

Digital Task Force



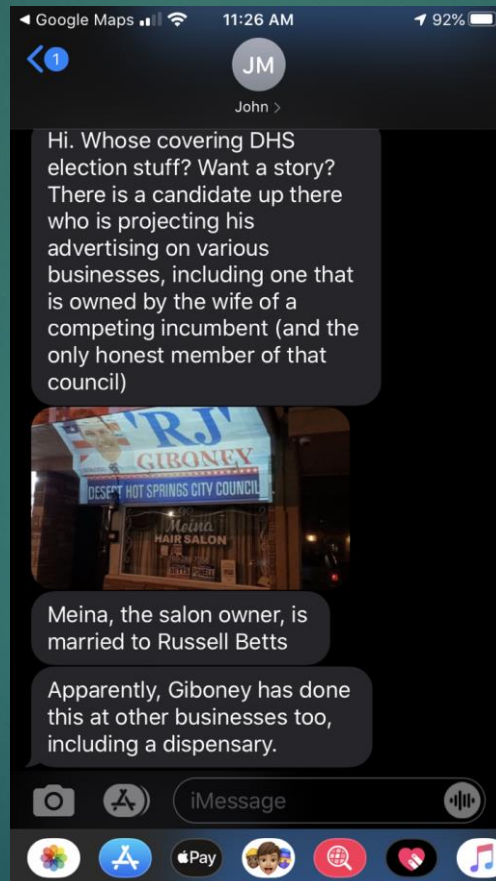
Issues seen from 2020 Election Cycle

2



Every election seems to bring something new...

3

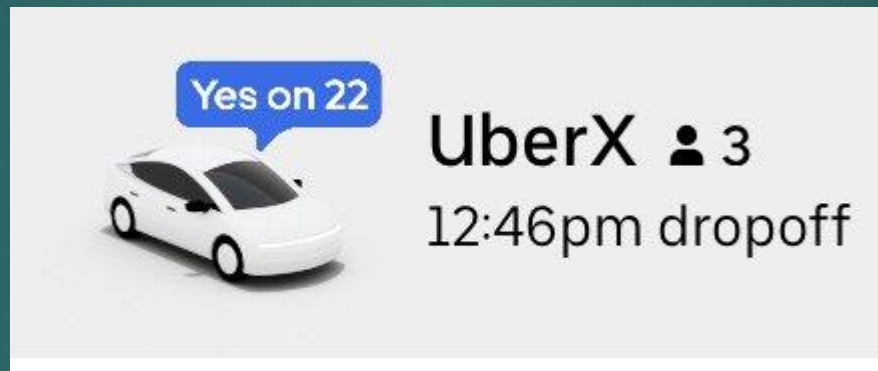


Facebook Page What's Required?



In-App Advertising

5



KPIX-TV, CBS San Francisco

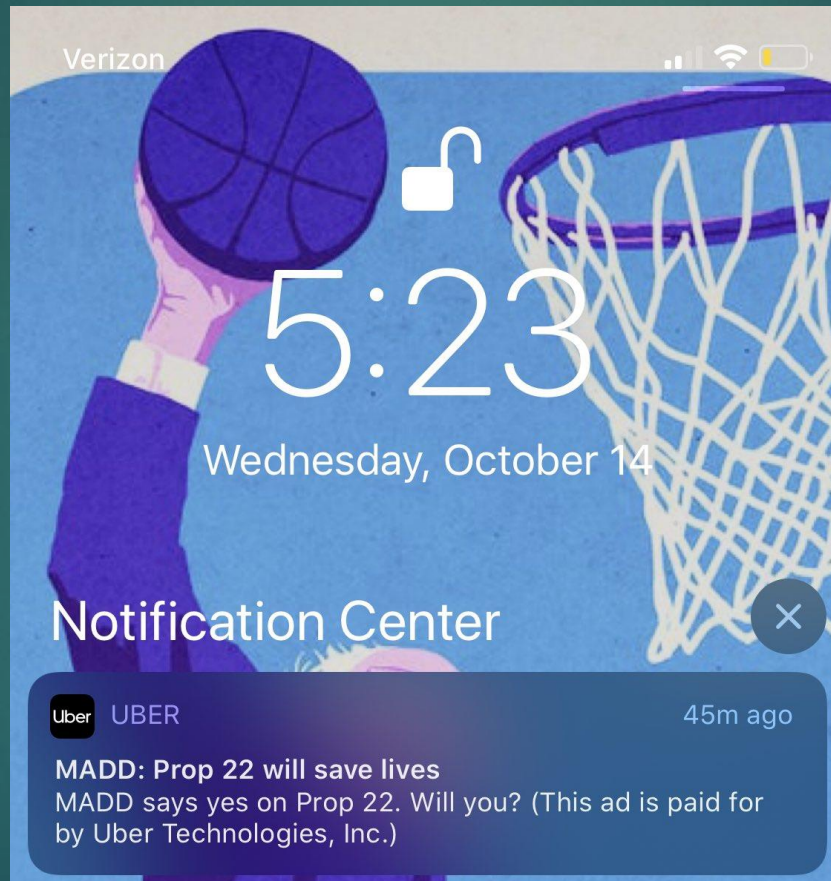
Oct. 5, 2020

6

- ▶ Professor Bertrall Ross, who teaches constitutional and election law at UC Berkeley says this is a case of California election law not catching up to technology.
- ▶ “The California legislature and the California Fair Political Practices Commission probably have not anticipated this particular issue,” said Prof. Ross. “You don’t have that many scenarios in which an app-based company has a ballot proposition that will favor or disfavor a particular company.”

Disclosure itself not the issue

7





Prop 22 is progress

Prop 22 will provide guaranteed earnings and a healthcare stipend.

Paid for by Uber Technologies, Inc.

YES ON PROP 22

OK

KPIX-TV, CBS San Francisco

Oct. 5, 2020

- ▶ It is not just the customers getting ads. In-app, drivers are getting them, too. The driver's ad says drivers would get guaranteed earnings and a healthcare stipend if Prop. 22 passes. But, there are only two options clicking "yes" or clicking "okay". There is not an option for drivers to click "no".
- ▶ Hector Castellanos drives for both Uber and Lyft and says the ads first appeared a few weeks ago. "In order to keep working, you have to click 'yes'," Castellanos said.

Opt Out option added

10



Who are the influencers? What should they disclose?

11

The screenshot shows a web browser window displaying a Business Insider article. At the top, there is a navigation bar with the Business Insider logo and a search icon. Below the navigation bar is a yellow banner for 'GRID OF THE FUTURE' with the text 'to make way for more electric vehicles.' and the Southern California Edison logo. The main headline of the article is 'Billionaire Mike Bloomberg is looking to pay micro-influencers to make sponsored content for his presidential campaign'. The author is listed as Hanna Lustig, dated Feb 7, 2020, 2:45 PM. Below the headline is a large photograph of Mike Bloomberg, looking thoughtful with his hand to his chin. At the bottom of the article, there is a small blue box with a white lightning bolt icon and the text: 'Billionaire Democrat Mike Bloomberg is doubling his campaign's advertising budget amid the fallout from this week's disastrous'. The browser's address bar shows the URL 'businessinsider.com/bloomberg-presidential-campaign-looking-to-pay-influencers-for-support-2020-2?r=US&IR=T'. The Windows taskbar is visible at the bottom of the screen.

BI Bloomberg presidential campai... x FPFC Intranet x +

businessinsider.com/bloomberg-presidential-campaign-looking-to-pay-influencers-for-support-2020-2?r=US&IR=T

BUSINESS INSIDER

GRID OF THE FUTURE
to make way for more electric vehicles.
SOUTHERN CALIFORNIA EDISON Learn More

Billionaire Mike Bloomberg is looking to pay micro-influencers to make sponsored content for his presidential campaign

Hanna Lustig Feb 7, 2020, 2:45 PM

Mike Bloomberg. Peter Morrison/AP

Billionaire Democrat Mike Bloomberg is doubling his campaign's advertising budget amid the fallout from this week's disastrous

smart phone.png

Show all

2:33 PM 3/2/2020

Issues:

12

- ▶ Blogger regulation and the Disclose Act discrepancies
- ▶ Links or lack thereof between Committee pages and required disclosure and social media posts
- ▶ Certain social media sites didn't allow for 'hyperlinks' (Instagram) and rely on other measures

Thank You!

Follow Us!



@CA_FPCC

 **YouTube** /CAFPPC

www.FPCC.ca.gov

Jay Alan Wierenga

FPPC Communications Director

jwierenga@fpcc.ca.gov