



## **How to Stay Connected**

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Email the Washington Office anytime at [washington@ana.net](mailto:washington@ana.net). We strongly encourage you to reach out to setup virtual one-on-one meetings with the ANA DC Office.

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### New Bills

- [H.R. 7012](#) - A bill to amend the Federal Election Campaign Act of 1971 to prohibit online platforms and certain intermediaries from targeting the dissemination of political advertisements to a specific group of individuals on the basis of online behavioral data or on the basis of demographic characteristics shared by members of the group, to require online platforms and certain intermediaries to maintain public records of certain political advertisements, and for other purposes.

### News of Interest

- [First EU GDPR decision soon on Twitter, Facebook data practices](#), *CRN*, May 25, 2020
- [House Democrats Urge FTC To Investigate TikTok Over Children's Privacy](#), *Mediapost*, May 28, 2020

### Word on the Street

- Did you know? On this day in 1953 Edmund Hillary and Sherpa Tenzing Norgay became first men to reach the top of Mount Everest.

### Save the Date

- [ANA/BAA Advertising and Marketing Law Conference](#) – November 11 – 13, 2020 in Chicago

### Federal Affairs

#### [President Trump Issues Section 230 Executive Order](#)

Yesterday, President Donald Trump issued an [Executive Order](#) “on Preventing Online Censorship”

calling for federal departments and agencies to review protections for social media platforms under Section 230 of the Communications Decency Act ("Section 230"), and for the Federal Communications Commission (FCC) to propose federal regulations limiting social media companies' Section 230 protections if they moderate content on their platforms outside of Section 230's "good faith" parameters. Section 230 shields companies that operate social media platforms and others from liability related to content on their platforms by affirming that "no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." The Executive Order stated that online platforms have come to dominate public discourse in the United States, and that the scope of Section 230 protections should be clarified to prevent social media companies from "stifl[ing] viewpoints with which they disagree."

The Executive Order also directs federal departments and agencies to review their advertising and marketing expenditures made to social media platforms, after which, the Department of Justice must "review the viewpoint-based speech restrictions" of each platform with which federal agencies spend advertising money, and "assess whether any online platforms are problematic vehicles for government speech due to viewpoint discrimination, deception to consumers, or other bad practices."

Certain stakeholders have expressed concern that social media companies exhibit political bias through their moderation policies, and President Trump's Executive Order grew out of followed his dispute with Twitter regarding Twitter's "fact checking" of some of the President's tweets.

## **Input Still Needed on Multiple Comments to the FTC**

We continue to need your input on the following materials:

### **FTC Endorsement Guidelines**

- We will be completing comments to the FTC on the endorsements and testimonial guidelines. An outline of that document is available [here](#). The comments are due on June 22, so it is important that we receive input from our members ASAP.

### **FTC Safeguards Rules**

- The FTC has filed a Request for Comment in regard to proposed changes to its Gramm-Leach-Bliley Act (GLBA) Safeguards Rule. ANA has developed draft comments and your input is critical. The draft comments can be accessed [here](#).

If you have questions in regard to this matter, please contact Dan Jaffe at 646.369.4886 (cell) or at [djaffe@ana.net](mailto:djaffe@ana.net).

## **State Affairs**

### **California Social Media Misinformation Bill Placed On Call**

On May 27, 2020, the California State Assembly Committee on Judiciary ("Committee") held a hearing to consider, among other legislation, [AB 2442](#), a bill concerning social media platforms and "false information." During discussion of AB 2442, Assembly Member Ed Chau (D), the bill's sponsor, stated that AB 2442 would require that social media companies disclose whether or not they have policies in place to address misinformation present on their platforms.

Expressing support for AB 2442, Committee Chair Mark Stone (D) said the bill would help notify consumers about companies' practices regarding misinformation and would not compel companies to treat content on their platforms in any particular way. Committee Vice Chair James Gallagher (R) and Assembly Member Jay Obernolte (R) expressed opposition to the bill, noting that they are wary of potential attempts to suppress speech on platforms. Assembly Member Chau stated that

he is actively engaging with stakeholders on the bill's language, specifically noting that potential revisions to the bill's definitions of "social media platforms" and misinformation are being discussed. Following discussion, the bill was placed on call by Committee Chair Stone, which will make the bill available to further discussion and voting. Organizations including the Electronic Frontier Foundation, the Internet Association, and TechNet indicated that they oppose AB 2442.

## State Legislative Weekly Tracker

Click [here](#) for a summary report of this week's legislative activity in the states. To schedule a tutorial provided by a member of the team at Leonine Focus please contact Travis Frazier ([tfrazier@ana.net](mailto:tfrazier@ana.net)).

## Contact Us

If you have questions on any of the issues mentioned in the ADviser, please feel free to contact ANA's Government Relations team in Washington, D.C.:

- Dan Jaffe, Group Executive Vice President, Government Relations ([djaffe@ana.net](mailto:djaffe@ana.net))
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You can also reach the D.C. office at any time at 202.296.1883

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