



Digital  
Political  
Ethics:

Aligning  
Principles  
with  
Practice

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## Executive Summary

This report is the fruit of a bipartisan effort to identify areas of agreement among key stakeholders concerning ethical principles and best practices in the conduct of digital campaigning in the United States. Although many have raised concerns about the potential for digital technologies to weaken or undermine democracy, the voices of digital political practitioners are largely absent from this discussion. To fill this gap, we asked those who work for traditional political campaigns and consultancies, as well as platforms like Facebook and Twitter, what they think about these issues and what ethical standards they believe are required for a well-functioning democratic system. This report summarizes expert views expressed in a series of interviews with these professionals and over the course of a two-day workshop on digital political ethics. From these conversations, four broad ethical principles emerged: **prioritizing democratic participation, protecting election integrity, increasing transparency, and ensuring fairness and consistency** in the application of rules governing digital advertising. After discussing the areas of agreement and disagreement around these four principles, this report offers a set of recommendations to better align digital campaign practices with shared ethical principles. These recommendations cut across all four ethical principles, focusing on what can and should be done by both platforms and practitioners, and the role that government regulation can play in holding these groups accountable.

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# Recommendations

## Recommendations for Technology Platforms

Technology platforms such as Facebook, Instagram, Google, YouTube, and Twitter play a vital role as intermediaries between campaigns and citizens. As a result, they have a particular responsibility ensuring that citizens have access to political information and opportunities for participation are equitable across campaigns. To that end:

- Platforms shouldn't halt political advertising. Political ads are an important method of informing the public.
- Platforms should do more to identify and combat misinformation and disinformation.
- Platforms should develop clear and consistent rules for paid and organic content, apply them fairly and with transparent evaluation criteria, and allow for clear mechanisms to contest decisions when content is rejected.
- Platforms should standardize content and disclosure included in political advertising databases.
- Platforms should think carefully about whether organizational structures, policies, or procedures unfairly benefit well-funded or incumbent campaigns over others.

## Recommendations for Political Practitioners

Campaign practitioners often framed discussion of the ethics of their own practices in terms of their strategic value, and hesitated to place strong limits on content or practices that abided by laws and were made possible by platforms' technical features. Still, some key points of agreement emerged about the responsibilities of campaign and consulting practitioners:

- Practitioners and parties have a responsibility to refuse and report attempts to make stolen or hacked material available.
- Practitioners have a responsibility to police ethically dubious practices within their professional relationships to discourage such behaviors.
- Campaigns should be more transparent about the basis of their fundraising appeals. Fantastic and baseless claims undermine the credibility of political professionals and could diminish democratic participation.

## Shared Recommendations

Finally, some recommendations applied across these groups:

- Microtargeting—enabled by platforms and widely adopted by practitioners—can enhance participation through messages tailored to voters' concerns. Microtargeting is not all bad, although some limits on its practice may be warranted.
- Political practitioners, parties, and platforms should clarify their data use policies and procedures. All stakeholders should adopt best practices for data security, report data breaches when they occur, and create clear standards for list buying and selling.
- Federal regulation is needed to secure each of the four ethical principles of electoral integrity, electoral fairness, transparency, and participation.
- Government must enforce existing rules and consider additional measures to protect elections from bad actors, foreign and domestic.

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## Introduction

In recent years, there has been renewed concern about the relationship between digital technologies and democracy. From ‘fake news’ and Russian influence campaigns to hyper-targeted Facebook ads and disinformation, policymakers, regulators, academics, journalists, and elected officials have all expressed growing concern over the ways that democracy may be promoted or undermined by digital technologies.

While much public debate has focused on foreign and other illegitimate actors, individual candidate and other campaign organizations coordinate the vast majority of strategic digital communications with the public. Official campaigns are responsible for much of the paid digital advertising that reaches voters as well as the organic content that millions of citizens interact with on social media platforms. Given this, the professional understandings of those who do the hard work of electing candidates are essential to safeguarding electoral processes. Digital and technology staffers working on political campaigns and for political consultancies, as well as embedded advisors from firms such as Facebook, all constitute a defined field of political practice whose actions play a vital role ensuring that candidates are elected fairly and the public is not misled.

This report summarizes the key issues highlighted by political practitioners and platform representa-

tives in a series of interviews conducted over the summer of 2019 and a two-day workshop convened in Washington D.C. on October 18th and 19th. The aim was to convene key actors in digital electoral politics to discuss their ethical concerns in advance of the 2020 U.S. presidential election.

**Overall, the discussion focused around the following question: What role do platforms, candidates, campaigns and party committees, practitioners, and citizens have in ensuring the integrity and fairness of democratic elections in an age of digital and social media?** From these discussions, four key

areas of ethical concern emerged: **prioritizing democratic participation, protecting election integrity, increasing transparency, and ensuring fairness and consistency.**

In what follows, we summarize these stakeholder opinions,

describing areas of consensus as well as points of disagreement and ongoing debate. This report consists of detailed accounts of concerns practitioners expressed about democratic participation, election integrity, transparency, and fairness and consistency, as well as a set of recommendations to help guide future discussions regarding best practices in the field of digital campaigning. The report appendix describes the methods used to develop this report and provides a list of participants in our interviews and two-day workshop.

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## Ethical Principles

Our stakeholder discussions point to four ethical principles around which there is broad consensus. First, because democracy relies on widespread participation of the electorate, practices and policies should be oriented toward **encouraging voter engagement** with the political process. Second, **protecting the integrity of elections** from bad actors, foreign or domestic, is important for maintaining faith in the democratic process and, by extension, the utility of professional campaign services. Third, **enhancing transparency** in the use and targeting of digital ads can serve the public good and help practitioners communicate more effectively with voters. Fourth, **fairness and consistency** in the application of rules is crucial to enhancing the quality of digital political communication and creating a level playing field for the expression of a range of voices and opinions.

### **Prioritizing Democratic Participation**

Digital campaign practitioners and consultants on both sides of the aisle shared a fundamental orientation towards encouraging participation among voters. They argued that the political content they create and distribute informs and mobilizes the public. Making voters care more about politics is directly tied to the ultimate goal of enabling democratic participation. For these practitioners, political communication—especially from candidates and campaigns—is a crucial prerequisite for voter participation. Without campaigns, practitioners argue,

voters would take little interest in elections on their own. As such, practitioners argue that platforms and regulators have a fundamental responsibility to allow political speech to reach the public, especially through digital media.

In this context, social media platforms, as well as other digital platforms such as email providers, are central to the ability for campaigns and candidates to get their messages to the public. Practitioners ar-

gue that when platforms make decisions to limit the voices of candidates and campaigns, whether in the context of paid advertising or organic content such as unpaid posts, it will depress political participation.

Practitioners drew on various legal precedents differentiating campaigns and candidates from other political actors (such as political action committees (PACs) and non-profits) to argue that since campaigns and candidates have additional disclosure responsibilities, they should therefore have additional protections or ‘rights’ to have their content made accessible to the public. For example, many practitioners pointed to existing Federal Communication Commission (FCC) rules that ensure political candidates have the opportunity to purchase air time on TV in the months leading up to an election, arguing that a similar right to reach an audience should be protected on digital platforms as well. Practitioners argued that this ‘right-of-way’ should pertain to both paid and organic content.

Practitioners and platform representatives acknowledged that there are concerns with some of



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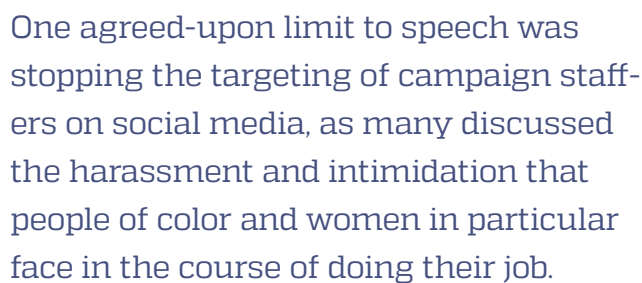
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the practices that they see as fundamentally about improving participation: there are privacy concerns about microtargeting, electoral integrity concerns surround factually incorrect information, and some types of speech can harm participation. This is especially important given the difficulty of establishing clear lines that distinguish ethical from unethical campaign content, something practitioners themselves did not agree upon. When does acceptable election season hyperbole veer into unacceptable untruth? When is an appeal considered racist or sexist in violation of a platform's policies? While practitioners had individual feelings about these questions, answers were divergent. That said, one agreed-upon limit to speech was stopping the targeting of campaign staffers on social media, as many discussed the harassment and intimidation that people of color and women in particular face in the course of doing their job. While solutions for these concerns were not clear, practitioners wanted more conversations about the problems introduced by digital media to take place alongside discussions about the benefit of participation.

### **Electoral Integrity: Misinformation, Data Security, and Illegal Coordination**

Three main issues were raised under the broader umbrella of election integrity. First, practitioners have a strong interest in reducing the role of misinformation in elections. They see misinformation as interfering with the ability of the electorate to make

informed decisions about people running for office, undermining the integrity of elections. In some ways these concerns are not new. From paper flyers to robo-calls to email chain letters to social media posts, politics has long involved purposeful misinformation, and while practitioners almost universally disavow such practices, they still occur. Conversation therefore focused on the question of what problems and solutions were amplified or created by digital environments.



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The practitioners and technology firms draw a somewhat classic distinction between actors (the accounts and people managing them), behaviors (how accounts like, post, or recirculate content, including “inauthentic” accounts such as bot

networks), and content (the actual words and images being posted). In general, they think removing content should require a lower threshold than removing actors entirely, although both should be informed by the behavior of the account. They expressed a particular desire to institute additional verification, and therefore protection, for accounts in general, but especially those associated with campaigns and known political organizations such as parties, committees, or 501(c)s.

As described in the section on Fairness and Consistency, practitioners expressed concern about platforms' ability to meaningfully police misinformation due to the fact that content rules differ across platforms, are in constant flux within platforms, and are applied inconsistently and without clear explanation. Some were concerned with any private

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company's ability to censor speech generally, and these problems in applying such rules amplified such concerns. As an example, practitioners were more supportive of Twitter's policy to limit the "reach" of content they deemed against community standards (by preventing retweets and algorithmic boosting of a post), while allowing the "speech" itself (allowing the content to be seen on the account's page, and by those who follow it) than of making platforms the arbiters of what level of truth is allowed to remain published. That said, they still had concerns about Twitter's ability to make those decisions consistently and transparently.

There is also a sense that the most problematic form of misinformation on social media platforms is that which is organic (or at least appears organic), while most public conversations about limiting misinformation concern paid advertisements. As one participant put it "organic is the hardest stuff to talk about." It is both harder to identify and (therefore) harder to combat.

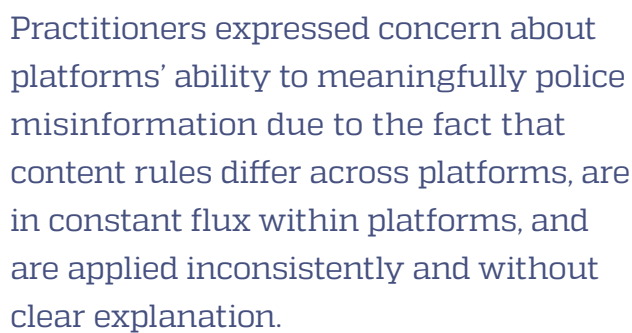
Second, practitioners voiced concerns about data security. They have an interest in and perceive a responsibility for protecting the data of voters that they and others use for outreach and mobilization purposes. This includes obtaining reasonable levels of consent for using data in the first place. It also means being transparent about how one handles data - how do practitioners and platforms protect the data they have access to in order to ensure it stays out of the hands of bad actors? The issue of data security raises a broader point about where responsibility resides or the mechanisms through

which to achieve various goals. Some advocated a professional set of best practices for data security communicated through training and other voluntary means as opposed to the enforcement of mandatory rules. Others thought the market or professional reputation was an effective mechanism for rewarding or punishing certain kinds of behavior. Another area of broad agreement surrounding data security had to do with transparency. Practitioners agreed that campaigns and platforms have an obligation to disclose

security breaches. However, despite consensus around the obligation to inform, there was less agreement about what the responsibilities of different actors were to protect data (although most agreed that campaigns should invest more in cyber-security).

Third, there are laws regulating campaign communications that are broken in both routine and extraordinary practices. For instance, while the FEC prohibits coordination between campaigns and PACs, it happens commonly via "public" channels, such as when campaigns tweet internal polling numbers or use specific colors on a campaign website to signal they want support on those issues. A platform's publicness should not be enough to render coordination "sadly murky," as one FEC member has said. In a more extreme case, there are laws prohibiting campaigns' use of information provided by foreign countries; this is not an ethical conundrum but a case where there is both clear legal guidance and practitioner consensus.

Practitioners, and more specifically parties and national committees (e.g. NRSC, DSCC, NRCC, DCCC),



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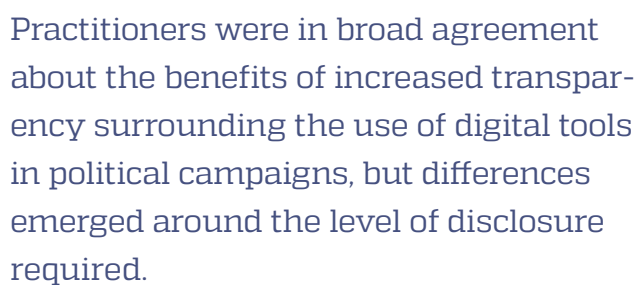
are integral to overseeing improvements in the second and third areas. This includes ensuring that data are handled responsibly and securely, only shared with consent and with approved organizations, and that data obtained in inappropriate ways are not used by campaigns or by parties. Practitioners deal with voter data directly and have the responsibility of protecting it, but institutional support can assist them through detailed best-practices trainings, reminders about policies, and introductions to tools to improve security. Parties and committees also play a vital role in training newcomers to politics on the existing laws that govern the field, and can craft policies and trainings that help less experienced practitioners avoid content or tactics that specifically run afoul of the law, or cross an ethical line. Practitioners on both sides of the aisle complained that newcomers to politics (often coming from tech), had no sense of these laws or ethical (or even strategic) best practices. Parties and committees can train campaign novices along these lines, and also create white-lists of approved consultancies known to be engaging in ethical and transparent practices (or privately warn against consultancies known to engage in bad or unethical practices). While these efforts by parties and committees were praised by some, others warned lists themselves can become politicized.

### **Transparency of digital election practices**

Practitioners were in broad agreement about the benefits of increased transparency surrounding the use of digital tools in political campaigns, but

differences emerged around the level of disclosure required to advance related principles such as preserving the integrity of elections or the fairness and consistency in the application of rules. There was also less agreement about the means through which transparency should be encouraged or enforced.

One area of fairly broad agreement was around the creation of ads databases by Facebook and Google (and previously Twitter before it banned political advertising). For practitioners, one of the more important benefits of ads databases is the ability to gather information about the strategies of other campaigns.



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Most participants would like to see more information in these ads databases, such as around audience targeting, more fine-grained geographic data, and the inclusion of ads rejected (and reasons for rejection) by platforms for violating community standards

or policies. Practitioners also found ads databases to be buggy and unreliable; if anything, they are willing to contribute relevant information to make databases work better. Political practitioners stated that they desired the same data disclosed regarding paid communications as television advertising buys, including the source of the content, the size of the advertising buy, and the geographic region in which it is being displayed.

Practitioners also lacked consensus over the degree of transparency owed the public in areas such as the buying and selling of lists of voters or email lists of contributors, or the number and range of data points collected on individuals that go into microtargeting strategies. Although some expressed



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support for a General Data Protection Regulation (GDPR) -style set of rules on data protection and privacy, most practitioners did not support the view that the public needed (or would benefit from) a full accounting of their digital fingerprint. The reasons varied from a concern about the proprietary nature of the targeting models to a concern that too much transparency could create a backlash against microtargeting that would diminish the ability of campaigns to mobilize voters effectively with more tailored messaging.

This points to an issue practitioners raised in conjunction with other topics about the way the media covers digital campaigning. Some practitioners would like to see a public that knows more about what kind of information is available about them and how this information is used during the course of electoral and advocacy campaigns. Although digital tools enhance the precision of content delivery strategies, targeting itself is not new and there has been little public attention to, or backlash against, mail or other forms of voter mobilization. Moreover, practitioners noted (and lamented) the fact that the same data-intensive microtargeting techniques used in campaigns are even more common in non-political commercial marketing, with little public concern. The idea that rules, or at least public expectations, should be consistent across media was a recurring theme.

Finally, practitioners acknowledged that the current lack of transparency makes possible certain practices that may enter an ethical grey area. Certain fundraising practices, such as the claim of a “triple match,” are made possible by a lack of transparency, compounded by the fact that manufactured urgency and extreme claims are successful online fundraising strategies. This example points to the challenge of enforcement, especially in instances

where the individual incentives of the campaign may be at odds with general principles of ethical conduct. Political practitioners on the right also pointed to a lack of transparency about ad spending by their own consultants, largely related to what ad buys and margins are. This does not have grave repercussions for electoral integrity, but is an ethical concern within the industry.

### **Fairness and Consistency in Platform Policies and their Application**

Broadly, practitioners called for fairness and consistency in the development and application of platform rules and for platforms to provide clear disclosure and timely mechanisms of accountability over their decision-making. Practitioners also called upon platform companies to consider the unintended consequences of platform actions for political actors. All of these things relate to both paid and organic content.

Practitioners pointed to what they perceived as being inconsistent, frequently changing, and often non-transparent standards for permissible advertising and organic content. As one practitioner put it, currently platforms are “consistently applying inconsistent criteria.” Practitioners on both sides of the aisle described attempting to run advertisements on platforms that were approved in some states and not others, without any explanation as to why. They also cited receiving paid content rejections with little justification as to why, and with no mechanism for appeal. Practitioners also reported that it appeared to them that content moderators at platform companies were not always clear as to the difference between candidate campaigns, Super PACs, or party committees.

Practitioners called on platforms to develop clear and consistent rules for political advertising and enforce them in a standardized way. For example,

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while Facebook has a blanket policy of permitting all candidate communications, these rules do not apply to issue or advocacy campaigns, leaving open questions regarding how the company will handle content moderation of issue content from non-candidates. Google (including YouTube), meanwhile, recently stated that it will limit microtargeting for ads it deems to be political (narrowly defined in terms of candidates, elected officials, and ballot measures) and moderating ads it determines to be false. Snapchat stated that it would start fact-checking ads, but the details of how this policy will be enforced are currently unclear. In general, practitioners are frustrated that major platforms are engaging in content moderation in ways that might be outlined in principle, but are rarely made clear in practice.

Practitioners also pointed to numerous issues relating to the ways the algorithmic and other decisions that platforms make have implications for electoral fairness. One example is ‘inboxing,’ the algorithmic and non-transparent way that Gmail filters emails into separate inboxes including ‘primary,’ ‘promotions,’ ‘social,’ and ‘spam.’ Because email is still the most effective means of communication to register people to vote, gain donors and volunteers, and mobilize supporters on election day, such inboxing not only affects which emails that voters see, but also what potential political actions they take (this relates to the issue of participation described above). As a remedy, practitioners argued that all email communications voters receive should go to their primary inbox by default, and then voters should make

their own decisions as to how they want to categorize and filter them. Even more, a number of practitioners cited Spamhaus as being an unaccountable arbiter of political speech via email in its ability to designate, without much in the way of transparency or accountability, some accounts as ‘spam,’ a designation that platforms in turn use.

Related, practitioners noted a concern that larger, better-funded campaigns often had more ability to contest platform decisions than down-ballot campaigns and comparatively less well-resourced campaigns, raising fundamental issues of fairness. This is likely because of differential access to employees at platform companies to whom they can make appeals, which smaller advertisers lack. At the same time, there are inconsistent ways that platforms work with political clients. Practitioners cited how Facebook has stepped back from playing hands-on consulting roles with campaigns (and Twitter presumably will end the practice entirely given the company’s ban on political advertising), while Google has expanded these service roles, raising new issues of fairness in terms of access to the company and interventions into its content decisions for those spending significant sums of money on political advertising. Finally, practitioners raised questions about the lack of accountability when it comes to targeting, such as whether targets were actually served advertising, and potential issues related to fairness because large firms have more means to hold platform companies accountable than small firms.

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## Recommendations

Given the increasing reliance on digital communication in political campaigns, we have developed the following recommendations in order to help guide future discussions regarding best practices in the field of digital campaigning, and better align practices and policies with the ethical goals outlined above. As the digital political landscape quickly evolves, it is worth asking whether platforms and practitioners are acting in a manner that increases democratic engagement, protects the integrity of elections, enhances transparency, and applies rules fairly and consistently. While much can be done by practitioners and platforms, regulation is also necessary to ensure democratic values of participation, transparency, electoral integrity, and fairness are supported.

### **1. Platforms shouldn't halt political advertising.**

Political ads are an important method of informing the public and also encourage political participation in electoral processes. Banning political ads is democratically harmful because it impedes candidates' and campaigns' ability to reach the public. Because digital advertising lowers the cost of advertising compared with television advertising, bans also likely do proportionally greater harm to candidates that are underfunded, new to politics, non-incumbent, and challengers to political elites, giving candidates who are well-financed, party-supported, or incumbents a structural advantage.

Aside from blanket bans on political ads within platforms, banning ads in particular states or geographic regions, as Google decided to do in Maryland and Canada and Facebook decided to do in Washington state, is ill advised. While platform companies

argue the disclosure and data privacy laws in these states are too difficult to adhere to, they have a responsibility to broadly permit and facilitate political speech consistently, while following applicable local and national laws in doing so.

### **2. Microtargeting can enhance participation through messages tailored to voters' concerns.**

Practitioners across the ideological spectrum agreed that microtargeting is not only acceptable, but in some cases should be celebrated for its capacity to drive participation. Practitioners were mostly concerned with increasing voter turnout as an ethical value, but also framed microtargeting as increasing related activities like volunteering and giving money to a political cause. Practitioners did point to the potential for abuse, however, and agreed that the positive effects of microtargeting on participation required a high degree of ethical conduct and greater transparency around ads, including the size of buys and when/how they were run in the context of targeting (see section on transparency for more).

The authors of this report note that microtargeting may well come into conflict with other ethical principles outlined above. Platforms should weigh the tradeoff between permitting content and forms of microtargeting, and considering when and how content and targeting practices may conflict with platform policies around hate speech, voter suppression, or prohibitions on targeting racial or ethnic groups. Some limits on microtargeting might also better account for concerns regarding privacy and shared public discussion of issues, as discussed above.

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**3. Platforms should develop consistent rules for moderating both paid and organic content and apply them fairly.** Practitioners argued that making, and enforcing, a consistent set of rules is notably easier for paid speech because there are already frameworks in place governing advertisements and vetting content. As a broad principle, practitioners argued that political speech on platforms should be privileged. And, given the stakes, there needs to be disclosure of the rules applied, a consistent process for applying them, and clear and reasonably fast mechanisms to contest decisions. While practitioners realized the difficulties of applying these rules at scale, there was a universal sentiment that platform companies had a responsibility to invest in doing so, given their increasingly prominent role in democratic elections.

**4. Verified campaigns and other political entities should have fair access to platform employees and the digital tools they provide.** Platform companies have a basic responsibility to ensure that their staffing structures, policies, and procedures do not unfairly privilege certain campaigns over others. This includes access that political practitioners have to platform employees who facilitate advertising buys, explain platform features and changes, advise on content and marketing strategies, and advocate on behalf of the practitioners they are working with, such as on content takedowns. Even more, political practitioners pointed to the fact that changes in platform targeting capabilities, reporting or validation requirements, and platform functionality often favor larger consultancies and political campaigns with the budgets and staffers to address the uncertain and changing landscape of social media platforms. While we recognize the need for evolving policies and the difficulty of ensuring equal access, we think that

platforms should think carefully through the degree to which their organizational structures and policies have the capacity to unfairly benefit some campaigns over others, and be especially attentive to the dynamics of particular races to ensure fair electoral competition.

**5. Platforms shouldn't filter out content for those who opt into receiving it.** From social media feeds to email inboxes, algorithmic filtering can make political speech less visible in a variety of ways, and to a variety of degrees. Practitioners are frustrated with email clients that filter their communications to spam or other secondary inboxes without the knowledge of voters, transparency into whether, how, or why this occurring, or recourse for campaigns. Practitioners recognize the ability of users themselves to create and refine filters for their email content, but take issue with email clients such as Gmail for doing this work automatically. As such, practitioners argue for a corollary of FCC 'right-of-way' style rules that ensure verified campaigns are able to reach primary inboxes so long as the emails are obtained in accordance to applicable laws relating to data and email sharing (this case also has implications for fairness, discussed below). Likewise, social media users who opt into following a campaign or political organization should see content posted by such an account in their feed.

**6. Platforms should disclose changes to their product features and provide a mechanism for political practitioners to learn about and appeal these features when they change.** Practitioners reported little warning about when platform changes were occurring, which can upend all strategies and long-term planning, and has the potential to disproportionately impact some campaigns, especially

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those less well-resourced. Ideally, practitioners wanted to provide more input regarding tools or changes that were potentially harmful (or what would be beneficial) to campaigns.

**7. Platforms can do more to identify misinformation and disinformation, and to de-amplify such content (rather than removing it entirely).**

Practitioners see a major role for social media platforms to play when it comes to misinformation and disinformation. Platforms have largely opted to look at accounts' behavior—when and how accounts circulate information, how they connect to and interact with other accounts and so on—to see and remove inauthentic accounts, but this can overlook “authentic” and “organic” misinformation campaigns. Twitter's recent decision to limit recirculation on posts it deems at odds with community standards could be a model here, as it does not remove content. However, this requires greater consistency and transparency in enforcement than platforms currently exhibit.

**8. Political practitioners, parties, and platforms should clarify their data use policies and procedures.**

Current practices concerning list buying and selling, data aggregation, data sharing and consent are largely unknown by the public. Increased transparency will give citizens more tools to hold political groups and platform companies accountable. Practitioners and platforms should adopt best practices around data security and disclose data breaches when they occur. Stakeholders should also provide more information about list buying and selling and other practices for dealing with the unique nature of political data, including when information is highly sensitive and vulnerable to misuse. These measures are important for protecting electoral integrity. The FEC should create and enforce clear standards for

data security and disclosure of data breaches, and set disclosure rules around the use of political data to make the public more aware of what information political entities use and how.

**9. Platforms should standardize content and disclosure included in their political advertising databases.**

As it stands, the voluntary political advertising databases created by all the major platform companies are central to public transparency and disclosure. They are also tools for campaigners to monitor their own advertising as well as those of their rivals. Monitoring your own ad buy is a check on consultants and platforms, as it is currently difficult to verify if digital ads were actually run, to whom, and what the margins consultants charge are. Monitoring rivals' ad buys facilitates counter-speech, an important democratic value. However, as it stands the data included in these databases on the content of ads, their reach, the size of the advertising buys, and the dates from which ads are archived are highly variable. To facilitate transparency, platforms should work to standardize their ads databases, so at the very least the same categories of ads are reported in the same way.

To ensure this happens, regulation is almost certainly necessary (see recommendation 11, below). The FEC should create clear standards for public ads disclosure, including what information and content needs to be stored. FCC guidelines around TV ads provide a useful framework for this process, as do their steep penalties for failure to comply. The authors of this report also believe the FEC should set disclosure and transparency policies on the data and targeting practices of campaigns.

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**10. Campaign appeals, such as those that rely on various fundraising claims, should be more transparent about the basis of their claims.** While hyperbole is an accepted part of campaign discourse, practitioners should above all be aware that their profession relies on a baseline of public trust and credibility. If that trust is undermined through fantastic appeals, or if credibility is undermined by baseless claims, the entire profession will suffer and democratic engagement will decline.

**11. Federal regulation is needed to secure electoral integrity and electoral fairness.** Practitioners agreed on the need for greater federal regulation or guidance from the Federal Election Commission, designed to secure election integrity and electoral fairness. This includes ensuring that platform companies and political practitioners are complying with existing laws, such as the prohibition on foreign donations and the requirement to disclose strategic communications on behalf of foreign interests (the Foreign Agent Registration Act (FARA)). Regulation is also needed to standardize policies across platforms. As such, regulation that ports existing rules from the FCC and FEC into the digital realm in a clearer way is needed, as are new rules

that are sensible to digital campaigning specifically. For example, using the FCC's model for allowing and even privileging campaign-sponsored speech is an easily transportable rule. While determining specific details of such a policy (e.g. how to register campaign officials for this right-of-way), ensuring fairness in their execution, and establishing clear avenues for recourse when problems arise are integral, the fundamental porting over of these conceptual rules is an important first step. At the same time, the FEC should establish digital-specific rules governing and standardizing the disclosure and public transparency of campaign ads and potentially organic content. As an even lower bar, the FEC needs to determine how to manage and police the places where existing laws are currently being broken using digital tools, such as in the case of campaign coordination.

**12. Practitioners should not use hacked or stolen materials.** Campaigns and parties have a responsibility to refuse and report attempts to make stolen or hacked material available or the assistance of foreign agents against political opponents. Political actors and organizations should prevent and punish digital forms of harassment that impede rival campaigns performing their function of contesting elections.

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## Conclusion: Stakeholder Accountability and the Future of Digital Campaigning


Holding key stakeholders accountable for the application and use of digital campaign tools is critical for maintaining the strength of the democratic process. How can this goal be achieved? From the perspective of those most directly involved in digital campaigning, practitioners, three related approaches hold the greatest promise to align practices and principles in digital campaigns. A mixture of approaches will be required

First, although digital communication poses distinct challenges for campaigns, a clear and consistent set of rules that treat content the same regardless of whether it appears online or elsewhere can lead to the emergence of more robust industry standards that practitioners are likely to follow, and make it easier to sanction behaviors that erode public trust in elections and the political process. Extending the current set of rules governing TV to digital also relieves platforms of the need to come up with separate policies for political ads. This creates a level, and more predictable, playing field for political practitioners. However, it is unclear (unlikely, even) if the Federal Election Commission is equipped to deal with the complex and constantly-changing digital ad environment, even if it resolves the structural problem of lacking a quo-


rum. Nor is it clear whether legislation required to empower the FEC or the FCC to set clear standards for digital advertising, disclosure standards, data security requirements, or other electoral oversight measures can pass a polarized Congress.

Given these political realities, a second approach relies on the community of practitioners and po-

litical professionals to develop mechanisms that help align individual incentives with ethical principles. Professional training and statements of best practice by groups such as the American Association of Political Consultants, credentialing mechanisms or approved vendor lists by party committees, and verification measures by platforms that make it difficult to conceal the identity of



Although digital communication poses distinct challenges for campaigns, a clear and consistent set of rules that treat content the same regardless of whether it appears online or elsewhere can lead to the emergence of more robust industry standards that practitioners are likely to follow, and make it easier to sanction behaviors that erode public trust in elections and the political process.



ad buys together help generate market mechanisms that impose financial costs on practitioners who undermine the credibility of the profession. Of course, it is naive to think unscrupulous or underhanded tactics will cease to be a feature of our politics, no matter what actions are taken.

This points to a third mechanism of accountability: the press is a key actor in this process. Although campaigns are typically risk-averse, the temptation to violate election law or engage in unethical behavior depends in part on the likelihood of discov-

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ery. An active and informed press can augment the enforcement capacity of government regulators and impose reputational costs on practitioners by monitoring and reporting on campaign practices.

Unfortunately, changes in the news industry limit the ability of the media to play this role, especially at the local level where the problem of shrinking newsrooms or shuttered publications is acute. At the national level, the challenge tends to be that major

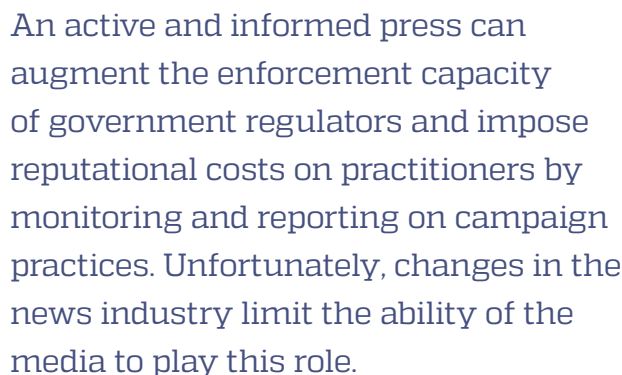
news outlets typically elevate horse race coverage of elections over close reporting of campaign tactics. We hope this report provides journalists with a set of ethical standards against which they can compare the behavior of campaigns and critically examine the electoral consequences of their own editorial decisions.

The rapid development of digital campaign tools has made possible new forms of political messaging and communication, but in ways that threaten

to undermine trust in the democratic process.

Practitioners are at the center of this challenge. Their actions drive the ongoing development of digital campaigning as well as the potential to address some of the negative consequences associated with these digital tools. Although the exact nature and

scope of these remedies remain a matter of discussion, there is a consensus that political professionals, platform companies, the press, the public, and researchers all have a stake in solutions that promote participation, protect election integrity, enhance transparency, and ensure fairness in the conduct of U.S. elections.



**An active and informed press can augment the enforcement capacity of government regulators and impose reputational costs on practitioners by monitoring and reporting on campaign practices. Unfortunately, changes in the news industry limit the ability of the media to play this role.**



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## Report Appendix: Methods and Participants

We conducted interviews with 13 political practitioners and platform representatives over the course of several months, to ask them about concerns they had about ethics in digital campaigning, as well as ethical values or practices they engaged in or wanted to see the field engage in. The thirteen interviews were conducted on-the-record (with the possibility for not for attribution and off-the-record statements) over the course of several months. We asked practitioners and platform representatives about concerns they had about ethics in digital campaigning, as well as ethical values or practices they engaged in or wanted to see the field engage in. Most interviews were conducted over the phone, although some took place in person.

We used that information to develop initial findings that could act as a starting point for further in-person discussion. We then convened a bi-partisan group of political practitioners and platform company representatives under Chatham House Rules (where the discussion from the event was on-the-record but speakers are not identified), over two days in Washington, D.C. to find points of consensus relating to the ethics of digital campaigning. Conversation was facilitated and moderated by the four academic coordinators, and notes were taken by multiple students throughout the workshop. Broadly, the discussion focused around the overarching question of: What role do platforms, candidates, campaigns and party committees, practitioners, and citizens have in ensuring the integrity and fairness of democratic elections in an age of digital and social media? Conversation was organized around the key themes of electoral integrity, fairness, and transparency that had been identified in the interview process.

The report was drafted by the four authors, and

circulated among interested participants for input before dissemination.

The authors wish to thank the following practitioners for their participation and gratefully acknowledge the efforts of research assistants Bridget Barrett, Virginia Blanton, Jordan Hronich, and Shveta Vatsia.

### List of Participants (<sup>†</sup>workshop, <sup>\*</sup>interview)

Matt Compton, Blue State<sup>†\*</sup>  
Toni Cowan-Brown, NationBuilder<sup>†\*</sup>  
Mo Elleithee, Georgetown<sup>\*</sup>  
Keegan Goudiss, Revolution Messaging<sup>†\*</sup>  
Katie Harbath, Facebook<sup>\*</sup>  
Betsy Hoover, 270 Strategies<sup>\*</sup>  
Kevin Kane, Twitter<sup>†\*</sup>  
Zac Moffatt, Targeted Victory<sup>†\*</sup>  
Samantha Osborne, E.W. Scripps<sup>†\*</sup>  
Jessica Porter, Democratic National Committee<sup>†</sup>  
Clay Schossow, New Media Campaigns<sup>†</sup>  
Jon-David Schlough, Well-Lighthouse<sup>\*</sup>  
Bryan Whitaker, TargetSmart<sup>†\*</sup>  
Chris Wilson, WPA Intelligence<sup>†\*</sup>  
Zach Wineburg, private consulting<sup>\*</sup>  
Katelyn Brantley Woodward, Facebook<sup>†</sup>

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**Leticia Bode** is a Provost's Distinguished Associate Professor in the Communication, Culture, and Technology master's program at Georgetown University. She researches the intersection of communication,

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Financial support for this project was generously provided by the SNF Agora Institute at Johns Hopkins University and the Center for Information, Technology, and Public Life at the University of North Carolina, Chapel Hill.

