

Supplement to Statement of Commissioner Julie Brill on *Data Brokers: A Call for Transparency and Accountability*

This supplement to my Statement on the Commission's report, *Data Brokers: A Call for Transparency and Accountability*, summarizes my understanding of the Commission's legislative recommendations:

For marketing products, the report recommends that legislation require the brokers to:

Create a centralized mechanism, such as an Internet portal, where data brokers identify themselves, describe their information collection and use practices, and provide links to access, transparency and choice mechanisms;¹

Provide consumers with access to their data, including any sensitive data, at a reasonable level of detail;²

Provide consumers with the ability to suppress information;³

Disclose to consumers that they use not only the raw data from their sources, such as a person's name and income range, but that they also derive certain inferences from the data;⁴

Disclose to consumers the names and/or categories of their sources of data;⁵ and

Require their consumer-facing sources to (a) provide a prominent notice to consumers that they share consumer data with data brokers and give consumers choices – express affirmative consent for sharing sensitive information, the ability to opt-out of sharing other information; (b) provide information about the data brokers with which they share transacti

Finally, the report recommends that legislation require companies offering people search products to:

Allow consumers to access their own information and opt out of the use of this information;⁹

Clearly disclose any limitations of the opt-out, such as the fact that close matches of an individual's name may continue to appear in search results;¹⁰ and

Clearly disclose to consumers the data brokers' sources of information, to enable correction at the source.¹¹

⁸ *Id.* at 53.

⁹ *Id.* at 53.

¹⁰ *Id.* at 53.

¹¹ *Id.* at 53.