

Digital Content Next

Legal and Legislative Committee
June 9, 2020

Agenda

US Federal Efforts re COVID-19

CCPA Regulations Finalized

W3C Efforts to Develop Post-3rd Party Cookie Solutions

US Federal Efforts re COVID-19

Congressional Response:

- Paycheck Protection Program Flexibility Act of 2020
 - Signed into law on June 5
 - Extends the PPP loan forgiveness period 24 weeks, instead of eight
- Congress Planning a Phase 4 Relief Effort
 - House passed \$3 trillion bill (additional rebates, state and local government relief, hospital reimbursement, and testing)
 - Senate Republicans focused on limited package (under \$1 trillion) combined with liability protection, unemployment funding, state and local government relief
 - Senate vote expected after July 4 recess, before August recess

Administration Response:

- Supports Phase 4 in line with Senate Republican proposal (scale, liability protection), but wants payroll tax relief and infrastructure component
- PPP and Main Street Lending Program
- Regulatory relief to accelerate infrastructure projects

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AG Becerra aiming for July 1 enforcement

- Sent draft regulations to OAL
 - Asked for expedited review so enforcement can begin July 1
- Key Clarifications:
 - Data brokers: if selling information, no need to provide link at collection. Can provide link in registration with AG.
 - Service Providers: can collect information for their own business purposes, but cannot use for advertising services on behalf of other companies
 - Global Privacy Controls: clarified that any signal or device setting must clearly communicate that a consumer intends to opt out of sale. These signals will be valid. But, declined to define/standardize signals.
 - Publishers may offer consumer the opportunity to confirm previously-established setting







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Cookies in a 3rd Party Context (current)

	Block	Restrict
 Brave	Cookies, requests, referrers	Referrers, request URLs
 Chrome	-	-
 Cliqz	Cookies	Cookies, referrers, request URLs
 Edge	Cookies, storage, requests	-
 Firefox	Cookies, storage, requests	-
 Safari	Cookies, storage	Referrers, storage

IAB REARC

- Developing “identity” solution

World Wide Web Consortium (W3C)

- Technical standards-setting body, Voluntary
- Process/Organization

Business Groups and Community Groups (incubators for ideas)



Working Groups (develop/publish standards)

World Wide Web Consortium (W3C)

- Two Groups Formed to Discuss Post-3rd Party Cookie Solutions
- Improving Web Advertising Business Group
 - Google's preferred Group
- Privacy Community Group
 - Apple, Mozilla, Microsoft, Google, others
 - Issues under discussion:
 - First Party Sets
 - Which domains can access 1st party cookies?
 - Bounce Track Protection
 - Redirecting browser to 3rd party and back so a 1st party cookie can be dropped
 - Storage Access API
 - Storing consent/preferences in browser

Other Issues?