



May 29, 2020

The Honorable Adam Schiff
United States House of Representatives
2269 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Schiff:

On behalf of the Network Advertising Initiative (NAI) and our members, thank you for your recent inquiry about digital advertising practices during the COVID-19 pandemic and the potential negative effects such practices are having on news publishers. We share your concerns and believe strongly in the need for a flourishing free press to inform society.

The NAI is a non-profit association and the leading self-regulatory organization dedicated to promoting consumer privacy among the technology companies that power digital advertising. We currently have more than 100 member companies, each of which is required to adhere to the strong privacy requirements set forth in the NAI Code of Conduct. Additionally, the NAI is the leading trade association representing the ad-tech industry, providing public policy and industry thought leadership to strengthen and improve the digital advertising ecosystem. To that end, the NAI works closely with a wide range of partners, not only in the advertising industry, but also with publishers and their leading trade associations.

The NAI shares your conclusion that this is a critically important time for Americans to have access to a diversity of digital information, particularly the curated news published by local and national media subject to journalistic standards that they depend on now more than ever. We also agree with your concern that the COVID-19 pandemic has created a uniquely challenging time for a wide range of digital publishers, including but not limited to news publishers. Ultimately, any developments that result in a loss of high-quality online digital publishers will harm not only Americans, but the digital advertising ecosystem itself. Therefore, ensuring the robust availability of digital content, particularly news publishing content, is of paramount importance to the NAI and its members, as well as to advertisers, publishers, consumers, and society.

News publishers have traditionally comprised a very strong channel for advertisers, dating back to the days when printed media was dominant. As consumers have transitioned to digital news media for critically important information, advertisers have likewise turned to digital advertising to reach engaged audiences. The COVID-19 pandemic, however, has created unique considerations for advertisers that have traditionally utilized news media to reach their audience; the overwhelming volume of news about this singular threat, the deadly toll it has taken on America and around the world, and the fear that this news has created among consumers has made many advertisers concerned about placing their ads in that environment.

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When seeking to have their digital advertisements placed, advertisers often identify distinctions between various types of content. In order to achieve their audience goals and maximize marketing objectives, they sometimes seek to restrict advertisements from appearing adjacent to articles focusing on certain content, such as solemn news, which often results in the creation of keyword “blacklists.” Unfortunately, it has become easier for advertisers to use brute force keyword techniques to prevent negative ad adjacencies or content associations rather than taking a more nuanced approach to consider the source and context in reaching valuable audiences. Implementation of such blunt keyword blocking lists on a broad scale throughout the programmatic ad buying marketplace has inadvertently resulted over the last couple months in certain media outlets being excluded from national media buying opportunities. Our member companies are working to reverse that trend in various ways.

The NAI agrees that automatically blacklisting ad placements within reputable local media platforms is not the appropriate solution. Fortunately, there are alternatives to achieve the objectives of advertisers, and the NAI and many of our partners across the ecosystem have worked to implement and promote alternative practices. The companies that create ad blocking tools are providing solutions that are more nuanced in their application, take into consideration more than a key word or concept, and open up much more news inventory to advertisers.

Also, the Local Media Consortium (LMC), in partnership with the Brand Safety Institute, launched a media-buying “Local News Advertising Whitelist” in April that opens up thousands of vetted local media advertising opportunities for national brands and companies during times of crises, particularly as the coronavirus pandemic generates heightened media consumption. Featuring approximately 4,000 vetted news media domains across the United States, this whitelist presents a strong alternative to avoid the adverse harm inadvertently inflicted on a wide range of news publishers over the last several months. The LMC’s Whitelist is free to use by advertisers, and the NAI and many of our partners across the digital advertising ecosystem are actively working to promote it. We are confident that this list, used in combination with the new tools being created to preserve brand-safe news, will make a substantial difference.

Again, thank you for your outreach on this important issue. We strongly share your desire to help support news media publishers and to keep the U.S. population well informed and safe, particularly at such an unprecedented and difficult time. We welcome the opportunity to discuss these issues with you and other stakeholders in greater detail to further identify and cooperatively address the important concerns you have raised. Please feel free to reach out with further questions or to discuss this issue in greater detail.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leigh Freund".

Leigh Freund
President and CEO
Network Advertising Initiative