

1 REPORTER'S TRANSCRIPT OF PROCEEDINGS

2  
3 MEETING OF THE  
4 CALIFORNIA PRIVACY PROTECTION AGENCY

5  
6 PUBLIC COMMENT HEARING

7  
8 FRIDAY, MARCH 7, 2025

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10 Pages 1 - 110

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12 California Public Utilities Commission Board Room  
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1 APPEARANCES:

2  
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4 Alastair Mactaggart, CPPA Board Member

5 Drew Liebert, CPPA Board Member

6 Brandie Nonnecke, PhD, CPPA Board Member

7 Jeffrey Worthe, CPPA Board Member

8 Philip Laird, General Counsel, CPPA

9 Liz Allen, Attorney, CPPA

10 Serena Marzion, CPPA Moderator

11 Lydia de la Torre

12 Tim Burnell

13 Zane Witherspoon

14 Tasia Kieffer

15 Public Speaker Mates

16 Public Speaker Eric

FRIDAY, MARCH 7, 2025

9:15 a.m.

-o0o-

CHAIR URBAN: Good morning. Welcome back from recess and to the continuance of this meeting of the California Privacy Protection Agency Board. It is March 7 at 9:15 a.m.

I am Jennifer Urban. I'm the chairperson of the Board, and I'm pleased to be here in person with the Board and the members of the public, and to welcome many of you via Zoom.

Before we get started with the meeting, I have some logistical announcements.

First, I'd like to ask everyone to please check your microphone is muted when you are not speaking.

Second, I'd like to ask everyone who is here in person to turn off or silence their cell phone to avoid interruption.

Third, please be aware that this meeting is being recorded. Our temporary ability to meet remotely and still comply with Bagley-Keene expired, so this meeting is in a hybrid format.

My fellow Board members and members of the

1 CPPA staff are here in person, and I know most  
2 members of the public are joining us remotely. The  
3 hybrid format does require -- create technical  
4 complexities. So if we have any technical kinks  
5 during the meeting, we will pause the meeting and  
6 address the issue.

7 Today's meeting is physically being held  
8 in the -- at the California Public Utilities  
9 Commission in San Francisco. We appreciate the CPUC  
10 team for their hospitality and not only allowing us  
11 to use their boardroom, but providing AV assistance  
12 here in the auditorium today.

13 Let me say a little bit about logistics  
14 and meeting participation. Today's meeting will be  
15 run according to the Bagley-Keene Open Meeting Act,  
16 which is required by law. We will proceed through  
17 the agenda, which is available as a handout here in  
18 San Francisco and also on the CPPA website. Meeting  
19 materials are available both as handouts here and  
20 online.

21 You may notice Board members accessing  
22 laptops and phones and other devices during the  
23 meeting. They are using the devices solely to access  
24 Board meeting materials.

25 After each agenda item, there will be an

1 opportunity for questions and discussion by Board  
2 members.

3 I will also ask for public comment on  
4 agenda items. Each speaker will be limited to three  
5 minutes per agenda item.

6 We also have a designated item for general  
7 public comment. That is agenda item No. 4 today.  
8 And I'll say a little bit about the timing in a  
9 moment.

10 If anyone hasn't joined us for a while, we  
11 have been scheduling the general public comment at  
12 the top of the meeting or near the top of the meeting  
13 to aid in stakeholders planning. It can be difficult  
14 to predict when to -- public comments on specific  
15 agenda items will occur, and so by placing the public  
16 agenda -- the general public comment near the top of  
17 the meeting, our hope is that members of the public  
18 who are unable to participate in the entire meeting  
19 will have a more predictable opportunity to share  
20 their comments.

21 If you are attending via Zoom and you wish  
22 to speak on an item, please wait until I call for  
23 public comment on an item and allow staff to prepare  
24 for Zoom public comment. It takes a second to set it  
25 up. Then please use the raise-your-hand function,

1 which is in the reaction feature at the bottom of  
2 your Zoom screen. If you wish to speak on an item  
3 and you are joined by phone, please press Star 9 on  
4 your phone to show the moderator that you are raising  
5 your hand.

6 Our moderator will call your name when it  
7 is your turn and request that you unmute yourself for  
8 comment at that time.

9 Those using the Webinar can use the unmute  
10 feature, and those dialing in by phone press Star 6  
11 to unmute. When your comment is completed, the  
12 moderator will mute you.

13 Please also know that the Board will not  
14 be able to see you if you're joining this remotely,  
15 only hear your voice. So it is helpful if you  
16 identify yourself, but this is entirely voluntary.  
17 And you can input a pseudonym when you log into the  
18 meeting as well.

19 If you are attending in person and wish  
20 to speak on an item, please wait for me to call for  
21 public comment and then move towards the podium and  
22 form a line, and you will be called in your turn.  
23 As with Zoom attendees, it's always helpful if you  
24 identify yourself, but, again, it is entirely  
25 voluntary and you're free to use a pseudonym or no

1 name.

2 Please speak into the microphone so that  
3 everyone participating remotely can hear you, and  
4 more importantly, so that your remarks can be  
5 recorded in the meeting record.

6 As I mentioned, the hybrid meeting format  
7 is somewhat complex.

8 So first, I'd like to thank Mr. Robert  
9 Stanford and his team for managing the technical  
10 aspects of that meeting today.

11 And second, I would like to explain what  
12 to do if those of you attending remotely experience  
13 an issue with the remote meeting.

14 For example, the audio drops. If that --  
15 something happens, please email [info@coppa.ca.gov](mailto:info@coppa.ca.gov).  
16 That is India, November, Foxtrot, Oscar at CPPA dot,  
17 CA dot gov. This email address will be monitored  
18 throughout the meeting. And if there's an issue that  
19 affects the remote meeting again, we'll pause and let  
20 our technical staff work on it.

21 The Board welcomes public comment on any  
22 item on the agenda, and it is the Board's intent to  
23 ask for public comment prior to voting on any agenda  
24 item. If for some reason I forget to ask for public  
25 comments on an agenda item and you wish to speak on

1 that item, please let us know by using the  
2 raise-your-hand functions and the moderator will  
3 recognize you.

4 If you're in person, please raise your  
5 hand and let me know that I forgot, and you will be  
6 called to the podium to provide your comment.

7 Once again, each speaker will be limited  
8 to three minutes per agenda item, and if you are  
9 speaking on an agenda item, Board members and members  
10 of the public must contain their comments to that  
11 agenda item.

12 These discussion parameters are required  
13 by the Bagley-Keene Open Meeting Act. Both Board  
14 members and members of the public can discuss agenda  
15 items only, with the exception that the public can  
16 bring up additional topics when the Board brings up  
17 the general public agenda -- general public comment  
18 item.

19 As I mentioned, it's No. 4 today, but I'll  
20 say a little about that in a minute. However, when  
21 we -- when we take general public comment, we can  
22 only listen. We can't respond other than to later  
23 discuss whether to agendize it for a future meeting.

24 There is also an item for the --  
25 discussing future agenda items, and that is on No. 7



1 on today's agenda. We will take breaks as needed,  
2 including one for lunch.

3 Please note the agenda Item 8 today is a  
4 closed session item. When we move to closed session,  
5 I will announce that item, and the Board will leave  
6 this room to go into closed session. The Zoom will  
7 stay open. When we are finished with the  
8 closed-session item, we will return to the public  
9 meeting.

10 A word about the timing: We are -- I'm  
11 very happy and excited that we'll be able to honor  
12 our Former Board Member Lydia de la Torre today. She  
13 is not going to be able to be with us right away this  
14 morning, and given that we are actually going to  
15 start with the general public comment item as our  
16 first item once we establish a quorum.

17 So with that, my thanks to all the Board  
18 members for their service and to all the people  
19 working to make the meeting possible: Mr. Philip  
20 Laird, who's our meeting counsel today, Ms. Tiffany  
21 Garcia, who's here in our capacity as interim  
22 executive director, and our moderator, Ms. Serena  
23 Marzion, whom I would like to ask to please conduct  
24 the roll call.

25 MS. MARZION: Thank you. Board Member

1 Liebert?

2 MR. LIEBERT: Here.

3 MS. MARZION: Board Member Mactaggart?

4 MR. MACTAGGART: Here.

5 MS. MARZION: Board Member Nonnecke?

6 MS. NONNECKE: Here.

7 MS. MARZION: Board Member Worthe?

8 MR. WORTHE: Here.

9 MS. MARZION: Chair Urban?

10 CHAIR URBAN: Here.

11 MS. MARZION: Madam Chair, you have five  
12 present members and no absences today.

13 CHAIR URBAN: Thank you very much,  
14 Ms. Marzion. We have established a quorum. I would  
15 like to remind the board members, we will take a roll  
16 call vote on any action items.

17 With that, we will move to what is  
18 numbered on our agenda today as agenda item No. 4,  
19 the item for public -- public comment on items not on  
20 the agenda.

21 As I alluded to earlier, please be aware  
22 that while the public can bring up topics as they  
23 wish under this item, board members cannot respond.  
24 We can only listen. We recognize that this may be  
25 frustrating, but this protects both the Board's

1 ability to fulfill its work and our ability to  
2 respond to the public's questions and request to get  
3 an -- appropriately under Bagley-Keene.

4 Before we begin taking comments, I'd also  
5 like to note that while the Agency is in the midst  
6 of a formal rule-making process for a rule-making  
7 package concerning CCPA updates, cybersecurity  
8 audits, risk assessments, automated decisionmaking  
9 technology, and insurance companies, the public  
10 comment period for that rulemaking is currently  
11 closed.

12 So today's board meeting is not a hearing  
13 for receiving public comments on those draft  
14 regulations. And as mentioned earlier, the Board  
15 will be considering comments -- sorry.

16 The Board will be considering comments  
17 already received during the comment period at an  
18 upcoming meeting, which we expect to be held  
19 on April 4. So with that background information,  
20 please let me know if there are public comments on  
21 items not on the agenda.

22 Ms. Marzion?

23 MS. MARZION: If you'd like to make a  
24 comment at this time, please raise your hand using  
25 the raised-hand feature or by pressing Star 9 if

1 you're joining us by phone. This is for agenda item  
2 No. 4. Public comment not on items on the agenda.

3 Mates, I'm going to unmute you at this  
4 time.

5 You'll have three minutes to make your comment, so  
6 please begin as soon as you're ready.

7 PUBLIC SPEAKER MATES: Thank you. I just  
8 wanna make sure audio's coming through.

9 MS. MARZION: Yes, we can hear you.  
10 Thank you.

11 MR. MATES: Great. Thank -- thank you.

12 Hello, Board Members, and welcome new  
13 Board Member Brandie Nonnecke. I hope I said that  
14 correctly.

15 Thank you for being here today. I'm --  
16 I'm here representing the Alliance to Preserve  
17 California's Innovation Economy, and we're a group  
18 of about more than a about a 100 small businesses,  
19 local, state, and ethnic Chambers, and associations  
20 to express just opposition and concern of some --  
21 some of the CCPA proposed regulations and -- and  
22 recent things.

23 As you know, affordability is -- is top  
24 issue for a lot of small business owners who are  
25 facing higher costs for energy, transportation, and

1 basic business supplies and services across the  
2 Board. Our businesses are highly concerned about the  
3 Agency's findings and the recent standardized  
4 regular -- regulatory impact assessment, which  
5 estimates direct costs of businesses and consumers  
6 of about \$3,500,000,000 and a potential job loss of a  
7 126,000 employees.

8           These regulations will disproportionately  
9 harm small businesses, which are the backbone of our  
10 economy, as we hear over and over again.

11           Moreover, a former director of California  
12 Finance Department released an analysis of -- that  
13 says that the CPPA has overstated the benefits and  
14 underestimated the cost to businesses. This  
15 misrepresentation of the economic impact of your  
16 assessment will have negative consequences for small  
17 businesses.

18           Additionally, we urge you to follow the  
19 guidelines of the legislature and the executive  
20 branch when it comes to AI and ADMT regulations.  
21 There are better positioning -- sorry, they are  
22 better positioned to create a balanced and effective  
23 regulations.

24           Also, Politico has just reported recently  
25 that a group of about 18 legislators have submitted a

1 letter to your Agency during the open public comment  
2 period, and we wanna make sure that it's drawn to  
3 your attention, that they're demanding that the  
4 Agency redraft all your regulations to minimize the  
5 cost of Cal- -- to Californians and the work -- and  
6 to work with their branches of government to get the  
7 regulations, correct, and right, and affordable.

8           Lastly, we wanted to express our  
9 disappointment in the lack of participation from the  
10 board members on the public comment meetings that  
11 recently happened. Small businesses -- sorry, small  
12 businessowners take time out of their valuable day  
13 away from their businesses to participate in public  
14 comment sessions. Yet, no -- not a single board  
15 member appeared at either one of those more --  
16 public comment section -- sessions, even though  
17 you've shared that you would like to hear input and  
18 affect -- that are affecting stakeholders.

19           Supporting small businesses are vital to  
20 the State's economy. And the over -- overly  
21 burdensome regulations and costs of compliance are  
22 tremendously high, and come in at a time when all of  
23 California is struggling with the issues of  
24 affordability, and as we rebuild from  
25 the fires that have recently happened.

1           Your regulations will stunt business  
2 growth, stifle innovation, cause job loss, and  
3 overall have long-term negative impacts on the  
4 state's economic health. Our opposing groups are  
5 including, but are not limited to the Silicon Valley  
6 Leadership Group, Los Angeles Business Federation,  
7 American Hotel and Lodging Association, Asian  
8 Industry Business to Business, Bay Area Council,  
9 California African American Chamber of Commerce,  
10 California Asian Chamber of Commerce, California  
11 attractions of parks and -- parks and association --  
12 sorry, California Attractions and Parks Association,  
13 California Automotive Business Coalition, California  
14 Black Chamber of Commerce, California Fuels and  
15 Convenience Alliance, California Hispanic Chambers of  
16 Commerce, California Restaurant Association, Central  
17 Valley Business Federation, Chamber of Progress,  
18 Chamber of San Mateo County, Chatsworth, Porter  
19 Ranch Chamber of --

20           MS. MARZION: Thank you. That is your  
21 time.

22           Eric, I'm going to unmute you at this  
23 time, you'll have three minutes to make your  
24 comments. So please begin as soon as you're ready.

25           PUBLIC SPEAKER ERIC: Yes. Thank you for

1 the opportunity to speak. My only concern is that  
2 was apply (indistinguishable) this year -- last year  
3 (indistinguishable) unfairness --

4 MS. MARZION: We're having a difficult  
5 time hearing you. If you could speak a little bit  
6 louder.

7 PUBLIC SPEAKER ERIC: Sorry about that.  
8 Is that any better?

9 MS. MARZION: Yes. Thank you.

10 PUBLIC SPEAKER ERIC: Okay. As I was  
11 saying, my only concern is the unfairness around the  
12 fee that was imposed (indistinguishable) registering  
13 for CCPA starting this (indistinguishable) where  
14 companies that are a small business are paying the  
15 same fee as a company that's doing hundreds of  
16 millions of dollars versus a couple of million  
17 dollars and the disparity -- how that applies to  
18 those companies.

19 I'm hoping that there's some  
20 consideration that will be given going forward, that  
21 a small business -- that maybe there's a sliding  
22 scale on the fee based on company revenue or some --  
23 you know, it's -- it was very burdensome for my  
24 business going into this year on short notice that  
25 the fee was jumping from \$450 to \$6,600 for this year



1 and unknown going forward.

2 Thank you.

3 MS. MARZION: Thank you for your  
4 comments.

5 If there are any other members of the  
6 public who'd like to speak at this time, please go  
7 ahead and raise your hand using Zoom's raise-hand  
8 feature or by pressing Star 6 if you're joining us by  
9 phone. Again, this is for Agenda Item No. 4.

10 I see Tasia Kieffer?

11 MS. KIEFFER: Yes.

12 MS. MARZION: Okay. Tasia Kieffer, I'm  
13 going to unmute you at this time. You'll have three  
14 minutes. Go ahead and begin when you're ready.

15 MS. KIEFFER: Good morning. Thank you  
16 for offering public comment today. My name is Tasia  
17 Kieffer, and I'm here on behalf of the LA County  
18 Business Federation, also known as BizFed. We're  
19 composed of over 245 diverse business organizations  
20 representing 420,000 employers and 5,000,000  
21 employees across southern California.

22 At the Agency's February 19 meeting,  
23 nearly 80% of the verbal public comment opposed the  
24 proposed regulations. That overwhelming opposition  
25 reflects serious concerns from those who will be

1 directly impacted.

2 And as regulators, you have a legal  
3 responsibility to align with both public and  
4 legislative intent when crafting rules, yet these  
5 proposed regulations fail to do so.

6 A recent Cal-Tax editorial highlighted  
7 that the true cost of these regulations have been  
8 significantly under -- underestimated while potential  
9 savings have been overstated. And the concern was  
10 echoed by the small businessowners who came onto the  
11 public +comma and testified that compliance costs  
12 could put them out of business. We respectfully urge  
13 you not to ignore these comments.

14 Additionally a bipartisan coalition of  
15 18 legislators from the California legislature  
16 recently sent a joint letter to the Agency urging the  
17 Agency to reconsider these rules, emphasizing the  
18 economic harm they could cause. With California  
19 already facing a projected \$2,000,000,000-dollar  
20 budget deficit in 2025, we cannot afford to impose  
21 regulations that will further burden businesses,  
22 hinder job growth and reduce state revenue.

23 The letter specifically reads:

24 "Moving forward, the CPPA must move --  
25 work responsively with other branches of government

1 to get these regulations right, in order to avoid  
2 significant and irreversible consequences to  
3 California."

4 And in fact, there's an impressive  
5 statistic that California's home to 35 of the world's  
6 top 50 AI companies and our economy depends on the  
7 technology and innovation sectors. Overregulation in  
8 these industries risks stifling growth, driving  
9 businesses out of state, and worsening California's  
10 affordability crisis, as mentioned in the earlier  
11 comment.

12 And now, we recognize that halting  
13 rulemaking could require restarting the process, and  
14 we respect the effort and the labor that has gone  
15 into creating these regulations. However, moving  
16 forward with flawed rules will cause more harm than  
17 good, and we urge the Agency to pause this -- this  
18 process and work collaboratively with the  
19 legislature, policy experts and industry stakeholders  
20 to craft regulations that protect consumers without  
21 jeopardizing businesses and the broader economy at  
22 large.

23 Thank you for your time and consideration.

24 MS. MARZION: Thank you for your  
25 comments.

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

4 MR. BURNELL: Hi, there. Can you hear  
5 me?

6 MS. MARZION: Yes, we can hear you.  
7 Thank you.

8 MR. BURNELL: Okay. Thank you. I  
9 appreciate you taking public comments today.

10 I would like to echo the sentiment shared  
11 by the -- a call or a couple back, Eric, talking  
12 about the really onerous charge of the CCPA data  
13 broker registry.

14 While I appreciate what the registry is  
15 looking to accomplish for a small business, that is  
16 an entirely burdensome fee. My -- and I recognize to  
17 that, the State of California is most concerned about  
18 the happenings of the state of California, but for a  
19 small business that works on a nationwide level, if  
20 the other 50 states were to institute something along  
21 the same lines as California, the small business  
22 would be looking at, you know, potentially 250 to  
23 300,000 dollars a year just in fees. And it has  
24 often been noted that as California goes, so goes the  
25 nation.

1           So I look at what's happening in  
2 California, and I question the long-term viability of  
3 my business. I've had other colleagues, you know,  
4 that I've spoken to who have really felt this, and I  
5 actually had one who said, you know, his business was  
6 so small, he had to shut down. He couldn't continue  
7 working.

8           You know, I'm a small business owner.  
9 I -- you know, I employ, you know, five people total.  
10 That's -- that's the kind of fee looking forward,  
11 that would, I mean, effectively crush the business.  
12 There's -- there's no way that a small business  
13 could -- could work under that kind of burdensome fee  
14 structure.

15           So I would ask you to, you know,  
16 reconsider how you determine the fees based on,  
17 again, either company's size or a company revenue,  
18 because the small businesses will not be able to  
19 stand up to this, you know, moving forward. I  
20 appreciate you taking the time to hear what I have to  
21 say today.

22           MS. MARZION: Thank you.

23           Zane Witherspoon, I'm going to unmute you  
24 at this time. You'll have three minutes to make your  
25 comments, so please begin as soon as you're ready.

1 MR. WITHERSPOON: Hi, everyone.

2 Thanks for being here today, and thanks  
3 for taking these comments. My name is Zane  
4 Witherspoon. I am the CEO of a startup business that  
5 helps other companies in their data-compliance  
6 practices. I'm also a member of several working  
7 groups on consumer privacy. I'm a big fan of the  
8 privacy laws as they exist today and a big fan of  
9 the CPPA in general.

10 I speak to dozens of businesses a week who  
11 are legally classified as data brokers, and many of  
12 them are just flat-out refusing to register because  
13 of the high cost of doing so. And this isn't going  
14 to be another bitch of it's-a-too-expensive burden on  
15 small businesses. I do think that's true, but I  
16 really think that the raising of prices deterring  
17 companies from registering is really, really  
18 impactful on consumer privacy.

19 I understand that the goal of the price  
20 raises is to fund the Drop system and the opt-out,  
21 but really there are so many private market solutions  
22 for that between Optery, Mine and DeleteMe that offer  
23 the same service of letting consumers opt out of data  
24 brokers where they can be found.

25 And that "where they can be found" is

1 crucial, because that's really the problem with the  
2 data broker industry from a privacy perspective. We  
3 don't know where they are. We don't know who has our  
4 data.

5 And so I'm really worried, as a fan of  
6 privacy and as a believer in data rights, that  
7 funding the opt-out system that already exists is  
8 actually detrimental to the privacy of Californians  
9 and people across the country because they still  
10 don't know where to go to exercise their opt-out and  
11 data-deletion rights. I think that that's the thing  
12 that the CPPA is positioned to do very uniquely in  
13 the market.

14 And doing things to lower that burden or  
15 data brokers to register, to do the right thing,  
16 raise their hand and say, yes, you can come to us and  
17 exercise your rights, would be so beneficial for the  
18 privacy of Americans all across the country.

19 So, yes, this is still at the end of the  
20 day, a weak, you know, "lower the burden."

21 But if it takes, like, reducing the scope  
22 of the Drop system to, you know, allow for some of  
23 that private market technology to also step in and be  
24 able to supplement the goal of it, I really think,  
25 you know, we -- we're seeing already the number of

1 registrations has gone down between last year and  
2 this year in the registry. I think that's a pretty  
3 clear indication that I think we could be doing  
4 something a little bit better to get data brokers to  
5 register.

6 So thank you for your time. I really  
7 appreciate it.

8 MS. MARZION: Thank you.

9 Once again, if there are any other members  
10 of the public who like to speak at this time, please  
11 go ahead and raise your hand using some raised-hand  
12 feature or by pressing Star 6 if you're joining us by  
13 phone. Again, this is for Agenda Item No. 4.

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

16 CHAIR URBAN: Thank you very much,  
17 Ms. Marzion.

18 And thank you very much to the  
19 stakeholders who took the time to provide public  
20 comments under this item this morning. We will be  
21 taking up an item later today that relates to the  
22 Drop system. So at some point, there will be a  
23 discussion of some aspects of that later today.

24 Let's see. It's 9:40. I think I'm going  
25 to go ahead with the chairpersons update, and then we



1 will -- we will probably take out the -- take the  
2 closed-session item out of order and go into closed  
3 session while we wait for Ms. De La Torre.

4 So item No. 3, that is the chairpersons  
5 update. For those of you checking the agenda as you  
6 join us, I'm going to have a few updates that I'm  
7 delighted to share today.

8 First, I'm pleased to announce that as of  
9 February 24, 2025, the data broker registry is live  
10 on the CPPA website. So it's been updated. And  
11 thank you to everyone who did the work to do that,  
12 and the data brokers whose information is in there  
13 and everyone who -- who needs to use it. It's there,  
14 available now.

15 You can visit  
16 [cppa.ca.gov/data\\_broker\\_registry](https://cppa.ca.gov/data_broker_registry) to view a list of  
17 the registered data brokers and contact them to  
18 exercise rights under the California Consumer Privacy  
19 Act.

20 Starting in January 2026, we expect you'll  
21 be able to submit a single request to the CPPA via  
22 the Drop system that has come up this morning, and  
23 we'll talk about more today under agenda Item 6. But  
24 for now, you can view the registry and send requests  
25 to data brokers that way.

1                   Second, I'm thrilled to announce the  
2 release of our first annual report, and I wish I had  
3 a prop. I've been wanting to hand them out because  
4 they are most impressive, and they're a nice -- a  
5 nice point to put on the work that the Agency has  
6 done as it began, and has built itself, and grown  
7 over time under the amazing guidance of our deputies  
8 and their staff and our executive director Ashkan  
9 Soltani, former executive director, who just did  
10 amazing work to help build and grow the Agency.

11                   I highly recommend page 11 to see some  
12 statistics and numbers. If you want to just get a  
13 snapshot, you can also read about how the Board and  
14 the Agency are thinking about our priorities and  
15 strategic plan, which is also available on our  
16 website. And you can find that on our website and on  
17 our social media, if you are interested.

18                   I want to say one last thing about it,  
19 which is that it's beautiful and my many things to  
20 Deputy Director Megan White's staff, whom I won't  
21 name in case you know she doesn't -- I don't want to  
22 name her without warning her, but it looks absolutely  
23 wonderful, and that and makes it easy to digest as  
24 well. So thank you all for all of your work on that.

25                   Also, as I mentioned a little bit

1 earlier, we are working on a wide ranging set of  
2 regulations, and we are not currently in public  
3 comment period. On February 19, the public comment  
4 period closed for those regulations, which, again,  
5 are on automated decisionmaking technology, risk  
6 assessments, cybersecurity audits, insurance  
7 businesses, and updates under the CCPA.

8 On behalf of the Agency, I would like to  
9 sincerely thank the more than 600 members of the  
10 public who submitted public comments. Your  
11 participation and input are crucial to this process,  
12 and we do take your comments and your thoughts  
13 seriously.

14 And if you've tuned in, you've heard me  
15 say this before, but it is through hearing how the  
16 co -- how the rules would affect you, your business,  
17 yourself, as an individual, your constituencies, or  
18 the community you serve that we are able to make good  
19 decisions. So thank you for taking the time  
20 to do that.

21 Although this is not on the agenda for  
22 today's meeting, we will consider the comments  
23 received and deliberate on next steps for this  
24 rulemaking in our next public meeting, currently  
25 planned for April 4. That is not on the quarterly

1 regularized calendar on the website. It's a backup  
2 date that we held, and we need to use it for this  
3 because we added extra time to the rule making  
4 comment period and we added an extra hearing to  
5 accommodate people who were affected by the LA wild  
6 flowers -- wildfires. It would be so much better if  
7 it were wild flowers.

8 Gosh, in any case -- so, so thanks again  
9 to everybody who commented, and we will pick that up  
10 in April.

11 Last week, the Agency was well represented  
12 at the California Lawyer -- Lawyers Associations  
13 Third Annual Privacy Law Summit, which was held at  
14 UCLA. Six of our senior staff members presented on  
15 panel covering a variety of topics including  
16 enforcement, data brokers, and privacy legislation.

17 The Agency's grateful to the California  
18 Lawyers Association for organizing these events and  
19 for having Agency staff and giving them the  
20 opportunity to educate privacy professionals and to  
21 share the work of the Agency.

22 I'd also like to say a little bit about  
23 recent enforcement activity. You will have noticed  
24 that it is at a high level. There have been --  
25 there's been a stream of announcements coming out of

1 the enforcement team, ultimately through the Board.

2 And I wanted to thank the enforcement team  
3 most sincerely for all their work on behalf of  
4 Californians. Enforcement work is labor  
5 intensive and it requires judgment and care. And  
6 I've been in -- really impressed with the decisions  
7 the enforcement team is making and very pleased to  
8 see enforcement off to such a good start.

9 Thank you very much to them.

10 Finally is, we do see increasing changes  
11 in development at the federal level regarding privacy  
12 regulations, and it's more important than ever for  
13 California to know that their privacy rights are  
14 protected here at the state level.

15 The California Consumer Privacy Act  
16 provides strong protections that ensure Californians  
17 have control over their personal information.  
18 While -- while federal laws and practices continue to  
19 evolve, the CCPA remains a crucial safeguard, and the  
20 CPPA is very aware of our responsibility to further  
21 that protection and protect that safeguard off -- and  
22 offer clear state level privacy protection for all  
23 California.

24 So thank you all for your attention to my  
25 announcements. I -- I'm also excited to share the

1 news of the Agency, and I'll ask if there are any  
2 comments or questions from the Board.

3 Ms. Marzion, is there any public comment?

4 MS. MARZION: This is for Agenda Item  
5 No. 3. If you'd like to make a public comment at  
6 this time, please raise your hand using the  
7 raise-hand feature or by pressing Star 9 if you're  
8 joining us by phone. This is for Agenda Item No. 3.

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

11 CHAIR URBAN: Wonderful. Thank you all  
12 for your attention. With that, we will take Agenda  
13 Item No. 8 out of order, and the Board will go in to  
14 closed session. Apologies. I need to get to the  
15 point in the agenda where I have the description of  
16 the closed session for everybody.

17 The Board will be meeting in closed  
18 session for discussion and possible action on the  
19 appointment of an executive director under authority  
20 of Government Code 11126 Subdivision (a)(1), and also  
21 pursuant to Government Code Section 1126, subdivision  
22 (e)(1) and (2)(a).

23 The Board will meet in closed session to  
24 confer and receive advice from legal counsel  
25 regarding litigation for which disclosing the names

1 would jeopardize the Agency's ability to conduct  
2 existing settlement negotiations to its advantage.  
3 We will keep this public meeting open, as I noted,  
4 and we will return when the closed session is  
5 complete or when we -- when we have decided to pause  
6 for the moment and recall it later.

7 Thank you very much for your attention,  
8 and we will be back later.

9 (Closed-Board Session Commences.)

10 -o0o-

11 CHAIR URBAN: Hello and welcome back,  
12 everyone, into the open session of this meeting of  
13 the California Privacy Protection Agency Board. At  
14 this time I am delighted to move to Agenda Item  
15 No. 2, which is a resolution to recognize  
16 distinguished service by our former Board Member  
17 Lydia de la Torre.

18 I -- Ms. Lydia, she was on the Board as a  
19 founding member from the very beginning, and I  
20 remember vividly meeting her only in a Zoom meeting  
21 in June of 2021. We had the little squares, and  
22 that's what we understood of one another's faces.

23 And we had the, as you've all noticed, I'm  
24 sure, in the public, rather formalized discussion of  
25 a -- of a California open meeting. And yet, even so,

1 we were able to work together very productively,  
2 starting in a subcommittee to begin immediately the  
3 Board's work on regulations.

4 And I had the pleasure of working with  
5 Ms. De La Torre putting together a plan that would  
6 allow us to work towards our responsibilities to  
7 California when we lacked staff. And I had the  
8 process -- the pleasure of working with her late --  
9 more lately on the rulemaking process subcommittee,  
10 and we have all had the benefit of her work on what  
11 was called the New Rules Subcommittee.

12 And a big portion of the large rulemaking  
13 package that's in public comment right now reflects  
14 that work.

15 Her work is thoughtful. It is  
16 perspicacious, and it is sophisticated because she is  
17 a longstanding member and expert of the privacy law  
18 community. She brought to us dual qualifications  
19 from Europe and in the United States, which is a  
20 perspective that is crucially important in a world  
21 where data doesn't recognize borders. But, of  
22 course, people's rights and people themselves do  
23 recognize borders.

24 This was just an absolutely key asset  
25 to the Board that we were very fortunate to have



1 Ms. De La Torre share with us during her time here.  
2 She was a very responsible and thoughtful member of  
3 the Board, deliberated fully on all items before it,  
4 and we are extremely grateful for her service.

5 We put together a resolution that I would  
6 like to present and request a motion from the Board  
7 to -- to undertake this resolution on behalf of  
8 Ms. De La Torre. And to do that, I'm going to move  
9 down to the podium, actually, so that I can read it  
10 properly.

11 And I will remind the Board that I will  
12 ask for a motion to adopt the following resolution in  
13 recognition and appreciation of distinguished service  
14 by Lydia de la Torre.

15 Whereas Lydia de la Torre, a founding  
16 member of the California Privacy Protection Agency  
17 Board, through her dedication and countless hours of  
18 work, helped establish the first authority with full  
19 administrative powers focused on privacy and data  
20 protection in the United States, creating a legacy  
21 that will benefit Californians for decades to come.

22 And whereas Ms. De La Torre, through her  
23 dual US and EU qualifications as an attorney,  
24 international expertise in data protection issues  
25 and expertise in the European Union's approach to

1 regulating data and AI has provided indispensable  
2 advice to the Agency Board.

3 And whereas Ms. De La Torre has advocated  
4 for the community of responsible privacy  
5 professionals to guide their organization toward  
6 responsible data stewardship and to seek transparency  
7 for the regulated community.

8 And whereas Ms. De La Torre helped shape  
9 California Consumer Privacy Act regulations that  
10 place consumers in a position to exercise meaningful  
11 control over their personal information.

12 And whereas Ms. De La Torre has  
13 consistently demonstrated expertise, commitment, and  
14 tenacity, contributing significantly to the mission  
15 of the Agency.

16 And whereas Ms. De La Torre's expertise  
17 and guidance have been essential to the Agency's  
18 efforts in establishing effective privacy regulations  
19 in California.

20 And whereas Ms. De La Torre's colleagues  
21 on the Agency Board recognize her many contributions  
22 and wish for success in future endeavors.

23 Therefore be as resolved that we, her  
24 colleagues on the Agency Board, extend our sincere  
25 appreciation for Ms. De La Torre's service to the

1 state of California and her role in advancing  
2 consumer privacy protection.

3 The Board wishes Ms. De La Torre well in  
4 all of her future pursuits.

5 May I have a motion to adopt this  
6 resolution?

7 MR. WORTHE: So moved.

8 CHAIR URBAN: Thank you. I have an adopt  
9 motion from Mr. Worthe.

10 Do I have a second?

11 MR. MACTAGGART: Seconded.

12 CHAIR URBAN: Thank you. I have a motion  
13 from Mr. Worthe and a second from Mr. Mactaggart.

14 Ms. Marzion, would you please conduct the  
15 roll call?

16 MS. MARZION: Yes.

17 Board Member Liebert?

18 MR. LIEBERT: Aye.

19 MS. MARZION: Board Member Mactaggart?

20 MR. MACTAGGART: Yeah. I -- Madam Chair,  
21 if we can have a moment for discussion?

22 CHAIR URBAN: Yes.

23 MR. MACTAGGART: Okay.

24 MS. MARZION: Board Member Nonnecke?

25 MS. NONNECKE: Aye.

1 MS. MARZION: Board Member Worthe?

2 MR. WORTHE: Aye.

3 MS. MARZION: Chair Urban?

4 CHAIR URBAN: Aye.

5 MS. MARZION: Madam Chair, you have five  
6 yeses.

7 CHAIR URBAN: Thank you very much.

8 The motion carries with a vote of 5-0, and  
9 I will be very pleased to present this resolution to  
10 Ms. De La Torre. I do apologize. I usually ask for  
11 both board and public comments before we vote, which  
12 I think was Mr. Mactaggart's observation.

13 Ms. De La Torre, would you like to make  
14 your remarks before we do that, or would you like us  
15 to go ahead and make further comments?

16 MS. DE LA TORRE: I will be happy to make  
17 them now.

18 CHAIR URBAN: Okay. Wonderful.

19 Ms. De La Torre would like to address the  
20 board, and I'm going to put this gift of -- token of  
21 our appreciation here for her to look at while she  
22 gives us her remarks.

23 MS. DE LA TORRE: Thank you. Thank you,  
24 Jennifer.

25 It was an extraordinary honor to serve as

1 an inaugural board member of the California Privacy  
2 Protection Agency. I would like to express my  
3 deepest gratitude to Senate President Pro Tempore  
4 Tony Atkins and her outstanding team, especially her  
5 general counsel, Eric Dang. Their unwavering support  
6 and guidance were instrumental in the success of my  
7 service on the Board.

8 Special thanks is due to Board Member  
9 Alastair Mactaggart, whose visionary leadership  
10 through California for consumer privacy laid the  
11 foundation for the enactment of the strongest  
12 consumer privacy protection in the nation.

13 We began as an almost impossible journey  
14 in 2016 with an ambitious ballot initiative, evolved  
15 through sheer determination, one step at a time, into  
16 the landmark California Consumer Privacy Act.

17 Your tireless efforts didn't stop there,  
18 Alastair as you went on to author and champion the  
19 California Privacy Rights Act passed through  
20 Proposition 24. Today, thanks to you, my children's  
21 data and the data of a Californian's children cannot  
22 be sold.

23 Your dedication has ensured that  
24 Californians enjoy some of the most comprehensive  
25 privacy rights in the world. It was my privilege to

1 be part of this journey, and when I stepped down, I  
2 found great reassurance in knowing that the  
3 foundation we build is in safe hands under your  
4 stewardship.

5 I also want to extend my heartfelt  
6 appreciation to my fellow board members and the  
7 Agency's staff. Together, we made significant  
8 strides in safeguarding the privacy rights of all  
9 Californians, and I'm deeply proud of the groundwork  
10 we laid for the future.

11 I am grateful for the ongoing inspiration  
12 that I get from my experience of serving on the board  
13 as I now dedicate my efforts to continue my work  
14 through Golden Data Law, GDL.

15 My mission-driven legal practice, that  
16 plans top tier privacy compliance service with a  
17 strong commitment to education and social  
18 responsibility.

19 Attaining the goal of sustaining and  
20 growing GDL has at times felt impossible, but my  
21 experience with Californians for consumer privacy  
22 taught me that no goal is unreachable when  
23 well-intentioned people come together to lend a hand.

24 At GDL, we provide cutting-edge  
25 custom-tailored legal services designed to address

1 every facet of privacy law ensuring our clients  
2 remain compliant. I'm proud to share that last year  
3 we expanded into the area of expert witness testimony  
4 and had our first successful engagement with a  
5 national litigation firm.

6 What makes GDL different is that we have  
7 structured ourselves as a teaching law firm. We are  
8 dedicated not only to serving our clients, but also  
9 offer the hands on guidance of our academic partner,  
10 Judith Saucedo, who is here with me.

11 Our legal fellowship program offers  
12 experiential opportunities to serving the students,  
13 preparing them to become future leaders in the field.  
14 Involving our fellows in the work we do for our  
15 clients allows us to foster the development of the  
16 next generation of legal professional.

17 A heartfelt thank you to Judith for her  
18 endless hours of dedication and unwavering  
19 commitment. Your passion and perseverance are truly  
20 inspiring, and I am deeply grateful for the impact  
21 you had not only in our work, but also in my life.

22 I want to thank GDL's clients for  
23 entrusting us with their legal needs. Their support  
24 not only fuel to our commitment to excellence, but  
25 also strengthens our mission. If you're interested

1 in supporting us, the most powerful way to do so is  
2 to help us grow our client base.

3 Please take a look at our website. And if  
4 you're looking for the kind of service we provide or  
5 know someone who is, please reach us through GDL or  
6 to me through LinkedIn.

7 I would also like to thank Alan Friel for  
8 the -- for reaching out to offer me an opportunity  
9 to rejoin the impressive privacy practice at Squire  
10 Patton Boggs as of counsel, a role that was designed  
11 to align perfectly with my dedication to teaching and  
12 to GDL.

13 Finally to my wonderful children, Carmen  
14 and Hector. Thank you for your patience, for your  
15 love, and for being understanding of the hours I had  
16 to sacrifice away from our time together during my  
17 service to the Board. Like so many professional  
18 matters, I know the weight of that balance, but I  
19 also know that every moment it's spent in service is  
20 driven by the hope of living in a better future for  
21 you and for generations to come.

22 CHAIR URBAN: Thank you so much,  
23 Ms. De la Torre for those beautiful remarks.

24 Are there comments from the Board?

25 Yes, Mr. Mactaggart.



1 MR. MACTAGGART: Well, Ms. De la Torre, I  
2 said much the same when you announced your  
3 resignation, but I'll -- just in case different  
4 people are listening, I'll say the same thing kind of  
5 again, which is that personally for me, as I went  
6 around -- followed my privacy journey, there were  
7 people who were more ready to put out a hand and help  
8 me, help educate me and help guide me. And what was  
9 unique about you as you were an expert in both  
10 fields, both -- both countries or both worlds, the  
11 GDPR and US privacy law.

12 You were a professor. So you were sort of  
13 temperamentally willing to teach and help me. And  
14 you didn't laugh too much at the fact that I didn't  
15 know anything. And so really your approach is all  
16 over this law to the -- in many respects where it --  
17 where it sort of emulates GDPR. A lot of that was  
18 because of your educating me.

19 And then as we did the initiative and  
20 figured out what to put in and what to leave out, I  
21 remember long conversations with you, you know,  
22 pushing for one point of view or another and always  
23 with -- without any sort of -- sort of personal  
24 interest, but just more like what was best for the --  
25 for the law, for the country.

1           You have a deep personal commitment to  
2   privacy. Many people are in it because it's a good  
3   business or it's a good law. I mean, a good -- you  
4   know, they have a job and they -- and they, you know,  
5   they're -- they're good lawyers. You have a deep --  
6   really a deep personal connection to the concept of  
7   freedom and privacy. And it's -- which is not for  
8   every practitioner, you know. And so that's  
9   something that separates you, in my mind.

10           I think it's why you've chosen to be in  
11   your, you know, Golden Day Law kind of hybrid world  
12   where you're trying to train the next generation,  
13   which is really important to you.

14           So the Board was lucky to have you in  
15   my -- in my experience, in my estimation. They were  
16   certainly lucky to have you for all those years of --  
17   tireless years, which were much busier than we think  
18   we're busy now, Board, but they were really busy back  
19   then. You and Jennifer, all those thousands of hours  
20   getting the regulations off the ground. And so thank  
21   you for your service. Really, truly, it was service  
22   to -- to not just the people of California, but the  
23   people of the country.

24           Thank you.

25           CHAIR URBAN: Thank you, Mr. Mactaggart.

1 Mr. Worthe?

2 MR. WORTHE: It's hard to follow that,  
3 because I spent less time with you than Board Member  
4 Mactaggart. But I think you know, both Chair and  
5 Alastair listed your qualifications, which are very  
6 impressive. But it was even more impressive that we  
7 all saw your -- your commitment to getting it  
8 absolutely right.

9 You weren't going to budge if a word  
10 didn't fit with where you thought it should go. And  
11 I think for all of us, at least for me, that was a  
12 heck of a lesson is what I signed up for; right?  
13 I've been on a few boards and, you know, when I saw  
14 the amount of effort you were putting in, and I think  
15 you and Vinhcent were on the subcommittee, when I saw  
16 that effort coming back here at every meeting, I was  
17 most impressed by that with all the other things  
18 you've accomplished. That, to me, was the most  
19 impressive thing.

20 So I appreciate that -- all that you put  
21 in to get this right, and we all benefit from that  
22 today.

23 CHAIR URBAN: Thank you, Mr. Worthe.

24 Please, Mr. Liebert?

25 MR. LIEBERT: That old expression, "it's

1 big shoes to fill," and I felt very honored to fill  
2 yours from the State Senate.

3 And Lydia, I have been in awe of what  
4 you and all the original board members managed to  
5 achieve. It's easy, as we're in this beleaguered  
6 world right now, to not take note of just the great  
7 progress that's made by various governmental  
8 entities. And this entity started from scratch. And  
9 the Chair and everyone who's been part of this,  
10 building it up, always should be applauded for the  
11 success. And you were very much a part of that, and  
12 I observed your work, and it was extraordinary. So  
13 thanks for your service.

14 CHAIR URBAN: Thank you, Mr. Liebert.

15 Is there -- is there public comment?

16 MS. MARZION: This is for Agenda Item  
17 No. 2, resolution to recognize distinguished service  
18 by Former Board Member Lydia de la Torre.

19 If you'd like to make a comment at this  
20 time, please raise your hand using the raised-hand  
21 feature or by pressing Star 9 if you're joining us by  
22 phone. This is for Agenda Item No. 2.

23 Madam Chair, I'm not seeing any comments  
24 at this time.

25 CHAIR URBAN: Thank you, Ms. Marzion.

1                   And again, my deep, deep gratitude for  
2                   your service, Ms. De la Torre, and for your  
3                   friendship and for, as Board Member Worthe alluded  
4                   to, your quest for the right answer and your quest  
5                   for things to be workable and transparent and to get  
6                   things right. Your service has been incredibly  
7                   value -- valuable. Thank you so much.

8                   With that, we will take a short pause to  
9                   take a celebratory picture with our former board  
10                  member and then recall agenda Item No. 8, which is a  
11                  closed-session item. So the Board will move to the  
12                  to the closed-session room and return after we have  
13                  completed or are taking a pause in closed session.

14                  Thank you very much for your attention and  
15                  attending our meeting today.

16                               (Closed-Session Commences.)

17                               -o0o-

18                  CHAIR URBAN: Good afternoon. Welcome  
19                  back to the public portion of today's California  
20                  Privacy Protection Agency Board meeting.

21                  We're going to proceed with the agenda  
22                  with Item No. 6, which is an update regarding  
23                  development and implementation of the delete request  
24                  and opt-out platform, nicknamed Drop, including  
25                  discussion and possible action on proposed Drop

1 regulation.

2 And this item will be presented by our  
3 general counsel, Philip Laird, and attorney, Liz  
4 Allen. Thank you very most -- both very much for  
5 being here and for these materials, which I'll ask  
6 everyone to turn their attention to.

7 And please go ahead.

8 MR. LAIRD: Thank you very much, Board  
9 Members. We have a presentation for you today, and  
10 we will start with my colleague, Ms. Allen.

11 MS. ALLEN: Great. Thank you. So next  
12 slide.

13 All right. Just a quick run-through of  
14 our agenda today. So we are going to do a just a  
15 brief overview of the Delete Act. We'll do an update  
16 about data broker registration, which has been  
17 mentioned has gone live, the 2025 registry. We'll  
18 talk about our build update to the Drop, which we'll  
19 go into, and then, of course, our regulations  
20 overview, which was included in the board meeting  
21 materials.

22 We'll discuss next steps, and then we'll  
23 open for any questions or comments at the end.

24 Go ahead and next slide. All right.

25 So for those who don't know, of course,

1 SB 362 is a separate law from the CCPA, and there's  
2 two parts to it.

3 One part is the data broker registration,  
4 which has been live in California since 2021 and is  
5 live on our website. And then the other part is  
6 the -- the delete request opt-out platform of the  
7 Drop.

8 In the law, it's called the accessible  
9 deletion mechanism, and this is a new  
10 requirement that will go live.

11 Starting on January 21 -- January 1, 2024  
12 for consumers and August 1 -- sorry, 2026 for  
13 consumers in August and August 1, 2026 for data  
14 brokers.

15 Next slide. Okay, great.

16 Registration update.

17 And go ahead to the next slide. All  
18 right. Perfect.

19 So we published our 2025 registry  
20 update on February 24. You can go to  
21 [coppa.ca.gov/data\\_broker\\_registry](https://coppa.ca.gov/data_broker_registry) to find the full  
22 list of the 2025 registry. As of this morning, we  
23 pushed a new update. We are now up at 496 registered  
24 data brokers. And that list today actually exceeds  
25 how many registrants we received this time last year,

1 but ultimately, it's a little below year-end total  
2 for 2024.

3 We had a number of data brokers, about 30  
4 or so, who registered last year who told us they were  
5 no longer registering for various reasons that  
6 included things like they're out of business, they  
7 sold their company, they're stopping the data broker  
8 arm of their business. Some just said they were  
9 registered out of an abundance of caution because it  
10 was \$400 a year. And now that things have changed,  
11 they're -- they no longer think they fit in the  
12 definition of data broker. And, you know, this  
13 number was kind of similar from DOJ when we took over  
14 from DOJ the year before.

15 We had about 50 folks also not register.  
16 So there's people who they're new folks who have  
17 registered, and there's people who fall off the list.

18 And this list, of course, will be updated  
19 periodically. So last year, we tried to update it at  
20 least once a quarter with anyone who registers late  
21 so that it reflects the most recent information.

22 All right. Let's go to the next slide.  
23 Okay.

24 So that is where we are on the data broker  
25 registration, and we're going to move over to the



1 Drop system because that is what we're going to give  
2 you the biggest update on today.

3 Go ahead to the next slide. Great.

4 So the accessible deletion mechanism,  
5 which is the Drop system, just a quick overview for  
6 those who are listening who may not know. It will  
7 allow a consumer, through a single verifiable con --  
8 request, instruct every data broker to delete their  
9 personal information that's related to the consumer,  
10 that's held by that data broker, and also any  
11 associated service provider or co -- or contractor.  
12 It's essentially the first of a kind delete platform  
13 that we know of nationally or internationally, and  
14 it's similar to its more basic cousin, the Do Not  
15 Call Registry.

16 And we're excited about it because it  
17 really helps consumers to quickly and easily exercise  
18 their deletion and opt-out rights. So this -- the  
19 law enumerates the number of requirements for the --  
20 for the data brokers who use this sort of system.  
21 And one includes registering annually, which we just  
22 talked about.

23 Registration includes payment of a  
24 registration fee. They must update mandatory public  
25 disclosures July 1 of every year. That is on their

1 privacy policy. So there's a number of metrics they  
2 have to report to -- to the public about how many  
3 deletion requests they've processed, the median  
4 number of days to processing, whether they've  
5 processed in part or in whole, they have to do that  
6 every year, by January -- by July 1 for the previous  
7 year. They also have to report those numbers to us  
8 annually.

9 During the registration, they have to  
10 process consumer deletion requests once every 45 days  
11 once the Drop goes live, which will start August 1  
12 next year. And then down the pike, they do need to  
13 undergo these independent audits. So that is coming  
14 down, but that's not currently in effect.

15 Okay. Next? Perfect. So timeline --  
16 you've seen this slide before. It was in the  
17 November deck, but just to give you a sense of where  
18 we've been and where we are, we are, of course,  
19 signed into law in 2023. Registry went live last  
20 year for the first time. We've ran our second  
21 registry this year. And right now we're between  
22 2020 -- July 1, 2024 and July -- January 1, 2026.

23 And there's so much in there that needs to  
24 get done. But we will open to consumers the Drop  
25 system January 1, and then August 1, we'll open to

1 data brokers. Well, data brokers will need to pull  
2 down and access the system. And then that's when the  
3 deletion request we'll start. And, of course, we  
4 just mentioned the audit request -- the audit  
5 requirement.

6 Okay. Next slide.

7 MR. LAIRD: I'm going to give Liz a break  
8 here.

9 So to help us meet this timeline. If you  
10 recall, in November we talked about the need to  
11 procure the system, and we had spent a portion of  
12 time up until that point last year trying to define  
13 system requirements and how exactly this would work  
14 so that we could appropriately procure it.

15 Since that time, I'm happy to report that  
16 we have officially partnered with the California's  
17 Department of Technology, CDT, to construct the Drop  
18 system for us.

19 As the state's lead department on IT  
20 development infrastructure and oversight, it was a  
21 strategic move on our part to leverage the  
22 significant resources and talent available within the  
23 department to assist our still new and growing Agency  
24 to carry out the statutory mandate. So we signed an  
25 interagency agreement that has an effective date of

1 January 1 of 2025 to -- and so construction of the  
2 system is actively underway with CDT.

3 Our team meets several times a week with  
4 the CDT team to ensure that the product development  
5 keeps pace, meets the needs of the Agency and  
6 accurately reflects the requirements laid out in the  
7 statute.

8 And in addition to that primary  
9 contract, that interagency agreement with The  
10 Department Of Technology, we're also in the process  
11 of going through a handful of supplemental  
12 procurements to further support the development of  
13 the system, including an RFO that was released in  
14 late January to procure supplemental support  
15 for the system build, as well as an eventual RFP for  
16 a ticketing system to help support data brokers and  
17 consumers. So just some component pieces essentially  
18 of -- of the greater system that we have to still  
19 procure for.

20 But with that said, I'm -- I'm happy to  
21 say that as of today, we are on track to have this  
22 thing built and launched in January of 2026, but we  
23 are still definitely in development stage right now  
24 and staff is actively working on this project.

25 So to describe a little bit more about

1 sort of what Drop is shaping up to look like, we'll  
2 move to the next side, and I'll pass it back to Liz.

3 MS. ALLEN: Thanks. Okay. So we're  
4 going to run through the kind of different users here  
5 and what their experience will be. So we'll start  
6 with the consumer side. And here I'd like to note  
7 that we really were practicing privacy by design and  
8 data minimization standards, including, like --  
9 ensuring that we were requesting the minimal amount  
10 of personal information from consumers.

11 You know, last year we spent quite a bit  
12 of time doing research both with data brokers and  
13 consumers in terms of how the system should work and  
14 a bunch of time trying to architect it in a way that  
15 would keep consumer data safe while effectuating, you  
16 know, the requirements in the law.

17 So essentially, when a consumer lands on  
18 the Drop, they will first have the residency verified  
19 by a third party. So essentially this will mean that  
20 a consumer lands on a web page; right, they get kind  
21 of moved over to a third party to verify that they  
22 are a California resident.

23 And the reason for that is, that is one of  
24 the requirements in the law. So within our law, if  
25 there's a term that is not defined that is defined in

1 the CCPA, that is the definition that sticks. Here,  
2 we talk about California consumers, which is a  
3 defined term which means a California resident, as  
4 according to the California Tax Franchise Board. So  
5 that is something that we need to determine. So we  
6 will be determining that.

7 Right now we'll be working with the  
8 California Department of Technology, digital ID  
9 platform, which is a statewide service that provides  
10 identity verification for all agencies across the  
11 state of California.

12 So we're working with this team to verify  
13 the consumers residencies. And part of that will be  
14 using -- including using login.gov as a way to verify  
15 residency.

16 So essentially, you come in, you enter  
17 some information to a third party, they're like, yes,  
18 this person is a California resident, and you get  
19 pulled back into the Drop system where you can then  
20 go and -- and add personal information into our  
21 system.

22 Right now, we're only architected to  
23 collect first and last name, email, phone, ZIP code,  
24 date of birth, and then pseudonymous identifiers,  
25 such as a made or cookie ID, et cetera. And so they

1 can -- consumers can add these different elements of  
2 personal information. And then they essentially can  
3 request that every data broker who is registered or a  
4 subset of data brokers that have registered, delete  
5 their personal information, and they'll have  
6 essentially a dashboard where they can check and  
7 see -- check back and see the status of those  
8 requests.

9 And so they, you know, the data brokers by  
10 law have 45 days to effectuate those requests, and  
11 that dashboard will be updated as this come in.

12 MR. LIEBERT: (Indistinguishable.)

13 MS. ALLEN: No.

14 MR. LIEBERT: Thank you for that.

15 If the consumer wants to see then through  
16 that dashboard whether compliance is happening,  
17 what -- what does that kinda look like? In other  
18 words, it might be 60 different data brokers or  
19 something?

20 MS. ALLEN: Yeah. Yeah. So we're  
21 working on the kind of user experience on that part  
22 right now. And you'll see kind -- at one -- well,  
23 I'll talk about it now, but you'll hear it again in a  
24 second.

25 But data brokers are required to send us

1 back to status on each individual identifiers. So  
2 let's say they pulled down a list of emails and  
3 they're like, yes, we found Drew -- Drew was deleted.

4 MR. LIEBERT: Okay.

5 MS. ALLEN: You know, we tried to find  
6 Liz Allen, there's too many of them and, you know, we  
7 couldn't -- couldn't find any at all or whatever. So  
8 they'll be, you know, not found. And so those get  
9 given back to us -- to the Drop system, and those get  
10 serviced to the consumer. So they could go by  
11 individual data broker to see if they were deleted.  
12 You could go in and see whether you were deleted.  
13 And they would also kind of raise the general  
14 statuses of -- of, you know, you had of your 500  
15 requests, so many were deleted effect -- you know,  
16 effectively. And this again, nothing is final right  
17 now.

18 We are -- we are building in real-time.  
19 And so there's all sorts of problem -- not problems,  
20 but like, you know, whether how --

21 MR. LIEBERT: Challenges?

22 MS. ALLEN: Challenges with data, data  
23 management, and servicing, and 45 days, and what does  
24 that mean?

25 MR. LIEBERT: Right.



1 MS. ALLEN: And so, you know, you may  
2 tweak or add to your request, or you could cancel  
3 your request, and that would change your statistics.  
4 So all to say, we do hope to service information to  
5 the consumer. And in the regs, you'll see that right  
6 now the response codes which are in here are --

7 MR. LAIRD: And that that's all I was  
8 going to bring up. It's -- it's in the draft  
9 regulations under section 7 --

10 MS. ALLEN: Yeah.

11 MR. LAIRD: 614. And I -- I'm realizing  
12 now we don't have page numbers. I apologize for  
13 that.

14 But the four options will actually be  
15 record deleted, record opted out of sale, record  
16 exempted, or record not found. So those are the four  
17 statuses that would be reported back by a -- by a  
18 data broker. Yeah.

19 MS. ALLEN: Does that help? Okay.  
20 Great.

21 Okay. So and that is and, you know, the  
22 law does contemplate a consumer changing or canceling  
23 a request, which is something they'll be able to do.  
24 So they can come back in and add a different email or  
25 tweak their name or whatever to try to increase the

1 number of deletion, positive deletion requests that  
2 they get, for example.

3 Okay. Let's go to the next slide.  
4 Perfect.

5 So the data broker on the other side will  
6 be creating an account, and within that account,  
7 we'll essentially have a dashboard where they can  
8 manage their re -- registration, as in giving us the  
9 information that we need every January, giving --  
10 paying, effectuating payment. They'll have a  
11 dashboard that shows whether they pay the last time  
12 they registered, you know, their data registration,  
13 kind of a bunch of information that will be useful to  
14 them.

15 And then at the first time creating an  
16 account and registering, they will also choose which  
17 set of identifiers they need to best match. So  
18 within their own databases, you know, there's data  
19 brokers wire -- vary widely in terms of their  
20 practices and what PI they collect and how they do  
21 their businesses and run their businesses.

22 So some data brokers have lots and lots  
23 and lots of pieces of information, and some of them  
24 very few, and some use email as a main identifier to,  
25 you know, catalog everything. Some use a unique

1 identifier within their own company.

2 And so right now they could choose a list  
3 of just emails. They can choose a list of just phone  
4 numbers.

5 Let's say they use a phone number as a  
6 unique ID. They could choose just pseudonymous  
7 identifiers and just take, like, makes (sic) and  
8 stuff like that, but they choose the list that would  
9 effectuate the most matches essentially within their  
10 own system.

11 Once they've chosen and selected those  
12 lists -- so let's say, like, we do everything by  
13 email address, which is a really durable identifier,  
14 not sensitive PI. So they that means every 45 days  
15 starting our August 1, they can hit either our API or  
16 they can manually download a CSV with all of these  
17 email addresses from any consumer who has input a  
18 deletion request. They then will match those within  
19 their own system. And they have to delete anything  
20 that matches.

21 They then will have to maintain a  
22 suppression list. So if they get any matches, they  
23 the -- they have to take the whole list, essentially  
24 and maintain it as a suppression list, which is --  
25 the basic idea is you're -- if you are buying bulk

1 data, which they all do, you would essentially check  
2 it against a suppression list.

3 And if there is any California consumers  
4 that are already on your suppression list, they can't  
5 come into your database. So they maintain the  
6 suppression list, and then they report back to us  
7 after 40, you know, after 45 days or at least  
8 within -- within 45 days, I guess, the status of each  
9 of those deletions, whether they were deleted, opted  
10 out of sale, exempted or not found.

11 UNIDENTIFIED SPEAKER: (Indistinguishable.)

12 MS. ALLEN: Yeah. To -- oh, sorry. I  
13 shouldn't call -- can you -- can you put your --  
14 yeah.

15 MR. LAIRD: Gotta keep this thing open.

16 MR. LIEBERT: On the suppression list?

17 MS. ALLEN: Yeah.

18 MR. LIEBERT: It's -- reminds me of how  
19 do we do this type of auditing to even know whether  
20 they're doing this kind of stuff; right? So they  
21 have a suppression list, but do they use it, and will  
22 there be mechanisms in place that are at all  
23 reasonable and doable?

24 How does that -- I'm -- I know you're all  
25 grappling with this, and it's -- it's fascinating.

1 MR. LAIRD: It -- from my perspective, if  
2 I may, I think that's part of the beauty of the audit  
3 requirement that this particular law incorporated  
4 essentially data brokers that are going to have to  
5 engage independent third-party auditors to come in  
6 and audit their own comp- -- their own systems  
7 compliance with this. And that does a couple of  
8 things.

9 First of all, it means there will be an  
10 audit record that our Agency can review upon request.  
11 And the law requires, I think, within five days, they  
12 have to provide us those audit reports if we request  
13 them. And that becomes a sort of a -- an immediate  
14 tool for us to consider whether or not compliance is  
15 happening.

16 Now, obviously, we'd have the ability to  
17 further audit as our -- as the CPPA with our audit  
18 authority. We could go look ourselves further, but  
19 there's going to be sort of this inherent  
20 self-checking that has to go on.

21 But you're absolutely right. There's risk  
22 there as well, that compliance could be just not  
23 always there, in which case, you know, we'll be  
24 actively looking for those instances and trying to  
25 enforce.

1 MS. ALLEN: Yeah, we did hear from data  
2 brokers. This is -- you know, it's a very common  
3 industry practice because so many states have these  
4 deletion rights, and so a lot of folks have and  
5 maintain a suppression list already. So it's not an  
6 addition. This is mostly industry standard.

7 MR. LIEBERT: Excuse me if I missed it,  
8 but how do -- how do we address the -- the hashing --  
9 sort of, as opposed to you being Liz Allen, everybody  
10 sort of in an (indistinguishable) refers to you by  
11 some hash, you know, identifier, and we all pretend  
12 we don't know who you actually are, but we kinda know  
13 all -- everything about you, that you're this kind of  
14 consumer, this kind of age, with these kind of, you  
15 know, and actually we could link it to an email if we  
16 needed to, but we -- we tend not to.

17 I mean, how -- how, you know -- and  
18 there's different degrees that sometimes it's overt  
19 that we have two separate lists. Sometimes it's we  
20 -- we pretend -- what's your -- obviously, it's a --  
21 it's a kind of boil-the-ocean question, but.

22 MS. ALLEN: Yeah.

23 MR. LIEBERT: How -- what's -- what's the  
24 approach there?

25 MS. ALLEN: Yeah. So you're a couple of

1 slides ahead, but -- but I'll answer it now, which is  
2 yeah.

3 So the database our database will be  
4 completely hash. There won't be any plain text,  
5 obviously, and our database will be using a pretty  
6 industry standard hash. And the requirement would be  
7 that the data broker hash on their side. So -- and  
8 the way we've written, you know, the expectations of  
9 the law and the regulations is that you're not gaming  
10 the system. I mean, that's part of it; right? So  
11 if you can -- you have to pull down -- you have to  
12 choose the list and pull down and attempt to match to  
13 the best of your ability. And that is that's clear  
14 in the regs and that's clear in the law.

15 And so there will always -- you know, kind  
16 of a like there will always be bad actors and as we  
17 figure out, if industry is moving, we'll update the  
18 regs and we're going to, you know, move to try to  
19 address.

20 But, yeah, the -- there's a -- there is a,  
21 you know, the burden of keeping consumer information  
22 safe and providing just the right amount of  
23 information without over, you know, over providing  
24 information to the data broker. I mean, yeah, it's a  
25 tricky --

1 MR. MACTAGGART: Because the statute  
2 says, you know, however you identify it; right? That  
3 you, the industry, however you identify it, you're  
4 supposed to -- when they make a request, they're  
5 supposed to delete. So if they have -- they only  
6 look at your phone, you know, your identifier, that's  
7 covered as well. But the -- conceptually, it's  
8 covered even if it's not --

9 MS. ALLEN: Yeah.

10 MR. MACTAGGART: Okay. Thank you.

11 MS. ALLEN: Yeah. Yeah. Do you want to  
12 add something?

13 MR. LAIRD: So, yeah, I was just going to  
14 make the point they may track people based on their  
15 own unique identifying system, but it really requires  
16 them to focus on what data pieces they have. So  
17 regardless of how they track Mr. Mactaggart, if you  
18 put your phone number in the system and they have  
19 phone numbers that they track, once they make a match  
20 with that phone number, it's going to line out all of  
21 Mr. Mactaggart in their database.

22 MS. ALLEN: Yes.

23 MS. NONNECKE: I recently got a new cell  
24 phone number. My old cell phone number has been  
25 reassigned to somebody else.



1                   What happens in that instance?

2                   MR. LAIRD: That's a great question, and  
3                   that's -- that's certainly something, I think, we're  
4                   going to be grappling with, because right now, I  
5                   think what we're contemplating is for email addresses  
6                   and phone numbers, actually multifactor  
7                   authentication to ensure that you are the holder of  
8                   that device or a cap -- you're the one controlling  
9                   sort of that identifier.

10                  And so with phone numbers, I think we're  
11                  going to be limited to the phone numbers you have  
12                  direct control over.

13                  But at the same time, to the extent the  
14                  data broker has at some point then updated their  
15                  files to say, you know, Board Member Nonnecke has two  
16                  phone numbers. As long as one of those appears on  
17                  the list, they're still going to have to delete  
18                  everything associated with your profile.

19                  And the same goes if they held any other  
20                  data point. So, again, the more you enter as a  
21                  consumer, the more likely you're going to get a  
22                  match. So even if a phone number doesn't appear on a  
23                  list, but you also put an email address and that --  
24                  and they also track emails and they also will have  
25                  that email. Your whole record will still get

1 deleted.

2 So we're trying to create sort of the  
3 greatest chances of a match. But that is certainly a  
4 constraint, especially as we're trying to balance the  
5 responsibility of trying to provide relative  
6 certainty that this is the consumer who's protecting  
7 the request, and that they're not just adding every  
8 phone number they come up with, for instance.

9 So it -- it's sort of a policy balance in  
10 all honesty.

11 MS. ALLEN: Yeah. Yeah. There's like  
12 the residency verification, and then any phone number  
13 that you enter in any email will have to be  
14 authenticated. Essentially, you have control over  
15 it. Yeah.

16 CHAIR URBAN: I suggest that maybe we let  
17 the attorneys get through the presentation. Feel  
18 free to skip or repeat the materials for any answer  
19 questions that you've already been asked.

20 MS. ALLEN: Yeah. Okay. Let's move  
21 forward.

22 Next slide? Okay. Great. So it's is  
23 just a visual of how the system works.

24 Of course, the Drop system for us is a  
25 CRM, which stands for customer relationship

1 management tool, and the database that kind of hosts  
2 that tool and data brokers, both sides; right? So  
3 it's a two-sided platform.

4 Both sides can both read or both can pull  
5 down and write back in so the consumer can find in --  
6 find information about their status.

7 They can also enter information. Data  
8 brokers are pulling information out, but they're  
9 feeding information back. And so it's a dynamic  
10 platform on both sides. And we talked about quite  
11 a -- quite a bit of this already, so I'll just kind  
12 of skip over it.

13 But, you know, the part of the law is that  
14 it must be privacy protective. And in order to do  
15 that, we've made a bunch of decisions in terms of  
16 architecture, hashing data minimization that we were  
17 trying to make sure we're not a honey pot or a -- you  
18 know, an easy target for consumer data.

19 Okay. Next slide. Great.

20 And, like, let's not forget ourselves  
21 here. The Agency also is working in the same Drop  
22 system, and so we have spent a bunch of time trying  
23 to figure out how we -- what we need the system to  
24 do on our end. And, of course, you know, we're  
25 trying to facilitate the registration.

1           We're trying to ensure audit compliance  
2   and investigate violations. We will be, you know,  
3   managing the consumer residency verification, and, of  
4   course, dealing with all the support tickets that  
5   come in from both consumers and data brokers as they,  
6   you know, integrate with the API, pull down list,  
7   et cetera. So a lot for the system to do in terms of  
8   helping the Agency do its job.

9           Next slide.

10          Okay. Next slide. Great.

11          So this is just -- we provided the  
12   regulations. These are just proposed -- these are  
13   proposed regulations that essentially because the law  
14   is so prescriptive about what the system means to do.  
15   And we have put together kind of an architecture  
16   process. The regulations essentially walk through  
17   and tell the business, the data brokers what they  
18   need to do in order to interact with the system. So  
19   this just kind of follows the flow.

20          These regs follow the flow of what we just  
21   described, which is that data brokers need to create  
22   an account. They have to register -- they have to  
23   register annually. And when, you know, once they've  
24   made an account, they have to access and process  
25   deletion requests. They have to report the status,

1 which we talked about, the different status codes  
2 that we have. So in the regs, they -- then there's  
3 like rules -- there's some rules around deactivating  
4 accounts or ceasing to access the accessible deletion  
5 request.

6 So ceasing to access the API or ceasing to  
7 pull down the CSVs. So the regs are written in a  
8 way that kind of walk the business through their  
9 requirements at each stage of interaction with the  
10 Drop.

11 Next slide.

12 And then you'll see at the end of the  
13 regs, we have some consumer or their authorized  
14 agent's deletion request and kind of describing what  
15 we need. In that there's a residency verification  
16 review process. In case, you know, the third-party  
17 residency verify is incorrect. We have a deletion  
18 request.

19 We essentially map up -- we describe the  
20 content and the process the consumer will need to go  
21 through and then requiring of -- of authorized agent  
22 disclosure. So collecting some information from the  
23 authorized agent who interact with the system. So  
24 yeah, we can -- we'll continue and we'll take  
25 questions.

1 MR. LAIRD: Yeah, I -- before we turn it  
2 over to the Board for questions, I'll just mention,  
3 too, I think we've built in some appropriate  
4 flexibility in these regulations and in the system.

5 For instance, as Ms. Allen mentioned,  
6 data brokers will be able to select between whether  
7 or not they want to actually set up an API  
8 interaction and sort of save them -- save themselves  
9 time for processing these requests or do a manual  
10 process.

11 So there's flexibility based on sort of  
12 the nature and sophistication of the data broker.  
13 And then also in terms of these ideas of lists that  
14 include identifiers, it's left flexible in  
15 the regulations so that over time, if we determine  
16 it's appropriate and we're able to add additional  
17 lists, for instance, or change certain lists for  
18 sending out information for data brokers to check  
19 against, we can do that.

20 So with that said, though, happy to take  
21 any questions.

22 MS. ALLEN: Next, you have one more  
23 slide.

24 MR. LAIRD: Oh, do I have one more? Oh,  
25 okay. Oh, look at that. I got ahead of myself. All

1 right.

2 Next slide, please.

3 Oh, yes. Yes. Absolutely. So there's --  
4 there's a few things we're focusing on for sort of  
5 rolling out the Drop system.

6 Obviously, we're continuing to work daily  
7 essentially on developing the system, working with  
8 CDT to -- to work through the construction of it, to  
9 begin testing in the fall and launch in January of  
10 next year.

11 To compliment that, though, again, where  
12 the law has many general prescriptive requirements,  
13 sort of the details of how data brokers need to  
14 interact with it and consumers do need to be  
15 established through rulemaking. And so we are  
16 working on these regulations now and recommending to  
17 the Board today that we at least move to begin the  
18 formal rulemaking process so that we can work towards  
19 having final regulations in place in time for its  
20 launch.

21 And then finally, we are also aware that  
22 this is a really impressive first-of-its-kind system  
23 that we want to promote. And we want to get the word  
24 out to Californians that this is available to them.

25 And we certainly want to also continue to

1 promote compliance with data brokers to register with  
2 us if they haven't and to then start using the system  
3 next year when -- when the statutory deadline  
4 arrives.

5 MS. ALLEN: And just on that, we know  
6 there's quite a bit of public education, too. What's  
7 a pseudonymous identifier and, you know, how to find  
8 it, all of that. So how that will be a part of it.

9 CHAIR URBAN: Wonderful. Thank you so  
10 much.

11 MS. ALLEN: Yeah.

12 CHAIR URBAN: Could you walk us  
13 through -- probably this is a question for Mr. Laird.

14 Could you walk us through the timeline  
15 that you envisioned for the regulations and how that  
16 interacts with the January 1 deadline to have  
17 consumer access to the Drop system?

18 MR. LAIRD: Yes, absolutely. So, again,  
19 if anybody's followed our rulemaking to date,  
20 rulemaking is a lengthy process. And even once you  
21 start the formal rulemaking, you know, it's -- it's  
22 not uncommon to take the full year that you have to  
23 sort of complete those regulations and submit to the  
24 office of administrative law.

25 So by opening public comment now, we



1 would start a public comment process that would be a  
2 45-day public comment period in which anybody, data  
3 brokers, the public consumers, could comment about  
4 these regulations, about the requirements described  
5 in them. And then we'd have an opportunity, as you  
6 all would, as a board, to then evaluate whether or  
7 not the regulations were accurate in their current  
8 stage at a -- at a future meeting or if they need  
9 to be further updated.

10 And -- and this is to say a -- and if we  
11 determine there's update -- updates required, then we  
12 would propose modifications to the text of these  
13 regulations to reflect sort of changes in either the  
14 infrastructure of the system or the requirements on  
15 data brokers.

16 We would have another public comment  
17 round, and then there'd be yet another opportunity  
18 for the Board to decide if they wanted to adopt these  
19 regulations.

20 Again, I think part of the reason we're  
21 encouraging to begin formal public comment now is we  
22 really do want to hear from the public how we're  
23 doing with the construction of the system. We're --  
24 we're sort of having to build the plane and fly it  
25 too, which I know we're used to at this Agency, but

1 at the same time, to have regulations in place at the  
2 right -- at the same time, we're -- we're trying to  
3 match these against the construction as we understand  
4 it now.

5 So I'm acknowledging also as development  
6 continues, we may determine something else needs to  
7 change, and therefore, we would do need to modify  
8 these regulations to adjust to those as well. So  
9 very cognizant that it's very possible these are not  
10 the final regulations, but just the opening  
11 regulations.

12 And so, again, with January 1 only nine  
13 months off now, we wanted to make sure we had the  
14 opportunity to go through this process completely  
15 before that deadline.

16 CHAIR URBAN: I can't believe I'm going  
17 to say this, but it's there. So what is the  
18 drop-dead date which we need to finally approve these  
19 regulations to meet the January 1 deadline?

20 MR. LAIRD: First of all, I have to  
21 compliment you. I have thought that joke many times,  
22 but I haven't said it out loud, so --

23 CHAIR URBAN: See, I had to compliment  
24 you for being able to see it and to leave it right  
25 there.

1 MR. LAIRD: So, we would love to have  
2 these regulations in place by January 1 of next year,  
3 particularly to the extent they do define some  
4 processes for consumers interacting the system.

5 And as Ms. Allen mentioned, consumers need  
6 to be able to start at least submitting their request  
7 as early as January of next year.

8 At the same time data brokers will be --  
9 won't be required to start pulling from these lists  
10 and performing deletions until August. And so if we  
11 had to push a little bit beyond, we could afford to  
12 take the extra time.

13 So -- but I would say especially because  
14 we really need data brokers to start integrating with  
15 the system probably in advance of August 1 so we  
16 don't just have sort of a mad dash and sort of set  
17 ourselves up for failure.

18 Certainly by first quarter of January of  
19 2026, I would say is our drop-dead deadline.

20 CHAIR URBAN: Thank you.

21 Further questions and comments from the  
22 Board?

23 Yes. Oh, sorry.

24 Are you pointing, Mr. Worthe?

25 MR. WORTHE: Thanks for that. Couple of

1 questions: The old fee was \$400. I forgot what the  
2 new fee is.

3 MS. ALLEN: \$6,600.

4 MR. WORTHE: And that's -- this may have  
5 come up earlier, but -- but that fee is applied  
6 irregardless of the volume of business that you have  
7 or the size of your business; right?

8 MR. LAIRD: That's correct.

9 MR. WORTHE: Did we ever think about a  
10 ceiling?

11 MR. LAIRD: So that's a great question.  
12 We did think a lot about that.

13 Part of our challenge is we don't really  
14 have a mechanism to learn or verify the income, the  
15 revenues of data brokers. And because we don't have  
16 that data already, again, these fees are calculated  
17 to best pre -- based on predictions of what we think  
18 we'll need in the coming year.

19 So if, for instance, we made assumptions  
20 that, you know, on a scaled system, so many data  
21 brokers would find on each scale, but, in fact, there  
22 was many more small businesses and so the revenues  
23 were low, that would actually inhibit our ability to  
24 then use that money in the coming year.

25 Does that make sense? I guess my point

1 is --

2 MR. WORTHE: No, I get it.

3 MR. LAIRD: Yeah.

4 MR. WORTHE: I will say it's a -- it's an  
5 interesting business plan to back into your pricing  
6 based on what you think you need; right? Because the  
7 world's going to -- and what you'll find is 50 people  
8 leave, because \$6,600 is too much, and they close the  
9 business down. So then you're in a worse position  
10 the next year; right?

11 But isn't -- doesn't your business  
12 license require you do state revenues?

13 CHAIR URBAN: If I -- if I under -- I  
14 might be wrong about this, but I understand part of  
15 the problem is we don't know who the data brokers are  
16 until they register.

17 MR. WORTHE: Yeah, the 493 -- is that  
18 right? 4 --

19 MS. ALLEN: 496.

20 MR. WORTHE: 496 that we have now.

21 MS. ALLEN: So -- but they're not all  
22 registered in California because -- right, because  
23 they just have to be using California consumer data.  
24 They don't have to act like --

25 MR. WORTHE: Okay.

1 CHAIR URBAN: So there's a little bit of  
2 a --

3 MR. WORTHE: I mean, let's -- just a  
4 thought for the --

5 CHAIR URBAN: Yeah.

6 MR. WORTHE: If we find ways we could  
7 monitor that, maybe it's something we look at, just  
8 throwing it out there. And one other thing, is this  
9 appropriate time --

10 MR. LIEBERT: May I respond to that,  
11 please? Just because I totally agree with you in  
12 regard to this -- this is on by the way.

13 MR. LAIRD: Okay.

14 MR. LIEBERT: I just want to tell you  
15 this is on.

16 As more and more data comes in,  
17 ironically, there probably will be ways to kind of  
18 determine whether someone can prove themselves, some  
19 data broker, that look, these are my revenues  
20 voluntarily. So there could be such a schedule  
21 offered; right?

22 If you can show as a data broker once you  
23 register, that your business is small versus big,  
24 something to think about; right? And then I don't  
25 know if that require a legislative fix or regulatory

1 action, whatever, but that's when we could think  
2 about.

3 MR. LAIRD: Absolutely, and I -- I'll  
4 just note, you know, this is -- a common model for  
5 many licensed professions is that license fees  
6 essentially pay for a -- pay for the regulator then  
7 to sort of do all of its business.

8 It's, you know, attorneys pay license  
9 fees; doctors pay license fees. A lot of license  
10 fees are flat rate for those professions, but there  
11 are examples to where there's tiers like you're  
12 describing.

13 One thing that's apparent, though, in  
14 those legislations is often the authority to maintain  
15 a reserve at a certain amount so that you can take  
16 some risk with the -- with the system, watch trends  
17 over time and then adjust fees appropriately.

18 We've been trying to target our cost so  
19 much to not have over -- any overages and to not  
20 create sort of a risk -- an unintended reserve.

21 That's been part of the strategy here.  
22 But I hear you loud and clear. I just wanted to kind  
23 of note those practices as we -- as we've seen them  
24 in other state entities.

25 MR. WORTHE: I think probably it's a --

1 it's a unique issue now because you went from \$400 to  
2 \$6,600; right? And so will it settle down? Maybe,  
3 but that's -- in any business, if you have a jump  
4 like that, you're going to get a reaction to it.

5 MR. LAIRD: Absolutely. Yeah.

6 MR. WORTHE: And the other thing I was  
7 going to ask about, is this a good time to go  
8 through --

9 MS. ALLEN: Do any folks have further,  
10 sort of factual questions?

11 Of course. You know you're not -- you  
12 can think of them later.

13 Yes, Mr. Liebert.

14 MR. LIEBERT: A simple one. And that is  
15 that obviously, this is exciting and so important,  
16 and we don't want to find ourselves in a situation  
17 where -- excuse me, where consumers don't know about  
18 it. And so that is about our whole marketing and  
19 information educational process.

20 Do we have sources of funding to do that?  
21 Will we have needed funding to do that? And what  
22 does that look like.

23 MR. LAIRD: At this point, I think we've  
24 been plan -- we did not budget I will say, with the  
25 fees we've assessed so far for marketing efforts.



1 We've been planning to use existing resources to  
2 promote as best we can. And I think that is the  
3 immediate plan.

4 But certainly, I think we could entertain  
5 the need to sort of look at how we could use fees in  
6 addition for those purposes as well, because that is  
7 part of the implementation of the system.

8 CHAIR URBAN: Thanks -- thank you. Okay.

9 Were you thinking, Mr. Liebert, that we  
10 might also consider requesting additional  
11 appropriations for this purpose or a purpose that  
12 encompasses it?

13 MR. LIEBERT: Perhaps. I certainly think  
14 the Agency needs to be focusing on that as a key  
15 priority. We can come up with the best Drop system  
16 in the world that should be replicated across the  
17 country and perhaps the world.

18 But if consumers don't adequately know  
19 about it and its advantages and how it can really  
20 make a difference for them and how easy it is to use,  
21 then we haven't met our mission; right? That's the  
22 great challenge.

23 So that whole educational part clearly  
24 has to be such a key part of this, not just that we  
25 put it up right, but that we get the word out right.

1 CHAIR URBAN: Great. Thank you. Yeah.  
2 Additional questions?

3 Okay. Mr. Worthe had something on the  
4 draft text?

5 MR. WORTHE: Yeah, it would be the first  
6 page in the direct relationship definition. I just  
7 want to understand that. It's really the two ads at  
8 the end.

9 The first one it says, if I don't intend  
10 as a consumer to interact with the business, they can  
11 still collect my information. Is that -- did I  
12 understand that correctly?

13 MR. LAIRD: That is something -- you're  
14 saying when you don't intend that they're still  
15 directly --

16 MR. WORTHE: Yeah.

17 MR. LAIRD: In some way, yes, we're aware  
18 of instances where that occurs.

19 MR. WORTHE: Well, I guess what I'm  
20 saying is this giving that -- is this giving the  
21 business an out?

22 MR. LAIRD: I think not.

23 So our intent here is actually to close  
24 what was a potential loop hole between information a  
25 business collects from you directly in a first-party

1 relationship where you knowingly engaged the  
2 business.

3 You knew they collected personal  
4 information about you. Under the CCPA, you have the  
5 right to request that business to delete information  
6 they have about you, and they have to right now.

7 So if a data broker ever engaged you in  
8 that way, or you engaged the data broker, I should  
9 say in that way, you could make a request today to  
10 that data broker saying, please delete my  
11 information, and they'd have to do that. But that is  
12 different from information that they either collected  
13 from a different source or a type of system that can  
14 be set up is -- Liz, I'm going to let you describe it  
15 because you --

16 MS. ALLEN: Yeah. Yeah.

17 Just imagine if you're going to buy  
18 something and you've got a bunch of cookies on the  
19 bottom, and so they're actually like pulling your  
20 geolocation and they're pulling your IP address,  
21 et cetera. You are directly trying to buy the pair  
22 of shoes, just to chose an innocuous example, but you  
23 can imagine more sensitive examples.

24 And you are intending to go and buy the  
25 shoes, but there's all these cookies that you don't

1 know exist and you -- you know you are interacting  
2 with, but you do not intend to interact with those  
3 cookies or give those -- give away your geolocation  
4 or give away your --

5 MR. WORTHE: Right.

6 MS. ALLEN: -- IP address. And so that's  
7 what this is trying to get at, which is like you may  
8 be somewhere, but someone is pulling your data, but  
9 that does not necessarily mean that they have a  
10 direct relationship.

11 MR. WORTHE: Yeah, I guess just the way  
12 I -- it's written, I just read it. I -- that's a  
13 great explanation. But so --

14 MS. ALLEN: Yeah.

15 MR. WORTHE: The business does not have a  
16 direct relationship with me unless I'm intending?

17 MS. ALLEN: Yeah. Which is just like if  
18 you land somewhere and you've got 27 cookies that  
19 fire at the same time, you know, to collect all this  
20 information. So you didn't really -- that's not  
21 like, you didn't intend that.

22 MR. WORTHE: Okay. So let's go to the  
23 next -- the next one then the --

24 CHAIR URBAN: I'm sorry. Can I follow up  
25 on -- this is the same definition if that's all right

1 if I -- if I --

2 MR. WORTHE: Sure.

3 CHAIR URBAN: -- piggyback on you, I  
4 think it's a bit of a challenge to this point that  
5 the business does not have a direct relationship and  
6 it's the direct relationship that gets them out of  
7 needing to be a data broker. So I don't know if  
8 that's what Mr. Worthe was --

9 MR. WORTHE: Yeah, that's helpful.

10 CHAIR URBAN: -- getting at. I had to  
11 read it a few times.

12 MR. WORTHE: That's helpful.

13 CHAIR URBAN: I had a question in the  
14 same definition about the deletion of -- within the  
15 preceding three years. And I confess I may well have  
16 forgotten being briefed on this earlier.

17 I know we discussed it when we talked  
18 about the regulations that this is founded on, the  
19 sort of the light touch, data Delete Act regulations.

20 And with apologies for forgetting  
21 something, I probably have. Could you go into that a  
22 little bit, please?

23 MR. LAIRD: Yeah, happy to, and it's a  
24 great question. It -- it is something I think we  
25 identified as we've now thought through the second

1 phase of developing the Drop system.

2 So if you remember, we -- we sort of added  
3 the color to this or added this definition generally  
4 last year when we were really thinking about  
5 registration requirements, and what would make an in  
6 business a data broker.

7 But what has really become apparent and  
8 what we real -- recognize, then, is an incongruence  
9 within the definition itself was the idea that  
10 essentially what we are clarifying through this  
11 definition is that your direct relationship is  
12 actually an information-specific sort of event.

13 And so information that again, the shoe  
14 example, that Mr. Worthe goes to a shoe website  
15 intended to interact with that website, that is a  
16 direct relationship. They collected his personal  
17 information directly.

18 But if that shoe website is separately  
19 purchasing personal information about Mr. Worthe, and  
20 he has no knowledge of that, and then is sell --  
21 turning around and selling that personal information,  
22 we are saying with that personal information, there  
23 was no direct relationship.

24 And, therefore, that activity was a data  
25 broker's activity, essentially. And so if you think

1 of it that way, is it always tracking the nature of  
2 the information, information that's collected in a  
3 first-party capacity is always going to be  
4 first-party collected information, and then  
5 information that was collected sort of outside  
6 your awareness or without your intent is always  
7 going to be a third-party collection, an indirect  
8 relationship.

9 CHAIR URBAN: Thank you.

10 Mr. Worthe, you were moving on, I believe.

11 MR. WORTHE: No. It's still in the  
12 same -- I think you might have just answered the  
13 questions to the last sentence of that definition.  
14 I just assume regardless of how the information is  
15 collected, it can't be sold unless I'm approving  
16 that.

17 MS. ALLEN: Yeah, you would think, but I  
18 think people have -- this is why we clarified it, is  
19 that there was a lot of companies or a lot of  
20 business practices that don't -- were not -- did not  
21 interpret the law that way.

22 So they could say, yes, you bought these  
23 shoes, we're going to buy a thousand other pieces of  
24 data. We're going to chop you up into four different  
25 lists, like -- like wide feet, buy shoes every year,

1     whatever, and sell those inferences and sell these  
2     things. And it's like, yes, if that's what you're  
3     doing, that means you're a data broker after these  
4     inference lists as to this thousands of pieces of  
5     data.

6             And, again, this is a very non-nefarious  
7     example, but you can imagine lists of people with  
8     dementia, abortion, you know, there's just a lot of  
9     things that you can imagine.

10            It's creating real harm. And so they  
11     still have your shoe data. That's still a  
12     first-party data.

13            MR. WORTHE: Right.

14            MS. ALLEN: They can keep your shoe data.  
15     But as to the other things that -- this law was  
16     written and created so that you can get to that data  
17     and delete it before it does any harm.

18            MR. WORTHE: Okay. Yeah, it does.

19            Thank you.

20            And then just so the overall timing,  
21     right of --

22            MS. ALLEN: Yeah.

23            MR. WORTHE: We just took in a bunch of  
24     public comment that we're going to wade through on  
25     April 4. I'm just more concerned about staff's



1 ability in the next two months to address another  
2 wave. So I don't know where April 4 is going to go,  
3 but I almost feel like we should get -- we should  
4 get a better sense of that before we raise our hand  
5 for another wave.

6 MR. LAIRD: Great, great point. I will  
7 say, and I really appreciate you thinking about staff  
8 on this, because it's my division that bears the  
9 brunt of sort of that processing.

10 At the same time we've really scheduled  
11 this out. We are prepared to take on both workloads  
12 and on the timelines we've described. In part, as  
13 you know, we've received the public comments we are  
14 act -- for the ADMT regulations. We are actively  
15 processing those right now.

16 By the time we come back to you in April,  
17 we'll have already done the initial workload that we  
18 need to sort of at least have reviewed and processed  
19 and considered those comments from a staff level.

20 This would then be 45 days of public  
21 comment that we would start processing after that  
22 closes.

23 So if we open in April, that means we're  
24 not really receiving those comments and processing  
25 them until late May probably. And so at that time, I

1 think we'd feel prepared to take on this workload as  
2 well.

3 MS. ALLEN: I also just want to -- you  
4 know, we're government. We have to do it this way,  
5 but we want to be as agile as possible. So getting  
6 feedback from the regulated industry while we are,  
7 like, building and moving is extremely helpful to,  
8 you know, we're at -- when you're building product  
9 it's, like, good to get the feedback in the door.

10 MR. WORTHE: Right. Okay.

11 MR. LAIRD: But thank you for the  
12 concern.

13 MS. ALLEN: Yeah. Thank you.

14 CHAIR URBAN: I have a comment question.  
15 I have a question also on the draft.

16 I'm looking -- this is under article  
17 37610(a)(1) and (c). It's really a question  
18 about(a)(1). And I suspect that I'm not visualizing  
19 this fully as I imagine it, but my -- if we want to,  
20 but if I am and we want to get this in the form where  
21 you can run with it, we can delegate that to you.

22 There may be something I might suggest.  
23 So it is to -- requires the data brokers to maintain  
24 account security and inform the Agency immediately in  
25 writing through its Drop account if it's hacked

1 basically. What if it can't use it as a Drop account  
2 because it's been hacked?

3 MS. ALLEN: Yes, or we could -- or email  
4 data brokers -- yeah. Yeah.

5 MR. LAIRD: We can make for an  
6 alternative. That's a great call.

7 MS. ALLEN: Yeah.

8 CHAIR URBAN: Okay.

9 MS. ALLEN: There's a possibility that  
10 they could send you a letter --

11 CHAIR URBAN: Yeah.

12 MS. ALLEN: -- or something.

13 CHAIR URBAN: Email.

14 MS. ALLEN: We want it to be them.

15 CHAIR URBAN: Yeah.

16 MS. ALLEN: And we need to know that they  
17 are who they say they are. These situations are --  
18 are quite problematic --

19 CHAIR URBAN: Yes.

20 MS. ALLEN: -- because all the fraud and  
21 going on in every direction. Okay.

22 CHAIR URBAN: Thank you.

23 Any other questions or comments for the  
24 staff?

25 Yes, Mr. Mactaggart?

1 MR. MACTAGGART: So I was in Boston for  
2 a couple of days, and I was particularly annoyed  
3 because every time I walked by a particular street  
4 sign, like a -- like a advertisement, you know, like  
5 a billboard, it was electronic and the flash would go  
6 off, and it would take a picture of me. I mean,  
7 I'm -- and it was really annoying.

8 So which -- if they don't keep my name,  
9 they just have my face, is there a way that I can  
10 say, "please don't sell my information"? They're  
11 like, "we don't have your email."

12 You know, facial stuff like -- where are  
13 we -- where would that come out?

14 MS. ALLEN: Yeah.

15 MR. MACTAGGART: Was this -- is that  
16 covered?

17 MS. ALLEN: The thing is, yeah, if they  
18 only have biometrics, that's something we do not want  
19 to collect, maintain, or store within our system.

20 Yeah, I think that's like -- that, but  
21 however, if they're collecting it from you, would  
22 that be a direct -- you walked by, would that be  
23 direct? I mean, I think there's like a question as  
24 to whether you didn't and you intend to interact with  
25 it.

1 MR. MACTAGGART: Can I just ask you kind  
2 of put that in your thought process, because clearly  
3 that's not -- it shouldn't be an outcome that -- oh,  
4 yeah, take your face, you know, like, can you guys  
5 just put that on a mental to-do list and just think  
6 about it --

7 MS. ALLEN: Yeah.

8 MR. MACTAGGART: -- as you're going  
9 through it.

10 MS. ALLEN: Yeah.

11 MR. MACTAGGART: How would I --

12 (Simultaneously speaking; unintelligible.)

13 MR. MACTAGGART: Maybe it's not -- we're  
14 so much some -- unless they associate it with a name.  
15 So maybe at some point they associate it with a name.  
16 But just -- it's just a thought, you know, in light  
17 of whatever was clear to you. You know, all right --

18 MS. ALLEN: Yeah.

19 CHAIR URBAN: Thank you. Additional  
20 comments, questions?

21 Anything else from Mr. Laird or Ms. Allen  
22 that you'd like to tell us before I state the motion  
23 that I will request and open up for public comment?

24 MR. LAIRD: I don't think so. We  
25 appreciate your attention to this today.

1 CHAIR URBAN: Great. Thank you for all  
2 the intricate work to get everything to fit together.  
3 It's fun when it fits together, and it's definitely  
4 difficult to get there. And we appreciate you taking  
5 into account what you've already learned, or I  
6 appreciate what you've taken into -- what you've  
7 taken into account and already all -- having already  
8 learned from the regulated community and this process  
9 to get as much input as possible.

10 So the motion that I will request after  
11 public comment is to direct staff to advance the  
12 proposed draft regulations provided today in  
13 connection with this agenda item to formal  
14 rulemaking, including commencement of the 45-day  
15 public comment period, and to authorize staff to  
16 make additional changes where necessary to reflect  
17 the Board's discussion today and improve the text  
18 clarity or otherwise ensure compliance with the  
19 Administrative Procedures Act.

20 And with that stated in front of  
21 everyone, Ms. Marzion, could you let us know if we  
22 have public comments on this item?

23 MS. MARZION: This is for agenda  
24 Item No. 6, update regarding development and  
25 implementation of the delete request and the

1 opt-out platform, including discussion and possible  
2 action on proposed Drop regulations. If you'd like  
3 to make a public comment at this time, please raise  
4 your hand using the raised-hand feature or by  
5 pressing Star 9 if you're joining us by phone.  
6 Again, this is for Agenda Item No. 6.

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

9 CHAIR URBAN: Thank you, Ms. Marzion.  
10 In that case, do I have a motion as  
11 stated?

12 MR. WORTHE: I have a question.

13 CHAIR URBAN: Oh, yes.

14 Any further questions or comments from  
15 the Board.

16 Mr. Worthe?

17 MR. WORTHE: The public comment will be  
18 received in what form? And how is that different  
19 than how we receive public comment for ADMT?

20 MR. LAIRD: So essential -- it will match  
21 exactly what we did with ADMT. So how it works is we  
22 publish a notice both in the state's notice register.  
23 We also put it on our website. We usually do social  
24 media about it as well, saying that the public  
25 comments opened.

1           The notice talks about the way to  
2     submit written comment, which folks can send in  
3     writing to our offices or by email address to  
4     regulations@coppa.ca.gov. And for 45 days, a minimum  
5     of 45 days, we'll accept written comments, and then  
6     we'll also hold a hearing at the end of that period,  
7     public hearing, where we can hear oral comment and  
8     testimony as well.

9           And, again, we -- we advertise that sort  
10    of across our social media. We also send it not just  
11    to those who've signed up for rulemaking listservs,  
12    but we will send it to our data brokers listservs, as  
13    well as really anybody else we can think to promote  
14    it to.

15           MR. WORTHE: And, again, I think we  
16    talked about this, but there's some restrictions on  
17    our ability to attend -- how do I say -- a public  
18    meeting.

19           MR. LAIRD: Yeah. Yeah. I certainly  
20    heard some comments about that earlier today. And I  
21    just want to address that the -- unfortunately, due  
22    to Bagley-Keene, there are constraints about board  
23    members being able to attend these hearings without  
24    them making itself a meeting that we have to notice  
25    publicly in compliance with Bagley-Keene to sort of



1 maintain the flexibility of hearings.

2 We've -- we've had an open staff led  
3 format. And certainly, though, board members can  
4 watch sort of the video feed of these a -- as well as  
5 transcripts that are prepared of all of these that  
6 are published on our website.

7 So to assure you, if you're not able to  
8 attend virtually and watch the hearing live, you will  
9 have the video recordings and the transcripts as  
10 Board members to review after the fact.

11 MR. WORTHE: Thank you.

12 CHAIR URBAN: Thank you. Other questions  
13 or comments?

14 Yes. Mr. Liebert.

15 MR. LIEBERT: It's just a quick thank  
16 you.

17 Phil, you and Liz, you've been doing  
18 fantastic work on this and we're -- I know all of  
19 us are very excited about this process and really  
20 grateful for all the great work you're doing.

21 MR. LAIRD: I appreciate that. I will  
22 have to, second, then say, it's Ms. Allen that's  
23 truly been a tremendous driving force behind this  
24 whole system. So much to her credit we are as far as  
25 along as we are now.

1 CHAIR URBAN: Wonderful.

2 May I have the motion as stated?

3 Don't be shy.

4 MR. WORTHE: I'll go.

5 CHAIR URBAN: And If not, then let me  
6 know why.

7 MR. WORTHE: There's no reason why. It's  
8 just end of the day. So moved.

9 CHAIR URBAN: Thank you. I have a  
10 motion. May I have a second?

11 MR. LIEBERT: Seconded.

12 CHAIR URBAN: Thank you. I have a motion  
13 and a second.

14 Ms. Marzion, could you please conduct the  
15 roll call vote?

16 MS. MARZION: Yes, Madam Chair.  
17 Board Member Liebert?

18 MR. LIEBERT: Aye.

19 MS. MARZION: Board Member Mactaggart?

20 MR. MACTAGGART: Aye.

21 MS. MARZION: Board Member Worthe.

22 MR. WORTHE: Aye.

23 MS. MARZION: Board Member Nonnecke?

24 MS. NONNECKE: Aye.

25 MS. MARZION: And Chair Urban?

1 CHAIR URBAN: Aye.

2 MS. MARZION: Madam Chair, you have five  
3 added.

4 CHAIR URBAN: Wonderful, thank you.

5 The motion has been approved by a vote of  
6 five to nothing.

7 We are going to table Agenda Item No. 5,  
8 the annual administrative and budget update, to a  
9 future meeting, which gratefully brings us to Agenda  
10 Item No. 7, future agenda items. And my brief update  
11 and running list today is that the annual  
12 administration updates will be on the running list.

13 I have reporting out on the public  
14 awareness budget details and breakdown, and we have  
15 a regularized item for that coming up, among other  
16 things.

17 For May, we have on our table overtime  
18 as it makes sense to prioritize it. And we have  
19 information discussion of GDPR adequacy.  
20 Mr. Mactaggart brought that up. I think it was last  
21 May again.

22 And so my understanding is that is --  
23 attention is being paid to that. There is also  
24 the hearing from the data broker industry from  
25 Mr. Worthe, and we should be hearing from folks

1 both in the public -- public and the data broker  
2 industry on that. And the report from the  
3 rulemaking process subcommittee I had with  
4 Ms. De La Torre, it has not managed to make it on the  
5 agenda, but we do have a report on that when we --  
6 when it -- when we have time to talk about it --  
7 just a report and considering what we learned for  
8 discussion.

9 And we do have -- usually today we would  
10 have our regulation priorities from the board in  
11 discussion, and we tabled that for a future meeting.  
12 That's not too far in advance.

13 For -- for purposes of time, this is also  
14 an opportunity to suggest those, and we still have  
15 the right to delete -- to include partial deletion  
16 from Mr. Mactaggart.

17 We had a lengthy discussion in our  
18 December 2024 meeting, gathered dates for quarterly  
19 meetings and holds in case of need.

20 That resulted in the regularized schedule  
21 on the meeting page on our website.

22 Only those four meetings are on the  
23 regularized schedule, but we also have hold dates  
24 for, I believe, every month in case they were needed.

25 So we can talk about the items on the

1 regularized agenda and the hold we have talked about  
2 already adding April 4, which was a hold date, a  
3 regulatory package on ADMT risk assessment,  
4 cybersecurity audits, insurance issues, and CCPA  
5 updates as that process was extended to accommodate  
6 folks affected by the LA wildfires.

7 I won't go into the rest of the  
8 regularized agenda unless people would like to. And  
9 I'm happy to do this for the benefit of our new board  
10 member, for example, if that would be helpful. But  
11 in the interest of time, I'd like to ask if there are  
12 other agenda items from board members or items to  
13 talk about with regards to the calendar.

14 Mr. Liebert?

15 MR. LIEBERT: I think this is the time.  
16 I just wanted to suggest that we are a unique state  
17 Agency in the country right now tasked with trying to  
18 protect consumer privacy expectations. We've been  
19 showing that, I think, in the last hour.

20 Many of us are reading news accounts  
21 about the stunning attacks on American's most  
22 sensitive personal information by the new federal  
23 administration. Certainly seems appropriate and  
24 timely for us as a board to consider adding an  
25 informational session at some point soon to educate

1 us and the public about the ways that private  
2 businesses may be pressured to improperly disclose  
3 the personal information of Californians.

4 And I'd -- I'd love to work with the  
5 Chair and with the staff to consider how best to kind  
6 of consider those issues, but I think a lot of our  
7 private businesses in California are going to be  
8 under potential pressure to share that type of  
9 sensitive personal information.

10 CHAIR URBAN: Thank you, Mr. Liebert.

11 And so you're thinking of a notice  
12 meeting?

13 MR. LIEBERT: Yes.

14 CHAIR URBAN: Where all the board would  
15 be there to facilitate talking with staff about  
16 resources and timing, et cetera.

17 Would you like to form a subcommittee  
18 with me that we --

19 MR. WORTHE: Well, I don't know that we  
20 need to get that formal. I think we can just have  
21 those conversations and figure out when --

22 CHAIR URBAN: The staff?

23 MR. WORTHE: -- it makes sense to do it,  
24 but it's certainly something that's happening right  
25 now in our world that's somewhat time pressured.

1 CHAIR URBAN: Okay. Thank you.

2 Additional items and discussion?

3 Mr. Worthe?

4 MR. WORTHE: Am I -- am I allowed to ask  
5 about the agenda for April 4?

6 CHAIR URBAN: Oh, sure.

7 MR. WORTHE: I just wanted to -- it just  
8 seems to me like we should have only one item.

9 Is that what we are intending at this  
10 point? Because it's going to be every bit of the  
11 whole day.

12 MR. LAIRD: That would be staff's  
13 recommendation that we really prioritize --

14 MR. WORTHE: Yeah.

15 MR. LAIRD: -- that item.

16 MR. WORTHE: We could do that.

17 MR. LAIRD: But --

18 MR. WORTHE: I mean, I'm --

19 MR. LAIRD: -- if the chair has further  
20 thoughts on that.

21 CHAIR URBAN: I talked with Phil about  
22 this in advance, and I apologize. I didn't think to  
23 bring it up as to what could go a little bit later.  
24 And my understanding was that the item, the one item  
25 we didn't do today -- well, now two items we didn't

1 do today could go after April 4.

2 And we had sort of a plan for spreading  
3 them or well, I don't have the plan in my head, but  
4 that there was the possibility of spreading them into  
5 the other regular Board meetings; is that correct?

6 MR. LAIRD: Absolutely fine. Yeah.

7 CHAIR URBAN: Yeah.

8 MR. WORTHE: That was the budget. And  
9 what was the second item? I'm sorry.

10 CHAIR URBAN: Annual regulation  
11 priorities.

12 MR. WORTHE: Got it. Okay.

13 CHAIR URBAN: Additional items?

14 We do have a quarterly meeting scheduled  
15 for August.

16 Is that -- which is a of course, is a  
17 challenging travel time, is that something that we  
18 wanted to discuss?

19 MR. WORTHE: Yeah. I think I might -- I  
20 mean, I -- listen, I appreciate what we did, and I'm  
21 happy what we did on a April 4 meeting because of  
22 accommodating people that probably, you know, needed  
23 more time.

24 I can speak personally, the idea of,  
25 like, just holding dates out into the future is not



1 super helpful for me, because it means I gotta block  
2 them out; right? And so we find out 30 days before,  
3 oh, now it's free. Unfortunately, just the way my  
4 life, friends, it's not very helpful.

5 I can't plan, you know, but I can tell  
6 you right now, specifically those August dates are an  
7 issue for me. So we -- if we need a meeting in  
8 August, which it'd be the -- you know, every Board  
9 I'm on chooses not to meet in August for these  
10 reasons. We have, you know, something scheduled  
11 vacation wise, but if we need to move it, I just need  
12 to find another date is all.

13 MR. LIEBERT: I would be in that  
14 situation as well.

15 MR. WORTHE: Okay.

16 MR. MACTAGGART: Yeah, I already know I'm  
17 not going to be able to make the August meeting,  
18 so...

19 CHAIR URBAN: Okay. So advice from  
20 staff. So we have holds a -- around there. One of  
21 them is in July, July 11, and one of them is  
22 September 5.

23 And my question to staff is whether and  
24 how that might affect our ability to meet deadlines.

25 MR. LAIRD: Yes. I think we can work to

1 adjust for those deadlines. I think September 5  
2 would be our preference.

3 CHAIR URBAN: All right. So September 5.  
4 Oh.

5 MR. WORTHE: Ish. September 5-ish.

6 CHAIR URBAN: 12?

7 MR. MACTAGGART: 12 would be better.

8 CHAIR URBAN: Okay. Wonderful. On  
9 September 5.

10 So for the benefit of everybody watching,  
11 we will not hold our -- at our August quarterly  
12 meeting on that date. We will instead hold it on  
13 September 5. The location for that meeting, I  
14 thought, was going to be in Sacramento, but then I  
15 looked and it was -- it said location TBD. We kept  
16 that TBD just for flexibility around finding a  
17 southern California location, but internally we were  
18 thinking just because of the logistical challenges  
19 trying to find space, that it would likely be in  
20 Sacramento.

21 MS. ALLEN: Okay.

22 MR. WORTHE: Sorry. Is that -- were you  
23 saying September 5 is preferred over July 11 to  
24 replace the August meeting? So July 11 is released?

25 MS. GARCIA: Correct. We were trying to

1 keep June and July open for vacation travel, and  
2 that's why we had originally wanted to --

3 MR. WORTHE: So release the hold on  
4 July 11?

5 CHAIR URBAN: We could do that.

6 MR. WORTHE: Okay. Sold.

7 CHAIR URBAN: All right. Thank you very  
8 much.

9 Any additional agenda items? I have  
10 Mr. Liebert. In that case, are there any additional  
11 agenda items from the public?

12 MS. GARCIA: Oh, apologies. Just while  
13 we're having this open discussion, should we also  
14 discuss June? Should we just release that now?  
15 Because I think the big markers in time. And I  
16 appreciate your comments earlier around the  
17 regulation packages now, and so we are mapping  
18 everything out. And so that's why September 5 is  
19 really important for the other package.

20 Should we release June, too?

21 CHAIR URBAN: I -- my view is that we  
22 take your advice because --

23 MR. WORTHE: Good choice.

24 CHAIR URBAN: Because are we  
25 realistically leaving enough time to do what we need

1 to do if we release that?

2 MS. GARCIA: Okay. Then...

3 MR. LAIRD: Okay. So it sounds like  
4 if we're releasing July and August, then I would  
5 recommend we hold June still.

6 MS. GARCIA: Okay. Well, we'll get back  
7 to you as soon as possible.

8 MR. MACTAGGART: And just so people are  
9 aware, I've already let the staff know probably too  
10 many times that I cannot make the June appointment  
11 because my -- my son's got a graduation thing that  
12 day. Well, middle school, but that's what happens  
13 when --

14 CHAIR URBAN: Well, you gotta be there  
15 for that. You gotta be there for that.

16 All right. Are there any additional  
17 agenda items from the public?

18 MS. MARZION: All right. This is for  
19 agenda item No. 7, future agenda items.

20 If you'd like to make a comment at this  
21 time, please raise your hand using the raise-hand  
22 feature or by pressing Star 9 if you're joining us by  
23 phone. This is for Agenda Item No. 7.

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

1 CHAIR URBAN: Thank you very much.

2 With that, we will move to Agenda Item  
3 No. 9, adjournment, our final item for today. I  
4 would like to thank everyone, the Board members,  
5 staff and members of the public for all of their  
6 contributions to the meeting and to the Board and the  
7 Agency's work.

8 May have a motion to adjourn the meeting?

9 MR. WORTHE: Okay. So moved.

10 CHAIR URBAN: Thank you. I have a  
11 motion.

12 May I have a second?

13 MR. MACTAGGART: Second.

14 CHAIR URBAN: Thank you. Ms. Marzion,  
15 could you please conduct the roll call?

16 MS. MARZION: Yes. The motion is to  
17 adjourn.

18 Board Member Liebert.

19 MR. LIEBERT: Aye.

20 MS. MARZION: Board Member Mactaggart?

21 MR. MACTAGGART: Aye.

22 MS. MARZION: Board Member Nonnecke?

23 MS. NONNECKE: Aye.

24 MS. MARZION: Board member Worthe?

25 MR. WORTHE: Aye.

1 MS. MARZION: Chair Urban?

2 CHAIR URBAN: Aye.

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

5 CHAIR URBAN: Thank you.

6 The motion carries with a vote of 5-0 and  
7 this meeting of the California Privacy Protection  
8 Agency stands adjourned.

9 Thanks to everyone for their  
10 contributions.

11 (Proceedings were concluded.)

12 -o0o-