

**GOOGLE'S SUBMISSION IN RESPONSE TO
SUBCOMMITTEE QUESTIONS FOR THE RECORD
FOLLOWING March 25, 2021 HEARING**

The Honorable Lori Trahan (D-MA)

1. YouTube has limits on the types of products and services that can be advertised on content that is “made for kids.”¹ Children, however, frequently watch content that is not labeled “made for kids” by the creator. What is YouTube doing to ensure that any user that is predicted to be a minor is seeing age-appropriate advertising?

Google and YouTube are committed to creating a more contained and enriching environment for children, and seek to give parents transparency, choice, and control concerning their family’s use of the platform. As stated in our Terms of Service (available at <https://www.youtube.com/static?template=Terms>), users must be at least 13 years old to use YouTube, unless such use is enabled by a parent or legal guardian. Parents using our Family Link app can allow their child to access YouTube with a supervised account. The YouTube supervised experience looks much like YouTube’s flagship app and website, but with adjustments to the features children can use and ads protections (for more information about supervised experiences on YouTube, please see <https://blog.youtube/news-and-events/supervised-experiences-for-families-on-youtube/>).

When a Google account belonging to a person under age of consent is discovered, we allow them to delete their account and download their data via takeout or provide proof that they are of age. Now, users also have the option to add parental supervision to these accounts.

In 2015, we created YouTube Kids from the ground up with kids in mind. Since creating YouTube Kids, we have invested to help ensure that the YouTube Kids experience is appropriate and enriching for kids. YouTube devotes considerable time and effort to content safety on YouTube Kids. To ensure that the app could remain free while also offering a kid-friendly environment, we designed and implemented strict policies specifically for advertising that appears in YouTube Kids. Three core principles underlie the YouTube Kids’ ads policies: (1) maintain an appropriate viewing environment for children and families; (2) prohibit personalized advertising or third-party tracking or data collection in the app; and (3) permit only advertisement formats that maintain a closed environment that we can monitor and control. We prohibit paid ads on YouTube Kids unless they meet these requirements. We also have never allowed any personalized ads on YouTube Kids.

Our ads policy team, who is specifically trained on the YouTube Kids’ ads policy (available at <https://support.google.com/youtube/answer/6168681>), reviews each ad before it appears on

¹ YouTube Help, *Advertising on YouTube*, (accessed April 6, 2021) (support.google.com/youtube/answer/6168681?hl=en).

YouTube Kids. Only ads that pass this review are eligible to be served in YouTube Kids, and we prohibit paid ads that contain adult, dangerous, sexualized, or violent content. The YouTube Kids' ads policy also forbids contests and sweepstakes, as well as ads that mislead or make deceptive claims, ads that imply social status, and ads that refer to social media campaigns or websites. Ads that would incite children to make a purchase, or urge their parents to buy the item, are also prohibited. Ads for certain product categories are also prohibited on YouTube Kids, including: (1) regulated products, including alcohol, gambling, and pharma/healthcare, as well as other products that may be dangerous to kids, such as reworks or instructions on how to make harmful products; (2) sensitive products that may be inappropriate for kids, such as those relating to dating, politics, and religion; and (3) products that we have determined may not be appropriate for young audiences, including age-sensitive media content, beauty and fitness, relationships, online or virtual communities, political ads, religious ads, and video games. We require all ads to be clearly branded by the advertiser and/or product marketed in the video and the ads must be distinctive so that users can readily distinguish ads from general content. To reinforce the separation between paid ads and other content on YouTube Kids, a three-second ad "bumper" introduction appears at the start of every advertisement shown on YouTube Kids.

YouTube Kids prohibits any personalized advertising or retargeting/remarketing campaigns from being shown in the app. Only contextual ads are permitted. YouTube Kids also prohibits any collection of data for personalized advertising or retargeting. YouTube Kids does not contain any plug-ins or social widgets that would allow users to interact with a third-party site or service such as Facebook or Twitter, and it does not allow third-party ad networks to serve ads within the app.

Concerning kids content on our main YouTube platform, we created the Made for Kids ("MFK") designation to help creators meet their requirements under the Children's Online Privacy Protection Act ("COPPA") on the main YouTube service. We require content creators to designate their content as MFK or not MFK in order to appropriately restrict data collection and usage on such videos, including disabling the delivery of targeted ads to viewers of that content on the main YouTube service. We also have clear kids-specific ads policies that restrict advertisers from targeting personalized ads to children under 13, or collecting personally identifiable information from children under 13.

Advertisers may not run personalized ads or collect personally identifiable information from users viewing on YouTube content set as MFK, regardless of the actual age of the user, or from users logged in on Google Accounts managed by Family Link for children under the age of 13 (also referred to as Supervised Accounts) on YouTube. In addition, advertising that is intended for children on content set as MFK or to Supervised Accounts must not be deceptive, unfair, or inappropriate for its intended audience, must not make use of any third-party trackers or otherwise attempt to collect personal information without first obtaining parental consent, and

must otherwise comply with all applicable laws and regulations. Such advertising must also not contain content further restricted or prohibited on MFK or to Supervised Accounts, including content rated higher than the equivalent of G or PG for TV shows or movies, dangerous content, or content promoting food and beverage. For more information on our ad policies for MFK content and for Supervised Accounts on YouTube, please see <https://support.google.com/adspolicy/answer/9683742?hl=en>.

Finally, on YouTube generally, we use a combination of manual and automated review to detect and remove ads that violate our policies. Our ads policies (available at <https://support.google.com/adspolicy/answer/6008942?hl=en>) cover four broad areas including prohibited content, prohibited practices, restricted content and features, and editorial and technical standards. These policies also prohibit the promotion of dangerous products or services, enabling dishonest behavior, and inappropriate content like bullying, intimidation, and self harm. As referenced above, we also prohibit certain types of ads content when targeted to minors. This includes sexual content, alcohol-related advertising, and gambling related advertisements. And our enforcement measures have been effective. For example, across Google as a whole, our enforcement measures have allowed us to take down 3.1 billion ads worldwide for violating our ads policies in 2020 - that's more than 5,900 bad ads per minute. We annually publish our ads safety report (available at https://services.google.com/fh/files/misc/ads_safety_report_2020.pdf; see also blog at <https://blog.google/products/ads-commerce/ads-safety-report-2020/>), explaining enforcement actions we took against illegal and harmful advertising to protect users.

2. In October 2020, Google Ads updated its policy “to restrict the serving of High Fat Sugar Salt (HFSS) Food and/or Non-Alcoholic Beverages (F&B) advertising for minors [under 18] in the United Kingdom and European Union.”² Will Google implement a similar policy in the United States? If not, why not?

Google has a long history of taking a user-first approach in everything we do. We support a healthy, sustainable ads ecosystem and seek to provide advertisers the tools they need to safely and effectively run their campaigns, including for advertising of food and beverages. With the introduction of regulations concerning high fat sugar salt (HFSS) food and beverage, including the Advertising Standards Authority (ASA) requirements in the UK and the Audiovisual Media Services (AVMS) Directive for the EU, advertisers may need to comply with new targeting restrictions. That is why, in October 2020, we updated the Google Ads “Other Restricted Business” policy (available at <https://support.google.com/adspolicy/answer/6368711>). The updated policy restricts the serving of HFSS Food and/or Non-Alcoholic Beverages advertising for minors in the UK and EU and applies to all such ads on the Google Display Network and YouTube. For additional information, please see the October 2020 update,

² Advertising Policies Help, *Update to Other restricted businesses policy* (October 2020) (accessed April 6, 2021) (support.google.com/adspolicy/answer/9919030?hl=en).

available at <https://support.google.com/adspolicy/answer/9919030?>. While the updated policy is specific to the UK and EU pursuant to the ASA requirements and AVMS Directive, all food and beverage ads are prohibited globally from serving on Made For Kids (“MFK”) content, to Supervised Account holders (i.e., users under 13 on the main YouTube platform), and in the YouTube Kids app. All of our advertising policies are designed to ensure a good experience for people viewing ads, prevent user harm, and help to ensure that ads follow applicable laws.

3. Google’s ad platform allows advertisers to target users using discriminatory keywords.³ While Google maintains an Ad Library for political ads, the database is missing data that is important to researchers.⁴

a. Will Google consider adding data related to an ad’s engagement (e.g., number of likes, shares, and video views an ad received) to the Google Ad Library? If not, why not?

b. Will Google consider adding data related to how an ad was targeted to the Google Ad Library? If not, why not?

c. Will Google consider adding data related to the aggregated demographic attributes, including race and political affiliation of an audience that an ad was delivered to the Google Ad Library? If not, why not?

Personalized advertising is a powerful tool that improves advertising relevance for users and increases ROI for advertisers. Because it works by employing online user data to target users with more relevant advertising content, it can provide an improved experience for users and advertisers alike. When employing user behavior or interest data to provide more relevant ad content, it’s important to handle that information appropriately. We recognize that certain interests are sensitive and that targeting based on them could negatively impact user experience.

To be clear, we do not allow advertisers to put hate terms into our suggestion tool - any such terms are blocked. And, for over a decade, we’ve had policies relating to personalized advertising (please see <https://support.google.com/adspolicy/answer/143465?>) that prohibit advertisers from targeting users on the basis of sensitive categories related to their identity, beliefs, sexuality, or personal hardships. This means we don’t allow advertisers to target ads based on categories such as race, religion, ethnicity, or sexual orientation, national origin, or disability to name a few. Last year, we jointly announced with the Department of Housing and Urban Development our launch of a new policy to prohibit housing, employment, and credit

³ Alex Kantrowitz, *Google Allowed Advertisers To Target People Searching Racist Phrases* (Sep. 2017) (www.buzzfeednews.com/article/alexkantrowitz/google-allowed-advertisers-to-target-jewish-parasite-black#.js5Ynl3la3).

⁴ Spandana Singh, *Special Delivery How Internet Platforms Use Artificial Intelligence to Target and Deliver Ads Case Study: Google* (February 2020) (<https://www.newamerica.org/oti/reports/special-delivery/case-study-google>).

advertisers from targeting ads based on age, gender, family status, or ZIP Code, in addition to our longstanding policies prohibiting targeting based on sensitive categories (for more information, please see <https://blog.google/technology/ads/upcoming-update-housing-employment-and-credit-advertising-policies/>). We regularly evaluate our policies to ensure they are protecting users from behaviors like unlawful discrimination.

We also aim to be as clear as possible to our users about how our products and policies work. In May 2018 we announced the launch of new policies for U.S. election ads across our platforms, and followed through to launch additional identity verification requirements for advertisers purchasing election ads on Google, in-ad “paid for by” disclosures, as well as our Transparency Report and ads library specifically focused on election ads. Our publicly accessible Transparency Report with a searchable election ad library contains information about election ad content, and targeting and spending on our platforms (available at <https://transparencyreport.google.com/political-ads/region/US>). Since its launch, the report has always provided information about when election ads ran, how they were targeted, how many impressions they served, and the advertiser who paid for the ads. It is important to point out that in November 2019, we announced that we would only allow targeting based on general geographic location (down to postal code), age, gender, and context for election ads globally (<https://blog.google/technology/ads/update-our-political-ads-policy/>).

In addition, the data from Google’s searchable political ad library and Transparency Report are publicly available on Google Cloud’s BigQuery (for more information, please see <https://cloud.google.com/bigquery/docs/introduction>). Using BigQuery’s API, anyone can write code and run their own unique queries on this data set. Researchers, political watchdog groups, and private citizens can use Google’s data set to develop charts, graphs, tables, or other visualizations of political advertising on Google Ads services. This provides data-driven insights into election ads on Google’s platform. We are constantly improving the publicly available Political Ads Transparency Report referenced above. For example, at the end of last year we shifted to daily updates of the report.

In 2020, we began to take our transparency initiatives a step further by introducing a new advertiser verification program to capture more information from **all** of our advertisers about their identities and businesses, and displaying the advertiser behind specific ads in the ‘Why this Ad’ (in some places, “About this Ad”) menu. This verification and disclosure feature applies to the ads that Google shows on our own properties and those of our publishing partners. It is being phased in on a rolling basis. We believe giving people the ability to see who the advertiser responsible for specific ads not only helps users make more informed decisions but is also an important component of transparency in the broader ecosystem.

We will continue to approach this thoughtfully and to provide transparency about our products and policies, and we are always open to feedback on our efforts.

4. Contextual ads can be served on YouTube “for supervised accounts and on content set as made for kids. These ads are based on factors like: [t]he content being viewed, [t]he viewer’s current search, [t]he viewer’s general location (such as city or state).”⁵ How does the effectiveness (measured in click through rates) on contextual ads for YouTube videos “made for kids” compare to ads placed using “audience targeting” on videos with similar content that was never marked “made for kids”?

As explained in detail in the answer to Question No. 1, we work very hard to ensure that our products, including YouTube and YouTube Kids, offer safe and more age-appropriate content for children. We created the Made for Kids (“MFK”) designation to help creators meet their requirements under the Children’s Online Privacy Protection Act (“COPPA”) on the main YouTube service. COPPA prohibits the collection of personal information from viewers of child-directed content without first obtaining verifiable parental consent.

Content that is designated as MFK receives contextual rather than personalized advertising. Contextual advertising is based on the content of the underlying video that is being watched, whereas personalized advertising makes use of an individual user’s activity in order to provide tailored ads. To be clear, we do not permit any interest-based advertising or remarketing on content designated as MFK.

We require content creators to designate their content as MFK or not MFK in order to appropriately restrict data collection and usage on such videos, including disabling the delivery of targeted ads to viewers of that content on the main YouTube service.

In order to help creators identify whether or not their videos should be designated as MFK, we provide other resources to help creators understand and comply with their legal obligations (for example, please see our Creator Best Practices for Content with Children, available at <https://support.google.com/youtube/answer/9229229?hl=en>). And finally, we also use machine learning to help us identify videos that are clearly directed to young audiences and we may override audience setting choices made by creators in cases of error or abuse. In our help center, we remind creators that they cannot rely on our systems to set their audience for them because our systems may not identify content that the FTC or other authorities consider to be MFK. All of our advertising policies are designed to ensure a good user experience, prevent user harm and protect children and families who may be using our platforms, and help to ensure that ads follow applicable laws.

⁵ YouTube Help, *How ads work on YouTube for supervised accounts and content set as “made for kids,”* (accessed Apr. 6, 2021) (<https://support.google.com/youtube/answer/9713557?hl=en>).