



April 15, 2025

California Privacy Protection Agency
2101 Arena Boulevard
Sacramento, CA 95834

Dear Board Members, Executive Director Kemp, and Agency Staff,

We, the undersigned organizations and individuals, are writing to express our deep concern about recent pressure on the California Privacy Protection Agency (CPPA) to abandon or significantly scale back its current CCPA rulemaking process. At a time when our country's consumer- and worker-protection infrastructure is under threat, we strongly urge the board and agency to adhere to the intent of California's privacy law and proceed with the rule-making process as directed by the state's voters. The agency has proper democratic authority to protect Californians from privacy harms; it should use it.

Digital and data-driven technologies can make life better for Californians. We know that establishing a common-sense foundation for the collection and use of our data by these technologies can unlock their potential and build trust for consumers and workers who use these technologies. But technology broadly, and algorithmic systems specifically, can also magnify and expand threats to consumer

and worker rights and safety, if robust protections are not put into place throughout the data collection and algorithmic ecosystem.

We're at a critical juncture. If we don't act quickly, companies choosing to use these powerful tools could build barriers instead of bridges—furthering an unequal society for Californians where some prosper, while others are locked out of jobs, homes, healthcare, education, and equity and dignity. As these systems grow in their ubiquity, they must meet a high standard that respects people's rights and ensures that they can be used safely and without harm. The choices we make today will determine whether these data-driven technologies empower us or deepen existing divides.

In 2020, voters in California passed Prop 24, which continued a proud tradition of protecting people's privacy that stems all the way back to 1972, when the right to privacy was enshrined in the state constitution. Since then, the rapid development of data-driven technologies has necessitated new laws and regulations to ensure the continued protection of this right. Prop 24 was a critical point in this history. It added to the privacy rights of consumers and workers by amending the California Consumer Privacy Act, empowering the CPPA to develop new regulations around cybersecurity, impact assessments, and automated decision-making systems. This regulatory authority carries the promise of ensuring that the law stays in step with developments in the collection and use of personal data. Since then, the CPPA's board and staff have been steadfastly moving through several rounds of rule-making to fulfill their charge. Importantly, dozens of organizations representing hundreds of thousands of workers and consumers have weighed in repeatedly throughout the rulemaking process to express their support for the board's efforts to establish common-sense guidelines for the use of our data in algorithmic systems.

But recently, we have seen escalating pressure on agency staff and board members to abandon or restrict the scope of rulemaking so significantly that it would fail to fulfill the agency's statutory mandate. This pressure has come in multiple forms. Starting last year, public comments by business representatives at agency hearings uniformly attacked the rule-making process as overreach, and in particular targeted the ADMT rulemaking for elimination. Then, in February, 18 state legislators wrote an open letter to the agency demanding that the agency "redraft all [its] regulations." This suggestion, for the agency to start from scratch, represents a fundamental misunderstanding of the agency's legal authority and the

nature of the harm facing Californians from algorithmic decision-making systems. And in January, CPPA board member Vinhcent Le—a champion of ensuring consumer and worker protections under the law—was unceremoniously removed from his position.

The arguments we've heard in public hearings from the business community, claiming that the board is exceeding its mandate and should defer to the legislature and the Governor, represent many of the same groups that are simultaneously opposing efforts to regulate automated decision-making systems in the California legislature. This is part of a larger effort to block the will of the voters and input from thousands of consumers and workers, all to protect some of the largest and most profitable corporations in history from a common-sense foundation of transparency and accountability over their use of our personal data.

In short, we are seeing an anti-democratic assault on a state agency and its staff that are working diligently to implement and enforce the country's premier privacy law. This is an effort to block the implementation of critical privacy rights for California's consumers and workers.

We therefore strongly urge the CPPA board and agency to adhere to California's privacy law and continue with the rule-making process as directed by the CCPA. Voters have been very clear that they want their information fully protected—and that includes future-proofing the CCPA by developing regulations around cybersecurity, harm identification and mitigation, and algorithmic systems. What's at stake are highly consequential decisions impacting access and equity in our communities and our workplaces.

At the federal level, we are witnessing an assault on the very fabric of government, including its agencies, staff, and regulations. California, therefore, has a critical role to play in modeling the democratic rule of law for the rest of the country. The successful completion of the current rule-making process by the CPPA, without interference and undue influence, would set an important example.

Sincerely,
The signed organizations and individuals

Organizations:

American Civil Liberties Union California Action
American Federation of Musicians Local 7
Athena Coalition
California Federation of Labor Unions, AFL-CIO
California Nurses Association
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Gig Workers Rising
IBEW 569
Los Angeles Alliance for a New Economy (LAANE)
MediaJustice
National Employment Law Project
National Union of Healthcare Workers
Oakland Privacy
PowerSwitch Action
SAG-AFTRA
SEIU California
Strippers United
Tech Oversight California
TechEquity
TechTonic Justice
The Resilience Labs
UDW/AFSCME Local 3930
UFCW Western States Council
Upturn, Inc.
Working Partnerships USA
Worksafe
Writers Guild of America West

Individuals (organizations listed for identification purposes only):

Annette Bernhardt, UC Berkeley Labor Center
Christina Chung, Center for Law and Work, UC Berkeley Law School
Seema N. Patel, UC College of the Law, San Francisco (UC Law SF) [formerly UC Hastings School of Law]