March 26, 2013

The Honorable Bonnie Lowenthal
State Capitol, Room 3152
Sacramento, CA 95814

Re: Support AB 1291 (Lowenthal), The Right to Know Act

Dear Honorable Assemblymember Lowenthal:

The Electronic Frontier Foundation strongly supports AB 1291–The Right to Know Act. Californians do not want their personal information to be collected, bought or sold without their knowledge and consent.

Under Civil Code Sec. 1798.83, Californians have the right to know when businesses are sharing their personal information. But this law, which focuses on direct marketing, has been outpaced by rapid changes in technology and data collection and sharing practices.

- When consumers visit webpages, tracking tools collect information on browsing history, purchases and even health queries.
- Popular mobile apps share location, age, gender and other personal details of both adults and children with third-party companies.
- Data brokers collect and trade the personal information from mobile phones, banks, social media sites, and stores – errors have resulted in lost jobs and ruined credit.

The Right to Know Act modernizes the current law's definitions, simplifies the process for both businesses and individuals, and covers modern types of information sharing with data brokers, third-party applications and online advertisers. If enacted, Californians could more easily find out: (1) what personal information a company has collected about them; (2) what types of personal information a company has shared with a third party (religious affiliation, medical information, location information, financial information, and more); and (3) the names and contact information of these third parties.

When Californians search online, shop, or use an application, they should be able to know how their personal information is being collected and shared with other companies. Accordingly, we support AB 1291. Please do not hesitate to contact me with any questions.

Sincerely,

Lee Tien
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