
Political Advertising on Platforms in the United States: A Brief Primer

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Candidates in the 2016 US presidential election spent record amounts on digital advertising. Well publicized debates over Cambridge Analytica and foreign influence campaigns brought attention not only to the lack of regulation addressing political advertising online but also the increasingly central role that digital advertising platforms play in elections. During the 2016 cycle, the public, journalists, academics, policymakers, and regulators had little knowledge of what campaigns and political action committees were capable of doing or what platforms allowed them to do regarding paid political content. Heading into the 2020 U.S. presidential election these are now central concerns.

These platforms have been rolling out changes and policy updates rapidly in the post-2016 environment. Twitter recently banned political advertising, Google announced major changes in what targeting capabilities would be allowed for political advertisers, and Reddit discretely updated its policies to ban advertising about state and local elections and ballot initiatives. Facebook adjusted its misinformation policy which now generally exempts political figures and their political ads from being fact checked. Facebook, Google, Snapchat, and Twitter all continued to update and make modifications to their voluntary political advertising archives. Some of these changes were announced directly to the media, others were placed on a company blog. Some were not announced at all, and one was released on a CEO's personal Twitter feed.

This brief report and the accompanying website documents what we know about platform policies for paid political speech. To that end, we compiled everything we could find scattered on blogs, in policy documents, through help centers, on interfaces and posts on their platforms, from industry media coverage, and media stories regarding how Facebook (and Instagram), Google, Reddit, Snapchat, and Twitter have differentially embraced their roles as governors of paid political speech. The research informing this report was conducted primarily between September and December of 2019. The accompanying web resources will be updated as policies change. We reached out to all the platforms for clarifications and comment— Facebook and Google responded with significant feedback, Snapchat with minimal clarifications. Twitter and Reddit did not respond.

In this report we outline five key takeaways from our research into platform paid political speech policies and detail what they might mean for future US elections. This report focuses on the facts and issues that we do not often see being discussed or acknowledged adequately in journalistic, academic, and other research. These platforms' policies and advertising capabilities will impact what kinds of messages voters can see and who sees them— making them central to the 2020 US presidential election. Our aim is to inform public debate, regulatory conversations, and research by providing a set of clear facts around what we know, and what we don't, regarding platforms and paid political speech.

THE PLATFORMS

We focus on the major social media and digital advertising platforms that are accessible to both large and small advertisers. These platforms do not require human contact with the company to start running ads--advertisers can simply create an account and launch a campaign. These platforms are also not cost prohibitive. For instance, Facebook and Instagram ads can be run for as little as a dollar a day. Here are the main players:



GOOGLE ADS (INCLUDING YOUTUBE)

Parent company Alphabet has multiple advertising-related products and platforms. We focus only on the most easily accessible subset of these: Google Ads. Google Ads (previously AdWords) includes search engine advertisements, banner ads, video ads (including YouTube), and Gmail ads. Not included in this analysis is Display and Video 360, Google's platform that connects to the larger programmatic media-buying ecosystem outside of Google-managed advertising inventory. Display and Video 360 has minimum spend requirements that make it inaccessible to smaller campaigns. Also not included are any capabilities solely accessible through Google's API, which takes technical skills many campaign organizations lack.

FACEBOOK AND INSTAGRAM

Advertisements on Facebook, Instagram, Facebook's Audience Network and Messenger are all run by boosting a post or in Facebook's Ad Manager. Currently, political advertisements are not allowed on Facebook Audience Network or Messenger, leaving Facebook and Instagram as the primary carriers of political advertisements. The rules for advertising on these platforms are mostly the same, though ads on Instagram must follow Instagram's Community Guidelines in addition to Facebook's.

REDDIT

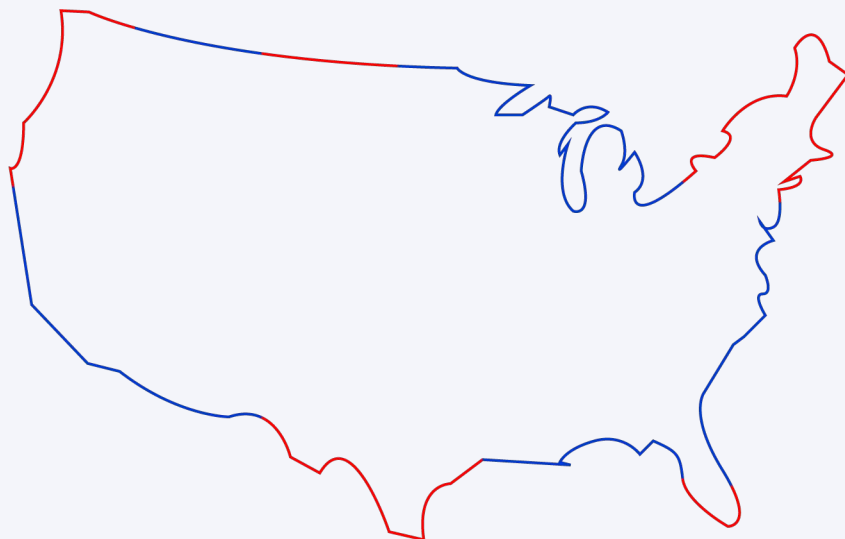
Reddit's advertising platform is significantly more limited than the other companies. Its barebones capabilities and ambiguous rules are likely why it has not been adopted by many advertisers and serves as an interesting point of comparison to Google, Facebook, and Instagram.

SNAPCHAT

Similar to Reddit, Snapchat's smaller and younger user base compared with Facebook, Instagram, and YouTube has largely kept it from being widely used by political advertisers. However, its approach to political advertising moderation and transparency raises interesting alternative approaches to the larger platforms.

TWITTER

Twitter has banned political advertising, but by having to define what is prohibited "political content" and what is restricted "cause-based" content, Twitter's rules are an interesting and informative point of comparison with other platforms.



FIVE KEY THINGS TO UNDERSTAND ABOUT PLATFORMS AND PAID POLITICAL SPEECH

I. DIFFERING DEFINITIONS, DIFFICULT COMPARISONS

Google is the only platform that limits its definition of “political” advertising to advertisements that reference candidates, government officials, parties, and ballot measures. Every other definition provided by platforms is incredibly broad, including Facebook’s inclusion of “any social issue in any place where the ad is being run” and Reddit’s “public communications relating to a political issue.” While easier to enforce, Google’s definition makes its policies substantively different from those of other companies.

When considering all policies and take-aways, keep in mind this key difference: Google does not apply its political advertising policies to ads that touch on political issues without referencing candidates, government officials, parties or ballot measures; Facebook and Instagram, Reddit, Snapchat, and Twitter do.

2. MEETING THE LOWEST BAR: "PAID FOR BY" DISCLAIMERS

On traditional media including broadcast and cable television, newspapers, magazines, and billboards, the Federal Election Commission (FEC) clearly requires “paid for by” statements on electioneering and political fundraising communications and any communication made by a political committee. With respect to digital media, such statements are also required for “public communications placed for a fee on another person’s website,” but the FEC definition of “website” does not include apps and internet-connected devices like smart appliances. In addition, what is required of audio, graphic, and video content online is ambiguous since these formats do not fall neatly into the FEC’s existing categories.

The FEC has been plagued by partisan gridlock and it is currently operating without the necessary number of members to meet quorum to make decisions. Despite the lack of clear federal regulation or enforcement compelling them to do so, all platforms require “Paid for by” information on any political advertisement. However, even though all platforms require information on who paid for political ads, their differing definitions of “political” mean that users on one platform may see “paid for by” on messages that users on another platform would not.

3. PLATFORMS RESPOND TO STATE REGULATIONS WITH LOCAL ADVERTISING BANS

As more states create digital political advertising laws, platforms will have to decide how to comply with state laws or if they would rather remove political advertising in those localities entirely. California, Maryland, New Jersey, New York, Washington, Wyoming, and Vermont have passed legislation requiring disclosures on political internet advertisements stating who paid for them. California, Maryland, New Jersey, Nevada, and Washington also require that platforms keep records of the political ads within these states.

Each platform is careful to say that advertisers must follow state and local laws, but some have gone further in their restrictions on political ads in specific states. Facebook and Instagram prohibit state and local candidate and ballot measure advertisements in Washington, and Google prohibits them in Maryland, Nevada, New Jersey, and Washington due to the record-keeping requirements. Reddit has banned all advertising for local and state elections and ballot measures, regardless of the state. Each of these platform bans only apply to ads that directly reference local and state races and ballot measures, thus still allowing issue and national election ads to run.

Given the reactions from Facebook, Google, and Reddit so far, more states instituting record-keeping requirements of platforms without a uniform federal law may increase the likelihood that more platforms will ban state and local political advertisements. Indeed, this concern was recently raised in the U.S. Court of Appeals for the Fourth Circuit's recent opinion on a challenge to Maryland's record-keeping statute—Judge Wilkinson noted that the increased legal liability for platforms may make it financially prudent to simply stop accepting these ads.

For more details on the individual nuances of these state laws and challenges to their constitutionality, see our research on state laws on digital political advertising.

4. PUBLIC PRESSURE COMPELS BOTH POLICY AND PRODUCT CHANGE

Platforms seemingly are responsive to journalistic and public pressure and attempt to ameliorate bad news coverage and gain positive coverage through their policy changes. Twitter's ban on political advertising, Google's recent targeting restrictions for political ads, and Facebook's removal of problematic targeting options such as “Jew haters” in September, 2017 were likely all in direct response to public pressure. In these and other changes and policies, these three platforms and Snapchat have gone far beyond what is required of them by federal law, including the development of their respective political advertising archives.

While public pressure has succeeded in compelling policy changes, the unsettled nature of public debate, unclear definitions of harm, lack of empirical evidence, and reactive nature of these changes produces potentially problematic results. For example, while Twitter's ban on political advertising was at first widely applauded in many quarters, other stakeholders quickly pointed to the problematic nature of such a ban, including the likelihood of benefiting incumbents and making it harder for advocacy organizations to counter information by private companies.

5. NO CLEAR ALTERNATIVES TO FACEBOOK AND GOOGLE ADS

Facebook and Google will likely remain the primary conduits of political advertising for three coinciding reasons: their scale, their documented policies on political advertising, and their technological capabilities.

Facebook, Instagram, and YouTube not only have over a billion users each, their respective ad platforms (Facebook Ad Manager and Google Ads) have millions of advertisers as well. Reddit, Snapchat, and Twitter's user bases and ad platforms pale in comparison. These differences in scale are reflected in their political advertising policies. Reddit and Snapchat require every political advertisement to go through human review and specifically cite that they do not necessarily follow their stated policies; they treat political ads on a case-by-case basis. While these flexible policies may help limit misinformation, they make it more difficult for campaigns to plan advertising buys.

In terms of targeting capabilities, Reddit, Snapchat, and Twitter do not have congressional district-level targeting. Google and Facebook do. Reddit does not have a list-matching function or data broker integrations like Facebook Ad Manager and Snapchat (Google is now limiting this capability for political advertisers). While Snapchat has third-party data segments in the platform, it has very few categories relevant to politics.

All told, it is likely the size of the audience, clarity of rules and review processes, and ad targeting capabilities that shape the usefulness of platforms for political advertisers.

WHAT'S NEXT?

Given continued public pressure, state legislative action, and proposed federal legislation, it is clear that more changes are yet to come. It is hard to predict exactly what these platforms will do next. However, below we lay out what we think is important to look for moving forward in terms of the market for political ads, platform policies, and advertiser reactions.

FACEBOOK AND GOOGLE WILL CONTINUE TO DOMINATE.

Even with the limitations on political advertising imposed by Google and YouTube (and even if Facebook and Instagram adopted similar restrictions), other platforms do not have the same reach or capabilities as these behemoths. Thus, we still expect most digital political budgets to be spent on these platforms. We do not expect large political advertising budgets to go towards Snapchat or Reddit.

THERE WILL BE TESTS OF NEW TECHNOLOGIES AND STRATEGIES.

Facebook and Google will likely maintain their superior position in the field, but Snapchat and Reddit may get some test budgets from political advertisers searching for alternatives. We expect to see some fracturing of budgets into platforms that have so far escaped public scrutiny and thus have no transparency initiatives. These less accessible and more expensive advertising platforms such as The Trade Desk may take the place of Google's banner ads and video ads outside of YouTube for those who can afford it. Advertisers may try workarounds to Twitter's universal ban and other platforms' state and local bans by paying influencers for posts.

BAD ACTORS ARE UNLIKELY TO BE DETERRED.

While platforms remove political targeting options from their user-interfaces, as long as they allow advertisers to bring their own data to target advertising and fail to have clear accountability and enforcement mechanisms to ensure it complies with standards and policies bad actors will find ways to bypass stated policies. In this way, we worry that legitimate, professional advertisers will likely follow the rules for fear of losing access to their accounts while smaller, unprofessional, or specifically problematic actors will take advantage of these loopholes without significant consequences.

CONCLUSION

Entering the 2020 US election cycle, tracking changes in platform policies and capabilities will be just as important as tracking political advertising itself. Federal regulation is needed not just to provide clear requirements for digital political advertising, but also standards and common definitions. Platforms need to continue to increase transparency into their policies and decision-making processes and police the use of their platforms to prevent the multiple failures of the 2016 election cycle.

Journalists, researchers, and platforms must consider what *should* be done in addition to what *should not*. Changes platforms are making, such as removing certain types of targeting, may only serve to limit legitimate paid political speech while manipulative, intentionally-deceptive advertisers may still subvert systems through other means. The likelihood of unintentional consequences also abound. While verification requirements for political advertisers and some paid political speech content moderation are essential in our view, larger campaigns and consultancies with significant staff have greater capacities to deal with new and constantly changing requirements, raising fundamental issues of electoral fairness

Indeed, as platforms, states, and the federal government consider acting, local candidates running their first campaigns with their friends and family as their only staffers are attempting to navigate the same digital political advertising landscape as prominent consultancies such as Parscale Digital and Revolution Messaging. Stopping large, foreign influence campaigns from using paid speech to manipulate elections is important, but so too is helping local candidates reach their communities online and get out their message. We must not lose sight of the democratic goods that these digital tools are capable of as we combat their intentional misuse. Solutions cannot only focus on stopping abuses of these systems; they must also promote democratic ends.