



August 9, 2019

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
Room 2206
State Capitol
Sacramento, California 95814

Re: AB 1130, Personal information: Data breaches—SUPPORT

Dear Senator Portantino:

The undersigned groups support AB 1130, a bill that would expand the definition of personal information in California’s data breach notification statute to include biometric information and government-issued ID numbers. Not only would the bill require companies to notify consumers if this sensitive data is disclosed without their authorization, it provides companies with strong incentives to keep this sensitive information secure.

Biometric data and government-issued IDs clearly warrant these additional protections. Biometric data is commonly used to confirm consumers’ identity and can easily be exploited for identity theft and fraud

purposes. Unlike a credit card number, the consumer's biometric information cannot be changed in the event of a breach, making its unauthorized disclosure all the more dangerous. But concerns about its disclosure go far beyond its potential misuse for the purposes of fraud. Aside from the inherent privacy interest in keeping this information secure, the disclosure of biometric data—for example, of voice recordings—could lead to reputational or emotional harm. In light of the plethora of data breaches in recent years, biometric data should have these additional protections.

Furthermore, the 2018 Marriott data breach, in which the passport information of over 5 million people was disclosed, highlights the need for greater security of government-issued identification.¹ Passport information, combined with other data, can be used to impersonate consumers online, making them more vulnerable to fraud.² Clearly, Californians need additional protections over that data.

This bill advances consumer privacy and security protections in important ways, and we urge the members of the committee to vote in favor.

Sincerely,

Access Humboldt
CALPIRG
Campaign for a Commercial-Free Childhood
Center for Digital Democracy
Common Sense
Consumer Action
Consumer Federation of America
Consumer Reports
Digital Privacy Alliance
Electronic Frontier Foundation
Media Alliance
Oakland Privacy
Privacy Rights Clearinghouse

cc: The Honorable Marc Levine
Members and Staff, Senate Appropriations Committee

¹ Peter Holly, *Marriott: Hackers Accessed More than 5 Million Passport Numbers during November's Massive Data Breach*, THE WASHINGTON POST (Jan. 4, 2019), <https://www.washingtonpost.com/technology/2019/01/04/marriott-hackers-accessed-more-than-million-passport-numbers-during-novembers-massive-data-breach>.

² Laura Hautala, *Marriott Breach: What to Do When Hackers Steal Your Passport Number* (Dec. 3, 2018), <https://www.cnet.com/news/marriott-breach-what-to-do-when-hackers-steal-your-passport-number/>