



The Honorable Thomas Umberg, Chair  
 Senate Committee on Judiciary  
 1021 O Street, Room 3240  
 Sacramento, CA 95814

April 16, 2024

**Re: SB 1076 (Wilk): Data Brokers: Accessible Deletion Mechanism – OPPOSE (Updated)**

Dear Senator Umberg:

On behalf of the consumer protection, economic justice, and civil rights groups herein, we strongly urge you to oppose SB 1076, authored by Senator Wilk. This bill attempts to undermine and weaken the California Delete Act (SB 362), passed in 2023 to empower Californians to protect their personal information from data brokers with an updated data broker registry and a one-click “delete” button to remove their information from every registered data broker.

Data brokers collect and sell information about people with whom they have no direct relationship, and their practices can pose significant threats ranging from individual safety to national security. For example, they:

- [Target vulnerable populations such as “economically anxious elders”, “heavy purchasers of pregnancy tests,” and “frequently depressed.”](#)
- [Facilitated the purchase of precise geolocation data for individuals visiting Planned Parenthood in 2022 for just \\$160, highlighting risks to personal safety.](#)
- [Enable crimes like identity theft, stalking, and harassment through the sale of personal information, directly harming individuals](#)
- [Sold Americans' sensitive personal information to foreign actors, as noted in an executive order stating that the sale of Americans’ sensitive personal information to foreign actors "raises significant privacy, counterintelligence, blackmail risks and other nation security risks - especially those in the military or national security community."](#)

Under the California Consumer Privacy Act (CCPA) consumers have been unable to exercise their right to deletion when it comes to data brokers; and due to the sheer scale of the industry (with 405 registered with the California Privacy Protection Agency as of March, 2024) consumers face an insurmountable challenge to repeatedly exercise the CCPA rights that do apply to their personal information held by data brokers on a business-by-business basis.

Thankfully, last year, the Legislature took a monumental step forward in passing SB 362, the California Delete Act, which is poised to empower Californians with the tools necessary to protect their personal

information from data brokers. Unfortunately, Senate Bill 1076 (SB 1076) threatens to gut key parts of that framework before the Delete Act can fully take effect. **We strongly urge a NO vote on SB 1076 for the following reasons:**

- **SB 1076's Email-Back Provisions Defeat the Very Purpose of the California Delete Act's Streamlined Deletion Process:** SB 1076 introduces barriers to the streamlined deletion process promised by the Delete Act, making it more difficult, if not impossible, for consumers to efficiently exercise their privacy rights.
- **SB 1076 Strips Californians of Power to Exercise Rights and Compromises Privacy for Vulnerable Populations:** SB 1076 places undue burdens on individuals, particularly those who may rely on authorized agents, to navigate an unnecessarily complex deletion process.
- **SB 1076 Seeks Redundant Fraud Prevention Measures:** The bill imposes excessive verification requirements that, at best, are duplicative of existing requirements and at their worst complicate and undermine the deletion process without effectively addressing fraud.
- **SB 1076 Proposes Changes More Appropriately Handled by CPPA Rulemaking:** The bill attempts to bypass the CPPA's established rulemaking process. SB 1076 undermines the CPPA's ability to adapt regulations to evolving privacy challenges, suggesting changes all better addressed through rulemaking.
- **SB 1076 Increases Risks to Consumers of Fraud and Abuse:** By hindering access to deletion mechanisms, SB 1076 facilitates misuse of personal information leading to identity theft, stalking, and harassment. These risks are particularly acute for those seeking reproductive healthcare, gender-affirming care, and low-income communities.
- **SB 1076 Misrepresents Legislative Intent:** The bill misconstrues the purpose of the Delete Act, which targets data brokers due to the unique risks posed by their indirect relationship with consumers. By incorrectly framing the Act as targeting "data aggregators," SB 1076 undermines the legislative framework designed to regulate data brokers under the California Consumer Privacy Act (CCPA).
- **SB 1076 Seeks to Make Changes Already Considered and Rejected by the 2023 Legislature:** SB 1076 attempts to relitigate decisions made by the 2023 legislature disregarding their clear intention to provide Californians with a more accessible, efficient, and effective means of controlling their personal information.
- **SB 1076 Is Unnecessary for Credit Building Services:** The bill's proposed amendments to protect credit building services are redundant, as the Delete Act and CCPA already include balanced exemptions for these entities and allow consumers to selectively exclude trusted data brokers from deletion.

The California Delete Act was a landmark achievement designed to empower consumers and help protect their data from misuse. SB 1076 undermines these protections, and we respectfully urge you to oppose.

Sincerely,

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California Low Income Consumer Coalition

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cc: The Honorable Members of the Senate Committee on Judiciary  
The Honorable Scott Wilk