

1 REPORTER'S TRANSCRIPT OF PROCEEDINGS

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MEETING OF THE

5

CALIFORNIA PRIVACY PROTECTION AGENCY

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7

PUBLIC COMMENT HEARING

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Friday, FEBRUARY 27, 2026

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Held at California Cannabis Appeals Panel Hearing Room

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400 R Street Sacramento, California 95811

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1 APPEARANCES :

2 Jennifer M. Urban - Chairperson

3 Drew Liebert - Board Member

4 Jill Hamer - Board Member

5 Alastair Mactaggart - Board Member

6 Nicole A. Ozer - Board Member

7 Tom Kemp - Executive Director

8 Marissa Roseblat - Assistant Deputy Director of Public
9 and External Affairs

10 Artem Andrusov - Chief of IT

11 Megan White - Deputy Director of Public and External
12 Affairs

13 Von Chitambira - Deputy Director of Administration

14 Philip Laird - General Counsel

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P R O C E E D I N G S

AUDIO (03:03:40 HOURS)

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5 CHAIR URBAN: Good morning. Welcome to the
6 February 27, 2026 meeting of the California Privacy
7 Protection Agency Board. We are meeting today in
8 Sacramento, and it's 9:10 a.m. I am very pleased to be
9 here with my fellow board members in person and
10 virtually. Welcome -- um -- board member, Jill Hamer,
11 virtually on Zoom.

12 And I welcome all the members of the public
13 here in person and those of you joining us on Zoom.
14 Before we get started, as those of you who have joined
15 us before know, I need to run through a few quick
16 reminders and legal notices.

17 Please make sure that your microphone is
18 muted when you're not speaking. If you're here in
19 person, please silence your cell phone to avoid any
20 interruptions, and I will do that myself right now.
21 Okay?

22 And finally, please note that this meeting
23 is being recorded. The meeting is in a hybrid format,
24 meaning that we have capacity for both online and
25 in-person Participation. As I mentioned, board member

1 Jill Hamer, is joining us remotely, and the members of
2 the CCPA staff and the board -- the rest of the board
3 are here in person.

4 We look forward to offering the public the
5 opportunity to comment in both formats.

6 The hybrid format does create technical
7 complexities, even in this day and age. So, please bear
8 with us. If we experience any technical issues, we will
9 pause the meeting to address them as needed.

10 The in-person portion of this meeting is
11 being held at the Cannabis Control Appeals Panel Hearing
12 Room in Sacramento, and we greatly appreciate the CCAP
13 team for their hospitality in lending us their board
14 room.

15 Today's meeting will follow the Bagley-Keene
16 Open Meeting Act, as required by law. The agenda and
17 supporting materials are available here in Sacramento
18 and on the CCPA website, under Meetings and Events, the
19 meeting for today.

20 You may notice board members accessing their
21 laptops, phones or other devices during the meeting.
22 They are using the devices solely to access Board
23 meeting materials.

24 The Board welcomes public comment, and I
25 will call for it as we move through the agenda today.

1 Please note the rules for public comment, which are also
2 part of Bagley-Keene.

3 Each speaker -- each speaker will have up to
4 three minutes to make their comment on an agenda item.
5 Under the Bagley-Keene Open Meeting Act, both board
6 members and members of the public may only discuss items
7 that are listed on the agenda, and accordingly, comments
8 must relate to the agenda item currently being
9 discussed. Please contain your comments to that item.
10 There are two exceptions to that rule.

11 First, we have an item for general public
12 comment. This is number 9 on the agenda for today, and
13 it's titled "Public Comments on Items Not on the
14 Agenda."

15 When we -- when I call this item, members of
16 the public can comment on topics that are not on today's
17 agenda. Please note, though, that this item is only for
18 the public. The Board cannot comment on the items not
19 on the agenda, and can only listen to public comments
20 and not respond in general.

21 Second, the second exception is, if you have
22 a suggestion for a topic the Board should consider at a
23 future meeting, you can bring that up when we -- when I
24 call an item, which is designated for proposing future
25 agenda items, which is Item Number 10 today.

1 As I mentioned, this is a hybrid meeting, so
2 I will run through briefly the method for commenting in
3 both in-person and via Zoom. After each agenda item,
4 there will be an opportunity for questions and
5 discussion by board members. I will then invite public
6 comment, and each speaker will have that three minutes.
7 If I happen to forget to call for public comment on an
8 item, please raise your hand, either in person or in
9 Zoom, and the moderator will make sure that you're
10 recognized.

11 If you are participating via Zoom and wish
12 to speak on an item, please wait until I call for public
13 comment and then use the raise-hand feature under
14 "Reactions," located at the bottom of your Zoom screen.

15 If you're joining by phone, press
16 "star-nine" on your phone to show the moderator that you
17 are raising your hand.

18 When it's your turn, the moderator will call
19 your name and ask you to unmute. And Zoom users, you
20 can use the unmute button, and phone users, you can use
21 "star-six. So, "star-nine" on the phone to raise your
22 hand, and "star-six" to unmute.

23 After your comment on Zoom or phone, the
24 moderator will go ahead and mute you again. Please do
25 note that the Board cannot see Zoom participants. We

1 will only be able to hear your voice.

2 If you'd like, you may identify yourself
3 when speaking. This is completely optional, and you may
4 use a pseudonym when logging in -- into Zoom, as well.

5 If you're here in person and wish to comment
6 on an item, please wait for the public comment period to
7 be announced, and then form a line at the podium.

8 When called, speak clearly and directly into
9 the microphone so remote participants can hear you, and
10 your remarks can be recorded in the meeting record.

11 The podium microphone can be a little
12 temperamental, as we all know, if we have taken part in
13 these meetings before. So, please do be sure to speak
14 directly into it, more directly than you think you ever
15 would need to.

16 As with the Zoom attendees, it is helpful if
17 you identify yourself, but it's entirely voluntary, and
18 you are free, and should feel free to not state your
19 name or use a pseudonym.

20 Um -- As far as technical issues with a
21 hybrid meeting -- first, I want to thank Serena Carwile
22 and her team for managing all the technical side of
23 today's meeting. And if you're attending remotely, and
24 experience issues, such as the audio dropping out,
25 please e-mail info@coppa.ca.gov, which is India,

1 November, Foxtrot, Oscar at CPPA, for California Privacy
2 Protection Agency, dot, ca, dot, gov. That inbox is
3 monitored throughout the meeting.

4 If there are technical issues, we will pause
5 so that everyone can participate in the meeting.

6 We will take breaks as needed today,
7 including one for lunch. I will announce each break,
8 and I will provide any information I have about when we
9 plan to return, so that members of the public can leave
10 and come back, if they wish, before we begin again.

11 Note that we don't always have perfect
12 information about when we will return, but I usually try
13 to give at least a minimum time, so people know that
14 they won't miss anything.

15 Please note that the 10th item today is a
16 closed-agenda item, and I will explain that when I call
17 it.

18 My many thanks to the board members for
19 their service and everyone working today, and -- and who
20 has worked to make today's meeting possible. These
21 meetings are a big production, and a lot of hands go
22 into them.

23 Special thanks to Executive Director Tom
24 Kemp, Philip Laird, our general counsel, and all of the
25 CPPA team presenting today, and everyone who supported

1 the team in developing the materials and doing the work
2 behind the scenes that we will hear about.

3 I would like to officially welcome our
4 moderator, Ms. Serena Carwile, and ask her to please
5 conduct the roll call.

6 MS. CARWILE: Thank you.

7 Board Member Hamer?

8 MS. HAMER: Present.

9 MS. CARWILE: Board Member Liebert?

10 MEMBER LIEBERT: Present.

11 MS. CARWILE: Board Member Mactaggart.

12 MEMBER MACTAGGART: Here.

13 MS. CARWILE: Board Member Ozer.

14 MEMBER OZER: Present.

15 MS. CARWILE: Chair Urban.

16 MR. ERVIN: Present.

17 MS. CARWILE: Madam Chair, you have five
18 present members and no absences.

19 CHAIR URBAN: Thank you, Ms Carwile. And
20 welcome, everyone.

21 The Board has established a quorum. I would
22 like to remind board members that we will be taking a
23 roll call vote on any action items today.

24 We now turn to Agenda Item Number 2, which
25 is a chairperson's update, which I haven't done in a

1 while. And welcome to our new board member, Nicole
2 Ozer.

3 I have a few things, all celebratory beyond
4 belief. So, I'm very happy to present this agenda item.

5 I will begin with the very proud
6 announcement, which is not necessarily new. You may
7 have seen it on social media -- Um -- that our own
8 attorney, Liz Travis Allen, has been selected as a 2026
9 California Privacy Lawyer of the year. But the
10 California Lawyers Association Privacy Law, sec --
11 session -- section -- excuse me.

12 This is a major honor for those of you who
13 aren't attorneys. Ms. Allen is actually our second
14 attorney to receive this honor. Lisa Kim received the
15 honor in 2023, and we are incredibly proud of both of
16 them.

17 You will, perhaps, know Ms. Allen very well
18 from her consistent presence as the Delete Request and
19 Opt-Out Platform -- and the attendant regulations are
20 being developed. And She's a leading force in
21 California privacy law, in the California Lawyers
22 Association words, and -- which the CLA also specifies
23 that the award honors her exceptional contributions to
24 privacy, regulation, innovation and public service.

25 As I mentioned, she's an attorney. She's in

1 the legal division, but she's such an all-rounder, as
2 the Product and Regulatory Counsel, and sort of, a
3 de facto Product Manager for DROP, that her hands --
4 um -- are absolutely -- um -- the sort of basis for the
5 wonderfully successful DROP system we'll be hearing
6 about later today -- Excuse me.

7 Um -- we are incredibly proud of Ms. Allen
8 and impressed with her ability to adjust to
9 circumstances and take on roles that are far beyond what
10 one might expect an attorney at a regulatory agency
11 would do, and to do it all beautifully -- Um --
12 skillfully and with exceptional grace.

13 Um -- this is an extraordinary honor that is
14 incredibly well-deserved. Congratulations, Ms. Allen,
15 next I would like to recommend -- recommend. We've
16 actually already selected. No need for a
17 recommendation.

18 I would like to welcome -- Um --
19 Ms. Sabrina Boyson-Ross, who we are very excited -- is
20 here to serve as the Agency's Inaugural Chief Privacy
21 Auditor.

22 And as the chief privacy auditor, she will
23 lead the -- the -- she will lead the newly formed Audits
24 Division, and that will develop and apply privacy
25 compliance and procedures and conduct examinations of

1 businesses and business practices.

2 This is an innovative position that is from
3 the California Privacy Rights Act -- Excuse me, I have a
4 frog in my throat -- throat this morning, but I have no
5 less enthusiasm to welcome you, Ms. Ross, (Coughing) --
6 Um -- and it is a role that she will -- Um -- define for
7 California, and without doubt beyond.

8 So, we are absolutely delighted to welcome
9 her. Her previous position was as Director of Public
10 Policy at Meta, and she was before that had senior
11 privacy and policy leadership roles at Uber, Apple, and
12 now to begin her career -- Um -- as a privacy and data
13 security attorney in private practice.

14 So, she brings deep, deep legal, regulatory
15 policy expertise, as well as deep expertise in the
16 practices of companies -- um -- and the technology that
17 they develop and deploy. We're very delighted to have
18 you and welcome, Ms. Ross.

19 And next -- um -- we have -- some as I said,
20 later today -- excuse me. Later today, we will hear
21 some more exciting news about the Delete Request and
22 Opt-Out Platform. Um -- I want to highlight -- um --
23 some other exciting news reports about the -- on the
24 develop -- the regulations that the Board and the staff
25 developed over the last few years and approved last

1 year.

2 Those have also been discussed, often in the
3 legal press among experts, as companies prepare to
4 comply. Um -- but also, in the broader press -- um --
5 there was yesterday -- just yesterday -- a sponsored
6 article in the Wall Street Journal by one of the big
7 consulting companies. I won't name -- which was walking
8 through how important it was for companies to be ready
9 and how important the regulations were.

10 Um -- So, it's nice to see -- um -- that
11 businesses are preparing -- um -- for these important
12 regulations -- um -- and will be ready to support
13 consumers in that way.

14 Um -- that brings me to the very exciting
15 and wonderful announcement -- um -- that I'm always
16 excited about, which is the release of the Agency's
17 Annual Report -- yesterday -- um -- I believe, for 2025.
18 Um -- it has even more -- um -- on the development of
19 the regulations, lots on DROP, but again, saving that
20 for later, and I would like to highlight a couple of
21 other things.

22 One is the Agency's work on enforcement.
23 Um -- Please do read into the annual report to see some
24 of the incredible enforcement proceedings -- um -- that
25 the Agency has undertaken and actions that the

1 enforcement division has successfully completed -- um --
2 in -- in 2025. These actions have protected consumers
3 and given guidance to businesses -- um -- to help them
4 understand -- um -- how to comply in advance of an
5 enforcement action.

6 I'd also like to especially highlight the
7 amazing work that tends to happen behind the scenes. We
8 do have the benefit of an administration and budget
9 report from our Deputy Director for Administration
10 today. But we often do not hear about the crucial
11 infrastructural work that goes on in the Agency behind
12 the scenes, and as the Annual Report reports, we really
13 do have the A team of administrative process in the
14 California Privacy Protection Agency.

15 Indeed, the team won an award this year for
16 its work with -- contracting work -- excuse me, with
17 small businesses and disabled veteran owned businesses.
18 I wanted to highlight that, especially because I'm very
19 proud that the Agency is contracting with working with
20 the small businesses who can provide exceptional service
21 to the people of the state of California, but who might
22 have more challenges with the procurement process at the
23 beginning.

24 And so, I really commend the administration
25 team for all their great work and for the award. Those

1 are just a few mentions of what is Ms. White's 25-page
2 report -- something like that. It is chock full. It is
3 beautiful, and everybody should look at it.

4 And then last, but not least, I'm delighted
5 to welcome Ms. Nicole Ozer to the Board. She is serving
6 as the assembly's appointee to the Board, replacing
7 Dr. Brandy Nonnecke.

8 Board Member Ozer is the Inaugural Executive
9 Director of the Center for Constitutional Democracy at
10 UC Law, San Francisco. She was previously the founding
11 director and the longtime leader of the Technology and
12 Civil Liberties Program at the ACLU of Northern
13 California. Board member Ozer spearheaded the passage
14 of the California Electronic Communications Privacy Act
15 known as Cal-ECPA. For those of you who are experts, I
16 will not talk about ECPA because of the pain, and for
17 those of you who are not experts, I will not talk about
18 ECPA because of the pain, but suffice to say that
19 Ms. Ozer and her team successfully developed legislation
20 that was passed that protects Californians at a higher
21 level than the Federal ECPA Law, and it is a great
22 gift in California.

23 She also spearheaded the California Reader
24 Privacy Act, which looks to protect the books that you
25 are reading, of books on things like tablets and your

1 computer, more like books that you read -- paper books
2 that you read when you take them off the shelf.

3 Reading is a fundamental privacy right,
4 being able to take in information anonymously, to
5 understand it, to decide what you want to do with it.
6 These are foundational to privacy and indeed to free
7 expression.

8 In the United States, the Supreme Court has
9 recognized it over and over. But once you are reading a
10 book electronically, everything can be tracked. And so
11 once again, California is very fortunate to have
12 additional protections in the California Reader Privacy
13 Act, which Ms. Ozer was in no small part responsible
14 for.

15 You didn't know I was going to go on and
16 about these laws, did you? But these are, these are
17 some of my favorite laws anyway.

18 So, she also has designed groundbreaking
19 surveillance reform strategies and worked with companies
20 and others to lead the national effort to have better
21 privacy protections.

22 Her public interest technology work was most
23 recently honored with a California Senate Members
24 Resolution for unwavering dedication to defending and
25 promoting civil liberties in the digital world and

1 valuable contributions to people throughout California
2 and meritorious service to humanity.

3 She earned her JD with a certificate of law
4 and technology from Berkeley Law, which I mentioned
5 because she was the very first student in the Samuelson
6 Law Technology and Public Policy Clinic, where I teach
7 today.

8 So, I'm very delighted to welcome Board
9 Member Ozer; excited that she is bringing her expertise,
10 vision and collaborative style to the Agency. Thank you
11 for your service.

12 Mr. Liebert, please.

13 MEMBER LIEBERT: I just want to join --
14 first I want to congratulate the speaker of the assembly
15 for making a brilliant selection. Very grateful for
16 that.

17 I've known Nicole for a lot of years and
18 absolutely admired her work. I'm so excited for her to
19 be joining this Board. We have such a fantastic staff
20 that you illuminated, and to have Nikki joining right is
21 just so timely and perfect. She's a national leader on
22 so many of the issues that we're dealing with.

23 And I'm supposed to talk more loudly, which
24 I'm usually told -- A little bit closer? Is that
25 better? Okay. Thank you.

1 You've noted all the laws she's been
2 involved in, but she's actually been really a spirit
3 behind so much of the privacy work that has been
4 undertaken in this state, and it is a great gift to
5 California.

6 So, thank you, Speaker Rivas, and welcome,
7 Nikki.

8 CHAIR URBAN: Thank you, Mr. Liebert.
9 Mr. Mactaggart?

10 MEMBER MACTAGGART: Well, I'd like to echo
11 the chair's words on a couple of things.

12 First of all, welcome, Sabrina. It's been
13 six years that the position has been open, and you are
14 the inaugural person. So congratulations also to the
15 executive director for finding you, and thank you for
16 taking the job. And we are all delighted to have a real
17 build-out of a job that was identified in the statute as
18 an important job.

19 And so I'm really grateful that it's finally
20 getting filled. I'm grateful it's you. So thank you
21 for joining.

22 And then I just wanted to say welcome to
23 Nicole. You know, I was going back through my notes,
24 and I actually think, you know, when I first started off
25 this privacy journey that kind of led us all here,

1 Nicole was the first person I think I talked to. I
2 mean, I literally think she was gracious. I was just
3 nobody, and she took the meeting, and she was sort of
4 like, well, it's a -- maybe an idea, but you know, who
5 are you and so. But she was really helpful, and she
6 provided so much feedback all the way through that first
7 for the -- for the first CCPA in 2018. So it was
8 really, I'm so grateful to her, and it's -- it's a
9 reunion of sorts here, to come back and be working with
10 her. I'm very grateful for the chance to do that again,
11 and it's kind of full circle.

12 So, welcome, and I'm super happy that you
13 got appointed.

14 CHAIR URBAN: Thank you.

15 Other comments from board members?

16 (No audible response.)

17 All right. Oh, I do -- I'm sorry.

18 Ms. Hamer, I have to look -- I will figure
19 this out and make sure that I don't leave you hanging in
20 the future.

21 Ms. Hamer, please go ahead.

22 MS. HAMER: So I just want to -- I'm sorry.
23 You don't want me there in person, but I wish I were
24 there in person to meet you. But I'm very excited, both
25 about Sabrina and Nicole, so I look forward to meeting

1 you in person.

2 CHAIR URBAN: Thank you, Ms. Hamer.

3 Yes, please, Ms. Ozer.

4 MEMBER OZER: Thank you so much, Chair
5 Urban. Thank you fellow members of the Board.

6 Just want to thank Assembly Speaker Robert
7 Rivas for appointing me to the Board. I want to thank
8 the Agency staff for all of the helpful orientation and
9 onboarding before today's meeting, and just really look
10 forward to working with my fellow board members to
11 support the important work of the Agency.

12 So thank you so much, and so glad to be
13 here.

14 CHAIR URBAN: Thank you. And thank you, and
15 again, welcome Board Member Ozer. I would now like to
16 open this item up for public comment.

17 MS. CARWILE: This is for Agenda Item
18 Number 2: Chairpersons update: If you'd like to make a
19 comment at this time, please raise your hand using the
20 raised-hand feature, or by pressing Star 9 if you're
21 joining us by phone again. This is for Agenda Item
22 Number 2.

23 (No audible response.)

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

1 CHAIR URBAN: Thank you very much.

2 With that, we will now move on to Agenda
3 Item Number 3, which is an update from our executive
4 director, Tom Kemp. I will turn it over to you,
5 Mr. Kemp. Please take it away.

6 MR. KEMP: Great. Thank you, Chair Urban.
7 I wanted to give the Board an update on the Agency's
8 activities since we last met nearly four months ago.

9 CalPrivacy is laser focused on continuously
10 executing against our 2024 to 2027 strategic plan. As a
11 reminder that plan is available on the CalPrivacy
12 website, on the About Us page. Specifically, we are
13 focused on delivering on four main strategic goals of
14 one, strengthening California privacy rights; two,
15 vigorously enforcing our privacy laws; three,
16 strengthening public education, outreach and engagement,
17 and four, operational excellence.

18 Let me give an update on all four areas
19 since our last board meeting. Specific to the goal of
20 strengthening California privacy rights, one key pillar
21 of this goal is successfully delivering the Delete
22 request and opt-out platform or DROP as mandated by
23 statute.

24 We successfully met the January 1, 2026,
25 deadline with a system that has been highly available

1 and whose adoption has exceeded everyone's expectations.

2 I'm pleased to announce that as of this
3 morning, over 242,000 Californians have signed up for
4 the service.

5 Mr. Andrusov, Miss Rosemlat, and
6 Miss White will provide more details on the DROP rollout
7 in their presentation, but I would like to thank the
8 entire team, as well as our partner, the California
9 Department of Technology, for delivering such an
10 innovative platform that once again shows that
11 California is the laboratory of democracy when it comes
12 to consumer protection for the nation.

13 I would also like to thank Governor Newsom
14 and Attorney General John Banta for their support and
15 recent press releases promoting the DROP system.

16 We are further strengthening California
17 privacy rights by working with legislators to author our
18 approved Bill proposals, the aptly named expanding
19 Privacy Rights Act, or SB 923, authored by state Senator
20 Becker, addresses two of the three Bill proposals
21 approved by the Board last November.

22 We thank Senator Becker for his close
23 partnership with the agency, first with the California
24 Delete Act and now with this bill. We will diligently
25 apply what worked with the Agency's first ever sponsored

1 bill that was signed into law last year's California
2 Opt-Me-Out Act by building a broad coalition of
3 supporters, actively meeting with and engaging
4 legislators and the governor's office in engaging with
5 industry.

6 For example, since I've joined the Agency
7 Deputy Director Mahoney and I have met directly with
8 over 70 of the 120 legislators and/or their staff, and
9 we will continue our engagement with key stakeholders.

10 Miss Mahoney will provide additional updates
11 on this bill in her presentation.

12 We are also looking to strengthen California
13 privacy rights through regulation. For example, the
14 topic of how to reduce friction in the exercise of
15 privacy rights is a key focus of ours.

16 Mr. Laird will give you an update in a
17 timeline for our plans for new regulations in this area.

18 On to the second goal as it relates to
19 vigorously enforcing our privacy rights, a reminder,
20 Mr. Macko presented the annual enforcement plan at the
21 September board meeting. But one key update since the
22 last board meeting was the creation of a Data Broker
23 Enforcement Strike Force within our enforcement division
24 to investigate privacy violations by the Data Broker
25 industry. I am pleased to say that this focus has led

1 to significant increases in data broker registration.

2 In June of 2025, Privacy Rights Clearing
3 House wrote a letter to the AG and the agency, claiming
4 that 459 data brokers were registered with the Agency as
5 of spring of 2025. I am pleased to say that as of
6 December 2025, there were over 540 data brokers
7 registered.

8 And as Miss Roseblat will discuss, I'm also
9 pleased to announce that as of February of 2026,
10 We are now over 575 registered data brokers.

11 No other state or even past data broker
12 registries here in California have as many registered
13 data brokers.

14 Furthermore, we successfully onboarded an
15 author for our whistleblower proposal to his ins -- to
16 assist our enforcement activities. We drew attention to
17 the need for this legislation through a very successful
18 joint press conference that we held at the Capitol just
19 a few days ago.

20 The Bill AB 2021 the Whistleblower
21 Protection and Privacy Act, authored by Assembly Member
22 Schiavo, has already garnered support from civil society
23 organization.

24 We thank Assembly Member Schiave for her
25 collaboration on this critical piece of legislation, as

1 well as her staff. Ms. Mahoney will discuss the bill
2 further in her presentation.

3 And then finally, and as mentioned by
4 Chair Urban, we're very pleased to have brought on
5 Miss Sabrina Ross, the Agency's first ever privacy
6 auditor. As Mr. Mactaggart reminded us, that the CPRA
7 explicitly mandated this position.

8 The audits division will be a great
9 complement to our enforcement division, and we expect
10 great synergy. She's -- as you know, she's here at the
11 board meeting, and we certainly wish Miss Ross success
12 as she builds out our new audits division.

13 Specific to the third goal of strengthening
14 public education, outreach and engagement, Miss White
15 did present the annual plan for this goal at the
16 September board meeting. Here are a few updates since
17 November.

18 We are pleased to see multiple members of
19 the legislature promoting DROP in their newsletters and
20 social media post. We are also pleased that other state
21 agency, such as the Department of Financial Protection
22 and Innovation, DFPI, and the California Public
23 Utilities Commission, CPUC, are letting us evangelize
24 DROP to their audience, and has been amazing the depth
25 and breadth of Organic social media postings and press

1 articles on DROP.

2 Miss White will provide more details on our
3 DROP awareness plan, but her term -- or her team
4 deserves a great deal of credit for the significant
5 website enhancements that were required by the DROP
6 launch.

7 The transition to the nickname CalPrivacy
8 has been seamless, making it easier for Californians to
9 find us and our website.

10 Speaking of our website, we are making
11 progress in merging the cppa.ca.gov with the
12 privacy.ca.gov website, with that coming to fruition by
13 late summer.

14 We also continue to engage with sister state
15 agencies and joint community outreach. For example, we
16 have done many senior scam stopper events since our last
17 update.

18 And then finally, regarding operational
19 excellence, Miss Chitambira will present our annual and
20 administrative and operations update. I am pleased to
21 say that we are meeting our hiring and budgetary goals
22 and have experienced zero executive level turnover.

23 Miss Chitambira will provide more details,
24 but I should also point out that you can read more about
25 what we have achieved operationally from an operational

1 excellence by reviewing our recently released annual
2 report, which Miss Urban flagged for you, which is
3 another key milestone that we have delivered.

4 Furthermore, I will note the annual report
5 goes into more details on our strategic goals that I
6 briefly highlighted this morning.

7 The annual report goes into detail how we
8 fully execute against these strategic goals in 2025, and
9 I would join Miss Urban in encouraging the public to
10 check out the annual report, which is available on the
11 "About Us" section of our website.

12 And as Miss Urban mentioned, speaking of
13 operational excellence -- excellency -- excellence,
14 excuse me -- the Agency is very pleased that Liz Allen
15 was last week awarded the privacy law -- law -- lawyer
16 of the Year Award by the California Lawyers Association.
17 And myself and other Agency personnel were pleased to
18 have experienced her amazing acceptance speech

19 With that, I'll take any questions the Board
20 may have.

21 CHAIR URBAN: Thank you very much, Mr. Kemp,
22 for that exciting and comprehensive update.

23 Are there questions or comments from the
24 Board?

25 And I will just give a heads up. I might

1 need to do a little bit of traffic control for the
2 things that we will be discussing under Other Agenda
3 Items. We can't discuss them here, but we can pick them
4 up later today.

5 So any comments, questions? Was that a Yes?
6 Okay. I couldn't tell if you were saying "no" or --
7 Okay.

8 MEMBER MACTAGGART: Yeah, I'll have a chance
9 to say it later. But just it's extraordinary. 250,000
10 people almost didn't -- we're not -- We're not even in
11 February. We're a nonprofit. We're not -- I mean, it's
12 just extraordinary. My hat is off to the team for
13 really -- and it was a team effort.

14 You got handed a lot of responsibility and
15 not very many resources. And so it's just stunning. A
16 quarter million people. And that's just going to grow
17 from there. So well done.

18 And then on the whistleblower,
19 congratulations on bringing that up to the four, I lost
20 courage that back in the day. I thought that was going
21 to be one step too far, but it's a super important
22 concept. So well done. Thank you.

23 CHAIR URBAN: Thank you, Mr. Mactaggart.

24 Other comments? Questions?

25 (No audible response.)

1 No. All right. With that, Ms. Carwile, I'd
2 like to request public comment on this item.

3 MS. CARWILE: This is for Agenda Item
4 Number 3, Executive Director's Update. If you'd like to
5 make a comment at this time, please raise your hand
6 using the raised-hand feature, or by pressing Star 9 if
7 you're joining us by phone. This is for Agenda Item
8 Number 3.

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

11 CHAIR URBAN: Wonderful.

12 Well, I guess -- I guess it's a neutral --
13 it's a neutral situation.

14 I hope that the -- the public are as
15 impressed with the work of the team that Mr. Kemp laid
16 out as we are, which is highly impressed, and will be if
17 they are not already, seeing the benefits in their
18 lives. So we're really delighted by the update,
19 Mr. Kemp. Thank you so much, and thank you for the for
20 the incredible work of everybody at the Agency.

21 With that, we will move on to the promised
22 and very anticipated by me, at least, Agenda Item
23 Number 4, which is an update on the Delete Request and
24 Opt-Out Platform known familiarly as DROP, which
25 Mr. Kemp alluded to and highlighted for us to get us

1 ready to discuss where we are with it.

2 And this will be presented by Assistant
3 Deputy Director of Public and External Affairs for the
4 Delete Act, Ms. Marissa Rosemlat, and our chief of IT,
5 Mr. Artem Andrusov and -- and Ms. Megan White, our
6 Deputy Director of Public and External Affairs.

7 And when they are ready, they will go ahead
8 and get started.

9 For now, I would ask everybody to please
10 turn your attention to the materials for this agenda
11 item.

12 Whenever you're ready, Ms. Rosemlat, in
13 your time.

14 MS. ROSEMBLAT: (Inaudible) close, real
15 close? That better?

16 Okay. Let's try this closer, closer.

17 Okay. All right.

18 Good morning. Really excited to be here,
19 and to provide an update on the launch of DROP. I'll
20 give a little bit of an overview of the launch itself,
21 talk about support, and also some insights of what's to
22 come next.

23 Mr. Andrusov will talk about kind of key
24 product metrics from our first eight weeks of operation.

25 And finally, Miss White will share an

1 overview on communication efforts related to DROP.

2 Next slide, please.

3 So that's a little bit of an overview of
4 what we'll cover next slide.

5 So DROP launched successfully on January 1,
6 2026. We flipped the switch just around midnight. So
7 it was really an exciting launch for a large part of the
8 team.

9 This was a culmination of many years of
10 effort for many individuals. So I want to take a moment
11 to really thank everyone along the way. The list is too
12 long, too many people to name. I'm just on month five,
13 but there was so much hard work that went into making
14 this a success.

15 Also I want to give a special thank you to
16 our partners at the California Department of Technology
17 without whom this launch wouldn't have been possible.

18 So just to recap, the launch enabled
19 California residents to submit deletion requests and
20 also data brokers to register with the Agency via DROP.

21 The launch was a success from many
22 perspectives. We launched on time and in compliance
23 with all of our statutory deadlines.

24 Overall system and operational health was
25 strong, despite much higher-than-expected traffic and

1 request volume, and consumer interest driven largely by
2 positive unpaid press and social media coverage was
3 really high and vastly exceeded all of our
4 expectations.

5 To date, as was mentioned, we have more than
6 242,000 deletion requests, and over 575 data brokers
7 registered.

8 And the number you see on the screen is over
9 18,000 requests that were submitted just within the
10 first 48 hours of launch. Really incredible.

11 The holiday, it was New Year's Day, and we
12 were seeing requests kind of come in in real time.

13 And again, Miss White will cover more about
14 the press and media that drove this traffic during her
15 portion of the update.

16 So I'll pass it next to Mr. Andrusov to talk
17 a little more about some of the key product metrics
18 since launch.

19 MR. ANDRUSOV: Thank you, Mrs. Roseblat.

20 I'll now be glad to you walk you through
21 some of the key product metrics and insights from our
22 first eight weeks of residency with DROP.

23 On the next slide, please.

24 On this slide, you only see three in the --
25 Uh, yeah. I'll provide additional data verbally so the

1 picture is complete, and I'll follow the same path as
2 consumer takes when they use our system

3 As our director Kemp and Miss Roseblat
4 noted earlier, as of this morning, we have more than 242
5 deletion requests submitted by consumers.

6 As a reminder, before consumers can submit a
7 request, they must first verify their status as a
8 California resident.

9 Our records show that about 98% of those who
10 attempt residency verification are verified successfully
11 as California residents, and the verification process
12 happens automatically within DROP and is managed by the
13 California Department of Technology's identity gateway
14 team.

15 Consumers have two ways to verify residency
16 with DROP. By entering personal information or by
17 signing in via login.gov

18 Approximately 70% of the former -- use the
19 former option, and 30% percent either create or sign in
20 using or adding an existing login.gov account.

21 For the small group who aren't verified
22 automatically, residency review option is available, and
23 about 1% of total consumers submit a review request, and
24 these are processed through a workflow by our support
25 team, ensuring people have a path forward.

1 Once a consumer successfully verifies their
2 residency, they land on DROP request page, and they can
3 fill out and submit their deletion request.

4 Making this process simple and fast was
5 among our top priorities when we designed the system.

6 And based on our data, the average time to
7 complete the request is only eight minutes from start to
8 finish.

9 While consumers are required to provide at
10 least one identifier besides their name and date of
11 birth, through messaging -- messaging, we encourage them
12 to submit more data points to increase chances of
13 matching.

14 And across all submitted requests, we see
15 the following: 99% requests have at least one zip code;
16 94 contain phone numbers; 91% of requests have emails;
17 and 24% have VINs, vehicle identification numbers;
18 10% have MAIDs, mobile advertisement IDs; and 3% have
19 connected TV IDs.

20 Two -- doesn't work -- as of now, we have
21 total 1.2 million identifiers in the system.

22 (Inaudible.)

23 oh, okay.

24 In general, there is -- this is in line with
25 our expectation, the more people there and easier an

1 identifier to find, the more likely consumers included.

2 And we see an opportunity to improve
3 messaging related to unique identifiers, like being MAID
4 and TV IDs, to encourage users to locate and input those
5 identifiers.

6 Speaking of submission rates, so far, our
7 peak day -- so 30,000 requests and 2,136 requests in the
8 busiest hour.

9 After a consumer submits the request, we
10 give them an option to subscribe for updates, either our
11 general -- for our general call privacy newsletter, or
12 updates specifically about DROP.

13 So far, 85,000 people signed up for DROP
14 updates, and 43,000 people have signed up to our call
15 privacy newsletter.

16 Being able to communicate with updates
17 related to DROP will be extremely valuable, especially
18 as we are preparing to begin the deletion request
19 processing by data brokers in August.

20 And finally, in the end of the process, we
21 provide an opportunity for consumers to leave rating and
22 provide feedback.

23 And our current average rating since launch
24 is 4.26 out of 5, and the latest weekly average is 4.42,
25 and with that, we'll turn back to Miss Rosemlat, who

1 will share more details on feedback that can
2 (inaudible) --

3 MS. ROSEMBLAT: Great. Thank you.

4 So Mr. Andrusov went through some of the
5 high level kind of product numbers. As we transition
6 into support, I also wanted to share some of the
7 qualitative feedback that we've received from consumers,
8 kind of in their words. So I'll read a couple of
9 examples of feedback we've received thus far.

10 First, not only is this process incredibly
11 streamlined and easy, it's another resource provided to
12 Californians that makes me proud of our state and its
13 leadership for protecting its citizens and giving them
14 options to protect what's important to them.

15 Next example: Very helpful. I was even
16 able to go on my TV and change ad settings.

17 A third example: This rocks. Thank you so
18 much for giving us tools to protect our privacy.

19 In addition to these highly complimentary
20 bits of feedback, we also get examples of kind of
21 helpful and constructive feedback that can help us guide
22 potential product enhancements.

23 So I'll read a couple of those next.

24 First: I would appreciate if we could enter
25 more than three emails to be deleted by data brokers

1 under DROP. Thank you for the service.

2 Next: It was a good experience. I put a
3 video on the Get Started page for those of us who are
4 visual learners. Thanks for DROP.

5 And finally, a third example: Give us a
6 heads up to keep VIN and MAID ID ready when we start to
7 process -- Start the process to save time.

8 And so I wanted to share these as we kind of
9 go into the support section, just to really, you know,
10 kind of center ourselves, thinking about the voice of
11 consumer. I think keeping this tight feedback loop
12 between what consumers are saying and kind of how the
13 product and service is working is going to be really
14 important as we evolve things going forward.

15 So when we talk about support, we're really
16 talking about all of the inbound communication that we
17 get from consumers as well as data brokers about, you
18 know, activities within DROP.

19 I'll focus primarily on consumers as part of
20 this section, with the note that we're preparing for a
21 lot more inbound from data brokers as they begin
22 integration and preparation for request processing,
23 which will start in August.

24 But on the consumer side, first, I'll say
25 most consumers are able to submit requests without the

1 need to contact us at all.

2 For those who do kind of want to get in
3 touch, simply have questions or maybe an issue in the
4 process, we direct them to send us a message. They can
5 do that either on the privacy.ca.gov website or via
6 contact form within DROP itself, and we respond to these
7 inquiries via email.

8 The total number of tickets that we've
9 received in this way has been over 6500 since launch,
10 and that number is pretty evenly split in half across
11 kind of your general inquiries or questions from
12 consumers, and the other half is kind of residency
13 review requests that consumers are making so they can
14 get through the process.

15 And to talk a little bit about the first
16 category of general tickets, kind of the top categories
17 we see there are first just questions about the
18 verification process, whether that's -- you know, how do
19 I sign up with login.gov? What do I have to do to get
20 through this process? Questions related to their
21 residency, kind of eligibility criteria, so on and so
22 forth.

23 Next category are kind of issues with
24 request, and those are typically questions about what
25 identifiers to enter, or questions about the process

1 itself.

2 Lastly, is your kind of catch-all other
3 category, and we typically see questions in there, like,
4 how do I sign up? Sign me up, DROP my data, so on and
5 so forth.

6 I will say at launch, you know, we had
7 assumptions about the sorts of issues consumers might
8 ask. We were prepared with templates and responses and
9 kind of the high volume we've seen since -- since launch
10 has really given us the opportunity to expand the
11 surface area of those questions and templates and really
12 develop more responses, more workflows, so we're ready
13 to respond as consumers, kind of come in with scenarios
14 that we may not have anticipated getting in just eight
15 weeks of launch.

16 Since January, we've been able to kind of
17 clear queue, catch up on tickets, and we're now in the
18 process of kind of taking all this, you know, raw
19 information we've received since launch, to build out
20 workflows and SLAs that we can use going forward.

21 In terms of staffing, I want to take a
22 moment to thank everyone who was able to kind of help
23 respond to this high volume of tickets and requests.

24 We did kind of pull in folks across various
25 teams to help. I think at our peak, we probably had

1 about eight people in our inbox responding. So it's
2 been really helpful. I appreciate that.

3 And also I want to emphasize again that, you
4 know, giving more folks in the agency access to hearing
5 what consumers are saying and hearing it direct in their
6 words, I think, is really valuable and will help us all
7 kind of center consumers as we evolve the platform.

8 So before we move on, I'll just cover a
9 couple of notes about Data Broker registration.

10 First, we mentioned over 570 data brokers
11 have completed registration via DROP.

12 Again, This was the first time data brokers
13 were doing it within the DROP system itself. And so now
14 data brokers have kind of a hub. They have an account;
15 they can complete registration. They'll be able to use
16 DROP to complete the integration and deletion request
17 processing come August.

18 We did respond to about 100 inquiries about
19 the registration process from data brokers, and this is
20 pretty consistent in terms of volume with Data Broker
21 inquiries in previous years.

22 In general, the transition from our form
23 registration process to DROP was pretty seamless, and we
24 now have a process for that going forward.

25 Next slide, this is an overview just

1 situating kind of where we are in the timeline.

2 Probably a familiar slide to many, but want
3 to take a moment to kind of situate us with the upcoming
4 August 1st deadline for request processing. As we look
5 ahead, what's coming next?

6 Next slide, please.

7 Yeah. So, you know, we're really excited.
8 It's been an incredible couple of months. Our work is
9 not done. We have more to do.

10 Next up is one kind of publication of the
11 Data Broker registry on our website, which we expect to
12 do in March.

13 Next is kind of publishing API documentation
14 and developing a Data Broker sandbox for data brokers.
15 So we want to make sure data brokers have what they need
16 to integrate with DROP to begin processing the hundreds
17 of 1000s of requests that are already in, and so there's
18 a lot of work that we'll have to kind of put together to
19 make sure that's a seamless transition, and that work
20 has already begun.

21 And lastly, we'll continue to kind of
22 enhance the platform as time goes on, as I think most of
23 us who've worked on platforms like this know the work is
24 never done. There's always more to do to really prepare
25 for continued scale.

1 I think that about wraps it up for the
2 product update, but I'll pass it now to Miss White to
3 talk a little bit about communication efforts related to
4 DROP.

5 MS. WHITE: Testing my microphone. Okay.
6 Shorty, I -- it (Inaudible.)

7 Okay. Thank you so much.

8 I'm pleased to provide an update on DROP
9 communication efforts and also a look ahead at what's to
10 come.

11 As you may remember from presentations last
12 year, our communication plan was to do lot -- light DROP
13 outreach in early 2026 and then ramp up outreach efforts
14 in the spring.

15 The primary reason was because deletions for
16 this first year don't start until the summer or fall,
17 and summer and fall, and we also wanted to give the
18 development team time to identify any issues before
19 launching a large-scale outreach effort.

20 However, organic interest in DROP resulted
21 in inbound media inquiries and early publicity.

22 We had many reporters from print and TV
23 stations asked for interviews, so we quickly pivoted to
24 be responsive to media requests.

25 To date, we've done a number of interviews

1 with numerous media outlets, including the Washington
2 Post, NBC Bay Area, KTLA, which is the LA station, the
3 NBC LA station, and SF Gate. More than 100 media
4 outlets have covered DROP.

5 In addition to the outlets we've done
6 interviews with, we've received coverage from additional
7 outlets, including CNN, the LA Times, NBC, CBS, ABC
8 stations throughout the state, including in the
9 Bay Area, LA, Palm Springs, San Diego, the Central
10 Valley, and Sacramento.

11 In addition, we've been covered on NPR
12 stations and regional newspapers.

13 Mr. Kemp has done a number of privacy
14 centered podcasts as well, including the privacy
15 advisor, a podcast by IAPP.

16 Pivoting to social media, in addition to
17 earned media, we gained a lot of traction on social
18 media.

19 Information about DROP was shared by
20 individuals on various platforms. Some of these
21 individuals have a large number of followers.

22 For example, a post on Instagram explaining
23 DROP reached was viewed more than 2.7 million times, and
24 that video was shared more than 10,000 times.

25 This is important not just because the reach

1 of these posts, but also because of the audiences they
2 reach.

3 Well, there is certainly an overlap,
4 generally speaking, in the demographics that watch
5 evening news broadcast TV and those that get their
6 information on social media.

7 Generally speaking, we consider these two
8 different audiences.

9 So it's been lovely that we could reach
10 those who are more traditional media focused, and then
11 those who get their news from social media.

12 The fact that this managed to get such
13 strong coverage on both speaks to the interest of DROP
14 and also the outstanding development team in creating
15 this easy-to-use platform that was operational from
16 Day 1 -- minute 1, really.

17 Pivoting to press releases and promotion.
18 Shortly after the launch, the governor's office let us
19 know that they would like to put out a press release
20 about DROP.

21 We deeply appreciate the governor's
22 partnership in this effort, and are grateful for the
23 press release that they issued on January 20.

24 Shortly after in celebration of data privacy
25 week, we put out our own press release on DROP.

1 In addition, Mr. Kemp and Senator Becker did
2 a video about DROP, along with sharing additional
3 privacy chips for Californians. Both CalPrivacy and the
4 senator's office shared this video during data privacy
5 week.

6 In addition to this video, we promoted DROP
7 on our social media channels and in different ways,
8 including infographics and videos.

9 Our outreach team has also folded in how to
10 use DROP into those senior scam stopper events and the
11 numerous community town halls we've been part of that
12 are put on by elected officials.

13 We've also given presentations about DROP at
14 privacy conferences, including the recent California
15 Lawyers Association privacy summit this month.

16 Looking ahead, we're just getting started in
17 terms of outreach efforts.

18 Next month, we are cohosting a press
19 conference on DROP with Senator Becker's office at the
20 Capitol.

21 We've also launched our paid media campaign.
22 Paid search went live on January 1, and less than two
23 weeks ago, our paid social media ads went live.

24 I'm excited to share the social media ads
25 with you now, if you haven't seen them yet in the wild,

1 so you can bring those up.

2 Perfect.

3 So the name of our campaign is called the
4 gatherers, and it features different animals that call
5 California home.

6 The three examples you see here are a
7 raccoon, seagulls, and a squirrel. Since many people
8 aren't familiar with the term "data brokers," we used a
9 creative and engaging tone to these ads to help explain
10 that data brokers gather up your data.

11 In March, we'll expand this campaign to
12 additional channels. DROP radio ads in English and
13 Spanish will begin running, as will print ads in
14 numerous languages.

15 We'll also have out-of-home advertising,
16 including billboards, airports, and on bus tails.
17 Banners and informational materials will be available in
18 neighborhood businesses, including at convenience
19 stores, drug stores, laundry mats, and more.

20 Our general education commercials, which you
21 probably all remember, those 30-second spots, those will
22 run on TV.

23 These ads will include a QR code that people
24 can scan to bring them directly to privacy.ca.gov/drop,
25 to make sign up even easier.

1 We will also have booths at numerous
2 community events throughout the state to raise awareness
3 about the agency and encourage people to sign up for
4 DROP.

5 Some examples include farmers markets,
6 community fairs, family-centric events and university
7 events.

8 We will also continue to present at
9 community events, engage stakeholders, and continue to
10 work with the median outreach efforts.

11 This fall, when deletions by data brokers
12 begin, we are planning to host a delete week to
13 encourage even more people to sign up. That concludes
14 our presentation, and we're happy to answer any
15 questions that you have.

16 CHAIR URBAN: Thank you very much,
17 Ms. White, Mr. Andrusov, and Ms. Rosemlat -- excuse me.
18 Rosemlat. I really do have that frog. It's persistent
19 today.

20 That was beyond impressive and exciting. So
21 thank you very much for that. I'm actually going to ask
22 my fellow board members if they have comments first. I
23 do have a few things I'd like to say.

24 Yes, Mr. Liebert.

25 MEMBER LIEBERT: The first one is wow.

1 That's a really fantastic example of great work by any
2 state government, and we can be so proud of that. I'm
3 so proud of all of the folks who have been involved in
4 this. Marissa, Art, Liz, Tiffany, Phil, I know you were
5 a key team there in making this all happen.

6 So thank you. That's the first thing. You
7 must be exhausted, and there's still so much more to do.
8 So I have lots of compassion for you. It's an
9 interesting situation we're in, because 250,000 is so
10 impressive in this short period of time.

11 And yet, I asked my friend ChatGPT, how many
12 Californians are on the Internet right now, and it was
13 35 million. And so if we want to get to like 10% of
14 just the folks who I think want to be able to take
15 advantage of protecting their privacy this way, we're
16 looking at what? 3 million? We've got so much more to
17 go and so much work to do in that.

18 And so I want to thank you, Megan, for your
19 description of the efforts that we're undertaking to get
20 this out there for people to understand.

21 I wanted to raise the idea, if you will,
22 that we start using the tools of government in other
23 ways that we've had to get the word out.

24 So for example, when you go to renew voter
25 registration, a lot of times there's information that

1 government gives, and one of those could be about DROP.

2 And -- and likewise, I think when you go
3 register your -- your vehicle, re-register your vehicle
4 at the DMV, that would be another mechanism to offer the
5 Californians the opportunity to protect their privacy.
6 This way, things like that could be really helpful.

7 And obviously we need a really robust budget
8 for getting the word out. So I was going to ask you,
9 what is our budget this -- if you could remind us that
10 the amount of money we have to spend on paid advertising
11 right now.

12 MS. WHITE: Absolutely. So right now we
13 have 2.5 million left to spend on the DROP campaign. We
14 need to exhaust those funds by June.

15 MEMBER LIEBERT: By June. Okay. And is
16 that -- in your judgment, Megan, is that pretty
17 substantial for the costs involved for getting the word
18 out this way?

19 MS. WHITE: Yeah. I mean, I'm pleased with
20 the funds. We are not really pushing our paid campaign
21 until March, you know. So it's coming up next week. So
22 it's going to be a very -- or next month. So it's going
23 to be -- which is next week. So it's going to be a very
24 strong push from March until June.

25 MEMBER LIEBERT: And then the last thing I'd

1 like to mention about this, really, if I can remember,
2 is on the issue of data broker fees. It Seems to me --
3 I know in other aspects of government, when we have
4 programs, fees will also take into account voter
5 education.

6 For example, and other forms of education
7 and outreach. And right now, I know our fees are
8 relatively small, which is great, but the need is so
9 great as well. So I think at some point I'd like to
10 just alert the Board, if you will, that there should be
11 some discussion about the fee levels.

12 And then I even to get a little bit more
13 nuanced about that would be a discussion about a
14 graduation of those fees, a graduated approach, if you
15 will. Obviously smaller companies that are doing data
16 broker work don't have the same resources that a lot of
17 the really huge data broker companies do have.

18 So having some graduated approach to that
19 issue, I think should be part of a conversation at some
20 point. But mainly we need the budget, obviously, to
21 get the word out for the real opportunity for all
22 Californians to know about DROP and use it if they -- if
23 they choose to. So thank you for all the great work
24 that you've done.

25 CHAIR URBAN: Thank you, Mr. Liebert.

1 Anything further from the staff in response
2 to that?

3 MS. WHITE: I just know data broker fees are
4 coming up later this year as a conversation.

5 MS. GARCIA: Good morning, yes. As
6 previously discussed, we do anticipate bringing the Data
7 Broker registration fees to the Board annually.

8 So previously, they were 6600. We
9 reevaluated the cost of the program. We were able to
10 bring that down to 6,000 this year. But now we're also
11 seeing an increase in registrants and then a huge uptick
12 by California consumers. So in the coming months, we
13 will come back to the Board with the total cost of the
14 program and what we will need to set the fees at.

15 MEMBER LIEBERT: And if I could follow up on
16 that?

17 CHAIR URBAN: Sure.

18 MEMBER LIEBERT: That would -- just with the
19 question on the budget side, I know that very intricate
20 and complicated -- okay. The complicated process of
21 budget increases, et cetera, with all the work that's
22 getting done, I assume that, and all of those inquiries
23 that are coming in from consumers, and just this massive
24 amount of work, at some point, it'd be great to know, do
25 we need more budget to accommodate this success.

1 MS. GARCIA: That's another great question.
2 So for the Board's awareness, we did submit an Item 9840
3 request for the current year to cover the cost of
4 verification. So that is currently under review with
5 the legislature.

6 If approved, the clock ends this Sunday,
7 actually. That would free up another 700,000 for us to
8 use for identity verifications. And then again, we're
9 only not even two months in to the launch of the
10 program, so continuing to evaluate long-term resources,
11 and we would bring that back to the Board.

12 CHAIR URBAN: Thank you, Ms. Garcia.

13 Mr. Liebert, okay. Thank you.

14 Mr. Liebert, and if I seemed a little as
15 though I was paying very close attention, it's just so
16 that we stay within the agenda item. So we will have an
17 opportunity to discuss some of these important issues
18 when we pick up those budgetary points later in the
19 year.

20 MEMBER LIEBERT: Okay.

21 CHAIR URBAN: Mr. Mactaggart?

22 MEMBER MACTAGGART: Thank you.

23 A couple of just technical questions. On
24 the page, so I just when we were here, I went to check
25 my DROP status. I'm just thinking, because it shows --

1 yeah, yeah. It shows to the consumer -- oh, zero out of
2 577, all the way down; right? So you think, oh, I did
3 this three months -- three weeks ago, what's going on?
4 And the consumer might not be aware of the delay. So I
5 think on that page having something saying, "Hey, this
6 isn't -- this isn't happened yet. It's going to. Don't
7 worry. Don't despair." Because you might, you know, we
8 get a quarter million people doing this, and they're
9 like, "why? You know, what's going on here?"

10 So I think just, we need to be, you know,
11 selling all the time. So I think that's one -- that's
12 one thing.

13 And then my other tiny, little, technical
14 thing is on the -- this might be a user error. Probably
15 is. On the help thing, because I actually -- when I did
16 it first, I just reminded myself, well, I have to go do
17 my TV. And I didn't do my TV.

18 Is it super easy to add a piece of
19 information, and I just didn't see that on the on the
20 sort of the frequently -- It's not really a frequently
21 asked questions, but it's the help page.

22 There might be a thing saying, yeah, you can
23 go back and add a piece of, you know, a piece of
24 information that -- those two things are my sum total of
25 my -- my questions here.

1 MS. ROSEMBLAT: Thank you so much. So to
2 the first point, we do have messaging about the August
3 kind of timeline, but noted that it's really important
4 to emphasize so consumers are aware of, you know, all
5 the timelines associated with request processing.

6 On the second piece --

7 MEMBER MACTAGGART: On the first one, it's
8 not on this page, not on the DROP status page.

9 MS. ROSEMBLAT: It's not on the DROP
10 status page. Yeah, if you log fully in, which is what
11 you would need to do to add future identifiers, you
12 should be able to kind of see when you hit submit, uh
13 -- a timeline at the very bottom.

14 But, yes, to that second point about adding
15 identifiers, you'll want to sign in again, either via
16 login.gov, or personal information, whichever one you
17 use first. And then once done, you can add additional
18 you can add your TV ID or anything else that way.

19 MEMBER MACTAGGART: So my only two things
20 would be saying, because we've gone to the trouble of
21 sending people their own DROP ID, which allows you to
22 bypass the login and just check on your status, we
23 should have it on that page, and then we should just on
24 the frequently asked questions, just say, here's how you
25 do X.

1 MS. WHITE: Thank you.

2 CHAIR URBAN: Thank you, Mr. Mactaggart.

3 I've said -- I've said many times how I
4 am -- how impressed I am with this effort, so I won't
5 belabor it, but I wanted to pull out just a few things.

6 First of all, with my status as, I don't
7 know, a gnarly -- what's the word? Hoary, like long
8 standing board member, I have had the opportunity to
9 see, at least from the board's vantage point, this
10 develop from the very beginning.

11 And this moment when DROP has launched and
12 has been by every metric I think we can think of, highly
13 successful for consumers, signing up is a good moment, I
14 think, to pause and to say just a little bit about what
15 has gone into this moment, and how proud I know we all
16 are, of all of you and the work you're doing on behalf
17 of Californians.

18 So it, of course, started with the Delete
19 Act, and I'm very grateful to Senator Becker and his
20 staff and our deputy director of legislation,
21 Ms. Mahoney, and all the work and vision that went into
22 that, and especially also highlight Mr. Kemp's work on
23 that.

24 It was -- I don't want to overstate Mr. --
25 But I think it was a cause of yours, and something that

1 you put a lot of energy into.

2 When it passed and the Agency was just
3 getting started, and had a new act to implement, and
4 had -- I don't know -- about five people.

5 You know, there was a great enthusiasm for
6 this, as Mr. Mactaggart said, the timelines were very
7 tight, and people just jumped to and really became
8 creative and pitched in.

9 So I'd like to thank the sort of trajectory
10 of people, the risk of this is that I will, without
11 question, miss somebody, and to you, I -- I deeply
12 apologize. It is not intentional.

13 With our first executive director, Ashkan
14 Sultani, who I think brought his technical sort of
15 understanding and his legendary energy to the task,
16 working with Ms. Allen, who, sadly, is not here today,
17 but we know she's been plotting for 2026 and we've
18 talked a little bit about how they pitched in.

19 I really appreciate Ms. Rosemblat
20 recognizing the -- the CDT team, Jonathan Porat and his
21 team, I know, have just been indispensable to this
22 effort.

23 Ms. Tiffany Garcia, as ever, figuring out
24 the budget and how everything is going to work, and
25 managing and developing the relationships with -- with

1 CDT.

2 Ms. White, who I think has been -- you know,
3 and her team, her whole team, have been thinking about
4 and developing this really thoughtful approach and
5 campaign, and then we're able to shift on a dime when
6 things didn't go as expected, in order to make sure the
7 public is aware of this -- of this process.

8 And then, of course, we were so delighted to
9 welcome Ms. Rosemblat to be the coordinator of the -- of
10 the ship. And I think your presentation really shows
11 how thoughtful all of this has been.

12 Mr. Andrusov, I know also we brought you
13 on -- when was it? November or September? Sometime
14 last year. April. April. Okay, time flies. And you
15 just got thrown in, and I think.

16 And I'm just incredibly grateful for all of
17 the expertise that you've that you've brought to this.

18 I also want to highlight the legal
19 division's work, because the legal division, the
20 regulations, of course, are very necessary. On top of
21 that, there's a world in which it wouldn't really be the
22 legal division's task to do some of -- some of the work
23 that they have done, and that they have done
24 beautifully, skillfully and with an eye always towards
25 Californians, as Ms. Rosemblat so rightly highlighted,

1 as they always do. So thank you to them.

2 I'd like to thank Andy Clawson, who's an
3 analyst who pitched in, and I think, provided tremendous
4 support.

5 And I mentioned Ms. Chitambira earlier, and
6 some of the wonderful work that they have done.

7 I would just like to remind those of you in
8 outside of the meeting who know this, and let you those
9 of you who don't know is that the contracts are the key
10 thing. The contracts are key, and they are not simple
11 to find counterparties for, and they're not simple to
12 instate. And she makes it look easy, she and her team.

13 So at a minimum, all of these pieces of the
14 Agency and all of these amazing people who shepherd
15 those pieces have been working together to bring this
16 service to Californians.

17 And again, I know I have missed someone. I
18 know everyone's been pitching in.

19 The reason why the system has been
20 successful, despite the unexpected enthusiasm in the
21 early days of January is because the team did a
22 beautiful job planning, a job of building that really
23 took into account the consumer and really thought
24 through what the consumer's experience would be, and
25 really tested it.

1 And then the team was able to adjust in
2 every way, including requesting additional budget
3 because we need more sign-ups, which is a wonderful
4 problem to have, but it's a problem that a lot of
5 organizations would stumble on, but because we have the
6 extraordinary team that we have, our organization has
7 not stumbled, and we have been able to launch this
8 incredible service for Californians in a way that is, I
9 think, quite seamless for them, as we have heard.

10 So I think that we are all just
11 extraordinarily proud of you and looking forward to what
12 the Agency can do through this system to help
13 Californians protect their privacy.

14 Yes, Mr. Mactaggart?

15 MEMBER MACTAGGART: Yeah, thanks.

16 I realize I should also mention a couple of
17 people.

18 I mean, first and foremost, I think we all
19 owe a debt of gratitude to Senator Becker for
20 championing this -- this through the legislature. It
21 was his courage that got -- got us here.

22 But also, you know, I don't think -- I think
23 he would admit that without Tom Kemp coming to him with
24 the idea and helping co-author it, along with Privacy
25 Rights Clearing House, it would not have come into law.

1 So that, you know, we definitely have a debt of
2 gratitude to the co-author sitting right here. It was a
3 tremendous achievement for -- for what's happening in
4 California.

5 So thank you.

6 Thank you, Senator Becker.

7 Emery Megan, wherever you are out there.

8 If you're listening Privacy Rights
9 Clearinghouse, thank you also for this.

10 CHAIR URBAN: Thank you, Mr. Mactaggart, and
11 thank you for mentioning Privacy Rights Clearinghouse as
12 well.

13 It's just incredibly exciting to be the
14 state that's at the forefront of being able to do this
15 for our own people, and hopefully, serving as a model.
16 So love the bold vision.

17 Mr. Kemp's energy in chasing a vision and
18 just making it happen is unparalleled. So thanks to
19 everybody with that.

20 If there are no more board comments, does
21 the team have any questions further for us, or are
22 you -- you probably wouldn't want to ask us.

23 We will let you go on your expert way. And
24 with that, I will ask if there's any public comment.

25 MS. CARWILE: This is for Agenda Item Number

1 4. Delete Request and Opt-Out Platform update: If
2 you'd like to make a comment at this time, please raise
3 your hand using the raised-hand feature, or by pressing
4 Star 9. If you're joining us by phone, this is for
5 Agenda Item Number 4.

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

8 CHAIR URBAN: Thank you. Ms. Carwile, thank
9 you, everyone.

10 I have one final thing to say, which is on a
11 somewhat more serious note.

12 This is correctly a celebratory moment. It
13 is also a moment in which your efforts are especially
14 important.

15 In light of federal government activities to
16 buy, use, combine -- combine -- buy, combine use
17 Americans data for purposes that, without question, harm
18 them, including using their information to deport
19 residents of many states, not only California, using
20 them to prosecute those who are in disagreement with
21 people who have powerful roles, the role of data
22 brokers, witting or unwitting in buying and selling data
23 is incredibly -- is especially important today, and
24 giving people the ability to make their own choices
25 about whether or not their data is going into that

1 system is especially important.

2 This is one board member's view, and I am
3 not pushing it on the agency. But I do think that this
4 is a moment that is crucially important. It's not a
5 partisan political issue.

6 It is an issue with regards to the rights of
7 people as against their government. And though we
8 regulate companies, we do not regulate government
9 agencies.

10 The information flows are not so clear, and
11 they are not so clearly delineated. So this kind of
12 work is crucially important for our democratic system.

13 So thank you with that.

14 Do we need a break?

15 Okay. Let's take a break and come back at
16 10:45 am.

17 Congratulations and thank you DROP team.

18 (RECESS.)

19 CHAIR URBAN: Thank you, Ms. Carwile. We
20 will now return from break and resume this meeting of
21 the California Privacy Protection Agency Board with item
22 agenda -- Item number 5 -- excuse me, which is our
23 annual administrative and budget update.

24 This will be presented by our deputy
25 director of administration, Ms. Von Chitambira, and I

1 will ask her to please go ahead and for everyone to turn
2 their attention to the materials for this presentation,
3 for this agenda item.

4 MS. CHITAMBIRA: Thank you.

5 Good morning, Chair Urban, and members of
6 the Board.

7 I will be presenting the administration and
8 budget update, and joining me is Miss Garcia to assist
9 with any questions that may come up, starting with human
10 resources.

11 Since our last update, the Agency has
12 continued to grow as we fill vacant positions. I'm
13 pleased to report that our hiring strategy of bringing
14 in the division head followed by their team members, has
15 been effective, with the chief privacy auditor now in
16 place, the recruitment efforts for the technologists who
17 will be filling in our audit division is underway,
18 marking continued progress in building capacity to meet
19 the Agency's workload.

20 Next slide on the screen is a high level
21 snapshot of the Agency's workforce.

22 The Agency as of fiscal year 2526 has 53
23 authorized positions. Forty-eight of those are
24 currently filled by full-time civil service positions,
25 and the rest are filled by temporary positions, such as

1 interns and retired annuitants, bringing that number to
2 52 as of December 2025.

3 We have continued to leverage interns as
4 part of our strategic pipeline for talent. We
5 currently have interns in administration, public
6 affairs, enforcement and the legal division.

7 Internships have provided valuable
8 experience for emerging professionals, while also
9 preparing potential candidates to compete for future
10 permanent positions with the State through the formal
11 hiring process.

12 This approach has proven effective in
13 recruitment efforts and ensuring that positions when
14 they become available, we have qualified candidates who
15 are able to contribute immediate -- immediately.

16 Building on our workforce development
17 strategy, the next slides will provide a demographic
18 snapshot of our staff.

19 Starting with the gender Demographic Report.

20 It shows the gender demographics based on
21 the data with CalHR, comparing our agency to the
22 statewide workforce demographics.

23 As in prior years, this distribution has
24 remained consistent for the Agency. We have higher
25 female representation at about 60% compared to 46%

1 statewide, and male representation is at 40% compared to
2 54% statewide.

3 The -- Moving on to the ethnic composition,
4 it closely aligns with the statewide demographics, with
5 a few differences.

6 The Agency has higher proportion of
7 employees identifying as model racial 23% compared to
8 13% statewide, and higher representation of white
9 employees only.

10 Conversely, our Hispanic and Latino
11 representation is significantly lower at 9% compared to
12 26% statewide.

13 And here is the number of employees we have
14 by location. And this is more recent based on February
15 data.

16 In Sacramento, we have 30 employees; 14 in
17 San Francisco; and 12 in LA.

18 Having reviewed our hiring profile, I'll now
19 move on to the budget update. For this update, I'll
20 cover the current year update as well as the coming
21 fiscal year.

22 Starting with the current year: Which spans
23 from July 1, 2025 through June 30, 2026.

24 For fiscal year, 25-26, the Agency's total
25 budget is 15.9 million, and is comprised by three funds.

1 The general fund at about 12.4 million,
2 which is about 78% of the Agency's total budget; the
3 Data Broker fund at \$3 million, approximately 19%; and
4 the consumer privacy fund at 400,000.

5 Each fund operates independently, and
6 resources from one fund cannot be moved to support
7 expenditures in another fund.

8 I will now speak about the general fund in a
9 little bit more detail.

10 So salaries and benefits make up the
11 majority of the expenses for the general fund at
12 \$10 million.

13 Facilities and department services,
14 including contracted administrative services, comes up
15 to 1.7 million.

16 And then operating expenses and equipment
17 are at 549,000.

18 This includes general expenses, training and
19 travel, et cetera.

20 The Data Broker Fund supports four
21 authorized positions.

22 And for fiscal year, 25-26, the Data Broker
23 fund budget was for \$3 million comprised of salaries,
24 and benefits at 700,000; DROP contracts made up the
25 majority at 2.2 million; and operating expenses and

1 equipment were at 116,000.

2 Due to high demand of deletion requests,
3 additional funding was needed to support ID
4 verifications.

5 As Ms. Garcia mentioned earlier, the Agency
6 submitted seven -- a request for \$700,000 for additional
7 verifications in January, and this request, we will find
8 out whether we'll get the funding by -- in the coming
9 days, by Sunday.

10 And we'll move on to the consumer privacy
11 fund. For the current fiscal year, there are no
12 authorized positions in the consumer privacy fund.

13 The funding available was for technologist
14 expert services, contracts in general to support the
15 enforcement division, as well as equipment and service
16 agreements, which is providing tools to assist with the
17 enforcement division as well.

18 For the upcoming fiscal year, 26-27, we
19 submitted two budget proposals, and these are subject to
20 legislative review and approval.

21 The first BCP was for procurement support,
22 and is requesting 178,000 from the general fund in one
23 position in fiscal year 26-27, and 164,000 ongoing.

24 And this position will help support the
25 workload in contracts and procurement as well as

1 business operations.

2 The second BCP was for enforcement
3 resources.

4 At the last admin presentation, the Board
5 emphasized the need to strengthen enforcement resources.
6 In response, we conducted a focused assessment to
7 identify near-term needs and submitted a BCP to support
8 additional enforcement capacity.

9 The BCP includes six positions comprised of
10 five attorneys and one analyst.

11 In 26-27, we are requesting 1.6 million, of
12 which just over 500,000 will be from the Data Broker
13 Registry fund and 1 million from the Consumer Privacy
14 Fund.

15 And the following year for 26-27, we are
16 requesting 1.5 million with 500,000 from the Data
17 Broker Registry Fund, and about a million dollars from
18 the Consumer Privacy Fund.

19 We expect to have a total of 61 positions
20 among the three funds in fiscal year 26-27.

21 The General Fund will have 50 positions --
22 51 positions, the Data Broker Registry Fund seven
23 positions, and the Consumer Privacy Fund will have four
24 positions.

25 The total budget will be 17.5 million.

1 Generally speaking, the General Fund will
2 continue to be the biggest funding source for the Agency
3 at 72%.

4 The data broker fund will be consistent in
5 prior years at about 20% and the consumer privacy fund
6 is seeing an increase from the 400,000 to 1.3 and their
7 budget will be 8% of the total percent of the total
8 budget for the Agency.

9 That concludes the admin update. And I
10 welcome any questions.

11 CHAIR URBAN: Thank you very much,
12 Ms. Chitambira.

13 Comments or questions from the Board?

14 MEMBER MACTAGGART: Yes.

15 CHAIR URBAN: Mr. Mactaggart?

16 MEMBER MACTAGGART: I'm getting a little
17 lost on the Consumer Privacy Fund. Can you help me
18 understand that?

19 I thought that was the -- the money in
20 one -- 160 that comes from the fund come from the fines.

21 So can you -- and I thought that it could
22 only go to certain areas, but it seems like we're
23 spending it ourselves for enforcement. Is that right or
24 not?

25 MS. CHITAMBIRA: No. No, we're spending it

1 We're spending it on CCPA enforcement.

2 MS. GARCIA: So, warning still. So yes,
3 the initiative did specified uses and at least how it
4 was initially structured, it was one pot with us and
5 DOJ, and then the grant program.

6 Last year, we proposed a trailer bill to
7 revise that so that we had separate allocations for us
8 versus DOJ, so their settlements will go into their own
9 sub fund.

10 Ours will go into a sub fund. And then we
11 also created a sub fund for grants.

12 And for every settlement, either a civil
13 fine from DOJ or an administrative fine, the initial
14 5% -- or 5% of that amount will go directly into the
15 grant program, sub fund, and then the Agency would not
16 run that program until it exceeded 300,000.

17 But again, the initiative -- so that's like
18 high-level where the structure stands today.

19 But, yes, the initiative did set out that we
20 are the Agency that is able to use the fund to enforce
21 the title as a whole.

22 So we have prioritized enforcement based on
23 feedback from the Board.

24 And then the two pieces the deputy director
25 mentioned was one last year, we had a proposal for

1 enforcement.

2 But, again, so the one-time revenues that we
3 saw to date, we decided to prioritize contract
4 resources, because of the volatility with ongoing
5 resources and staffing that would just be a liability
6 for us.

7 And so then that was last year, but given
8 the volume of settlements we've been able to receive to
9 date, thank you, Deputy Director Macko, we are
10 comfortable at this stage going forward with additional
11 enforcement staffing.

12 MEMBER MACTAGGART: Got it. So 160 was
13 amended last year?

14 MS. GARCIA: Yes, I was looking at the
15 original text.

16 MEMBER MACTAGGART: Thanks.

17 CHAIR URBAN: Yes, there were two trailer
18 bills, or maybe they were combined into one, but one was
19 the allocation of the fund, and the other was the
20 \$300,000 before spending the grants, or before issuing
21 grants from the grant fund.

22 MS. GARCIA: Correct.

23 CHAIR URBAN: I just have a comment on that,
24 which is exciting to see it develop.

25 That was one of the things that I thought

1 was impressive about the initiative, was that it had
2 this capacity built within it so that enforcement would
3 help support enforcement of the law.

4 So I think that's -- it's a positive
5 development to see that -- to see that happening.

6 I had a quick question about the DROP
7 contracts. I was just wondering is that contracts
8 with CDT to help build the system and the identity
9 verification contracts?

10 MS. GARCIA: We have a number of contracts.
11 So we currently have an interagency agreement with CDT,
12 and then we have a contract -- an external contractor
13 helping on the development of the system, and then
14 separate contracts for identity verification.

15 So, yes, admin is very busy with contracts.

16 CHAIR URBAN: Okay. Thank you, yes. Well,
17 the salary number just reminded me again how impressive
18 an operation it is and how lean.

19 So other comments or questions from the
20 Board?

21 Thank you very much, Ms. Chitambira. This
22 all makes a lot of sense. And we appreciate it.

23 For our newer board members who may not have
24 been here last year, when we have our August meeting, we
25 will discuss priorities for the next fiscal year, which

1 is decided in the governor's budget in the fall.

2 And with that, I'll ask for public comment

3 MS. CARWILE: For Agenda Item Number 5,

4 Annual Administrative and Budget Updates:

5 If you'd like to make a comment at this
6 time, please raise your hand using the raised-hand
7 feature, or by pressing Star 9 if you're joining us by
8 phone. This is for Agenda Item Number 5.

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

11 CHAIR URBAN: Thank you, Ms. Carwile.

12 With that, we will move to Agenda Item
13 Number 6, which is a Legislation Update.

14 Legislation is very active. Miss Mahoney, I
15 feel as though you find yourself needing to update us
16 and every board meeting. We are always delighted to
17 have you.

18 So this item will be presented by our deputy
19 director of policy and legislation, Ms. Maureen Mahoney.

20 I'll ask everyone to turn their attention
21 to the materials for this item. There is a slide
22 presentation, I expect -- or I wouldn't be surprised if
23 things had developed a bit since then, since the
24 legislatures are actively in session now.

25 And whenever you're ready, please go ahead,

1 Ms. Mahoney.

2 Thank you.

3 MS. MAHONEY: Thank you, Chair, members of
4 the Board.

5 I have the most problems with this
6 microphone. Is it coming through?

7 CHAIR URBAN: There is no most. There's
8 only Mr. Kemp, who's a genius with it.

9 MS. MAHONEY: Okay. Well, keep me posted if
10 you're having trouble hearing me.

11 But, thank you, Chair, Members of the
12 Board, appreciate the opportunity to provide an update
13 on legislative work.

14 Thank you also to my team members, Jamela
15 Debelak and Elliot Sangara, for their work in so many
16 areas, but particularly to keep me up on all these bills
17 that I'm going to talk about today.

18 And I'm going to start with an update on
19 California legislation, and I'm going to begin with a
20 little background on where we are in the legislative
21 session.

22 So we are in the second year of a two-year
23 session. That means that a number of bills have carried
24 over from last year.

25 And as the Chair alluded to last Friday,

1 December 20 -- I'm sorry, February 20 was the deadline
2 for Bill introductions in California. So we do have a
3 better idea of the universe of bills that are out there.

4 But as you know, legislators can introduce
5 placeholder bills, and so they have a bit more time to
6 amend in the substantive language next month, and about
7 a third of the bills introduced this year are
8 placeholder bills. Approximately 600 out of 1800.

9 So bills will begin making their way through
10 the chamber of origin. We can expect committee
11 meetings, policy committee meetings mid March through
12 April.

13 The deadline to pass the chamber of origin
14 is May 29. The legislative session ends August 30, and
15 the governor will have until the end of September to
16 take action on bills.

17 And regarding engagement, I wanted to note
18 that we've been continuing to engage with the
19 legislature in a variety of ways, as the executive
20 director mentioned, including through member-level
21 meetings with the executive director, Ms. White's team
22 is taking the lead on in-district presentations and
23 privacy education tips to protect privacy.

24 Ms. Roseblat has also provided one-on-one
25 support for offices that need assistance in signing up

1 for DROP, and she's also going to join us in Sacramento
2 for our annual legislative staff briefing to demo the
3 DROP system for legislative staff and provide any
4 additional necessary one-on-one support.

5 We've received a lot of positive feedback
6 and interest in DROP from the legislature. So really
7 appreciate the DROP teams and public affairs team's work
8 to make sure that the legislature has the support they
9 need.

10 So turning to bill matters, if you'll
11 recall, staff presented three bill proposals to the
12 board in November. And the Board voted to direct staff
13 to pursue the proposals with the California legislature
14 for the upcoming session and allow staff flexibility to
15 support the proposals up through the sponsorship
16 capacity.

17 So I'm pleased to share that CalPrivacy
18 sponsoring, SB 923, from Senator Becker, the Expanding
19 Privacy Rights Act.

20 This bill incorporates two of the bill
21 proposals that the Board approved last year.

22 The bill expands the CCPA right to delete
23 to allow consumers to request to delete all personal
24 information related to them held by a business,
25 regardless of the source of that information.

1 So currently, the CCPA allows consumers the
2 right to request deletion of information collected from
3 them.

4 Additionally, the bill requires online-only
5 businesses to provide an online method to submit
6 privacy requests, such as a web form.

7 Currently online businesses are only --
8 online-only businesses are only required to provide an
9 email address.

10 Taken together, these changes will make the
11 rights granted under the CCPA more meaningful and
12 accessible.

13 I'm also pleased to announce that Assembly
14 Member Schiavo has introduced AB 2021, known as the
15 Whistleblower Protection and Privacy Act. Also
16 sponsored by CalPrivacy, they would add comprehensive
17 whistleblower protections to the CCPA and includes the
18 following concepts which were discussed at the last
19 meeting.

20 First, an awards program to incentivize
21 whistleblowers to come forward with information by
22 allowing them to share in the proceeds of an
23 administrative fine.

24 And second, anti-retaliation provisions that
25 protect a whistleblower from employer retaliation after

1 they come forward, with a focus on strong
2 confidentiality provisions.

3 So we look forward to working with both of
4 these authors as the bills move through the legislature.

5 And I'll pause briefly case there any
6 questions from the Board.

7 CHAIR URBAN: Thank you.

8 Any Questions from the Board?

9 I can't see Ms. Hamer's box well enough to know if she
10 has her hand up.

11 Nope. Okay, she's saying no. Thank you.

12 I'm sorry about that, Ms. Hamer.

13 All right. Please go ahead, Ms. Mahoney.

14 MS. MAHONEY: Okay. Next slide.

15 Well, actually, I do. I don't, I don't have
16 a question. I have a comment. I am a law professor,
17 after all, and I just wanted to thank Senator Becker and
18 Assembly Member Schiavo for sponsoring these really
19 important bills.

20 Next slide, please.

21 So zooming out from the bills that
22 CalPrivacy is sponsoring, we've also been monitoring new
23 bills as their filed to identify legislation that we'll
24 track this year, and we are still sorting through all
25 the bills. Our team typically tracks all bills that

1 relate to the processing of personal information or that
2 impact state agencies.

3 And of course, encourage the Board to flag
4 any particular bills to track at any time. When
5 appropriate.

6 For example, if there are potential
7 questions about how the bill intersects with the CCPA or
8 the Delete Act, or if we're asked, we provide technical
9 assistance on these bills to foster consistency

10 From the broad list of bills that we track,
11 we identify bills that the Agency may want to take a
12 position on, and we will bring this list of bills to the
13 board, typically during the May meeting, and we flag
14 bills for position if they meaningfully affect us, which
15 can happen in a few ways.

16 Either amending the CCPA or the Delete Act,
17 tasking us with new responsibilities, or if they
18 introduce or amend laws that affect all state agencies,
19 like the Bagley-Keene Open Meeting Act or the
20 Administrative Procedure Act.

21 So again, we're tracking a lot of bills this
22 session as a caveat, as the chairperson alluded to a
23 thousand bills were introduced between the time I
24 submitted my slides and this board meeting, and the
25 number of bills worth mentioning were not included in

1 the slides, such as AB 2561, from Assembly Member
2 Valencia, that would amend the Business and Professions
3 Code to require operating systems and applications to
4 default to privacy settings that are most protective,
5 among others.

6 But I wanted to flag a few bills that are
7 already moving in the legislature. Give you a sense of
8 what we're seeing.

9 These bills don't all impact us, so not all
10 of these bills will probably be recommended for Board
11 position in May.

12 But give you a sense of what we're looking
13 at.

14 So first is AB 883 from Assembly Member
15 Lowenthal. This amends the Delete Act to increase
16 protections, establish streamlined processing of
17 deletion request for elected officials and judges.

18 A key component is the five-day turnaround
19 time for processing these deletion requests.

20 This feels very similar to AB 302 from
21 Assembly Member Bower Cahan, that we brought to your
22 attention last year, and the members are coordinating
23 their efforts.

24 So as a reminder, at the Board's direction,
25 CalPrivacy took a supportive amended position on AB 302

1 last year, if amended, because the bill task agency was
2 creating and maintaining a list of elected officials,
3 something that we weren't in the best position to do.

4 Also, the timeline established by the bill
5 was not sufficient to modify the DROP system to meet the
6 bill's requirements.

7 So AB 883, again, very similar to 302. But
8 instead of tasking us with developing this and
9 maintaining this list of elected officials, it tasks the
10 Secretary of State with doing so, which is a more kind
11 of an intuitive approach.

12 But it still maintains a timeline that's
13 not -- it's tells you feasible based on the new
14 functionalities that would need to be built into DROP.
15 So the bill requirements kick in January 1, 2027.

16 So this bill has been amended in full twice
17 already this year, and we just -- we anticipate that
18 additional amendments may be coming. So we're going to
19 continue to work with the author.

20 CHAIR URBAN: I think it's up to
21 Ms. Mahoney.

22 Would you like to go through them all or
23 take questions as you go?

24 MS. MAHONEY: I think as I go.

25 CHAIR URBAN: Okay. Mr. Liebert, I think,

1 has a question on 883.

2 MEMBER LIEBERT: Yeah, the author's
3 fantastic. I'm just wondering what the theory on this
4 one is, because I know under the Delete Act, there's
5 only so much we can do in terms of speed, et cetera, and
6 the systems that we have.

7 So what's -- what is the approach of this
8 currently in its latest amended form?

9 MS. MAHONEY: So in the current Amendment
10 Form, it's, you know, again, very similar to 302. It
11 tasks the Secretary of State with bringing to us a list
12 of elected officials and the judicial council with the
13 list of judges. We would have to check with the elected
14 officials and make sure that they still want to be on
15 this list, and then we would be tasked with submitting
16 this to DROP and then processing the requests within
17 five days.

18 MEMBER LIEBERT: So the key there is having
19 the Agency take on a responsibility to handle the DROP
20 process rather than the judges or the elected
21 officials --

22 MS. MAHONEY: Themselves, yes.

23 MEMBER LIEBERT: Got it. Okay. Thanks.

24 MS. MAHONEY: So next, I wanted to
25 highlight AB 1159 from Assembly Member Addis at a

1 high level.

2 This amends student privacy laws such as the
3 K -- K through 12 people online Personal Information
4 Protection Act, more commonly known as CO PIPA, to
5 prohibit and other laws to prohibit the use of cover
6 data to train AI systems.

7 So we'll continue monitoring that, although
8 it does not task us with any responsibilities.

9 Next up is AB 1542, from Assembly Member
10 Ward.

11 This one would affect our agency. It amends
12 the CCPA to restrict the sale and sharing of sensitive
13 personal information. So this would meaningfully
14 strengthen protections for SPI and limit the further
15 downstream distribution of this data.

16 So we'll keep monitoring this one.

17 And then we have two bills authored by
18 Senator Cabaldon. On the first -- sorry Cabaldon.

19 The first SB 1104 would amend the CCPA to
20 require that businesses that don't exclusively operate
21 online to provide a toll free number and email address
22 for submitting Privacy requests like right to access,
23 delete and correct personal information.

24 And then second, SB 1106 would amend the
25 Delete Act to adjust the timelines for processing

1 deletion requests from 45 days to 30, but I expect to
2 see these bills change and that these are just early
3 versions.

4 And then finally, I wanted to provide an
5 update on a ballot initiative that I mentioned last
6 year.

7 So last fall, both open AI and Common Sense
8 Media filed separate ballot initiatives to regulate
9 companion --

10 CHAIR URBAN: Sorry, before we get to the
11 initiative, I think Mr. Liebert has a question.

12 MEMBER LIEBERT: Thank you. Yet another
13 question. Sorry.

14 We have a couple of Delete Act bills going
15 through based on your list, and it strikes me that that
16 at some point might be an opportunity, if you will, to
17 address the possibility, if staff can think about this,
18 of speaking, for example, with the Chair of the Senate
19 Privacy Committee with his bills, for example, about
20 graduated fees in terms of -- of DROP that we can
21 protect the smaller businesses that shouldn't be paying
22 the same amount of fees, if you will, as super large
23 data brokers. It's worthy of discussion. I'd urge
24 staff to have those conversations.

25 Thank you.

1 CHAIR URBAN: Thank you. Mr. Liebert.

2 MS. MAHONEY: Great, yeah, and I just wanted
3 to provide a brief update on this ballot initiative.

4 Last fall Open AI and Common Sense Media
5 filed separate ballot initiatives regulating companion
6 chatbots aimed at children.

7 Earlier this year, since our last board
8 meeting, they agreed to a joint proposal and combined
9 their efforts into one initiative, and then a couple
10 weeks ago, they decided to put that joint ballot
11 initiative on hold while they pursue a joint
12 legislative effort, although reserving the option to
13 pursue the joint ballot initiative in 2028.

14 So we're monitoring this because it would
15 have amended the Business and Professions Code to
16 prohibit covered AI systems from serving targeted ads to
17 children under 18, and prohibit the sale and -- sale or
18 sharing of a child under 18 data without parental
19 consent.

20 And there are also a number of bills that
21 carried over last year that, if they move forward, will
22 likely be taken up this summer, which I plan to discuss
23 further at our May board meeting.

24 So again, I expect we'll have a number of
25 bills to recommend to the Board to take a position on in

1 May.

2 CHAIR URBAN: Thank you, Miss Mahoney. I'm
3 just going to break in for one second again for the
4 benefit of our new board member that in May or
5 thereabouts, Ms. Mahoney generally comes to us with more
6 information and recommendations for any positions that
7 the Board should take.

8 MS. MAHONEY: So that wraps up California.
9 Next slide please.

10 Okay. So again, just a brief multi-state
11 update. We monitor states that are considering
12 privacy and ADMT legislation as part of our mandate to
13 work with other states to encourage consistency where
14 possible.

15 So still relatively early in the 2026
16 legislative session for some states, although other
17 states have already wrapped up.

18 But I wanted to give you a sense of what
19 we're seeing around the country.

20 First, we are seeing a trend of bills that
21 attempt to regulate data brokers. At least 10 states
22 are or have considered Data Broker bills this year,
23 including over a half dozen states that have considered
24 Delete Act-style bills.

25 So, again, the ones that are like the delete

1 that are based on the Delete Act are very, very similar
2 to it.

3 States that have delete style bills include
4 Hawaii, Illinois, Nebraska, New Mexico, New York,
5 Vermont, Connecticut was just introduced. And I expect
6 more to come.

7 And we've engaged with legislators in
8 several states offer technical assistance and feedback
9 to promote consistency, including oral testimony in
10 Vermont and Maryland, which has a Data Broker registry
11 Bill focused on our experiences in implementing the
12 Delete Act.

13 And there are several comprehensive privacy
14 bills moving around the country. Some of these are new
15 bills. A lot of them are carried over from last year.

16 For example, Oklahoma, Pennsylvania, Maine,
17 Massachusetts and Wisconsin.

18 The Pennsylvania bill, for example, passes
19 the House in 2025 is now making its way through the
20 Senate.

21 Similarly, Oklahoma's bill is even close
22 to the finish line. I think it's just awaiting a
23 concurrence vote in the Senate; it may have already
24 happened.

25 And the main bill, which is particularly

1 strong, recently passed the house and now moves on to
2 the Senate. So we'll continue to monitor those.

3 And finally, I'm going to provide an update
4 on what we're monitoring at the federal level.

5 Increased federal interest in preemption
6 remains our top focus this year. We're closely
7 monitoring several bills that are moving through the
8 House, Energy and Commerce Committee.

9 Committee markup of over a dozen bills
10 focused on kids, online safety is expected any day now.
11 Early versions of the majority of these bills had
12 provisions that sought to limit states' ability to act.

13 So we've been paying particular attention to
14 the House version of COPPA 2.0 which expands privacy
15 protections of COPPA 1.0 but also included a preemption
16 provision that limited states' ability to enact laws,
17 quote, "related to the provision of the act."

18 In December, when the subcommittee can
19 consider these bills, we submitted a letter to the whole
20 committee in opposition to the preemption provision,
21 encouraged them to consider amendments that would
22 establish a floor and allow states to go further,
23 consistent with the senate's version of that bill.

24 We've also heard that after the committee
25 considers the slate of kids' bills, we may expect to

1 see the introduction of a comprehensive federal privacy
2 bill. So this bill is the work product of the House
3 ANC working group that I've been that I mentioned
4 several times over the past or so, and that was formed
5 last year to develop a framework for a federal privacy
6 law.

7 So again, we submitted a comment last year
8 to the working group, urging them to establish privacy
9 laws that set a floor, and we anticipate the expected
10 privacy bill may seek to preempt the states.

11 Additionally, we are monitoring the next
12 steps expected from the from President Trump's December
13 Executive Order on a national framework for AI, and that
14 was released in early December.

15 The Order charged the Secretary of Commerce
16 to publish an evaluation of state laws, to identify
17 laws that conflict with a policy in the order to quote,
18 "enhance the United States global AI dominance through a
19 minimally burdensome national framework" end quote and
20 laws that should be referred to the Department of
21 Justice for legal challenge.

22 Based on the timelines outlined in the
23 Executive Order, we expect this evaluation to come next
24 month, March, and we're preparing to review the
25 evaluation once the list is released.

1 I also want to note that the Order includes
2 other elements related to laws deemed inconsistent with
3 the federal objectives.

4 States with these laws may become ineligible
5 for certain broadband equity access and deployment or
6 bead funds.

7 The Federal Communications Commission is
8 directed to consider creating a national reporting and
9 disclosure standard to override conflicting state laws.

10 And the FTC is directed to issue a policy
11 statement explaining the circumstances under which state
12 laws that require alterations to the truthful output of
13 AI models are preempted under The FTC Acts Prohibition
14 on Deceptive Acts and Practices.

15 The Executive Order also states that the
16 Administration will prepare legislative recommendations
17 for a uniform federal privacy framework for AI that
18 preempts state AI laws that conflict with the policy in
19 the Executive Order.

20 So there is discussion of potential AI
21 regulation framework in Congress that would seek to
22 establish a so-called national standard on AI. So we're
23 monitoring that as well.

24 And finally, several agency representatives
25 are planning to visit Washington, DC, in late March for

1 the IAPP Global Privacy Summit. And several of us will
2 use this opportunity to meet with members of Congress as
3 appropriate to follow up on conversations the executive
4 director and I had during our last DC trip and make new
5 connections.

6 And this concludes my presentation. I'm
7 happy to answer any questions.

8 CHAIR URBAN: Thank you very much,
9 Ms. Mahoney and your team. Lean and impressive is the
10 theme of the day, and I think generally the agency, but
11 we are really grateful for the comprehensive
12 information that you're able to provide for us in your
13 stalwart support of the Agency's views in these
14 discussions.

15 Comments or questions from board members on
16 the rest of Ms. Mahoney's updates?

17 Yes, Mr. Mactaggart?

18 MEMBER MACTAGGART: Just want to say thank
19 you for -- for all your efforts. It's really
20 impressive watching the IAPP map of the country get
21 greener and greener, and I know you guys are doing a
22 tremendous amount of education and travel and appearing
23 in different legislatures.

24 How many legislatures have you -- have you
25 testified in now? You must be --

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MS. MAHONEY: Probably under a dozen, but...

MEMBER MACTAGGART: Yeah. Anyway, very impressive. And thank you for your efforts.

CHAIR URBAN: Thank you, Mr. Mactaggart.

With that, I'll ask if there's public comments on this item.

MS. CARWILE: Agenda Item Number 6: If you'd like to make a comment at this time, please raise your hand using the raised-hand feature, or by pressing Star 9 if you're joining us by phone. This is for Agenda Item Number 6: Legislation Update.

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

CHAIR URBAN: Thank you, Ms. Carwile.

With that, we will move to Agenda Item Number 7, which is discussion and possible action regarding a rule-making petition to amend existing regulations to incorporate frameworks for minimal functional mode and a tiered-consent structure for general purpose consumer devices.

This is a petition that we received in -- under a part of the California Administrative Procedures Act that I think is not very famous, but is a very interesting -- that is, petitioning the Agency

1 actually to engage in rulemaking on these topics.

2 And Mr. Laird will present this item, and
3 I'll ask him to go ahead.

4 MR. LAIRD: Thank you, Chair Urban.
5 Testing. Is this working?

6 Okay. Good.

7 Thank you. I think this is perhaps the
8 longest I've gone in a board meeting without speaking to
9 you all.

10 For this agenda item, you have before you a
11 petition for rulemaking and a brief memo that explains
12 the procedural requirements associated with such a
13 submission.

14 And first, I'll note that the identifying
15 information for the petitioner was redacted because the
16 petitioner self-identified as a minor.

17 As explained in the memo, the Agency is
18 required to grant or deny the petition, grant or deny
19 part of a petition, grant other relief, or take any
20 other action warranted by a petition within 30 calendar
21 days.

22 Since this petition was received on
23 February 9, a decision must be rendered no later than
24 March 11.

25 The petitioner requests that the Agency

1 formally initiate rulemaking proceedings to achieve the
2 following: One, define and require the implementation
3 of a minimal functional mode for general purpose
4 consumer devices.

5 Two, mandate a tiered-consent structure for
6 consumer device activation.

7 Three, solicit public input through
8 structured workshops or formal comment processes.

9 Four, prohibit manufacturers from requiring
10 consent to non essential data practices to utilize core
11 functions.

12 And five, mandate the core, minimal
13 functional mode as the default for minors' devices.

14 Upon evaluation of the petition and the
15 timelines embedded within the Administrative Procedures
16 Act petition process, staff recommends that the Board
17 deny the petition.

18 While the petition raises some very
19 thoughtful and interesting concepts for consideration,
20 it is not technically feasible for staff to prepare a
21 notice package for the proposal and schedule a formal
22 hearing by the March 11 deadline.

23 This is affirmed, in fact, by the Office of
24 Administrative Law themselves, who, in response to a
25 rule -- rulemaking petition they themselves, once

1 received, stated given the steps that must be taken
2 before an agency can notice its proposed regulatory
3 changes, the timeline required by Government Code
4 Section 11340.7 is nearly impossible to comply with if
5 an agency elects to accept the petition and make
6 regulatory changes.

7 So in this instance, the Agency would have
8 13 days to prepare a notice isore, text, and economic
9 impact assessment, and if we determined a SRIA,
10 Standardized Regulatory Impact Analysis was required,
11 which in this case, there's a decent likelihood that it
12 would be.

13 Notice would simply not be possible in for
14 at least 90 days, given certain review requirements by
15 the Department of Finance.

16 In addition, and as I will touch on the next
17 agenda item, the Agency is already engaged in multiple
18 topics for preliminary rulemaking, and so this also
19 poses some challenges with constraints on existing
20 resources.

21 So with that all said, the legal division
22 commends the thoughtfulness of the petition and is
23 interested to hear if this is a topic the Board would
24 like staff to further evaluate as resources become
25 available, but otherwise a recommendation and a request

1 to the Board today would be to move and vote to deny the
2 petition, and the legal division would carry out
3 preparing that denial.

4 CHAIR URBAN: Thank you, Mr. Laird.

5 And I want to especially thank the
6 petitioner.

7 The information on the petition is redacted.
8 The petition is from a young person, and I think that
9 I want to emphasize that this is a very impressive,
10 thoughtful petition from anybody. And I'm especially
11 impressed and appreciative of the level of sort of civic
12 participation and thoughtfulness from a young person in
13 California. So that is very much appreciated.

14 I would like to sort of split the
15 conversation between the process collision that we have
16 encountered in the Administrative Procedures Act, and
17 anyone's substantive thoughts on the petition.

18 So let's go ahead and take the second one
19 first, just so we can discuss whether or not the Board
20 would like to think about some of the issues in the
21 petition in some form. And then we can take up the
22 process collision issue.

23 My own view on that is that it -- well, it
24 looks impossible so and I hope that the person -- the
25 petitioner sort of understands that this is a -- an

1 issue with the process -- that that is an issue with the
2 process.

3 Ms. Hamer?

4 MS. HAMER: So I didn't -- this might be a
5 hybrid of what you just wanted to dissect, but I thought
6 it was very well presented and thought out, and it was
7 something that I would support substantively.

8 Is there a way to incorporate it into our
9 rulemaking, or do something? And maybe even grant it
10 subject to some changes in the administrative schedule?
11 Or I mean, how do we consider these? Which I thought
12 were very good thoughts that were raised by the
13 petitioner.

14 CHAIR URBAN: Thank you, Ms. Hamer.

15 MR. LAIRD: I'd respond by saying, first and
16 foremost, a denial of the petition of itself is not a
17 rejection of the concepts, necessarily.

18 And as I mentioned just a minute ago,
19 certainly staff could, if directed by the Board, take
20 the time to further evaluate these concepts, including
21 the legal authority of the agency to embark on, sort of
22 the concepts proposed, as well as sort of the rulemaking
23 process we'd have to undergo to carry out such -- such
24 rulemaking.

25 In terms of timing, I think it would just be

1 a matter of -- I understand we have other sort of items
2 that we'll discuss in a little bit in process.

3 My initial take was that this didn't fit
4 sort of cleanly into the fort -- into any of the four
5 topics we've discussed as a board at our last meeting of
6 investigating. But it's certainly something we could
7 either add to the list, turn to at a later time, or
8 de-prioritize one -- one topic for another. So it's
9 something we are open to and happy to explore and to
10 provide further advice to the Board on from the Legal
11 Division.

12 CHAIR URBAN: Thank you. I am thinking --
13 Go ahead, please, Mr. Mactaggart.

14 MEMBER MACTAGGART: Well, like everybody
15 else, if the petitioner happens to be watching, or if
16 they take trouble to log back on, I'll just say this is
17 incredibly impressive for someone who's not 18 yet. And
18 so, whether you've got help with it or whatever, it's
19 really impressive. And you know, my thought is -- it's
20 an interesting time in anybody's life at that age.

21 You know, life goes in different directions.
22 And so if -- if you want to pursue it, you should. I
23 mean, obviously we're going to run into this procedural
24 issue, but we're not gonna be able to do it because of
25 the timing. But it kind of felt to me -- it's like it's

1 a big enough architectural jump, and I'd love to hear
2 from both Mr. Laird and Mr. Kemp on this -- almost feels
3 like it's kind of quasi-delete actesque, in terms of --
4 it's a -- it's another bolt on for the CPPA, you know,
5 and so maybe it's its own bill.

6 And I'm thinking, if you're some 17 year
7 old, you're this passionate about it, you should be able
8 to find a sponsor on something like this. It's a great
9 idea. I mean, it's just a great idea.

10 And we've all run into that problem when
11 you're, you know, opening up something you want to
12 make -- use some consumer item. In my case, oftentimes,
13 is a kid's device, and you can't do it without accessing
14 the internet, which is annoying.

15 So, I think great job. Keep it up. If the
16 Board feels like we want to add it to our list of things
17 to do. Great. I'm happy to do it. If it's something
18 that comes along from the legislature independently.
19 Also great, but good job, whoever you are.

20 MR. KEMP: To comment specifically
21 about potential legislation. There has been a bill
22 introduced, AB 2561, that requires minimal privacy
23 settings for devices. So one thing that the Board
24 should be aware of is that there could be a legislative
25 train that happens that is a -- and as of right now,

1 it's separate from the CCPA statute. So one thing that
2 you may want to consider is see what happens with that
3 bill before having the agency do rulemaking in this
4 area?

5 CHAIR URBAN: Thank you, Mr. Kemp.

6 Mr. Mactaggart, quick follow up, and then,
7 Mr. Liebert.

8 MEMBER MACTAGGART: Yeah, I'm just wondering
9 if -- if -- with all of us around, we're trying to get
10 people -- young people, interested, could some of us
11 make an introduction somehow to the to that office,
12 whoever's the author there, to whoever this person was,
13 if the person wanted to get a hold of us, obviously,
14 there's privacy of the person. But if the person -- but
15 if the person felt strongly enough and wanted to get a
16 hold of us, presumably some of us would be able to walk
17 them over to the office and say, "Here's this person who
18 gave us this great thing.

19 Would you guys like to work together?"
20 "Somehow, it might be a really fun project for a
21 17-year-old. Great thing to show on your college app."
22 That kind of thing.

23 CHAIR URBAN: Mr. Liebert?

24 MEMBER LIEBERT: Yes. I know, Phil, you're
25 going to make a presentation about regulatory interest

1 by the Board. And I think there is some crossover here
2 in terms of the whole concept of consent and notice.
3 And I've been somewhat robust in comments in the past
4 about how, so often, our consent is not informed
5 consent, it's actually compelled consent in order to use
6 services; right?

7 And so that would be something we can think
8 about, as well as we talk about the larger regulatory
9 focus that we want to pursue. And this is a great way
10 to generate that conversation as well.

11 CHAIR URBAN: Mr. Laird, I have a process
12 thought, which is that I am hearing some general
13 positive thoughts about the substance.

14 Excuse me. I apologize, Ms. Carwile, for
15 leaving the microphone. I will start over.

16 I have a process thought -- and for your
17 advice, Mr. Laird, which is, I've been hearing some
18 positive feedback on the substance of the of the
19 petition.

20 Of course, there would be questions as to
21 what would be within the agency's authority.

22 There are questions as to what would be
23 available resources, timeline, and all of that. This
24 isn't all entirely separate from the impossible
25 timelines that are in the Administrative Procedures Act.

1 It seems as though we actually cannot do what
2 Mr. Mactaggart -- I think, very properly suggested,
3 which would be to try to move the timelines out a little
4 bit in something -- was that not you? Oh, I apologize.
5 I'm sorry. I'm mis-attributing. Oh, I'm sorry.
6 Miss Hamer. All right.

7 It was a great idea from -- from another
8 member of the Board. I'm understanding that we can't
9 necessarily do that, so that's -- that's just a question
10 that we have to confront.

11 I -- because the substance then, and -- and
12 how it fits in or doesn't fit together with the four
13 buckets that we had already identified for regulations,
14 and the prioritization of the topic vis-a-vis, four
15 buckets that we've identified, is scheduled to be
16 discussed in the next agenda item.

17 I propose that we actually move to the next
18 agenda item and then we can recall this one in order to
19 make a decision about whether to ask that the staff
20 continue to explore this and on what timeline, and
21 prioritized in what way is that -- would that work?
22 Would that be helpful?

23 MR. LAIRD: That's fine with me.

24 CHAIR URBAN: Okay. All right. Is that all
25 right with everybody? Okay. Great. So with that, we

1 will pause discussion on this agenda item with again,
2 our thanks to the petitioner, and we will move to Agenda
3 Item Number 8, which is a regulations update as a
4 reminder.

5 In our November 7th meeting, the Board
6 discussed priorities for rulemaking. Several topics
7 were chosen at that time.

8 Mr. Laird expected to present in this
9 meeting with further detail on staff's recommended plan
10 for preliminary activities related to those four topics,
11 and indeed, he will do so now.

12 When you're ready, please, Mr. Laird, go
13 ahead.

14 MR. LAIRD: Thank you, once again, Chair
15 Urban.

16 So, yes. Today I'd like to provide really
17 just a brief update on our previous rulemaking that we
18 accomplished last year, as well as our rulemaking yet to
19 come.

20 So, next slide please.

21 To begin, I'll describe the efforts underway
22 to better educate businesses about their forthcoming
23 obligations, via the regulations adopted last fall by
24 the Board.

25 Coming into the new year, we knew that there

1 were certain updates to the CCPA regulations going into
2 effect on January 1st, that may not have been obvious to
3 all covered businesses.

4 And so one -- one thing we've worked
5 urgently on was a "7 Things to Know" guide, which is
6 screen-shotted here on the slide deck, reminding folks
7 of some of the most sort of significant changes to
8 regulations concerning the CCPA that were amended, as
9 part of the Board's larger rulemaking package last year
10 that businesses were expected to begin complying with it
11 in January 1st of this year.

12 But regarding the net new requirements with
13 regard to cyber security audits, risk assessments and
14 automated decision-making technology, we know there's a
15 lot of information to broadcast.

16 So we are also planning on releasing
17 short-form overviews geared towards businesses, and also
18 more robust compliance checklists geared towards
19 practitioners this summer -- this spring and this
20 summer.

21 And so, as is mentioned here, these are
22 materials, educational guides and resources that we are
23 planning to make available through our website and
24 promote both this spring and this summer.

25 Again, our goal being to really better

1 educate businesses and help practitioners assist those
2 businesses into coming into compliance.

3 And then finally, in the fall, we also do
4 plan to start educating consumers about their new rights
5 and options that will come online in 2027, with respect
6 to ADMT, and so within that regard, we understand,
7 beginning January 1st next year, consumers may start
8 seeing new options about ADMT that is making significant
9 Decisions about them. And so arming consumers with
10 knowledge about what these rights are, what they mean,
11 and how they can use them, we think, is an important
12 step also.

13 Let's see. Next slide, please.

14 So then, turning to the topic that we were
15 just discussing, as many of you will recall, but also
16 for Ms. Ozer's edification, In November, this Board
17 discussed and directed staff on a set of priorities for
18 further rule making initiatives for this -- for the
19 Agency.

20 And it circled around four, but it's
21 actually five topics, as I'll mention in a moment, that
22 Ms. Kim presented on.

23 So the first one being Employee Data. And
24 so, as was discussed in November, we have received a
25 significant amount of feedback on issues related to

1 employees and independent contractors and job
2 applicants, and how the CCPA -- the CCPA applies to
3 people within the work context, and that this was also a
4 topic that you, the Board has previously identified as
5 needing further attention on our rulemaking.

6 And so this was one item, one area that you
7 all agreed was something staff should focus on for
8 further -- further improvements and developments of
9 these regulations in that context, the second subject
10 was Disclosures and Notices.

11 As we all know, CCPA requires various
12 different disclosures to consumers, notice of
13 collection, privacy policies, notices of financial
14 incentives, et cetera.

15 And questions we still encounter are:
16 "How can we make notices more effective? What are
17 consumers most interested in knowing? Where do
18 businesses need to help in making disclosures?"

19 And so again, understanding the need for
20 further improvement in this area, the Board also
21 directed staff to further explore potential amendments
22 for these provisions, as well.

23 The third category was Reducing Friction in
24 the Exercise of Privacy Rights. Again, as we're still a
25 young agency.

1 We do have continuous input from consumers
2 through our complaint process and through other venues
3 where we learn that there are still issues consumers are
4 running into as they attempt to exercise their rights
5 under the CCPA.

6 And so, again, this was a topic emphasized
7 by the Board of really having staff try to better
8 understand where those friction points are, and if
9 there's anything we can do through rulemaking to
10 alleviate that friction.

11 Finally, we discussed in the Board-directed
12 staff, to review "Opt-Out Preference Signals"
13 regulations to see if any changes or clarification need
14 to be made considering the changing legal landscape.
15 This was in part, due to the fact that new legislation
16 was introduced, including our own California "Opt Me Out
17 Act," as well as other -- other bills signed last year,
18 having to do with minors data and signals related to
19 minors, as well.

20 So with that said, those four areas were
21 sort of the direction we were given to study coming out
22 of the November meeting.

23 There was one that we didn't discuss in
24 detail last time, but it's very much a necessity, given
25 our statutory timelines in the Delete Act. And that is,

1 if you may recall, there's a requirement in the Delete
2 Act that data brokers have to complete an audit of their
3 compliance with the provisions of that law every three
4 years, beginning in 2028.

5 And so I know 2028 sounds like it's a long
6 ways away. It is not, especially on a rulemaking
7 timeline. And so, we also intend to use a portion of
8 our time and resources to -- to begin that rulemaking
9 process, and come to this board with recommendations on
10 that -- that topic as well.

11 Next slide, please.

12 And so, to briefly update you, you know,
13 ultimately, we've only started this work. You know,
14 this direction was received in November, and the Legal
15 Division staff did turn to it immediately, and at this
16 point, we're in information-gathering and research mode
17 on all full cylinders though, I promise you, across our
18 division and we are consulting research articles and
19 other data available publicly and also available
20 throughout the agency, and as well as -- is as our
21 standard practice for preliminary rulemaking, we are
22 next now planning to solicit public input through a
23 public preliminary public comment periods.

24 These are four big, meaty topics we -- we
25 recognize, and we understand it's a lot to engage in our

1 processes.

2 So our strategy is we're going to do two
3 topics at a time, and we anticipate next -- next
4 month -- next week, potentially in March, opening our
5 first preliminary rule meant -- rulemaking comment
6 period on employee data and notices and disclosures. We
7 would follow it the next month, then with an opportunity
8 for comments on Opt-Out Preference Signals and reducing
9 friction in exercising privacy rights.

10 And then, I also mentioned on these slides
11 that we anticipate doing preliminary comments for our
12 audit regulations for the Delete Act that I just
13 mentioned in summer -- in further assessment, and at the
14 very, very thoughtful urging of my assistant chief
15 counsel, we may be bumping up that comment period to be
16 closer to the spring, just understanding we that work
17 really need to get underway, as well.

18 But with that said, that is really the next
19 phase that we're embarking on is really soliciting that
20 open feedback from all stakeholders and from the public
21 at large, and then synthesizing that, and having that
22 further help develop and inform where we might land on
23 for recommendations.

24 But in terms of timing -- and I don't
25 necessarily think we will be in a position to have clear

1 recommendations on all five topics for you by the end of
2 the year, but I definitely anticipate some of those will
3 be ready for again, recommendations or policy direction
4 from you all by the fall.

5 CHAIR URBAN: Thank you very much, Mr. Laird
6 and the whole team, for taking on these additional
7 topics, which -- we've already said we think they're
8 important. I continue to think they're important.

9 I have a question on the Data Broker Audits
10 that is really just a practical question.

11 Do you yet have a sense of the proportional
12 resources that that process will take, compared to the
13 other processes? What I'm asking is, how close are you
14 to capacity with rulemaking topics?

15 MR. LAIRD: We're pretty full up at the
16 moment. We've really tried to actually -- as you're
17 aware, early rulemaking for this agency was an
18 all-hands-on-deck effort, and it still is across these
19 topics.

20 Although I'll inform you, we've really --
21 our approach now is to break our legal division into
22 teams focused on each topic.

23 So instead of everybody doing everything, we
24 sort of have broken out teams, but between those teams,
25 we cover the entire Legal Division at this point working

1 on this, these rulemaking topics.

2 CHAIR URBAN: So our -- So, our goal of
3 having more bite-sized rulemaking seems to be only
4 partially met, maybe -- well, thank you all for your
5 work on that. That that's very helpful. How involved
6 do you think the Data Broker audit rulemaking process
7 will be?

8 MR. LAIRD: To be honest, in comparison to
9 some of the other topics we're exploring, it actually is
10 probably the lighter -- the lighter touch one, in terms
11 of we have the benefit of having recently completed the
12 Cyber-Security Audit requirements, regulations.

13 And this similarly, will be merely defining
14 the scope and sort of procedures of fulfilling the audit
15 requirements in the Delete Act.

16 CHAIR URBAN: Okay. Well, this looks like a
17 terrific plan to me. I hope that the Board will have
18 the opportunity to hear about some of the preliminary
19 information that comes in when you deem it appropriate.
20 I continue to think that these topics are critically
21 important.

22 Mr. Liebert already mentioned notices, and
23 I think that that is something that he has rightly
24 identified as -- I don't know if I would call it a gap,
25 but an issue that needs to be addressed, and that goes

1 hand-in-hand with reducing friction and exercising
2 privacy rights. We wouldn't have to worry as much,
3 necessarily about some of the notices if -- if you know,
4 the more that we can reduce friction.

5 So I will ask if there are comments
6 questions from the Board.

7 CHAIR URBAN: Mr. Liebert?

8 MEMBER LIEBERT: Thank you so much for that
9 great presentation.

10 Is this on? Okay. Excellent.

11 You did allude to something that is
12 obviously very important for all of us, and that is that
13 we engage in as helpful education efforts as possible
14 with businesses, particularly small businesses, who are
15 now having to understand and implement the regulations
16 that we have been working on.

17 And I wanted to suggest that we think about
18 perhaps if -- and I'm not sure if this is happening or
19 not, Phil, but even kind of a more formal process that
20 brings in representatives of small business and other
21 businesses.

22 For example, to meet with staff to raise any
23 concerns they have about misunderstandings or lack of
24 understandings about issues, I know the governor's led
25 the way in this regard, and pulling together kind of

1 groups of representatives to address these very
2 complicated, often technological issues.

3 So I was just curious to what extent that
4 might be a model that the Agency could think of, in
5 terms of making outreach efforts, to have kind of a
6 formal input process, if you would, and with consumers
7 as well, perhaps.

8 It's kind of like focus groups.

9 "Tell us what you're struggling with as
10 these regulations are coming on board. How can we
11 potentially develop educational materials for you in a
12 targeted way that will be most helpful?"

13 That kind of concept.

14 MR. LAIRD: Absolutely. I think
15 those are fantastic suggestions, and this is one. We've
16 been keeping sort of all options on the table. I've
17 described to you today as sort of the concrete plans for
18 materials, but we have been also planning more robust
19 outreach to the business community to make sure nobody's
20 caught by surprise, and that there is opportunity to get
21 clarity, if clarity is needed.

22 CHAIR URBAN: Thank you, Mr. MacTggart.

23 MEMBER MACTAGGART: Yeah. I'm excited to
24 see these.

25 And I just -- every time I come to a website

1 that tells me to go to some Google Analytics thing to
2 opt-out, and they can't really opt-out, and they're not
3 too sure if they sell, I'm just like, Oh, please.

4 So I'm so happy that the reducing friction
5 one is on there, and I think it's hand -- hand-in-glove
6 with all these other ones, but -- good job. And I'm
7 looking forward to seeing some of the recommendations.

8 CHAIR URBAN: Thank you, Mr. Mactaggart.

9 Yes, Mr. Liebert. Please, go ahead.

10 MEMBER LIEBERT: These are also potential
11 opportunities for what I refer to as informational
12 hearings. But that's coming out of my experience
13 working in the legislature, and that is that obviously,
14 hand-in-hand with this would be opportunities.

15 If we're talking about, for example,
16 challenges about notices and disclosures, an opportunity
17 to have experts also educate us and the public, if you
18 will, about what these challenges are, et cetera, and I
19 know we might have a discussion of that later, but I
20 think it is consistent with what we're talking about
21 here in terms of the rulemaking process, as well.

22 CHAIR URBAN: That's certainly something
23 that can be part of a preliminary rulemaking process.

24 Sorry, Mr. Liebert. I wasn't sure if
25 you were -- My apologies.

1 MR. LIEBERT: Yeah -- no, sorry.

2 CHAIR URBAN: Apologies.

3 MR. LAIRD: Absolutely, yeah. I think -- I
4 know we've -- this Board has discussed informational
5 hearings in the past, and I think I anticipate staff
6 will be right.

7 That may be included in our recommendations
8 in terms of just further building education awareness of
9 certain issues for the Board and for the public
10 generally on topics we're seeing.

11 So I've instructed my staff that where this
12 is a focus to recommend on where we can make strides
13 with our regulations. We may come up with
14 recommendations external of the rulemaking process, as
15 well --

16 CHAIR URBAN: Thank you.

17 Seeing no other immediate comments or
18 questions from the Board on this particular topic, I'd
19 like to see if there is public comment, and after that,
20 we'll recall the previous topic.

21 MS. CARWILE: Okay. This is for Agenda Item
22 Number 8, Regulations Update: If you'd like to make a
23 comment at this time, please raise your hand using the
24 "raised-hand" feature, or by pressing "star-9." If
25 you're joining us by phone, this is for Agenda Item

1 Number 8, Regulations Update.

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

4 CHAIR URBAN: Thank you very much,
5 Ms. Carwile.

6 With that, we will recall Agenda Item
7 Number 7. Agenda Item Number 7 is a discussion and
8 possible action regarding a rulemaking petition to amend
9 existing regulations to incorporate frameworks for
10 minimal functional mode, and a tiered-consent structure
11 for general purpose consumer devices.

12 And so when we left this conversation, we
13 had some positive feedback on the substance of the
14 proposal from the Board, and some impossibility that was
15 presented to us with the Administrative Procedure Act
16 requirements, along with the Administrative Procedure
17 Act requirements for introducing a rulemaking package.
18 The timeline simply collide such that we could not
19 comply with both of them at once.

20 And so I am going to propose that we accept
21 the recommendation to deny the petition, because we
22 cannot actually grant the petition, given the
23 inconsistencies in the law, but would like to continue
24 the discussion of whether to request that staff continue
25 to explore the topic, perhaps under the Reducing

1 Friction Bucket, or to take other measures to see if the
2 there is a way for the petitioners' ideas to make it
3 into policy.

4 Yes, Mr. Mactaggart.

5 MEMBER MACTAGGART: Great. I'd just like to
6 add to that -- that one of those outcomes might be as
7 simple as the petitioner on their own, if they choose to
8 contacting either Director Kemp or General Counsel
9 Laird, and I'm sure it would be -- you know, be in --
10 Enjoyable to walk a young person across the Legislature
11 and say, "Here's this assembly -- Assembly Member, who's
12 already doing this bill. Why don't you?"

13 You know, because they're always looking for
14 someone young to headline the thing and to -- you know,
15 make a big deal. Might be really win-win, and it
16 might -- might be something for us that we ended up
17 working, which didn't take a lot of staff time because
18 it would be a legislation. So it's just a thought.

19 MR. LAIRD: Thanks. And I can't help
20 myself, but just note that in this instance, the
21 Legislature could potentially move much faster than we
22 could, via the rulemaking process.

23 CHAIR URBAN: Thank you, Mr. Laird.
24 Ms. Hamer?

25 MS. HAMER: Yeah. I think that's probably a

1 good suggestion. I also think that the petitioners'
2 points fit. Excuse my voice. What -- really -- well,
3 within what we're supposed to be doing, and could fall
4 within the reducing friction of exercising privacy
5 rights.

6 I think that the petitioner made some very
7 good points about the impacts to privacy by design,
8 data minimization, purpose limitation and proportional
9 consent, probably most importantly with his petition --
10 his or her petition. And I thought that they were, they
11 resonated with me as things that this is kind of what
12 we're supposed to be doing.

13 CHAIR URBAN: Thank you, Ms. Hamer. So
14 would your proposal be that it's not an either or
15 proposition that perhaps the agency could, if the
16 petitioner desired, it could introduce the petitioner to
17 the Legislature, and that would be a potential path, but
18 that it would also be valuable for legal division to
19 explore further some of the concepts in the petition for
20 rulemaking or other activity.

21 Is that is that your proposal?

22 MS. HAMER: That would be correct. Thanks.

23 CHAIR URBAN: Okay. Thank you.

24 I agree very much with Ms. Hamer, that the
25 petition is well-grounded in some of the foundational

1 concepts and duties that we have in the CCPA. So I do
2 support that with the caveat that we -- we -- and I'm
3 sure that we all agree that we -- we certainly would
4 understand and go with staff's discretion on how they
5 can allocate resources.

6 Any other comments?

7 Ms. Ozer?

8 MEMBER OZER: I just wanted to -- second
9 Member Liebert's conversation about informational
10 hearings and the opportunity, you know, to both bring
11 these types of issues and other types of best practices
12 that are sort of emerging from academia, and also from
13 people who are working in practice, about ways to really
14 reduce friction, whether that be actually default
15 settings that don't require individuals to have to take
16 action, but that it's the default, as well as just
17 there's -- there's so much good work happening, in terms
18 of thinking about how we really make these rights real
19 in practice for people.

20 So I would definitely support the
21 opportunity for the Agency to be elevating some of the
22 good thinking that's out there right now, and for us
23 to -- the Agency to really be at the cutting edge of
24 those types of interventions.

25 CHAIR URBAN: Thank you, Ms. Ozer.

1 All right. With that, I will request public
2 comments and let everybody know that I intend to request
3 a motion to deny the rulemaking petition that was
4 received on February 9th, due to current resource
5 constraints and the need to further explore.

6 Well -- hang on, I had this as a
7 substantive -- a substantive motion, but I think that it
8 would more appropriately be sort of a procedural motion,
9 and so let me adjust and start again.

10 So the motion that I will request is to
11 deny the rulemaking petition received on February 9th,
12 due to constraints imposed by the timeline set forth in
13 the Administrative Procedures Act and other relevant
14 laws, and to request that staff further explore the
15 feasibility and impacts of concepts described in the
16 petition, and to advise the Board in the future about
17 potential actions that are related to the information
18 and positions taken in the petition.

19 Okay. May we find if there's public
20 comment, Miss Carwile?

21 MS. CARWILE: This is for Agenda Item
22 Number 7. Discussion and possible action regarding
23 rulemaking petition, to amend existing regulations, to
24 incorporate frameworks for minimal function --
25 functional mode and a tiered-consent structure for

1 general purpose consumer devices.

2 If you'd like to make a comment at this
3 time, please raise your hand using the raised-hand
4 feature, or by pressing Star 9 if you're joining us by
5 phone again. This is for Agenda Item Number 7, and
6 it -- I believe we have a few hands raised.

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

10 MR. HOFFMAN: Thank you. Hi, Dylan Hoffman
11 on behalf of Technet, and really appreciate the
12 opportunity to provide comments today. And greatly
13 appreciate the Board Will not be moving forward --
14 according to the motion, will not be moving forward with
15 the petition at this time.

16 But I do want to raise some concerns that we
17 have with the substance of the proposal, and think it
18 warrants significantly more study and discussion.

19 First, the petition extends beyond the
20 intended scope of both the Agency and the CCPA. The
21 CCPA is enacted to govern how businesses collect and
22 process personal information, to impose product design
23 mandates, or engineering requirements on consumer
24 electronic devices. By provoke -- by proposing a device
25 functional integrity standard, the petition effectively

1 recasts the Agency as a product safety regulator without
2 explicit legislative authority to do so.

3 The petition also misconstrues pretty
4 ordinary commercial transactions. Consumers voluntarily
5 purchase devices and agree to terms of service in
6 exchange for valuable integrated features and services,
7 and labeling these routine marketplace arrangements as
8 "duress" or "coercion" establishes a pretty troubling
9 precedent that could be applied broadly to standard
10 service agreements across industries.

11 Second, the petitioned assertions regarding
12 technical feasibility oversimplify complex realities.
13 Its comparison, their cookie consent frameworks, for
14 example, overlooks the material differences between web
15 browser environments and fully integrated device
16 ecosystems.

17 Core functions, such as device security,
18 software updates, or any administration and fraud
19 prevention rely on account-linked identity verification
20 that cannot simply or easily be separated or de-coupled
21 without consequences.

22 The proposal also fails to account for
23 legitimate security purposes. Device activation
24 processes are specifically structured to safeguard
25 consumers against theft, fraud, and unauthorized access,

1 and permitting fully anonymous device use would erode
2 these well established consumer protections.

3 Finally, the approach outlined in the
4 petition is likely to diminish the consumer experience.
5 Mandating granular feature-by-feature consent for
6 enhanced services would burden users with repetitive
7 prompts and produce a fragmented and sometimes confusing
8 interface, undermining rather than advancing meaningful
9 transparency.

10 It also places California consumers at a
11 competitive disadvantage. State specific device
12 requirements would increase compliance costs and
13 operational complexity potential, leading -- potentially
14 leading to delayed product launches, reduced
15 functionality, or higher prices for California
16 residents, relative to consumers in other states.

17 Thank you for your time, and I appreciate
18 the opportunity to speak.

19 MS. CARWILE: Thank you.

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

23 Ronak Daylami, go ahead and begin when
24 you're ready.

25 MS. DAYLAMI: Oh, sorry. Hopefully you can

1 hear me now.

2 Thank you. Ronak Daylami, with Cal Chamber.

3 We appreciate the recommendation to
4 technically deny the petition, but given board member
5 comments, including the desire to incorporate the
6 content into other rulemakings, we do feel it necessary
7 to comment, however much it feels a little bit after the
8 fact. Now, at this point, I do want to say, you know,
9 we'll echo a bit of Technet's comments here, but again,
10 want to emphasize some of these points.

11 While our members strongly support consumer
12 privacy protections, we believe this petition is calling
13 for the Agency action that would constitute regulatory
14 overreach that we would have to strongly object to.

15 In the simplest of terms, the CCPA is a
16 law that regulates how businesses handle personal
17 information they collect. It in no way authorizes the
18 Agency to dictate product design and engineering
19 standards for consumer electronics, mandating a "device
20 functional integrity standard" transforms this entity
21 into a product safety regulator without clear and
22 necessary legislative authorization to do so.

23 The framing of coercion, we believe,
24 fundamentally mischaracterizes voluntary commercial
25 transactions. As was mentioned, consumers freely choose

1 to purchase devices. They're not coerced into it. When
2 voluntarily purchasing those devices, they may accept
3 terms of service in exchange for valuable integrated
4 features. To now label those standard commercial
5 practices built on choice as "duress," that's a
6 dangerous precedent that would apply to virtually any
7 service agreement.

8 The petitions technical feasibility claims
9 are also oversimplified. In our view, the analogy to
10 cookie consent frameworks overlooks the fundamental
11 differences between web browser architecture and
12 integrated device ecosystems.

13 As was pointed out, device security,
14 software updates, warranty services, and fraud
15 prevention all depend on account-linked identity
16 verification that can't just simply be de-coupled.

17 The proposal misses legitimate security
18 considerations that device activation workflows are
19 designed to protect consumers, and allowing fully
20 anonymous device operation therefore weakens consumer
21 protections instead of strengthening them.

22 We note that the proposal, in fact, risks
23 degrading the consumer experience, creating consumer
24 harm and unintended consequences, which includes putting
25 California consumers at a competitive disadvantage.

1 Requiring contextual feature-by-feature consent at every
2 enhanced service will frustrate consumers with
3 repetitive permission dialogs and create fragmented,
4 confusing user experiences, not a transparent one.

5 Moreover, California specific device
6 requirements will increase costs and complexity,
7 potentially resulting in delayed product availability,
8 reduced features, or higher prices. Even for California
9 residents, many of these concerns are due to the fact
10 that the petition lacks necessary industry input,
11 including on practicality.

12 While we urge the Agency to refrain from
13 rulemaking in areas that extend beyond its authority, we
14 do encourage you to convene technical workshops to
15 understand the real world implications of such proposals
16 before jumping into a costly, formal rule-making process
17 that could lead to serious consequences for consumers in
18 our economy.

19 Even within other rulemaking processes, the
20 petitions reliance on academic research and enterprise
21 standards such as NIST, does not reflect consumer market
22 realities.

23 And finally, ambiguity creates enforcement
24 challenges, to say the least, and sets regulated
25 entities up for failure. So terms like "strictly,

1 necessary, ancillary, and contextual consent, or
2 undefined" will generate costly disputes over
3 interpretation. The Agency shouldn't adopt standards
4 that cannot be consistent -- really consistently
5 applied.

6 I'll end it there. Thank you so much.

7 MS. CARWILE: Thank you.

8 If there are any other members of the public
9 who'd like to speak at this time, please go ahead and
10 raise your hand using Zoom's raised-hand feature, or by
11 pressing star-9 if you're joining us by phone. Again,
12 this is on Agenda Item 7.

13 Omar, I'm going to unmute you this time.
14 You'll have three minutes. Go ahead and begin when
15 you're ready.

16 MR. OMAR: Hello. I need help finding the
17 petition.

18 But I just -- just hearing people speak
19 about having to, like, sign up for things under
20 distress, I agree with that.

21 I recently had a phone that was broken,
22 had to switch to iPhone. I can't download anything
23 without making an account, without giving my private
24 information. I can't talk to my family. It is distress
25 when corporations force you to give up private

1 information or to make accounts, and I just want that
2 statement to be included. Thank you.

3 MS. CARWILE: Thank you. Thank you. Again,
4 this is for Agenda Item 7. If there are any other
5 members of the public who'd like to speak at this time,
6 please raise your hand using the raised-hand feature.

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

9 CHAIR URBAN: Thank you. Thank you to the
10 commenters for their thoughtful comments. I'm sure
11 staff will consider your questions with authority and
12 feasibility if they -- if the board does decide to
13 request that staff look into the concepts in the
14 petition further.

15 Mr. Laird, did you have?

16 MR. LAIRD: Yeah, just the final commenter
17 mentioned they didn't know where the petition could be
18 found. So I just wanted to clarify, it's available on
19 our website, which is cppa.ca.gov. And it's under the
20 meetings section, today's date associated. It is one of
21 the meeting materials available.

22 CHAIR URBAN: Yes, I think it's marked
23 Agenda Item 7.

24 MR. LAIRD: That's correct.

25 CHAIR URBAN: And there will be a PDF that

1 is the petition itself, if the commenter would like to
2 explore it further. Again, thanks to all the commenters
3 for their input. And I will now ask for -- if there is
4 a board member who would like to make the motion I
5 stated earlier.

6 MEMBER MACTAGGART: -- So moved.

7 CHAIR URBAN: Thank you, Mr. Mactaggart.

8 May I have a second?

9 MS. HAMER: Yes.

10 CHAIR URBAN: Ms. Hamer, thank you.

11 I have a motion from Mr. Mactaggart and a
12 second from Ms. Hamer.

13 Ms. Carwile, would you please perform the
14 roll call vote?

15 MS. CARWILE: Yes.

16 This is a roll call for the motion, as
17 stated by the Chair.

18 Board Member Hamer?

19 MEMBER HAMER: Yes.

20 MS. CARWILE: Board Member Liebert?

21 MEMBER LIEBERT: Aye.

22 MS. CARWILE: Board Member Mactaggart?

23 MEMBER MACTAGGART: Aye.

24 MS. CARWILE: Board Member Ozer?

25 MEMBER OZER: Aye.

1 MS. CARWILE: Chair Urban?

2 CHAIR URBAN: Aye.

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

5 CHAIR URBAN: The motion carries with a vote
6 of five to zero.

7 Once again, I thank the petitioner for
8 alerting us to this possibility and to -- and for their
9 robust civic participation. We are grateful to consider
10 your petition today, and we will hear more about it
11 later. Thanks to everyone for their consideration.

12 We find ourselves at a bit of a crossroad.
13 My guess is that people's stomachs are beginning to
14 grumble and lunch is beginning to sound good. We also
15 have the option to take the public comment on items not
16 on the agenda. Possibly talk about future agenda items,
17 which would leave us only with a closed session item and
18 adjournment, such that we could go to lunch and the
19 Board could discuss the closed session item, and we
20 could return only to adjourn.

21 However, I do not want to impose an
22 unspecified amount of time between everybody and lunch
23 if they're not comfortable with it.

24 So what do people think?

25 MEMBER MACTAGGART: Madame Chair, could I

1 suggest that we reverse the order, take number 10 now
2 and then number 9? I'd be willing to do that before
3 lunch. My thought is, people are on the east coast
4 watching. It's a Friday. And if we take number 10, I
5 think that would let whoever needs to leave the meeting
6 earlier could probably be watching on --

7 CHAIR URBAN: If they don't have a public
8 comment.

9 MEMBER MACTAGGART: If they don't have a
10 public comment. And if they do have a public comment,
11 also, it saves them time. So I would encourage us to do
12 it all before lunch.

13 CHAIR URBAN: Wonderful. Thank you. Sorry
14 for talking over you. I was -- I had caught up to you,
15 and it was a great idea. So if other folks are down
16 with that?

17 Okay. Let's take item number 10, which is
18 our item for future agenda items, which I mentioned at
19 the top of the meeting.

20 This is one of the two exceptions to
21 items -- discussing items that are not formally on the
22 agenda. For this item, it is only in order to discuss
23 whether we might want to put a topic on an agenda for a
24 future board meeting.

25 I first want to touch on the regularized

1 calendar and upcoming items. The public and the board
2 can find our calendar of quarterly meetings on the
3 events page of the Agency's website.

4 Today we covered the administration and
5 budget update. We have deferred the executive
6 director's annual review for a bit. He was hired in
7 April of 2025. What is on the schedule is the standard
8 schedule, and so we will defer that for a little while.

9 Our next meeting will be on May 7. And the
10 regularized items that we often do on May 7 are, as
11 alluded to earlier, hearing about and possibly taking
12 positions on pending legislation, our annual enforcement
13 update, and discussion of priorities for enforcement and
14 our annual public affairs update.

15 And then on August 7, we have a standard
16 item for discussing the budget plan for upcoming budget
17 development direction for the staff, and the annual
18 hiring update, including diversity and inclusion
19 metrics.

20 We finish out the year on November 6 this
21 year, discussing the next round of annual legislation
22 proposals and priorities, and annual intergovernmental
23 affairs update and priorities, the Board calendar for
24 2027, and regulation proposals and priorities.

25 So what you've seen in the meeting today is

1 a lot of these topics from 2025 are now in progress in
2 2026. We typically meet on Friday. The quarterly
3 meetings are all Friday dates.

4 We also discussed in November, and it has
5 come up a couple of times today, holding informational
6 sessions. I have not an allergy to hearing. I just --
7 I'm not sure what that entails, and it might entail a
8 public meeting and so forth.

9 So anyway, informational sessions or
10 hearings on some Thursdays before the Board meeting for
11 interested board members, or on other days.

12 And we have discussed those a little bit
13 under Agenda Item 8 today. So I'd like to return to
14 that in just a minute, once I managed to go through the
15 list that I have been -- the running list I've been
16 keeping.

17 Mr. Mactaggart had some regulation updates
18 that I think have been incorporated into the packages,
19 as to how deletion happens and what companies need to,
20 say, disclose when they're deleting the data.

21 Mr. Mactaggart had a question about how
22 concretely we can guide consumers for staff. And those
23 are just, you know, in the hopper, I believe.

24 I had an item about employee and employee
25 relationship in data, and I think that that is being

1 incorporated into the rulemaking. I have my standard
2 request for when we have the capacity to develop maybe
3 model notices for businesses, and that is in the hopper
4 as well.

5 We have brought up GDPR adequacy a few
6 times, and I think that is just -- that is being
7 explored.

8 Mr. Worthe, when he was on the board,
9 suggested -- and I am carrying it forward as well -- a
10 discussion of small businesses and who is covered by our
11 law and regulations, who falls out of it as a small
12 business.

13 And I think I will, with Mr. Liebert's
14 permission, add to that general sort of outreach and
15 understanding to small businesses -- outreach to and
16 understanding of small businesses and how they're
17 impacted by the law.

18 Ms. Hamer had a request, eventually, for a
19 briefing on a fourth-party issue that was brought up by
20 a speaker. And that brings us back to the informational
21 sessions, which I have on my list here from Mr. Liebert,
22 a request for exploration of privacy policies and how
23 they work.

24 And would anybody like to add anything? I'm
25 not looking at the team, because my guess is -- yes,

1 Mr. Mactaggart.

2 MEMBER MACTAGGART: So you had alluded to
3 it, and I just wanted to get a sense, because it's been
4 on the agenda for a while, where that -- I'm in the regs
5 right now.

6 And if I look at 7022H, which none of you
7 have at your fingertips, but I'll just say that's the
8 one where it says the business may present different
9 options to delete. And I think it's just a question of
10 exploring what would be involved. Do we say, "must
11 present."

12 And of course, the business is going to
13 come back and say, "Well, you got 3,000 pieces of
14 information, or 40,000. How can we give you 40,000
15 choices?"

16 So, you know, there's got to be some kind of
17 a bucket. But I always come back to -- the thing is, I
18 want to tell Google to delete my information. Does that
19 include my photos?

20 Because I actually don't want my photos to
21 be deleted, and it's hard to figure that out. So I just
22 think it's a relatively small tweak. I mean, nothing's
23 small. It's easy, if you say it fast, but that's my
24 point. I don't think we've done it yet, but I would
25 love that. Because every time I go to delete it, I'm

1 like, maybe I shouldn't do that.

2 So thanks. And of course, they don't make
3 it easy.

4 CHAIR URBAN: Thank you, Mr. Mactaggart.

5 Ms. Ozer?

6 MEMBER OZER: Just on the broader topic of
7 informational sessions, just on some of the emerging
8 best practices on reducing friction in exercising
9 privacy rights. So I'd just say, more generally, it
10 would be wonderful to maybe have an informational
11 session that delved into that to be able to inform the
12 Agency and us.

13 CHAIR URBAN: Thank you, Ms. Ozer.

14 Mr. Liebert?

15 MEMBER LIEBERT: I'm not sure by your glance
16 as to whether we need to have a more formal conversation
17 about how to incorporate the informational hearings.

18 I know that's potentially challenging for
19 members if we're going to have a Thursday afternoon
20 before a Friday hearing. And I don't know to what
21 extent, in terms of all of the work that's before the
22 Agency and the Board, whether it's practical to do it
23 during a Friday, normal board hearing. So I don't know
24 when you think that conversation would be useful.

25 CHAIR URBAN: So my -- yes, Mr. Mactaggart.

1 MEMBER MACTAGGART: Well, I think the Chair
2 has been so efficient that recently, the meetings have
3 become more manageable, and there's maybe an opportunity
4 just to do it during.

5 I personally would find the one-day, two-day
6 thing to be quite cumbersome. But if we could do a
7 Friday afternoon session, because we seem to be able to
8 be getting -- and I don't want to prejudge future
9 meetings, which might be more complicated, but it does
10 seem like we could fit in an hour session during the
11 day. I would urge, as opposed to doing two days,
12 myself.

13 CHAIR URBAN: I think I would ask the
14 Board's indulgence for me to work with staff to figure
15 out what is feasible. I imagine it probably is
16 calibrated by a number of factors, including, what is
17 the topic? How many speakers would we need to have?
18 Does it need to be a noticed board meeting? And to be a
19 noticed board meeting anytime, the Board itself would
20 like to participate. Of course, we need to do that
21 under Bagley-Keene. But if it were, for example, a
22 remote Zoom session and we were listening in, there may
23 be more flexibility there.

24 So if -- with the Board's indulgence, I
25 could work with the staff and find out from them what

1 they think is feasible for various topics. We could try
2 that, and then everybody can yell at me in the next
3 meeting, and we can adjust if needed. Okay? Great.

4 And does that work, Mr. Laird and Mr. Kemp?
5 Does that work for a process, which is just that we work
6 with you to figure out what the right process is?

7 MR. LAIRD: Absolutely.

8 CHAIR URBAN: Okay. Great. Thank you.

9 I would also like to propose an
10 informational session. And I recognize that again,
11 there are limited resources, so this is a proposal, and
12 certainly the staff should take into account resources.
13 But I do think it's an urgent issue, and that, again, is
14 the issue of what is happening to Americans' data at a
15 federal level. And federal efforts to preempt state
16 protections for their citizens' and residents'
17 information.

18 I would not ask that we bring this to the
19 level of discussion that one might have in an
20 informational session, where we could all learn more and
21 think through what might be possible for the Agency.

22 If I were not convinced that this were not a
23 very serious and indeed an emergency moment in our civic
24 life. We have been put in the position. And by this --
25 by we, I mean Americans, and I mean Californians, of

1 having to rethink fundamental understandings and
2 fundamental responsibilities and duties that the federal
3 government has taken on with regard to some of our most
4 sensitive personal information, including health data,
5 tax data, employment data, financial data, all of which
6 is held in trust for us by the federal government and
7 protected by long standing laws, organizational
8 practices, and indeed, technical measures.

9 These laws grew out of a rupture of trust
10 between the public and the federal government in the
11 1970s, and have been in place in the decades since. And
12 now are under -- I can't even call it strain. They are
13 under attack. The place of states in this situation
14 is -- I think, has to be to take the part of our
15 residents.

16 And what that means legally and under our
17 authority, is, of course, an open question, and I would
18 like to understand more about that, should resources
19 allow in an informational session.

20 Mr. Liebert?

21 MEMBER LIEBERT: I think you said that so
22 perfectly. And I would certainly support and urge that
23 we consider that as something that we would do at our
24 next board meeting in May, if we can make that work. As
25 you said, this is urgent. Time is of the essence, and

1 an evaluation of this is so critically important.

2 CHAIR URBAN: Thank you, Mr. Liebert.

3 Other comments or questions from the Board?

4 With that, Ms. Carwile, I'll ask if there's
5 public comment on this item.

6 MS. CARWILE: This is for Agenda Item 10,
7 Future Agenda Items, Including Potential Topics for
8 Informational Meetings.

9 If you'd like to make a comment at this
10 time, please raise your hand using the "raise hand"
11 feature, or by pressing Star 9 if you're joining us by
12 phone. This is for Agenda Item 10.

13 Madame Chair, I'm not seeing any hands
14 raised. Oh, we just got a hand raised. W. Cal V., I'm
15 going to unmute you at this time. Go ahead and speak.
16 You'll have three minutes.

17 MR. WITCHER: Thank you. Yes, actually,
18 it's Dr. Calvin Witcher. I didn't update my item there.
19 But my name is Dr. Calvin Witcher, I'm the Vice
20 President of Information Technologies in the death care
21 industry here in Southern California.

22 I recently completed my doctorate, really,
23 on the CCPA and non-factors among small business
24 enterprises. And as the CCPA rules continue to evolve,
25 particularly with the CPRA and updates and developments

1 on regulatory guidance, there's an impact on death care
2 industry that's often under examined. Cemeteries,
3 mortuary, funeral homes, et cetera, including internment
4 rights, next of kin, lots of financial data,
5 genealogical records, et cetera. Unlike many
6 industries, our data is permanent.

7 It's intergenerational, and intersects with
8 privacy laws and other public record laws, as well. So
9 updates involving deletion rights and data minimization,
10 et cetera, are of interest to us.

11 For that reason, I do welcome an
12 opportunity to be involved with outreach efforts and
13 advisory discussions or whatever, from a stakeholder's
14 perspective, to help inform the death care industry on
15 CCPA rules and updates.

16 Many of the facilities within this industry
17 are often under informed about this area. I'm doing
18 what I can to bring that to light, but I would be happy
19 to serve as a resource or participate in any round
20 tables to assist in any educational efforts for this
21 industry. Thank you again for the opportunity to make a
22 comment. Thank you.

23 MS. CARWILE: Thank you. This is for Agenda
24 Item 10, Future Agenda Items, Including Potential Topics
25 for Informational Meetings. If you'd like to make a

1 comment at this time, please raise your hand using the
2 raised-hand feature, or by pressing Star 9. If you're
3 joining us by phone.

4 Madame Chair, we don't have any other hands
5 raised at this time.

6 CHAIR URBAN: Thank you, Ms. Carwile. And
7 thank you to the commenter for the comment.

8 We now turn to Agenda Item 9, which is our
9 item for public comment for items not on the agenda.
10 During this item, the public is welcome to make comments
11 on topics that have not been on the agenda for today.

12 The Board, however, may not discuss or act
13 on any matter that is raised during this public comment
14 section session -- excuse me -- except to, I guess,
15 recall the agenda item and discuss whether to put it on
16 a future agenda. We will thus not react to any
17 comments.

18 But please understand that is not for lack
19 of interest. It is so that both the Board's and
20 Agency's and the commenters' interests can best be met.

21 Is there any public comment for this item,
22 Ms. Carwile?

23 MS. CARWILE: Yes. And again, this is for
24 Item 9, Public Comment on Items Not on the Agenda.

25 Omar, go ahead and speak. You'll have three

1 minutes.

2 MR. OMAR: Hello. I'm a student of the
3 California community colleges system, and our systems
4 and their business contractors need help.

5 We're practically forced to use Canvas by
6 Instructure. The first year, I was not aware that it
7 wasn't hosted by the district and our information would
8 be going to a corporation.

9 I was surprised again to find our
10 communications not being encrypted with something that
11 has R keys, like -- something like the signal protocol.
12 And that the -- the company is holding on to all the
13 student to student and professor conversations.

14 There's no point where I ever gave consent
15 for any of this. They have CCPA obligations in their
16 contract at the California Community Colleges
17 Foundation. And they're -- it looks like they're
18 violating some of those.

19 I put a couple "right to know" requests in
20 and haven't got anything back. A lot of the sections
21 include limiting data, but they have learning tool
22 integrations. They're third-party companies that have
23 their own policies, and professors can input our
24 information there without telling us they're using them.

25 There's different analytic systems that are

1 being used, like even logs that just see if you're on
2 focus in your browser. They have their commitment to
3 transparency, if you look for their government request
4 policy this -- they said they were going to report on
5 government requests.

6 They stopped in the beginning of 2024.
7 Like what was spoken earlier, before there's -- there's
8 questions about subpoenas coming from DHS and stuff like
9 that to one of our contractors at our district level,
10 Google is responding to administrative subpoenas not
11 even ordered by a judge.

12 At the district level too, we have contracts
13 with Gen Tech and Axon that do -- that could have AI
14 services and our biometric information might get
15 processed by these services.

16 You guys are there to promote public
17 awareness and cooperation with agencies. We need that
18 for our students and our student governments, and our
19 governments aren't aware of our rights. I've never met
20 another student aware of it. Our professors never
21 explained this to us.

22 I like the work that you guys are doing, and
23 I really hope you can help out, because right now it's
24 terrifying to go to school. Thank you.

25 MS. CARWILE: This is for Agenda Item 9,

1 Public Comments on Items Not on the Agenda. If you'd
2 like to make a comment at this time, please raise your
3 hand by using the raised-hand feature or by pressing
4 Star 9 if you're joining us by phone.

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

7 CHAIR URBAN: Thank you, Ms. Carwile. And
8 thank you very much for the comments.

9 With that, we will move to Item 11, which is
10 a closed session item. The Board will retire to closed
11 session to discuss this item, which includes two
12 matters.

13 The first is personnel matters under
14 authority of Government Code Section 11126, subdivision
15 A1, and the other is pursuant to Government Code Section
16 1126, subdivisions E1, and 2A.

17 The Board will meet in closed session to
18 confer and receive advice from legal counsel regarding
19 litigation, for which disclosing the names would
20 jeopardize the Agency's ability to conclude existing
21 settlement negotiations to its advantage.

22 So with that, we will retire to closed
23 session, and we will return when we are ready for the
24 last item, which is Item 12, adjournment.

25 Thanks to everybody who participated in the

1 meeting today. If, shockingly, you're not here when we
2 come back just to adjourn, we very much appreciate
3 everyone's participation in the process, and we'll be
4 back after closed session.

5 Thank you. Bye.

6 (Whereupon, the Board began a closed session.)

7 CHAIR URBAN: Welcome back. Thank you for
8 waiting everyone, and we will now move to Agenda Item 12
9 on today's California Privacy Protection Agency Board
10 Meeting. Agenda Item 12 is Adjournment, and it is our
11 final item.

12 Of course, I would like to thank everyone,
13 board members, staff and members of the public for all
14 of their contributions to the meeting today and to the
15 board's work. And may I have a motion to adjourn the
16 meeting?

17 MEMBER LIEBERT: Absolutely, I so move.

18 CHAIR URBAN: Thank you. I have a motion
19 from Mr. Liebert.

20 May I have a second?

21 MEMBER MACTAGGART: So moved.

22 CHAIR URBAN: Thank you. I have a second
23 from Mr. Mactaggart.

24 Ms. Carwile, will you please perform the
25 roll call?

1 MS. CARWILE: Yes. The motion is to
2 adjourn.

3 Board Member Hamer?

4 MEMBER HAMER: Aye.

5 MS. CARWILE: Board Member Liebert?

6 MEMBER LIEBERT: Aye.

7 MS. CARWILE: Board Member Mactaggart?

8 MEMBER MACTAGGART: Aye.

9 MS. CARWILE: Board member Ozer?

10 MEMBER OZER: Aye.

11 MS. CARWILE: Chair Urban?

12 CHAIR URBAN: Aye.

13 MS. CARWILE: Madame Chair, you have four
14 yeses and one not voting.

15 CHAIR URBAN: Thank you very much. The
16 motion carries with a vote of four to zero, and this
17 meeting of the California Privacy Protection Agency
18 Board hereby stands adjourned.

19 Thank you, everybody, and we'll see you next
20 time.

21 (Proceedings adjourned.)

22 -o0o-

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