two main

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

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

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

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

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

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

CHAIR URBAN: Thank you, Mr. Mactaggart.

Dr. Nonnecke?

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

had poured over.

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

CHAIR URBAN: Thank you, Dr. Nonnecke.

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

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

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

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

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

Oh, sorry, Mr. Liebert.

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

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

MR. LIEBERT: Before you even made the resolution.

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

MR. LIEBERT: You could.

CHAIR URBAN: Okay. Well, you know --

MR. LIEBERT: But I might withdraw the motion.

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

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

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

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

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

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

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

Board Member Hamer?
MS. HAMER: Approved.
MS. CARWILE: Board Member Liebert?
MR. LIEBERT: Approved.
MS. CARWILE: Board Member Mactaggart?
MR. MACTAGGART: Aye.
MS. CARWILE: Board Member Nonnecke?
MS. NONNECKE: Aye.
MS. CARWILE: Chair Urban?
CHAIR URBAN: Aye.
MS. CARWILE: Madam Chair, you have five yeses.
CHAIR URBAN: Thank you very much, Ms. Carwile and to the Board. The motion has been approved by a vote of five to nothing. And we gratefully recognize your service, Mr. Worthe. If you -- yeah. Oh, I'm so sorry. Yes. Do you want to comment Mr. Worthe? I don't want to put you on the spot.
Thanks, Mr. Mactaggert.
MR. WORTHE: I just, real quick, I don't want to take a lot of time. I just want to first thank staff. I think it's been a couple years that I've been on this Board, but the dedication that staff took to this process and the preparation they

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

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

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

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

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

CHAIR URBAN: Thank you, Mr. Worthe.

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

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

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

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

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

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

Welcome, Ms. Hamer.

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

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

CHAIR URBAN: Thank you, Ms. Hamer.

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

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

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

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

great.

(Recess taken).

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

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

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

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

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

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

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

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

feedback for their participation as testers of the API.

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

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

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

potential non-compliance with the GPC.

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

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

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

Another major initiative is that -- is

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

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

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

And then finally, the last major

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

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

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

White will also update you on those items.

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

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

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

I think I saw a hand from Mr. Mactaggart.

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

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

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

MR. MACTAGGART: Okay.

CHAIR URBAN: Which is the notice item.

Ms. White, are you planning to talk about the privacy website?

MR. MACTAGGART: Okay.

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

Thank you so much, Mr. Kemp.

Are there comments from the public?

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

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

Please go ahead when you're ready, Mr.

Macko.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Carwile, is Dr. Nonnecke in attendance?

MS. NONNECKE: Yes.

MS. CARWILE: Yes.

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

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

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

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

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

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

MR. MACTAGGART: Okay.

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

MR. MACTAGGART: And what would those numbers.

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

MR. MACTAGGART: Yeah.

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

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

processing them.

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

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

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

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

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

Mr. Mactaggart?

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

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

site's not compliant.

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

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

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

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

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

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

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

you hear from us, there is a reason.

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

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

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

CHAIR URBAN: Thank you.

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

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

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

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

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

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

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

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

CHAIR URBAN: Is there more, Dr. Nonnecke?

MS. NONNECKE: (No audible response.)

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

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

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

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

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

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

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

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

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

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

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

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

MR. MACKO: Thank you.

CHAIR URBAN: Mr. Liebert?

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

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

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

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

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

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

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

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

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

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

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

CHAIR URBAN: After the federal. Okay, great.

MS. MAHONEY: But certainly question.

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

MS. MAHONEY: Okay to go ahead?

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

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

Next slide, please.

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

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

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

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

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

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

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

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

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

taking up on the floor in previous years.

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

CHAIR URBAN: Thank you, Ms. Mahoney.

Questions come in.

Yeah, Mr. Mactaggart, please go ahead.

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

with the (inaudible)?

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

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

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

MS. MAHONEY: That was very memorable.

CHAIR URBAN: Yes.

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

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

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

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

CHAIR URBAN: Yes. Please go ahead.

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

CHAIR URBAN: Yes, Mr. Liebert?

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

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

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

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

Ms. Mahoney, you want to continue?

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

Next slide please.

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

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

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

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

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

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

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

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

Next slide please.

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

that.

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

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

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

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

Next slide, please.

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

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

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

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

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

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

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

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

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

Comments, questions from the Board about the California legislation.

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

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

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

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

Mr. Mactaggart?

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

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

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

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

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

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

CHAIR URBAN: Thank you, Mr. Mactaggart.

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

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

MS. CARWILE: Thank you.

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

our legislative update.

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

CHAIR URBAN: Thank you, Ms. Carlwile.

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

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

CHAIR URBAN: Okay.

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

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

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

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

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

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

(Recess taken).

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

the California Privacy Protection Agency Board.

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

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

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

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

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

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

records.

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

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

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

implementation.

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

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

Questions or comments from the Board?

Mr. Mactaggert, please go ahead.

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

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

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

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

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

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

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

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

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

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

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

of information that a consumer gave us.

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

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

their residency.

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

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

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

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

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

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

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

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

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

MS. ALLEN: Yes.

CHAIR URBAN: Okay.

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

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

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

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

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

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

base requirement.

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

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

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

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

MS. ALLEN: Yeah.

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

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

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

MR. MACTAGGART: Sorry, can I just --

MS. ALLEN: Yeah.

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

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

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

MS. ALLEN: Yeah.

MR. MACTAGGART: Oh.

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

MR. MACTAGGART: That answered my question.

MS. ALLEN: No problem.

CHAIR URBAN: Great, thank you. Additional questions or comments from the Board?

Okay.

MS. HAMER: Okay, I have one.

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

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

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

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

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

account to access ours?

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

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

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

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

MS. ALLEN: Two ways.

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

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

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

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

CHAIR URBAN: Okay.

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

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

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

CHAIR URBAN: Thank you.

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

CHAIR URBAN: Same topic?

MR. MACTAGGART: Oh, yeah.

CHAIR URBAN: The same question.

MR. MACTAGGART: Oh not I'm on the

regulations, but if you want to --

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

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

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

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

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

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

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

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

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

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

and every deletion request.

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

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

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

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

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

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

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

MS. ALLEN: Yeah, it does.

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

MS. ALLEN: Uh-huh.

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

MS. ALLEN: Uh-huh.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MS. CARWILE: Yes, we can hear you.

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

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

breach of data.

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

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

CHAIR URBAN: Thank you very much.

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

CHAIR URBAN: Thank you, Ms. Carwile, and

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

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

Board Member Hamer?

MS. HAMER: (No audible response.)

MS. CARWILE: Board Member Liebert?

MR. LIEBERT: Aye.

MS. CARWILE: Board Member MacTaggart?

MR. MACTAGGART: Aye.

MS. CARWILE: Board Member Nonnecke?

MS. NONNECKE: Aye.

MS. CARWILE: Chair Urban?

CHAIR URBAN: Aye.

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

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

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

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

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

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

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

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

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

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

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

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

CHAIR URBAN: Thank you very much. Just

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

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

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

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

Ms. Carwile is there public comment on this item?

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

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

Board Member Hamer?
MS. HAMER: Approved.
MS. CARWILE: Board Member Liebert?
MR. LIEBERT: Aye.
MS. CARWILE: Board Member Mactaggart?
MR. MACTAGGART: Aye.
MS. CARWILE: Board Member Nonnecke?
MS. NONNECKE: Aye.
MS. CARWILE: Chair Urban?
CHAIR URBAN: Aye.
MS. CARWILE: Madam Chair, you have five yeses.
CHAIR URBAN: Thank you very much. The motion carries with the vote of five to zero. Thanks everybody. I have to say this particular motion carried me back to my days writing contracts in Silicon Valley and all of the price and payment provisions. So thanks very much.
I'm glad to have that decision made for the next -- the next period of time. Having taken up Agenda Item Number 8 earlier in the day we will now turn to Agenda Item Number 9. Agenda Item Number 9 is the awaited public affairs outreach update. And it will be presented by our Deputy Director of Public and External Affairs Ms. Megan White. Please do turn

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

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

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

Next slide, please.

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

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

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

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

In addition, we used innovative tactics.

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

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

MS. WHITE: Yes, of course.

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

MS. WHITE: Thank you.

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

MS. WHITE: I appreciate it.

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

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

MS. WHITE: Uh-huh.

CHAIR URBAN: Your team conducted a survey.

MS. WHITE: Right.

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

MS. WHITE: Uh-huh.

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

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

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

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

MS. WHITE: Yeah.

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

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

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

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

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

dealing with everyday privacy concerns from Californians.

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

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

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

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

Next slide, please.

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

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

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

CHAIR URBAN: Thank you, Ms. White

Mr. Mactaggart, now's the time.

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

I do?

MS. WHITE: Uh-huh.

MR. MACTAGGART: They don't have time.

MS. WHITE: Uh-huh.

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

MS. WHITE: Thank you.

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

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

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

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

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

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

MS. WHITE: Thank you.

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

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

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

MS. WHITE: Yeah.

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

CHAIR URBAN: I think it's legal division.

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

agenda for us to take a look at.

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

MR. MACTAGGART: Yeah.

CHAIR URBAN: Mr. Liebert?

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

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

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

Other comments? Ms. White, are you --

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

But this summer we made the shift

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

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

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

help.

Next slide, please.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Next slide, please.

CHAIR URBAN: Francisco, next slide, please.

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

And so we understand that our staff

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

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

communication efforts.

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

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

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

CHAIR URBAN: Mr. Liebert?

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

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

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

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

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

perfect sense.

CHAIR URBAN: Thank you, Mr. Liebert.

Ms. Hamer?

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

MS. WHITE: Uh-huh.

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

MS. WHITE: Thank you.

MS. HAMER: Holy support.

MS. WHITE: Appreciate.

CHAIR URBAN: Mr. Mactaggart?

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

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

CHAIR URBAN: Thank you, Dr. Nonnecke.

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

MS. WHITE: Sure.

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

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

MS. WHITE: Uh-huh.

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

MS. WHITE: Uh-huh.

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

Yes, Ms. Hamer?

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

MS. WHITE: Thank you for flagging that.

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

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

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

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

MS. WHITE: Uh-huh.

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

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

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

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

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

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

CHAIR URBAN: Remember though that we started with fantastic.

MS. WHITE: Yes.

CHAIR URBAN: Okay.

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

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

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

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

And as the Agency built out you know we

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

Comments or questions from the Board.

Yes, Mr. Liebert.

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

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

MR. LIEBERT: Okay.

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

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

MR. LIEBERT: Yeah.

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

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

MS. WHITE: Yeah.

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

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

CHAIR URBAN: Thank you, Mr. Liebert.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MS. WHITE: Uh-huh.

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

MS. WHITE: Uh-huh.

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

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

CHAIR URBAN: Don't tell really.

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

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

CHAIR URBAN: Yes, it shines through.

MS. WHITE: Thank you.

CHAIR URBAN: Thank you very much.

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

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

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

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

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

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

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

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

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

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

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

CHAIR URBAN: Thank you very much.

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

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

MS. ELIZABETH: Can you hear me?

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

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

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

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

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

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

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

So it's an area to be mindful of the

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

CHAIR URBAN: Thank you very much.

Ms. Carwile is there anyone else online?

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

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

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

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

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

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

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

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

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

I know that I've suggested, and I have

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

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

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

Yes, Mr. Mactaggart?

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

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

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

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

CHAIR URBAN: Can't hear.

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

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

MS. HAMER: Okay.

CHAIR URBAN: Thank you very much.

Mr. Liebert?

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

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

for our work.

CHAIR URBAN: Thank you, Mr. Liebert.

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

MR. LIEBERT: Yeah.

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

MR. LIEBERT: Yeah.

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

Yes, Ms. Hamer?

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

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

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

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

Mr. Mactaggart?

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

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

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

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

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

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

CHAIR URBAN: Okay.

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

CHAIR URBAN: Thank you. Yes.

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

MS. GARCIA: We could absolutely do that.

CHAIR URBAN: Thank you.

Ms. Hamer, did that answer there further?

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

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

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

CHAIR URBAN: Uh-huh.

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

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

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

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

Ms. Carwile are there any comments from the public?

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

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

CHAIR URBAN: Thank you, Ms. Carwile.

With that, we will move to the last item

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

MR. LIEBERT: Absolutely.

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

Ms. Carwile, would you please call the vote?

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

Board Member Hamer?

MS. HAMER: Aye.
MS. CARWILE: Board Member Liebert?
MR. LIEBERT: No, I'm just kidding. Yes.
MS. CARWILE: Board Member Liebert, that's aye?
MR. LIEBERT: That's an aye.
MS. CARWILE: Okay. Thank you.
Board Member Mactaggart?
MR. MACTAGGART: Aye.
MS. CARWILE: Board Member Nonnecke?
MS. NONNECKE: Aye.
MS. CARWILE: Chair Urban?
CHAIR URBAN: Aye.
MS. CARWILE: Madam Chair, you have five yeses to adjourn.
CHAIR URBAN: Thank you. The motion to adjourn has been approved by a vote of five to zero. This meeting of the California Privacy Protection Agency Board stands adjourned. Thank you very much everybody. Thank you to the public.
(End of recorded audio.)