



February 2, 2022

TO: House Committee on Business & Labor
FR: Charlie Fisher, OSPIRG & Stop the Debt Trap Alliance
RE: In Support of HB 4017, Data Broker Registration

OSPIRG is a statewide, grassroots, public interest organization representing thousands of Oregonians. We're also part of the Stop the Debt Trap Alliance (SDTA), a coalition of organizations representing diverse constituents across Oregon to promote laws and business practices that equitably serve the interests of all consumers, particularly communities of color and those with the lowest incomes.

OSPIRG & SDTA support HB 4017.

HB 4017 is a small but important step in the right direction towards giving Oregonians control over their online personal information. As more of our daily life, work, and commerce lives online, a proliferation of companies are now tracking, sharing, and selling literally thousands of data bits about us, often without express consent, usually for the end purposes of simply trying to sell us more stuff.

It's hard to even fathom how much information about everyone is being tracked and sold and how it could potentially be used. In 2019, the New York Times acquired a dataset of the location information of 12 million Americans, containing 50 billion individual location pings from their phone. With this information, they were easily able to identify specific individuals as well as where they lived and worked, where their kids went to school, and hundreds of other data points.¹ This is just one example of the pervasive and often under the radar existence of the sharing and selling of our information by data brokers.

Ultimately, we believe Oregonians should have the ability to control who has access to information like this and how it is used. Over the last several years, we've participated in a work group process convened by Attorney General Ellen Rosenblum and the Oregon Department of Justice to craft comprehensive data privacy legislation. We acknowledge that passing such an ambitious policy is more likely to be successful in the 2023 long session, which is why we see HB 4017 as a step in the right direction by requiring the third-party data brokers to register with the state. This information will be helpful in determining the

¹ Twelve Million Phones, One Dataset, Zero Privacy. New York Times, Dec 29, 2019:
<https://www.nytimes.com/interactive/2019/12/19/opinion/location-tracking-cell-phone.html>

scope of data collection in Oregon and, at the very least, gives consumers information about what current ability they have to opt out or otherwise control how these data brokers are using their data.

I will note one provision that deserves monitoring by the legislature and state agencies. The proposed enforcement framework, which caps penalties at \$10,000, is unlikely to be a real deterrent to large companies against noncompliance. Hopefully, data brokers will nevertheless follow the law, but I would urge the legislature to closely monitor compliance to determine whether additional penalties are needed.

We urge you to support HB 4017.