FSOR APPENDIX A – SUMMARIES AND RESPONSES TO 45-DAY COMMENTS

ARTICLE 2. DEFINITIONS AND REGISTRATION REQUIREMENTS

Section of Regulation	Comment Numbers	Summary of Comments 45-Day Comment Period	Agency Response
7601(a)	206, 212	Commenter requests that data brokers be able to delegate DROP account management to service providers to manage DROP compliance on the data broker's behalf. Commenter requests that § 7601(a) be modified to include the term "agent" in association with all references to "data broker."	The Agency disagrees with this comment. § 7610(a)(1) already addresses the use of a data broker's credentials to access the DROP. Specifically, the regulation limits it to persons authorized to act on the data broker's behalf, and clarifies that the data broker is responsible for all actions taken through its DROP account. This provides the data broker operational flexibility while ensuring accountability. Adding the suggested language to the definition in 7601(a) is not necessary.
7601(a)	213	Commenter requests removal of the sentence "and does not include signing into a data broker's DROP account without retrieving a consumer deletion list" because it may be misaligned with situations where DROP is accessed to check on the status of newly updated list and should be removed.	The Agency disagrees with this comment. The phrase is necessary for clarity when such reference is used subsequently in the regulations; the definition prevents data brokers from claiming they have accessed the DROP in compliance with the 45-day time period but actually have not downloaded a list of delete requests for processing, which is required in the Delete Act.
7601(c)	214	Commenter requests that the definition include the term "suppression list" if the list is not matched and include specific reference to a consumer deletion list as a suppression list.	The Agency disagrees with this comment. A deletion list is a very specific and descriptive term of the list provided by the Agency and is distinct from a suppression list, which is maintained by the business; using two terms as suggested would lead to unnecessary confusion.
7601(c)	215	Commenter asserts that the definition could be simplified by removing the final sentence and specifically defining the terms "hashed format", "transaction identifier" and "hashing algorithm" to provide clarity.	The Agency disagrees with this comment. The final sentence provides necessary clarity to data brokers about what information will be provided in deletion lists. Furthermore, the terms used in that sentence are generally understood by data brokers and those that process personal information and therefore do not require further definition.

7601(c)	216	Commenter states that date of birth may not be a necessary identifier and may cause distribution of additional personal information that a consumer would not expect to be shared.	The Agency disagrees with this comment. In the Agency's experience and understanding of common industry practices, date of birth is an often used identifier that can help identify a unique consumer. Furthermore, the DROP has been designed so that data brokers only obtain hashed personal information that aligns with the types of personal information they collect about consumers.
7601(d)	107, 108, 109, 111, 352, 359	Commenter notes that the current regulation contains a provision indicating that a consumer has intentionally interacted with a business for specified purposes within the preceding three years. The Agency modified the definition of "direct relationship" to remove the three-year time period. Commenter requests that the Agency restore this provision because "direct relationship" implies a continuous relationship between the business and consumer; however, information can be gathered and shared from a single visit to a website. For example, information that is collected from a consumer five years ago. Commenter asserts that this is the exact type of relationship a consumer ought to be able to leverage the DROP for through one deletion request. Commenter states that it is a fair balance for businesses to sell personal information about consumers if the consumers interacted with the business in the last three years, without becoming a data broker. Alternatively, comment suggests reducing the time period to one year.	The Agency disagrees with this comment. The modification is necessary in recognition of the fact that personal information collected by a business directly from a consumer through an intentional interaction—regardless of when it was collected—is already subject to the right to delete under the CCPA. The Delete Act, on the other hand, provides consumers a new additional right to delete personal information, collected either from another source or collected in a non-first party interaction from the consumer, through the DROP. Thus, the Agency revised the definition of direct relationship by removing the three-year time limit. As the Agency does not intend the scenario described by commenter to cause a business to delete personal information collected directly from the consumer through an intentional interaction, the Agency has determined that it will neither reintroduce the three-year period, nor introduce a new time period in the definition.
7601(d)	112, 113, 114, 350	Commenter agrees with the Agency's revised definition in that it clarifies that a business does not have a direct relationship with a consumer "as to the personal information it sells about the consumer it collected outside of a 'first party interaction' with the consumer" because this resolves the issue of a consumer-facing business being required to delete data even if it was collected through a first party relationship.	The Agency agrees with this comment and notes commenter's support.

		Commenter urges the Agency to maintain its definition that requires data brokers delete all information, including inferences based in whole or in part on personal information collected from third parties or from consumers in a non-first party capacity. Commenter acknowledges that the revised definition ensures that data brokers do not create "direct relationships" with consumers to evade compliance.	
7601(d)	2, 3, 14, 15, 16, 18, 19, 34, 36, 37, 38, 66, 67, 113, 272, 273, 274, 275, 276, 277, 278, 282	Comment argues that the definition exceeds the Agency's authority and is inconsistent with the Delete Act and CCPA. Commenter states that the definition of "direct relationship" is overly broad and could require nearly all entities doing business in California to register as data brokers. Comment asserts that this conflicts with legislative intent as the California State Legislature did not intend for businesses that directly interface with customers to be considered "data brokers." Additionally, comment indicates that the Legislature intended the Delete Act to conceptualize challenges faced by consumers when effectuating CCPA rights from third-party data brokers that the consumer would have no reason to know are in possession of their information. Commenter indicates that did not authorize the Agency to modify the data broker definitions in both the CCPA and Delete Act, and that it would incorporate the definitions from the CCPA; thus, the Agency cannot expand the definition of data broker by broadly defining "direct relationship." Commenter asserts that consumers already have visibility into first-party business practices where data collected from sources other than the consumer or outside of a first-party interaction, would be described in the parties' privacy notices. Consumers could exercise their privacy rights with those businesses, which is effective on all non-exempt personal information maintained about the consumer. Commenter	The Agency disagrees with this comment. Both the legislative history and wording of the statute support the Agency's revised definition of "direct relationship." In the Delete Act, the Legislature provided the Agency with the authority to adopt regulations to implement the law. (Civ. Code, § 1798.99.87(a).) While defining certain terms within the statute, the Legislature did not define the term "direct relationship," nor is a definition for this term incorporated from the CCPA; it thus left the Agency with the authority to further define the term as necessary. In administering the data broker program, the Agency has become aware that the types of interactions that constitute a "direct relationship" still causes confusion for businesses and impedes compliance; thus, it is necessary to further clarify the meaning of "direct relationship." Despite the comment's assertions that the revised definition creates new liability and removes protections from first party businesses, a business that collects personal information directly from a consumer who intentionally interacts with that business (i.e., a "first party" interaction) is still not subject to the Delete Act under the revised definition—even if they sell the consumer's directly collected personal information to a third party. Rather, the revised definition simply clarifies that if a business collects and sells information about the consumer from another source, it does not have a direct relationship. To interpret the law otherwise would allow businesses to leverage any single interaction the consumer has with any component of their

		further asserts that the Agency's definition essentially says that a consumer has not interacted with a business, even if it has participated in the transaction, such as by shipping the item or handling the return, simply because the order was placed on another company's website, which is not what lawmakers intended. Commenter states definition creates new liability and removes protections from first party companies. The Agency should revise the definition to ensure that it does not capture first-party entities that the Legislature intended to exclude and realign it with the objective of assisting consumers in exercising CCPA rights with third-party entities.	business—no matter how fleeting or passive—as a means to forever broker their personal information without being subject to the Delete Act. That would actually provide a consumer with less transparency and less control over their personal information, which would conflict with the purpose of the Delete Act. Moreover, a request to delete under the CCPA is different from a request to delete under the Delete Act. Under the CCPA and its regulations, a request to delete is a defined term that applies only to personal information directly collected from a consumer. In contrast, a request to delete under the Delete Act applies only to personal information collected outside of a "first party" interaction—personal information collected when a consumer does not intend to interact with the business. As a result, if a business possesses information not collected from a consumer directly through an intentional interaction, a consumer can only delete that information through the DROP. The Delete Act therefore fills in gaps in existing right to delete protections under the CCPA for personal information collected outside of a direct and intentional interaction with the consumer. Additionally, other requirements in the Delete Act clearly contemplate that a data broker may have a first-party relationship with consumers and still be a data broker. Specifically, Civil Code § 1798.99.85 requires data brokers to annually tally and publish the number of different privacy rights requests they receive from consumers under both the Delete Act and the CCPA. As the CCPA applies to personal information that a business directly collected from a consumer, the requirement would be meaningless if data brokers never interact directly with consumers. By requiring data brokers to disclose how many delete requests they have received and complied with, the Legislature clearly contemplated that at least some data brokers have business models where they engage in first party collection of personal information, but also separately

			collect and sell personal information not collected from the consumer. The revised definition is consistent with the Delete Act's language and intent, and is within the Agency's authority.
7601(d)	17, 35, 279, 280, 281	Commenter argues that the broad definition of sale will lead to many entities now meeting the definition of data broker. Commenter states that it is common for businesses that maintain first-party relationships with consumers to augment the data they collect through first-party consumer interactions with data from third-party sources to enhance their ability to advertise and reach consumer at scale. This includes processes such as data hygiene, address standardization and updates, sales and return on investment analysis and basic marketing functions. Commenter states the definition could render all companies that do business in digital advertising in California to be considered data brokers, or potentially virtually all companies that do business in the state. Commenter states that publishers use advertising to support consumer offerings, including augmentation and enhancement from third parties. This advertising subsidizes high-quality journalism and provides consumers with informative, tailored content and advertising. The regulations could stifle these expected benefits for consumers. Consumers retain at all times the ability to directly opt out of personalized advertising as intended by the CCPA. Commenter states that the definition of "direct relationship" in the regulations has economic consequences for consumers, as well as for journalism and advertising companies because personalized advertising helps keep quality content either free or low cost. The revised definition of "direct relationship" could restrict publishers' ability to leverage common	The Agency disagrees with this comment. In administering the Delete Act, the Agency has become aware that what types of interactions constitute a "direct relationship" still causes confusion for businesses and impedes compliance; thus, it is necessary to further clarify the meaning of "direct relationship." The definition does not purport to regulate businesses who merely obtain consumer personal information when a consumer intentionally interacts with the business in a first-party context. Additionally, in circumstances where a business purchases data sets to augment the personal information they collect directly from consumers, they are not subject to the Delete Act if they do not then also sell such personal information to a third party. Moreover, a request to delete under the CCPA is different from a request to delete under the Delete Act. Under the CCPA and its regulations, a request to delete is a defined term that applies to personal information directly collected from a consumer. In contrast, a request to delete under the Delete Act applies only to personal information collected outside of a "first party" interaction—personal information collected when a consumer does not intend to interact with the business. As a result, if a business possesses information not directly collected from a consumer, only a request to delete under the Delete Act allows the consumer to exercise their right to delete personal information collected outside of a "first party" interaction. The Delete Act fills in the gaps in right to delete protections under the CCPA for personal information collected outside of a "first-party" interaction.

		advertising practices, resulting in costly operational and other obligations for news media and other business operating in the advertising ecosystem, despite not being authorized or intended by the Legislature.	Finally, the Agency cannot amend the definition of "sale," as that is a defined term in the CCPA that is incorporated into the Delete Act. The Agency cannot change the statutory definition or adopt regulations inconsistent with the statute. However, to clarify that the definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
7601(d)	20	Commenter requests modifying the definition of "direct relationship" so that it is less broad or to exempt businesses from registration if its sale of information collected outside of a first-party interaction is limited to advertising, marketing, or sharing. Commenter states this would reduce confusion for consumers when consumer-facing first parties register as data brokers and allow for them to directly learn about its processes and exercise their rights.	The Agency disagrees with this comment. It is unclear how exempting businesses that collect non-first-party information and sell or share it for advertising or marketing purposes will limit consumer confusion. Rather, it seems that commenter's suggestion would actually provide a consumer with less transparency and less control over their personal information, which conflicts with the purpose of the Delete Act. The revised definition simply clarifies that if a business collects and sells information about the consumer from another source, it does not have a direct relationship. To interpret the law otherwise would allow businesses to leverage any single interaction the consumer has with any component of their business—no matter how fleeting or passive—as a means to forever broker their personal information without being subject to the Delete Act.
7601(d)	217, 218, 219, 284, 349	Commenter requests that the Agency further clarify "direct relationship" in the definition by also defining "intent" and including objective variables a business can use to defend against compliance violations. Comment requests exemptions for whether the consumer was provided adequate notice and choices through a consent management platform or browser extension; whether the consumer affirmatively checked a box for a marketing subscription that included consent for specific third-party marketing officers with a link to the privacy policy with disclosures about the use; and when the consumer signs up for an incentive program, sweepstakes, contest, or other	The Agency disagrees with this comment. The Agency believes that the definition of "direct relationship" is reasonably clear as is the meaning of the word intent. Commenters provide no support for why they believe the standard definition of the word intent is not sufficient or for the specific definition and exemptions they propose. Moreover, in determining compliance, the Agency will consider the relevant facts and circumstances of the particular situation to evaluate whether a violation of the right to delete took place – for direct first-party relationships through the CCPA and for third-party relationships through the Delete Act. Hence, regulation is based on the activities undertaken by the business,

		third party benefit through the website or business such as at an e-commerce checkout page. On the other hand, commenter requests additional clarification to ensure that businesses do not claim a "direct relationship" to make sure that data brokers do not use indirect or passive interactions to justify a "direct relationship" or shift data amongst affiliated entities. Comment also states that regulating organizations rather than specific activities could lead to confusion in businesses with multiple lines of operation.	not on organizational structure alone. Additionally, as required under Civ Code § 1798.99.86(a)(3), consumers will be able to specifically select which data brokers they wish to send deletion requests to through DROP, and can simply not select any data broker they wish to permit to continue collecting and selling their personal information. Therefore, the Agency believes that it is not necessary to further modify the definition at this time.
7601(d)	283, 352	Comment states that the requirement for a consumer to "intend to interact" with a business is vague and overbroad, complicating the determination of a direct relationship. The regulations turn the Delete Act's clear bright line rule into a case-by-case analysis, they "muddy the waters" by raising the question of what is sufficient to constitute a consumer's subjective intent. Commenter suggests that further rulemaking may be needed to establish how data brokers show consumer intent and the ability for consumers to contest that determination.	The Agency disagrees with the comment. The definition clearly conveys that a business that collects personal information directly from a consumer who intentionally interacts with that business (i.e., a "first party" business) is not subject to the Delete Act under the revised definition—even if they sell the consumer's directly collected personal information to a third party. Rather, the revised definition simply clarifies that if a business collects and sells information about the consumer from another source—or from the consumer but under a scenario where the consumer did not interact with the business to access, purchase, use, request, or obtain information about the business' products or services (e.g., collecting personal information in a third-party capacity on another business's website using an SDK)—it does not have a direct relationship. The Agency notes comment's suggestion that further rulemaking may be needed and looks forward to continuing to work with stakeholders on future policy development.
7601(g)	220	Commenter requests the definition be removed because it places an unnecessary technical burden on small businesses and unsophisticated data brokers. Commenter requests a delay for one or more years for this requirement.	The Agency disagrees with this comment. Standardization of data formats is necessary to enhance the accuracy and reliability of data matching, which is crucial for the effective implementation of deletion requests. The Agency has determined that the consistency achieved through standardization will be more effective and efficient than allowing data brokers to use different

			methods, which more closely aligns with the purpose of the Delete Act. Additionally, the Delete Act, in Civil Code § 1798.99.86(c)(1), contains a delayed implementation date. Specifically, data brokers are not required to begin accessing the DROP until August 1, 2026. Moreover, including a different implementation date would not be consistent with the Delete Act.
7601(i)	125	Commenter appreciates the definition of "personal information associated with a matched identifier," because personal information should include inferences subject to applicable exemptions.	The Agency agrees with this comment and notes commenter's support.
7601(i)	221, 286, 287, 348	Commenter suggests clarifying the scope of information data brokers must delete in response to a deletion request by defining “matched identifier” and clarifying the inferences included in the definition. Comment suggests adding a definition for "matched identifier" to promote uniform interpretation and avoid ambiguity, and provides suggested language. Comment suggests clarifying the scope of information data brokers must delete in response to a deletion request. Comment requests that the reference to "inferences" be clarified to apply only to "individual identifiers associated with the DROP" and not to all "personal information," which could include "households" or other aggregate information. Comment provides proposed language.	The Agency disagrees with this comment. The revised regulations clearly explain how to compare a data broker list if it is one with multiple identifiers, but does not specifically preclude the use of a deletion list with a single identifier. Moreover, the Agency removed the more than 50% match rate threshold for consumer deletion list identifiers; the revised regulations require a 100% match to ensure a more precise match and reduce the likelihood of erroneous deletions. Inferences are personal information within the Delete Act. (*See* Civ. Code §§ 1798.99.80(a); 1798.140(v).) The regulation is consistent with the Delete Act, and the Agency cannot adopt regulations inconsistent with the Delete Act. The regulations address how data brokers should handle situations when an identifier matches to more than one consumer; therefore, the Agency has determined that the suggested language related to individual identifiers is not necessary.
7602(a)	81, 82, 83, 84, 85, 86, 296, 297	Commenter states that under the regulations, some companies would need to register and maintain multiple DROP accounts because of the subsidiaries within a business, despite operating a centralized privacy request system where privacy requests are fulfilled across all affiliated entities.	The Agency disagrees with this comment. The requirement for each parent company and subsidiary acting as a data broker to register is already contained in the regulations, and the Agency has not proposed or made any modifications to that requirement in this rulemaking action. Rather, the Agency added a provision

		Commenter states that the regulations may cause consumer confusion because multiple unrelated DROP entry points may appear for the same company and may lead to fragmentation processing; lead to administrative and technical burdens which don't enhance privacy. Commenter requests that the CPPA allow a single, parent-level DROP registration for affiliated businesses operating under a unified privacy program, which will be accountable for all consumer requests across its registered subsidiaries. Commenter supports the requirement to register and pay a fee for each legal entity qualifying as a data broker, but requests the presentation of DROP accounts to be consumer-friendly and operationally efficient.	that data brokers create a DROP account as part of their registration submission. At the time the original subsection was adopted, the DROP did not exist. With the development of the DROP, it is more efficient for data brokers and the Agency to have registration submitted through the DROP. In addition, consumers will be allowed to select individual data brokers whom they want to send deletion requests to, and some consumers may wish to issue deletion instructions to one data broker but not to its affiliated parent or subsidiary business. It is therefore necessary to keep unique data broker accounts separate so that deletion instructions do not get confused or misattributed between affiliated businesses.

ARTICLE 3. DELETE REQUEST AND OPT-OUT PLATFORM REQUIREMENTS

Section of Regulation	Comment Numbers	Summary of Comments 45-Day Comment Period	Agency Response
7610(a)	222, 229	Comment requests that the regulation be modified to allow businesses to use agents to register on a data broker's behalf to ease compliance for small businesses. Comment states data broker should be required to disclose the use of an agent before accessing DROP for the first time.	The Agency disagrees with this comment. § 7610(a)(1) already addresses the use of a data broker's credentials to access the DROP. Specifically, the regulation limits it to persons authorized to act on the data broker's behalf, and clarifies that the data broker is responsible for all actions taken through its DROP account. This provides the data broker operational flexibility while ensuring accountability. The comment's suggested modifications are not necessary.
7610(a)(1)(D)	288	Comment suggests limiting data broker liability to instances of negligent failure to comply with security measures. The regulations would impose liability even in circumstances when a malicious actor gains access to the DROP account through no fault of the data broker.	The Agency disagrees with limiting liability to negligence alone. § 7610(a)(1)(D) states that a data broker is responsible for all actions taken through its DROP account. This ensures accountability while maintaining a reasonable standard of diligence for DROP account security. However, in determining whether to take an enforcement action, the Agency will

			consider the relevant facts and circumstances of each particular situation.
7610(a)(3)	115, 116	Commenter states that § 7610(a)(3)(A) requires data brokers to select all lists that match personal information to the consumer who submitted the deletion request, but also allows them to select fewer lists if "consumer identifiers used across multiple lists will result in matches to a completely duplicative list of consumers within the data broker's records." Commenter asserts that this may allow data broker to select lists they know will results in fewer successful deletion requests. Commenter requests that the Agency delete § 7610(a)(3)(B) and require data brokers to select all consumer deletion lists that match personal information in their records.	The Agency disagrees with this comment. § 7610(a)(3)(B) provides necessary flexibility to prevent unnecessary duplication and ensure efficient processing of deletion requests. However, § 7610(a)(3)(A) still requires data brokers to select all consumer deletion lists that contain a consumer identifier or identifiers that match personal information about the consumer within the data broker's records, ensuring that all relevant data is considered for deletion. This balances efficiency and thoroughness in processing deletion requests.
7610(a)(3)	230, 289	Commenter states the regulations contradict each other because a data broker must select at least one list but also must select all lists that could potentially contain identifiers matching to personal information. Commenter states data brokers could face penalties for non-compliance if the DROP fails to provide a deletion list that can match to a data broker's database. Commenter recommends that the regulation be modified to state that data brokers select consumer deletion lists that contain consumer identifiers that they reasonably believe may match with personal information held within the data broker's records.	The Agency disagrees with this comment. The regulations work together to require data brokers to select at least one consumer deletion list to comply with consumer deletion requests. Without this requirement, a data broker could choose a deletion list that does not include a common type of identifier in the data broker's records, resulting in a low or no match rate. This requirement to select the deletion list that will produce the most matches prevents data brokers from minimizing the number of matches, which, in turn, minimizes the number of deletion requests processed.
7610(a)(3)	231	Commenter states that requiring a data broker to select all consumer deletion lists that may contain identifiers that match to a data broker's records may be burdensome for brokers who possess a wide range of consumer personal information. Commenter states that the requirement should	The Agency disagrees with this comment. The requirement to select all consumer deletion lists that contain identifiers that may match to personal information in the data broker's records ensures that data brokers will receive and comply with the greatest number of deletion requests. Changing the standard to minimally necessary could introduce loopholes for

		be narrowed to whether a data broker can process requests by only accessing the lists minimally necessary.	data brokers to process fewer deletion requests. Furthermore, data brokers would not necessarily know which lists are minimally necessary because each list will contain a unique set of identifiers and may represent requests from different consumers.
7610(a)(3)(B)	232	Commenter states the term "collects" is ambiguous and requests clarification. Commenter proposes that "collects" only refers to consumer identifiers as maintained in system to clarify that it applies to identifiers actively held within a data broker's database.	The Agency disagrees with this comment. The Delete Act states, in Civil Code § 1798.99.80(a), that the definitions from Civil Code § 1798.140 shall apply unless otherwise specified. The term "collect" is a defined term in Civil Code § 1798.140(f). The Agency cannot change the statutory definition or adopt regulations inconsistent with the statute. However, to clarify that the definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
7610(a)(3)(C)	233, 234	Commenter requests flexibility in access to consumer deletion list selection. Alternatively, commenter requests a cure period of exemption for instances where personal information matching attempts within a 45-day window were erroneously omitted from a list.	The Agency disagrees with this comment. Having data brokers select lists on a 45-day cycle is consistent with when a data broker will access the DROP to download deletion lists. Furthermore, the Delete Act does not contain a right to cure, and the Agency does not believe that a safe harbor is necessary or consistent with the Delete Act. In determining whether a violation of the Delete Act has occurred, the Agency will consider the facts and circumstances of the situation.
7611	51, 155, 167	Commenter states the fees exceed the projected cost and the statutory authority of the Agency. Commenter requests the Agency to explain and justify how the fees are reasonably related to the estimated costs. Commenter states that the Agency has not specified how the registration fees are related to the Agency's reasonable costs. Commenter states that the fees generated from the regulations exceed the estimated costs by over $1 million. Commenter states there is not an	The Agency disagrees with this comment. The Agency has addressed the economic and fiscal impacts of the proposed action as required by the APA. The registration and access fees are not subject to the rulemaking requirements under the Administrative Procedure Act. (See Cal. Civ. Code § 1798.99.87(b).) The amount of the registration fee is contained in § 7600, which has not been modified by the proposed action and was adopted in a separate action by the Agency. While not on the proposed action, the Agency notes

		explanation for these cost figures or how the registration fees are reasonably related to the costs.	commenter's concern and looks forward to continuing to work with stakeholders on future policy development.
7611(a)	235, 236, 237	Commenter requests that § 7611 be modified to apply to all data brokers regardless of when a data broker begins operations as a data broker. The language implies that the section only applies to data brokers who begin operations after January 31 of a given year. Commenter argues that the language "prior to operating as a data broker" is too broad and conflicts with Civil Code § 1798.99.82 as it may have companies labeled data brokers before registration in January for the prior year.	The Agency disagrees with this comment. The access fee in § 7611 is intended to apply to businesses who first begin acting as a data broker in a particular year, if they have not already operated as a data broker in the prior calendar year. Otherwise, a business could be accessing the DROP for up to a year having paid no fees to support the cost of its use. The access fee is not subject to rulemaking under the Administrative Procedure Act ("APA"). (*See* Civil Code § 1798.99.87(b).)
7611(a)(2)	238	Commenter asserts that this section should be rephrased to require data brokers to register and access the DROP only after they engage in data broker sales activities.	The Agency disagrees with this comment. § 7611(a)(2) indicates that a business must begin accessing the DROP within 45 days of commencing operation as a data broker. The Delete Act, in Civil Code § 1798.99.86, requires data brokers to access the DROP at least once every 45 days beginning August 1, 2026. Therefore, when a business meets the definition of data broker, this provision is applicable. The Agency cannot modify the Delete Act or adopt regulations inconsistent with the Delete Act.
7611(a)(3)	290	Comment suggests clarifying that data brokers who pay the annual registration fee should not be required to pay an additional first-time access fee.	The Agency agrees with this comment. The Agency revised § 7611(a)(3) to include language clarifying that a data broker does not have to pay a first-time access fee if the data broker has already paid a registration fee that calendar year.
7611(a)(3)	239	Commenter requests clarification that the first-time access fees are exclusively applicable to 2026 and that the fee structure for 2027 is subject to review and change. Commenter requests that the fee structure is reverted to 2024 or is created on a sliding scale price structure based on revenue or with Delete Act's enforcement budget necessities.	The Agency agrees with this comment in part, as the Agency will reassess the access fee and adjust it as appropriate. However, the Agency does not think it is necessary to add to the regulations that the access fee is only for 2026, and it is possible that the access fee will remain the same beyond 2026. If the Agency changes the access fee, it will update the regulation to reflect the new fee. Finally, the Agency notes that

			the access fee is not subject to rulemaking under the APA. (*See* Civil Code § 1798.99.87(b).)
7611(b)	240	Commenter requests an exemption for data brokers operating during 2025 from retroactive enforcement actions or violations in 2025. Commenter states that this will ensure businesses are not penalized for actions taken before DROP is fully implemented or fully understood.	The Agency disagrees with this comment. The Delete Act, in Civil Code § 1798.99.86, requires data brokers to access the DROP at least one every 45 days beginning August 1, 2026. The requirement to access the DROP has not been, and will not be, effective in 2025.
7612(b)	90	Commenter recommends that the CPPA gather information on existing technical configurations and competencies in the data broker community to take into account when contemplating potential specifications for automated means and especially the constraints faced by small and medium sized data brokers.	The Agency agrees with this comment in part. The Agency has provided a preliminary comment period to allow input from data brokers on specifications, as well as reached out to data brokers to offer the opportunity to provide input on specifications. Nevertheless, the Agency notes commenter's recommendation and looks forward to continuing to work with stakeholders on DROP implementation and future policy development.
7612(b)	197	Commenter, a software provider, supports the regulation.	The Agency agrees with this comment and notes commenters support.
7612(b)	198	Commenter requests clarification about what happens when the automated DROP connection fails. Commenter states the phrase can include a large number of events that occur when automating a connection via API. Commenter requests to clarify whether this subsection is intended for notifying the Agency that an automated service used by a data broker is not fulfilling its responsibilities or for an enhanced logging feature for all service and connection issues stemming from automatic connection with the DROP platform.	The Agency disagrees with this comment. The regulations clearly indicate that if a data broker is unable to timely download its deletion list for any reason, the data broker must manually download the lists. Subparagraph (1) goes on to indicate that the Agency must be notified if the connection fails within the 45–day time period between required DROP access sessions to download deletion lists – and if the failure occurs due to no fault of the data broker. The language of the regulation focuses on situations when the data broker is unable to meet the timelines; which allows the Agency to be aware of systemic or platform-level issues that may affect compliance timelines, not to require reporting of every minor or transient technical issue.

7612(b)(1)	91	Commenter requests clarification regarding the notification process. Specifically, commenter requests the phrase "in writing" be clarified to include email as an acceptable means of notification and requests to define the notification process by which a data broker shall notify the Agency of a failed connection.	The Agency disagrees with this comment. The Agency has not identified a particular method of writing to allow for flexibility in the method of written notification. Depending on the circumstances of the failure, certain methods of notification may not be available, thus, not allowing the data broker to comply with the name notification method. Therefore, the Agency determined that a performance standard was appropriate.
7612(c)	92, 93	Commenter indicates that the provision is ambiguous as to whether the subsequent downloads are based on the last download for that specific data broker or all data brokers. Commenter asserts that a better solution to clarify this provision is permitting data brokers to download all new or amended consumer deletion requests in a specific time period determined by the data broker and to be able to download the complete list at any time without restrictions as making the information readily available at any scope and any time is invaluable to ensuring compliance.	The Agency disagrees with the comment. The language clearly states that after the first time the data broker downloads the list, all subsequent downloads will contain new or amended deletion requests received after the data broker's most recent download; thus, clearly indicating that it is based on that data broker's own most recent download. Otherwise, if it was based on any data broker's downloads, all other data brokers would potentially not receive numerous consumer delete requests. Allowing all data brokers to download the complete list at any time without restrictions poses technical infrastructure challenges and security concerns; however, the Agency has included an exception allowing data brokers to request to re-download the complete list for specified reasons, including compliance.
7613(a)(1) & 7616(b)	10, 64, 79, 138, 151, 154, 171, 299	Commenter states that the regulations' requirement for covered entities to reformat their data in a standardized manner by removing all capital letters, extraneous, and special characters may improve efficiency, but could create data security issues. Commenter states the lack of adequate security for the DROP will allow for abuses by commercial interests, hacktivists, and malevolent actors. Uniform standardization for all data brokers could introduce security risks by reducing variability in data structures and creating	The Agency disagrees with this comment. Standardization of data formats is necessary to enhance the accuracy and reliability of data matching processes, which is crucial for the effective implementation of the right to delete under the Delete Act. These measures do not inherently increase data security risks. Instead, they ensure consistency and reduce the likelihood of errors in data processing. Additionally, the regulations mandate that data brokers implement and maintain reasonable security procedures and practices to

		uniform attack surfaces. Commenter states the data security issues in California and United States are a government problem and not a private sector problem, which should not be pushed onto the private sector without statutory authority.	protect personal information from unauthorized access, destruction, use, modification, or disclosure, as outlined in § 7616(b). These combined measures address data security while achieving the objectives of the Delete Act. Finally, the Agency notes that the regulations clarify that data brokers' data sets only need to be standardized to compare identifiers within deletion lists, but otherwise do not need to be retained in such formats. This means that a data broker could standardize certain identifiers on a temporary basis and not maintain personal information in standardized formats after completing the required deletion list comparisons, reducing security risks.
7613(a)(1)	11, 32, 65, 80, 152	Commenter states that reformatting data in a standardized manner raises First Amendment concerns. Commenter asserts that the data standardization required by the regulations affects data brokers' ability to convey their message to consumers because it requires data brokers to substantively alter the contents of their databases. Specifically, where formatting affects how information is stored, categorized, or expressed, or the products and services offered. Commenter states requiring altering the database to "increase the likelihood of a match" may have downstream effects on the reports and data compilations data brokers provide to customers, which could also burden their ability to communicate with consumers in the manner they choose. Moreover, comment asserts that the requirement is not sufficiently tailored to the state's purpose. Commenter request the data standardization requirement should be removed.	The Agency disagrees with this comment. The requirement to standardize data does not violate the First Amendment and implements a valid state law. The regulation merely requires that personal information be, at least temporarily, standardized for purposes of complying with the Delete Act. In addition, nothing in the regulation requires a data broker to alter or augment their original data sets. For example, a data broker can duplicate certain identifier lists in their databases, standardize the duplicate copy for purposes of comparing identifiers with a deletion list, and then delete the standardized identifier list after completing all necessary deletions. The regulation also does not require data to be disclosed, sold, or shared in any particular manner. Instead, the regulation merely requires a data broker to temporarily format the data in a standardized form to enable the data broker to comply with its statutory obligations under the Delete Act. The data broker may maintain the data in other formats for other purposes.

7613(a)(1)	54, 142, 153, 174	Commenter expresses constitutional concerns on the requirement to reformat databases. Commenter states this requirement deprives businesses of their property interests without just compensation in violation of the Fifth Amendment's Takings clause. Commenter asserts data represents a property interest and requiring data brokers to alter databases by standardizing the data format without just compensation violates the Fifth Amendment. Commenter also asserts the requirement to standardize data format violates the Fourteenth Amendment.	The Agency disagrees with this comment. The regulations do not violate the Constitution. The requirement that data brokers standardize and hash personal information in their records to facilitate accurate matching with consumer deletion requests is a procedural obligation that governs how businesses must comply with statutory duties imposed by a valid state law. It does not involve the government seizing or appropriating private property for public use, nor does it deprive businesses of the economic use of their data systems. Businesses retain full ownership and use of their databases and are simply required to implement reasonable technical measures on a temporary basis to comply with consumer deletion requests. The requirement for data standardization is limited to the specific context of matching consumer personal information to consumer deletion lists provided through DROP and providing that information to service providers and contractors. The regulations do not purport to tell businesses how to maintain their own data sets. Although commenter references the Fourteenth Amendment, commenter fails to explain the specific violation of due process.
7613(a)(1)	175	Commenter asserts the regulations present constitutional issues with respect to the Commerce Clause of the Constitution. Commenter asserts the Delete Act imposes compliance costs for out-of-state data brokers and differs from other state regulatory schemes. Commenter asserts it is akin to interstate data flows.	The Agency disagrees with this comment. The Delete Act applies to data brokers that do business in California and collect personal information about California residents. The regulations do not discriminate against or unduly burden interstate commerce. They are a lawful exercise of California's authority to protect the privacy of its residents.
7613(a)(1)	12, 13, 141, 169, 170	Commenter asserts that the regulations exceed the Agency's statutory authority. Commenter argues the data standardization requirements go beyond the Delete Act's purpose and requirements and is unnecessary to achieve the Delete Act's goals. Commenter states the Delete Act provides authority to implement the deletion mechanism and not how	The Agency disagrees with this comment. In the Delete Act, the Legislature provided the Agency with the authority to adopt regulations to implement the law. (Civ. Code, § 1798.99.87(a).) Standardization of data formats implements Civil Code § 1798.99.86 (b) and is necessary to enhance the accuracy and reliability of data matching, which is crucial for

		data brokers organize their databases, which could be too expensive for smaller data brokers and technically incompatible with business operations. Commenter states that by requiring the removal of special characters, the regulations dismiss the cultural importance of the individual consumer in an inappropriate manner given the historical context of naming and immigration. Names and special characters can hold significant cultural importance. Commenter states names with characters from non-Latin alphabets could experience discriminatory consequences as a result of the regulation. Commenter requests that the requirement for data to be standardized, removing all capital letters, extraneous, and special characters be removed from the regulations.	the effective implementation of the right to delete under the Delete Act. Data brokers may choose to keep their data in a different format and are only required to temporarily standardize certain identifiers for purposes of complying with the Delete Act and regulations. The Agency understands the cultural significance of special characters; the removal of these characters is a technical measure to enhance data compatibility and integrity, and data brokers are not required to use standardized versions of identifiers for any other purpose, including commercial use. Revised § 7613(a)(1)(ii) acknowledges non-English special characters and explains how they must be converted to facilitate the accurate matching of consumer identifiers for purposes of honoring individual consumer's delete requests and to prevent unauthorized deletions. The regulations balance the need for accurate data processing with the protection of consumer privacy.
7613(a)(1)(A)	31, 140, 168, 189, 242	Comment asserts requiring data standardization is intrusive, unduly onerous, and would impact the integrity of datasets. Comment asserts the requirement makes it necessary for data brokers to maintain multiple databases for DROP compliance and business operations. Comment asserts this requirement is particularly burdensome for small and mid-sized data brokers, who may not necessarily maintain databases in the traditional sense, for example, combining lists they have procured and then selling it off. Comment states this interferes with the accuracy and functionality of data broker's datasets; while increasing storage, creating inconsistences, and creating security risks. Comment states it may conflict with standard data security practices and existing commercial terms. Comment states it increases the risk of	The Agency disagrees with this comment. Standardization of data formats is necessary to enhance the accuracy and reliability of data matching, which is crucial for the effective implementation of the right to delete. Data brokers may choose to keep their data in a different format and are only required to temporarily standardize certain identifiers for purposes of complying with the Delete Act and regulations. Commenter states it may conflict with standard data security practices and existing commercial terms, however, provides no points of conflict between the regulations and standard data security or existing commercial terms. The regulations do not inherently increase data security risks. Instead, they ensure consistency and reduce the likelihood of errors in deletion request processing. Additionally, the regulations mandate that data brokers implement and maintain reasonable security

		incorrect data points which may affect match rate. Comment recommends removing standardization requirements.	procedures and practices to protect personal information from unauthorized access, destruction, use, modification, or disclosure, as outlined in § 7616(b). These combined measures address data security while achieving the objectives of the Delete Act.
7613(a)(1)(A)	94, 300, 302, 303	Comment suggests the Agency provide guidelines, rather than rules and allow data brokers to apply data matching standards that are demonstrably effective. Another comment recommends the standard to include a good faith match with the same confidence a data broker would use for its own commercial data. Comment states this is because an increase in match rate is not an indication of success because false positive matches are possible. Comment recommends data brokers be allowed to use existing, validated data matching systems and the Agency consider sand box data broker testing of those existing matching systems before enforcing the over 50% matching threshold. Comment states requiring parallel matching systems may increase error rates, reduce reliability, and create potential conflicts.	The Agency disagrees with this comment. Standardization of data formats is necessary to enhance the accuracy and reliability of data matching, which is crucial for the effective implementation of deletion requests. The Agency has determined that the consistency achieved through standardization will be more effective and efficient than allowing data brokers to use different methods, which more closely aligns with the purpose of the Delete Act. Additionally, The Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions. Despite commenter's assertion, the Agency does not require parallel matching systems.
7613(a)(1)(A)	298	Commenter states that requiring the removal of special characters may reduce data accuracy as street addresses could be misread and email addresses could become unrecognizable, making fulfillment of deletion request difficult.	The Agency agrees with this comment in part and has revised the regulations to remove the requirement that extraneous and special characters be removed from email addresses as part of the standardization. Moreover, despite commenter's assertion, standardizing the data to compare the DROP deletion list with the data broker's records will lead to consistency for purposes of identifying a match and increase the likelihood of an accurate match.
7613(a)(1)(A)	193, 194, 195	Commenter states there should be more specification about the exact format for birth date. Commenter suggests using YYYY-MM-DD format. Commenter states that a 5-digit zip code is sufficient. Commenter states that a phone number	The Agency agrees with this comment. The Agency has revised the regulations to provide more specificity and examples of the standardized format for birth date, zip code, and phone number that must be used to compare the data broker's

		should be reduced to a 10-digit subscriber number as a single string such as "2135555555".	records and a consumer deletion list. The regulations call for zip code and phone number to be formatted as suggested in the comment, while birth date does not include the hyphens suggested in the comment.
7613(a)(1)(B)	73, 74, 75	Commenter states that encryption would be the best method to provide information to data brokers, as opposed to hashing. Commenter states that hashing will make it more difficult on the data broker to fulfill a deletion request because the hash would need to have an exact match to their data as there will be no ability to match identifiers that are similar but not exact. Commenter states that processing a hash makes it difficult to investigate issues in processing, such as determining mismatch due to a similar name.	The Agency disagrees with this comment. Hashing allows for the comparison of data without revealing the actual data, supporting privacy and security. Encryption would require data brokers to have the ability to decrypt the information, which could introduce additional security risks and complexities. Hashing balances security and functionality, allowing data brokers to process deletion requests effectively while maintaining consumer privacy. The Agency made changes to address the concern that hashing may make it more difficult for data brokers to fulfill deletion requests due to the need for exact matches. Specifically, the Agency modified § 7613(a)(1)(A) to include detailed standardization requirements for personal information before hashing, such as converting names to lowercase, removing extraneous characters, and formatting dates of birth, zip codes, and phone numbers in a standardized way. As revised, § 7613(a)(1)(B) specifies that data brokers must use the same hashing algorithm provided in the consumer deletion list to hash the consumer personal information within the data broker's records and the Agency has revised the match rate threshold for consumer identifiers to 100%. These measures are designed to increase the likelihood of an accurate match between the data broker's records and the consumer deletion list, while minimizing erroneous deletions.
7613(a)(1)(B)	117, 118, 119, 120, 121, 122	Commenter states that providing data brokers with a hashed list of identifiers for which to compare to their data poses significant privacy risks as it does not render it anonymous and may allow potential linkages among the data brokers.	The Agency disagrees with this comment. The regulations include stringent measures to mitigate privacy risks associated with providing hashed data to data brokers. Specifically, § 7616(b) requires data brokers to implement and maintain

		Commenter states that there may be data brokers who do not abide by the regulations that forbid data brokers from using the identifiers for purposes other than processing deletion requests, for example using the information to augment their data bases. Commenter suggests, as alternatives to sharing hashed identifiers, a private set intersection that would allow two parties to compare data, and only allows results that show shared records in order to avoid data leaks, or matching records in a trusted execution environment where only the identity of the consumer records that should be deleted are revealed to the data broker. Commenter states that while alternatives to sharing hashed data might have consequences such as preventing data brokers from suppressing identifiers in the future, that consequence is outweighed by the benefit of reducing data leakage.	reasonable security procedures and practices appropriate to the nature of the personal information provided by the Agency, to protect such personal information from unauthorized access, destruction, use, modification, or disclosure. Additionally, § 7616(a) prohibits data brokers from using consumer personal information provided by the Agency for any purpose other than complying with Civil Code § 1798.99.86. These provisions safeguard consumer data during the deletion process. The Agency agrees that there may be data brokers that do not abide by the regulatory restrictions, which unfortunately can be true with any requirement. In such instances, the Agency has the authority to enforce the Delete Act and these implementing regulations. The Agency notes the alternatives to hashing suggested by commenter, but the Agency has determined that hashing is a widely used, secure, and accessible method of protecting data, and that any method that prevents the ongoing suppression of identifiers by data brokers fails to adequately implement the law.
7613(a)(1)(B)	196	Commenter recommends SHA-256 hashing because it is ubiquitous and easily accessible in a variety of free implementations	The Agency notes commenter's recommendation and agrees that SHA-256 is a widely used, secure, and accessible hashing algorithm.
7613(a)(2)	384, 385, 386	Commenter states that the regulations need to clarify the definition of "matched identifiers" because it is not explicit whether a matching name alone is sufficient verification for deletion. Commenter states that businesses may interpret matching requirements differently, leading to inconsistent deletion outcomes. Commenter states that many names are common; therefore, there may be unintended data removal from false consumer identification. Commenter suggests a more comprehensive definition of "matched identifier", such as stating in the regulations that a "matched identifier" is an exact first and last name match	The Agency disagrees with this comment in part. The revised regulations clearly explain how to compare a data broker list if it is one with multiple identifiers, but does not specifically preclude the use of a deletion list with a single identifier. Nevertheless, the Agency removed the more than 50% match rate threshold for consumer deletion list identifiers; the revised regulations require a 100% 100% match to ensure a more precise match and reduce the likelihood of erroneous deletions. Finally, if there are multiple matches with a given identifier, the regulations only require data brokers to opt consumers out of the sale or sharing of their personal

		combined with at last one of the following: complete email address, complete direct telephone number with area code, government issued identification number, and/or complete postal address match between the deletion list and the data broker's data set.	information; they do not require data brokers to delete all records.
7613(a)(2)(A)	6, 28, 39, 40, 43, 56, 69, 70, 159, 188	Commenter states that the regulations match threshold conflicts with the CCPA requirements. These regulations require data brokers to delete personal information if more than 50 percent of unique identifiers match a consumer record maintained by the data broker, while the CCPA requires that a data broker honor deletion requests if the identity of the consumer is verified to a "reasonable or reasonably high degree of certainty." Commenter states that a "reasonably high degree of certainty" under the CCPA requires matching at least 3 pieces of personal information to verify that the consumer request is legitimate. Commenter states the more than 50% threshold conflicts with this provision; verification should not be about various identifier lists but instead about the unique individual. Commenter requests harmonizing the regulation to CCPA and states that failure to do so can result in a lawsuit under the California APA that the final regulations are not "consistent with the governing law."	The Agency disagrees with this comment. The regulations implement the Delete Act, which is separate and distinct from the CCPA. Although some businesses may be subject to both laws, each law serves specific purposes with respect to deletion rights; the CCPA's right to delete addresses information collected directly from the consumer and the Delete Act's deletion requests address information not collected directly from the consumer. The match rate threshold for consumer identifiers for the purposes of fulfilling a deletion request through DROP is a separate and distinguishable standard from the verification standards for purposes of the CCPA right to delete regulations. These regulations are consistent with the Delete Act, which is the governing law for this proposal. However, the Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions.
7613(a)(2)(A)	7, 29, 41, 42, 55, 68, 95, 97, 98, 145, 157, 158, 187, 243, 245, 301	Commenter states the regulation is overly broad and will likely result in deletion of consumer personal information who did not submit a DROP request. In some instances, consumers may share some of the same information, such as a multigenerational household where a name has been passed down. Commenter argues this could lead to mass opt-out for multiple consumers, some of whom did not exercise their request to delete. Commenter states the more than 50% match threshold conflicts with other California laws and can cause the failure to accurately identify a consumer	The Agency disagrees with this comment. The Agency is unaware of any other California laws that conflict with the regulations and commenter fails to identify them for the Agency to evaluate. Moreover, a consumer does not carry the same expectations or vulnerabilities with respect to personal information being deleted when that personal information was not intentionally provided to a business by the consumer or the business collected it from another source. Information subject to deletion under the Delete Act is only information that a

		Commenter asserts this impacts the rights and freedoms of other California consumers by resulting in deletion of data they did not wish to remove because the Agency has assumed or inferred consent. Commenter also notes that overly inclusive deletion will harm consumers because they may rely on their data being shared in order to access products and services that they need. Commenter states this can cause the denial of services and opportunities without consent, fraudulent submissions, and poor behavior by bad actors. Commenter recommends clarification that the personal information deleted does not include inferences based on personal information and only includes the data included in consumer deletion lists. Commenter recommends clarification that when personal information is associated with multiple consumers, the rule should specify deletion of personal information "solely or primarily associated" with the consumer who submitted a DROP request. Commenter recommends that a data broker be able to match any "deterministic" data that precisely matches the data in its system, but not "probabilistic" data that may be associated with additional records. Commenter states that the more than 50% match rule is unduly complicated, causes unnecessary confusion, and will result in reduced privacy for consumers. Comment asserts that this provision inconsistent with the Delete Act, which requires consumers to request deletion.	consumer did not intentionally give to a data broker, and therefore there is not the same sensitivity to that information being deleted or opted-out. In addition, the regulations only require data brokers to opt consumers out of the sale or sharing of their personal information if there are multiple matches with a given identifier. Deletion is not required in such instances, reducing the chance of erroneous deletion. Nevertheless, the Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions. The regulations balance the Delete Act's purpose of providing one place to request deletion from many data brokers while also providing a baseline for accuracy in processing requests. Finally, the regulations require deletion of inferences and other associated personal information, because the Delete Act specifically requires data brokers to "delete any personal information related to that consumer held by the data broker or associated service provider or contractor," and "personal information" includes inferences. (Civil Code §§ 1798.99.86(a)(2); 1798.140(v).)
7613(a)(2)(A)	96, 123, 124, 136	Comment recommends direct matches on deterministic identifiers and uncertain or inferred data should not be more impactful than deterministic data. The identity matching requirement is insufficient. Comment recommends removing the more than 50% match rule. Comment states the more than 50% rule provides a means to avoid opting out of a	The Agency agrees in part with this comment, to the extent it suggests clarifying how to match consumer identifiers in data broker records to a consumer deletion list that includes multiple identifiers. The Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous

		match and introduces a loophole when an e-mail directly matches. On the other hand, another comment states that they are generally supportive of the regulations that require data brokers to delete personal information with multi-part identifiers (such as combinations of names, birthdates, and zip codes) if more than 50 percent of the identifiers match. The Agency should clarify that in situations with multiple consumers with varying numbers of matching identifiers, the data broker must delete the one with the most matching identifiers.	deletions. Additionally, the Agency revised § 7613(a)(2)(A) to clarify how a data broker must hash the information from its records when a consumer deletion list contains a combination of identifiers. The regulations balance the Delete Act's purpose of providing one place to request deletion from many data brokers while also providing a baseline of accuracy in processing requests.
7613(a)(2)(B)	99	Commenter states there is a loophole where two consumers could be opted out using the same identifier such as when multiple consumers live in one address. Commenter recommends that the language provides that a data broker can apply good faith reasons to assume when a request is for a specific consumer and not a set of consumers.	The Agency disagrees with this comment. The requirement implements Civil Code § 1798.99.86(c)(1)(B), which requires data brokers to process requests as an opt-out of sale/sharing when a request cannot be verified because multiple consumers are matched to the identifier. The Agency has clarified this standard in the regulations by requiring opt-out only (as opposed to deletion) when multiple consumers match the given identifier(s) from a deletion request.
7613(a)(2)(B)	146	Commenter states the more than 50% match threshold can cause a consumer to be denied the receipt of protected speech without their consent; thus, violates the speech rights of both the sender and receiver.	The Agency disagrees with this comment. The regulations do not restrict speech but govern the handling of personal data in accordance with verified consumer requests. The more than 50% match threshold is a technical standard for matching, not a restriction on communication. Nevertheless, the Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions.
7613(a)(2)(B)	388	Comment suggests that the definition of "personal information associated with a matched identifier" should be more clear in the regulations because it is possible that a phone number match on a deletion request might be a central reception line connecting many employees of a	The Agency disagrees with this comment. § 7613(a)(2)(B) provides guidance for how to proceed when a data broker associates multiple consumers with a matched identifier. In addition, the DROP will employ multi-factor authentication for phone numbers, making it impossible for a consumer to

		company, causing their information to be removed regardless of their individual preferences.	submit a phone number that they don't have access and control over when submitting a deletion request.
7613(b)	342, 346	Commenter states regulations are not clear as to what types of personal data that a data broker must delete based on their selected deletion list(s) and recommends Agency clarify types of data DROP will use for sole purpose of facilitating data broker deletion of personal information inferences, especially when it comes to sensitive data, such as geolocation and biometric data. Commenter states that this may cause consumers to overestimate the efficacy of the DROP.	The Agency disagrees with this comment. The Delete Act and the regulations together address what personal information must be deleted. Specifically, the Delete Act requires data brokers to "delete any personal information related to that consumer held by the data broker or associated service provider or contractor" (Civil Code § 1798.99.86(a)(2).) The Delete Act further states that the definitions in Civil Code § 1798.140 shall apply unless otherwise defined in the Delete Act. (Civ. Code § 1798.99.80(a).) Personal information is defined in Civil Code § 1798.140(v) and includes inferences, geolocation data, biometric data, sensitive personal information, and more. However, to clarify that the definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
7613(b)	370	Commenter requests further guidance in the regulations on balancing a DROP request with business's legal obligations to retain consumer personal information when a consumer deactivates or terminates an account.	The Agency disagrees with this comment. § 7612(b)(1)(B) states that a data broker must continue to maintain the minimum personal information necessary to facilitate compliance with Civil Code § 1798.99.86(c) and (d) unless the consumer amends or cancels their deletion request. In addition, § 7613(b)(1)(B) clarifies that a data broker must not use any of the personal information for any purpose other than Delete Act compliance, unless a statutory exemption applies. Comment fails to identify the particular legal obligations to which they refer.
7613(b)(1)	97, 100, 244, 285	Commenter recommends clarification that the personal information deleted does not include inferences based on personal information and only includes the data included in consumer deletion lists. Comment indicates that requiring the	The Agency disagrees with the comment. Data brokers are required to delete personal information as defined in Civil Code § 1798.140. (*See* Civ. Code § 1798.99.80(a).) Personal information is defined in Civil Code § 1798.140(v) and includes

		deletion of inferences is not found in the Delete Act and risks constitutional infirmities.	inferences. Thus, data brokers are required to delete inferences about consumers. The regulation complies with the Delete Act, and the Agency cannot adopt regulations inconsistent with the Delete Act. However, to clarify that the definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
7613(b)(1)	126, 127	Commenter indicates that the Agency's clarification that inferences derived from exempted information are not exempt will prevent data brokers from evading the deletion of this information, and is consistent with the definition of "infer or inference" in the CCPA. Commenter states that data brokers aggregate records from independent sources, and that many California registered data brokers, including some of the largest ones, claim one or more available exemptions. Commenter states that this makes it possible for data brokers to combine both exempt and non-exempt information to make inferences about consumers such as that they are "wealthy and not healthy" because of their financial records and shopping history, which is an inference that should not be exempt from a deletion request because they may be inaccurate but used to make significant decisions for consumers' lives.	The Agency agrees with the comment that inferences must be deleted. Data brokers are required to delete personal information as defined under Civil Code § 1798.140. (*See* Civ. Code § 1798.99.80(a).) Personal information is defined in Civil Code § 1798.140(v) and includes inferences. Thus, data brokers are required to delete inferences. However, to clarify that the definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
7613(b)(1)(A)	389	Commenter states that while opt-out requests should be honored even when a consumer cannot be fully verified, there should be boundaries to avoid unintended opt-outs, and suggests the following language be included in the regulations: "Personal information associated with a matched identifier means any personal information maintained in a data broker's records collected from a source other than directly from the consumer through a "first party" interaction. This does not include personal information that is subject to	The Agency agrees in part with this comment. The modified text includes provisions to ensure accurate matching and deletion of personal information. § 7613(b)(1)(A) specifies that a data broker is not required to delete personal information that is exempt under Civil Code § 1798.99.86 or that the data broker collected directly from the consumer as a "first party." However, the specific language suggested by the commenter has not been incorporated.

		applicable exemptions, but includes inferences made from the personal information. Non-specific identifiers that correspond to large numbers of consumers shall not constitute a partial match, including: (A) a first name and last name alone or (B) a business phone number alone when associated with more than ten consumers."	The Agency notes that in addition to the matching requirements and accuracy standards described in these regulations, the DROP will also employ additional safeguards, such as third-party verification and multi-factor authentication, to ensure accuracy of deletion requests transmitted to data brokers.
7613(b)(1)(B)	101	Commenter states there is unclear upper limits for personal information retention necessary for compliance. Commenter indicates that the Agency may consider defining the permissible retention scope.	The Agency disagrees with this comment and has considered the scope of what may be retained. The regulation clarifies that a data broker must maintain the minimum personal information necessary to facilitate compliance with Civil Code § 1798.99.86(c) and (d).
7613(b)(1)(B)-(C)	102, 103	Commenter states there is a contradiction in requiring archive and backup data removal but allowing indefinite deletion delays. Commenter requests that data stored in backups that are regularly deleted according to a set schedule should be exempt, unless the data is restored. Commenter states that flexible access to all or parts of DROP would be more efficient for honoring DROP requests, rather than requiring the scrubbing of non-production back-up files which may not even be stored in formats that are easily scrubbed.	The Agency disagrees with the comment. The Agency is aware that companies often maintain a backup of their data in a physical location offsite that is infrequently accessed. This regulation clarifies that in the event a data broker ever accesses the backup, the data broker must process the deletion request at the time that it restores data from a backup. This aligns with existing deletion requirements under the CCPA. Allowing all data brokers to download the complete list at any time without restrictions poses technical infrastructure challenges and security concerns. The Agency limited the permissible deletion list downloads to address these system challenges. However, the Agency included an exception allowing data brokers to request to re-download the complete list for specified reasons, including compliance. (*See* § 7612(c)(1).)
7613(c)	199	Commenter states support for this regulation to protect consumer data after a consumer's privacy request and states it is not difficult to implement, especially for an automated system.	The Agency agrees with this comment and notes commenter's support.

7613(c)	357	Commenter requests Agency implement a rule to prevent companies from reacquiring deleted data through third parties through repurchasing or reintegration of consumer data.	The Agency disagrees with this comment. However, the Agency modified the regulation to require data brokers to check against a consumer deletion list to ensure that the data broker does not sell or share personal information of a consumer that has submitted a deletion request. The Agency believes this provision is appropriate to address comment's concern with flexibility for the business.
7613(c)	247	Commenter states requiring data brokers to maintain suppression lists to run against future consumers in their systems poses security risks, will require manually checking the suppression list in perpetuity, and runs counter to data minimization principles for smaller data brokers. The suppression list requirement and broad definition of data broker could risk exposing all consumers' information in DROP. Commenter asks if it would not be more reasonable for the Agency to manage the suppression list.	The Agency disagrees with the comment. The requirement ensures that a data broker that processes a deletion request for a consumer—whether or not they initially find a match—will still honor a deletion request in the event that it acquires a database or new set of personal information that includes personal information about that consumer. This ensures that data brokers cannot collect and sell personal information about consumers who have previously submitted deletion requests during the 45 days between DROP access sessions. This also ensures that a consumer deletion request is honored until the consumer changes their preference. It is unclear why commenter believes that this will risk exposing all information in the DROP. In regard to the Agency managing the suppression list, it is also unclear how this would serve the same purpose since the Agency will not have each data broker's records to compare with the suppression list.
7613(d) & (e) [formerly 7613(b)(2)]	246, 353, 354, 355, 360	Commenter requests that DROP requests apply to all subsidiaries and third-party affiliates to prevent circumventing deletion requests. Commenter states that the regulation does not require or enable forwarding of requests for deletion to third party businesses. Commenter requests permitting or requiring forwarding of DROP requests to third party businesses. Commenter provides suggested language.	The Agency agrees with the comment in part. As originally proposed, § 7613(b)(2) required data brokers to direct service providers and contractors to delete personal information in its possession associated with a matched identifier. However, the Agency modified the regulation to add § 7613(e), to specifically allow the sharing of personal information with service provides and contractors necessary to facilitate required deletion. These provisions together allow data brokers to share information with their service providers and

		Commenter suggests that the definition of "personal information associated with a matched identifier" should be more clear in the regulations because it is possible that a phone number match on a deletion request might be a central reception line connecting many employees of a company, causing their information to be removed regardless of their individual preferences. Commenter offers proposed language that requires data brokers to direct all service providers, contractors, affiliates, subsidiaries and any other third-party data processors, to comply with a DROP request and require the data broker to provide a receipt confirming this was communicated within 24 hours.	contractors to make the required deletions and prevent them from avoiding deletion obligations by contracting with another company to act for them. The Agency does not believe that it is necessary to impose a proscriptive standard requiring a receipt of the communication within 24 hours, although a data broker may wish to maintain documentation of such notices to prove compliance if there is an allegation of noncompliance. To the extent the comment is referring to third party businesses that arguably are not acting on behalf of the data broker, such information should not be shared with them. However, if those businesses are acting as a data broker, the DROP provisions would apply to them. Finally, regarding the concern about general phone lines, the DROP will employ multi-factor authentication for phone numbers, making it impossible for a consumer to submit a phone number that they don't have access and control over when submitting a deletion request. Moreover, If the data broker cannot match a record with the information provided or the information provided matches with several records, the data broker will not be required to delete all records, but rather opt out the consumers out of sale or sharing.
7614(a)	191	Commenter requests that the time period for DROP reporting requirements and effectuating a DROP delete request be changed to 90 days to align with the CCPA's timeline to execute a delete request.	The Agency disagrees with this comment. The Delete Act, in Civil Code § 1798.99.86(c)(1), requires a data broker to process a deletion request and delete all personal information related to the consumer making the request within 45 days of downloading the request. The Agency cannot adopt regulations inconsistent with the Delete Act.
7614(a)	105, 249, 250	Commenter asserts that the mandatory status reporting of deletion requests before downloading the most recent requests creates a significant and material cost burden on data brokers, which may impact the ability to access the next file within 45 days. Commenter argues that the audit	The Agency disagrees with this comment. Civil Code § 1798.99.86(b)(9) requires the DROP to allow consumers and their authorized agents to verify the status of their delete request. Not requiring data brokers to report the status of delete requests in the DROP would be inconsistent with the

		requirements in the Delete Act, along with complaints and enforcement actions, are sufficient to address compliance. Commenter requests the Agency eliminates status reporting provision in the regulations.	Delete Act. The Agency cannot adopt regulations inconsistent with the Delete Act.
7614(a) & (b)	71	Commenter states that the Agency should consider that the same consumer data may be in different databases, some of which are exempt to deletion and some that are not, when determining exemption reporting requirements.	The Agency agrees with this comment. While developing the regulations, the Agency did consider how data may be maintained by data brokers. Information exempt under the Delete Act and these regulations is not required to be deleted.
7614(b)	291	Comment suggests a simplified status reporting structure that still enables consumers to verify the status of a request to reduce costs and complexity.	The Agency disagrees with the comment's suggested simplified status reporting structure. The regulations require data brokers to utilize only four broad response codes for the reporting to provide the consumer to verify the status of their request. This structured approach ensures transparency and compliance without imposing unnecessary complexity.
7614(b)(2)(C)	128	Commenter requests that the regulations be modified to require data brokers to provide information about which exemptions they are claiming when they are reporting the status of deletion requests in order to increase accountability for data brokers, help consumers understand why their deletion request was not honored, and increase Agency oversight over data brokers' compliance.	The Agency agrees with the importance of increasing accountability and transparency. However, the purpose of the reporting is primarily to implement Civil Code § 1798.99.86(b)(9), which requires consumers to be able to check the status of their deletion request, and to provide clarity to consumers when their personal information is not subject to deletion pursuant to the Delete Act. The Agency may revisit the need for more granular status information after DROP launches in 2026.
7615	251	Commenter asserts that there should be a clear mechanism for a business to cease using the DROP when they no longer qualify as a data broker, without notification or explanation. Commenter recommends a straightforward procedure to terminate the account after attestation confirming the cessation of data broker activities.	The Agency disagrees with this comment. The Agency has provided a straightforward explanation of what must occur when a business no longer meets the definition of data broker. The Agency has determined that it is necessary to be informed when a business ceases data broker operations and why to appropriately monitor compliance.

7616(a)	252	Commenter states the regulation may contradict section 7613(b)(2)'s requirement to forward consumer deletion requests to service providers and contractors. Commenter recommends modifying the text to provide a carve out for compliance with earlier sections in the regulations. Commenter requests the right for data brokers to forward suppression lists to better facilitate compliance and consumer DROP requests.	The Agency disagrees in part with this comment. The regulation states that a data broker must only use consumer personal information provided by the Agency for purposes of complying with Civil Code § 1798.99.86. Civil Code § 1798.99.86(a)(2) states that the DROP shall allow a consumer to request that every data broker delete personal information held by the data broker or associated service provider or contractor. The Agency added § 7613(e) to allow data brokers to share personal information necessary with service providers and contractors to facilitate required deletion.
7616(c)	129	Commenter states that they support the regulations to the extent that they prohibit data brokers from contacting consumers to verify deletion requests because that would "undermine the efficiency of DROP and circumvent consumer expectations" that a consumer's DROP request would be the end of their involvement in deleting their data, unless they want to check on the status or amend their request for data deletion.	The Agency agrees with this comment and notes commenter's support.
7616(c)	46, 161	Commenter states the Delete Act does not provide statutory authority to prevent data brokers from verifying that authorized agents are who they say they are. Commenter states that the deletion mechanism instead “shall allow data brokers registered with the California Privacy Protection Agency to determine whether an individual has submitted a verifiable consumer request to delete the personal information related to that consumer[.]”	The Agency disagrees with this comment. The regulations are consistent with the Agency's authority under the Delete Act. Civil Code § 1798.99.86(a)(1) states that the accessible deletion mechanism “shall allow data brokers registered with the California Privacy Protection Agency to determine whether an individual has submitted a verifiable consumer request.” The commenter’s interpretation of this provision conflates the statutory requirement for a “verifiable consumer request” with a requirement that data brokers themselves must verify the identity of the consumer or authorized agent. However, the statute does not mandate that data brokers perform this verification directly. Instead, the Agency has designed the DROP to fulfill this verification function, thereby reducing the risk of inconsistent or duplicative verification practices and

			enhancing consumer privacy. Moreover, the Delete Act states that the purpose of the accessible delete mechanism is to allow consumers to send a "single" verifiable request to data brokers to delete their data; thus, allowing hundreds of data brokers to each verify a request after the Agency has already verified the consumer's residency and personal information defeats the primary purpose of the accessible deletion mechanism. Accordingly, the Agency has acted within its statutory authority in designing a system that ensures verifiable consumer requests are submitted through a secure, centralized platform, without requiring data brokers to independently verify each request.

ARTICLE 4. CONSUMER AND AUTHORIZED AGENT DELETE REQUESTS

Section of Regulation	Comment Numbers	Summary of Comments 45-Day Comment Period	Agency Response
7620(a)	130, 131, 132	Commenter states that they would like the regulations to use the least invasive method to determine California residency to make it easier for those submitting DROP requests. Commenter states that they believe estimating residency based on IP address is enough to determine that a deletion request is from a California resident, unless the Agency has a reason to believe that a deletion request is not associated with a California resident.	The Agency agrees that verification should not be overly burdensome. Therefore, the Agency has revised § 7620(a) in the regulations to state that the Agency will verify that consumers submitting deletion requests are California residents. However, the Agency does not believe that IP address is sufficient to establish residency because individuals could use VPNs or proxies to appear as if they are connecting from California despite being located in another state or country. Instead, the Agency plans to leverage the California Department of Technology's Identity Gateway, which will offer consumers multiple options for how they verify residency.
7620(a) & (b), 7621(b)	4, 5, 22, 23, 24, 25, 44, 26, 45, 47, 57. 58, 59,	Commenter asserts that the regulations lack provisions to verify authorized agents and consumer requests, which conflicts with existing CCPA requirements and could inadvertently harm consumers. The regulations do not	The Agency disagrees with this comment. The regulations appropriately implement the Delete Act, which is separate and distinct from the CCPA. Although some businesses may be subject to both laws, each law serves specific purposes. Under

	60, 61, 62, 63, 72, 76, 77, 78, 137, 147, 148, 150, 160, 162, 163, 164, 165, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 254, 255, 256, 258, 292, 304, 305, 309, 310, 311	mandate adequate verification that the request is from the actual consumer and that they are a California resident. Additionally, commenter states the regulations do not have many safeguards for verifying consumer requests because it allows for the Agency to verify but does not require it. Commenter requests the regulations require the Agency to verify residence prior to submitting a delete request. Commenter also argues that businesses should not be prohibited from ensuring they are not deleting information for the wrong individual or that the request is not fraudulent. Commenter states safeguards are necessary to ensure authorized agents have authority to act for the consumers, deter fraudulent requests, and reduce anticompetitive interference. Commenter asserts preventing data brokers from verifying consumer requests could allow authorized agents to submit fraudulent requests or use dark patterns to delete a consumer requests. Commenter states fraudulent requests could come from other data brokers using anticompetitive practices to submit mass deletion requests. Commenter states bad actors could submit false requests for reasons such as removing voters out of databases based on their opinions, preventing consumers from switching to competitors, or used to remove people to hurt the U.S. economy. Commenter requests the regulations prohibit self-certification for authorized agents, require informed consent, and allow for verification from data brokers; while another commenter suggests that the Agency verify an agent's identity and authorization prior to requiring data brokers to act upon a delete request. Commenter requests the regulations be harmonized with CCPA's authorized agent verification processes. Commenter asserts that the regulations should include provisions that	the Delete Act, consumer verification is carried out appropriately by the Agency given the nature of personal information subject to deletion. The regulations and the technical functionality of DROP include adequate verification measures to confirm that a deletion request is from the actual consumer. § 7620(a) requires consumers to submit their deletion request through the DROP, and the consumer's residency is verified by the Agency in a centralized process that minimizes exposure of consumer data and other privacy threats. Additionally, § 7620(b) states that consumers may add personal information to their deletion requests, which the Agency may verify at any time. A consumer's residency must be verified before an authorized agent may assist with the consumer's deletion request—therefore consumers will knowingly participate in preparation of their deletion request, avoiding many of the hypothetical scenarios raised by commenter. Further, if an authorized agent aids a consumer with their deletion request, the consumer or their authorized agent must disclose the authorized agent's full name, email address, and trade name. In addition, the DROP will also leverage multi-factor authentication and other fraud-detection tools to prevent unauthorized requests from being submitted. These measures collectively protect consumers and businesses from potential harm, and are consistent with the data security provisions of the Delete Act. To the extent that the commenter argues that there is consumer harm because of differing requirements for authorized agents between the CCPA and its regulations, and Delete Act and its regulations, or that the requirements should be the same, a request to delete under the CCPA was intended to be different from a request to delete under the Delete Act. Under the CCPA and its regulations, a request to delete is a defined term that applies to personal information directly collected from a consumer. In contrast, a

		allow a business to require an authorized agent to provide signed proof of permission to submit the request and to ask the consumer to directly confirm their identity and that the have the authorized agent permission. Without such safeguards, a person could self-certify as an agent and upload the whole California White Pages directory. Commenter further asserts that failure to resolve the conflict between the DROP and CCPA verification requirements raises APA concerns that the DROP regulations are inconsistent with other provisions of law. Commenter believes that the regulations create a CCPA loophole because consumers who submit a delete request directly to the business under CCPA will be verified with certain requirements, and consumers who submit a delete request to DROP under the Delete Act will not be verified. Commenter suggests that stronger verification provisions will enhance consumer protection, foster interoperability and consistent, and ensure agents are behaving appropriately.	request to delete under the Delete Act applies only to personal information collected outside of a "first party" interaction—personal information collected when a consumer does not intend to interact with the business. A consumer does not carry the same expectations or vulnerabilities with respect to personal information being deleted when the consumer did not intentionally provide that personal information to a business, or when the business collected it from another source entirely. A consumer did not affirmatively give their personal information to a data broker, and therefore there is not the same sensitivity to that information being deleted. Because the verification standards implement separate laws and different circumstances, the DROP regulations are not inconsistent with other provisions of law for purposes of the APA. Moreover, the Delete Act states that the purpose is to allow consumers to send a single verifiable request to have their information deleted; thus, allowing data brokers to contact a consumer to separately verify a request after the Agency has verified the consumer's residency and certain personal information defeats the primary purpose of the accessible deletion mechanism and is unnecessary to carry out the Delete Act.
7620(a) & (b), 7621(b)	8, 312	Commenter states that businesses could suffer from legal and regulatory harm leading to consumer complaints and lawsuits related to Unfair, Deceptive, Acts or Practices (UDAP) claims based on the business mistakenly deleting consumer data. Commenter recommends that if the Agency fails to properly verify authorized agents or the individual consumer request, then the Agency should provide safe harbor to data brokers facing liability for unauthorized deletions.	The Agency disagrees with this comment. The Agency has revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions. Additionally, the DROP will require consumers to verify their identities within the system before an authorized agent aids with the request. It is unclear whether commenter recommends a safe harbor from action by the Agency or other parties. The Agency does not have the authority to provide a safe harbor for liability related to actions from other parties. However, in determining whether the

			Agency will take action against a data broker, compliance with the regulations will be taken into consideration. To the extent that the commenter argues that there is harm because of unauthorized deletions, a request to delete under the CCPA was intended to be different from a request to delete under the Delete Act. Under the CCPA and its regulations, a request to delete is a defined term that applies to personal information directly collected from a consumer. In contrast, a request to delete under the Delete Act applies only to personal information collected outside of a "first party" interaction—personal information collected when a consumer does not intend to interact with the business. A consumer does not carry the same expectations or vulnerabilities with respect to personal information being deleted when the consumer did not intentionally provide that personal information to a business. A consumer did not affirmatively or intentionally give their personal information to a data broker, and therefore there is not the same sensitivity to that information being deleted.
7620(a) & (b), 7621(b)	9, 164	Commenter indicates that the Agency should increase its deletion requirements to consider potential harms to consumers and businesses and develop a prudent verification process. Commenter indicates it is unclear what measures will be taken to verify the identity of the consumer or agent, and the agent's authority to act for the consumer.	The Agency disagrees with this comment. The Agency has considered potential harms to consumers and businesses in developing and revising these regulations. The Agency has also included prudent verification measures within the regulations and within the technical functionality of the system. The Agency has included a provision that a consumer's status as a California resident will be verified by the Agency prior to submission of the delete request and revised the match rate threshold for consumer identifiers to 100% to ensure a more precise match and reduce the likelihood of erroneous deletions. The regulations and technical features—such as use of multi-factor authentication for key identifiers—include adequate verification measures to confirm that a deletion

			request is from the actual consumer. § 7620(a) requires consumers to submit their deletion request through the DROP. Additionally, § 7620(b) states that consumers may add personal information to their deletion requests, which the Agency may verify at any time. Further, if an authorized agent aids a consumer with their deletion request, the consumer or their authorized agent must disclose the authorized agent's full name, email address, and trade name. These measures protect consumers and businesses from potential harm, while still allowing authorized agents to aid consumers with their deletion requests as required in the Delete Act.
7620(b)	257	Commenter requests that the regulations clarify that consumers may submit email addresses when consumers own and maintain multiple emails, but that each email must be verified through DROP before it is submitted to data brokers for deletion.	The Agency disagrees with the comment. The Delete Act sets requirements for data brokers and not the Agency. Nevertheless, the Agency plans to verify e-mail addresses using multi-factor authentication prior to submitting them to data brokers for data matching and deletion.
7620(c)	294	Comment suggests that the CPPA should obtain consumer consent before disclosing personal information to data brokers for deletion requests submitted through the DROP.	The Agency agrees with this comment in part. The regulations indicate that submission of the delete request is consent, which occurs before the delete request is sent to the data broker. Moreover, data brokers and others already have the ability to submit information to the Agency regarding violations of the Delete Act.
7620(d)	306	Commenter suggests that if a data broker has compelling evidence that suggests a consumer is not a Californian, there be a process which allows the data broker to reconcile the discrepancy with the Agency before being required to act on the request.	The Agency disagrees with this comment. The Agency will confirm residency prior to the submission of the delete request. The Agency does not think it is necessary to add a reconciliation process at this time. Deletion is only required for California residents who submit a deletion request.
7621	149	Commenter states the regulations should include a process for consumers to report suspicious or fraudulent activity by authorized agents to the Agency.	The Agency disagrees with this comment. A person can already file a complaint with the Agency if they believe that a violation of the Delete Act or the CCPA has occurred.

7621	295	Comment suggests limiting the information authorized agents can provide when assisting with delete requests to protect consumer privacy.	The Agency disagrees with this comment. The consumer may add personal information to their deletion requests. Because the Delete Act allows for authorized agents to assist consumers, they must be able to submit the same information as the consumer. Additionally, a consumer may choose to instruct their authorized agent only to submit certain information when assisting with the consumer's delete request.
7621	133, 134, 135	Commenter supports authorized agents playing a role in the DROP, but that the regulations are not clear on how authorized agents would submit deletion requests on behalf of a consumer. Commenter states that it is not realistic for authorized agents to log into the user's account to submit a DROP request for them because the user would still have to create an account and the authorized agent would need to have the account credentials which poses a security risk, or else the authorized agent would need to make the user's account which seems like it would be too much accessibility for the authorized agent. Commenter suggests that the regulations introduce a portal for authorized agent accounts, where such agents could submit requests on behalf of many people.	The Agency disagrees with this comment. The regulations include stringent measures to mitigate privacy risks associated with authorized agents accessing consumer accounts. Specifically, § 7610(a)(1)(A) requires data brokers to maintain the confidentiality of account credentials and restrict access to authorized persons only. Additionally, § 7621(b) mandates that the consumer or their authorized agent must disclose the authorized agent's full name, email address, and trade name if the authorized agent is a business, through the consumer's DROP account prior to submitting a deletion request. This ensures transparency and accountability without compromising security. Furthermore, § 7621(c) limits the scope of authorized agents' access by prohibiting them from canceling a consumer's deletion request unless expressly directed by the consumer. These provisions safeguard the privacy and security of consumer data during the deletion process. Finally, at this time, the DROP is not designed to host a separate portal for authorized agents, but authorized agents may aid with a consumer's deletion request as required by the Delete Act.
7621	21, 27, 52, 53, 186	Commenter asserts the verification standards raise First Amendment issues. Commenter states the sale, use, and disclosure of consumer personal information is protected expression and that the regulations are content-based	The Agency disagrees with this comment. The requirement to standardize data does not violate the First Amendment and implements a valid state law. The regulation requires that personal information be standardized for purposes of

		regulation that fails any level of scrutiny. Commenter asserts the verification standards allow authorized agents to make mass deletion requests that violates data brokers' protected expression. Commenter requests authenticating authorized agents to avoid violating the First Amendment. Commenter asserts First Amendment concerns with the regulations, including the right of free expression and access to information, not just in the form of commercial speech, but also other forms of speech, press and political freedom. These concerns stem primarily from the lax identity matching standards and the provisions for informed consent that restrict information to consumers without their consent. Commenter states their belief that there are better-tailored and more-effective alternative approaches that better serve the state's interests. Comment asserts that privacy is not a substantial state interest to be achieved by the restriction on speech.	complying with the Delete Act. The personal information itself is factual and product-specific; specifically, the personal information are identifiers that enable a data broker to assess whether they possess additional data about a consumer who is requesting that their data be deleted. The match rate threshold in § 7613(a)(2)(A) is a technical standard designed to ensure that deletion requests are accurately matched to consumer records. The Agency has revised the original match rate of more than 50% to 100% to provide for greater accuracy in matching identifiers. It does not restrict speech or expression but rather governs when a data broker must delete personal information in response to a verified deletion request submitted through the DROP. This threshold balances the need for accurate matching with the risk of over-deletion or failure to honor valid consumer requests. The informed consent provisions in § 7620(c) ensure that consumers understand and agree to the disclosure of their personal information to data brokers solely for the purpose of processing their deletion request. These provisions do not restrict the flow of information to consumers but instead protect consumers from unauthorized use or disclosure of their personal data, consistent with the privacy rights established under the Delete Act. The regulation also does not compel commercial data to be disclosed, sold, or shared in a certain manner. Instead, the regulation merely requires a data broker to temporarily standardize certain identifiers so that the data broker can comply with its statutory obligations under the Delete Act. The data broker may maintain the data in other formats for other purposes. Commenter mentions their concerns relate not just to commercial speech, but also to other forms of speech, press, and political freedom; however, commenter does not provide

			any further detail. The Agency does not believe that the regulations violate the First Amendment in any capacity. The state has a substantial interest in privacy and the security of personal information, as well as holding businesses accountable for complying with the law. Nevertheless, the Agency modified § 7620(a) to clarify that the Agency will verify that consumers submitting deletion requests are California residents.

GENERAL AND OTHER TOPICS

Section of Regulation	Comment Numbers	Summary of Comments 45-Day Comment Period	Agency Response
Automated Systems and Machine Learning	369	Commenter requests clarity on how the Agency handles data brokers who develop machine learning and training models for artificial intelligence based on consumer personal information that will be deleted under a DROP request.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
Compliance Date	50, 88, 89, 144, 200, 267, 314, 315	Commenter requests a delayed enforcement period or phased rollout and the right to cure for DROP compliance. Commenter states the initial version of the CCPA provided a 30-day right to cure, while another commenter suggests a 45-day period and delayed enforcement period. Commenter states this helps with businesses transitioning to a new regulatory regime to allow time to assess and implement changes. A rushed implementation could increase system failures, processing errors, or consumer confusion, which could undermine the goals of the regulations. Commenter requests the Agency provide time for thorough security testing to ensure DROP integrity prior to launch. Commenter states that the compliance timeline in the regulations does not provide enough time for businesses to "evaluate technical	The Agency disagrees with this comment. The Delete Act does not contain a delayed enforcement period or a 30-day right to cure. If the Legislature intended to allow for such periods, it could have included these provisions in the statute. However, the Delete Act, in Civil Code § 1798.99.86(c)(1), already contains a delayed implementation date. Specifically, data brokers are not required to begin accessing the DROP until August 1, 2026. Moreover, including a different implementation date would not be consistent with the Delete Act. To the extent that the comment suggests that a safe harbor is necessary, the Agency does not believe that is necessary at this time. However, in determining whether to take an enforcement action, the Agency will consider the facts and circumstances of each particular situation. In regard to a

		impacts, design or reconfigure internal workflows, train relevant personnel, [or] thoroughly test and validate system integrations with the DROP platform"; therefore, recommends businesses have 18 months from when the DROP is finalized operationally and technically to come into compliance. Another comment recommends at least a year. Commenter asserts that a delayed rollout will promote smoother adoption and more reliable long-term outcomes. Commenter states the regulations lack a safe harbor to accommodate good faith efforts to comply, unlike other privacy laws or similar regulatory schemes. Commenter states consideration should be given to a safe harbor that allows for consumers to retract and correct mistaken deletions.	safe harbor to allow consumers to retract or correct mistaken deletions, the Agency does not believe such additions are necessary because § 7620(d) provides that consumers may amend or cancel deletion requests at any time.
Compliance Date	208	Commenter requests a pre-implementation test environment for DROP integration at least 90 days prior to August 1, 2026.	The Agency notes this suggestion and looks forward to working with data brokers as the DROP is implemented in 2026.
Complaints & Appeals	332, 365	Commenter recommends the Agency develop a complaint and appeals process for the DROP when data brokers refuse to honor a DROP request such as claiming it is too burdensome, failing to register, or delaying action. Commenter states consumers have limited recourse if their request is ignored or denied and offering an appeals process will help build consumer trust. Commenter suggests creating a user feedback portal, hotline, or annual survey for consumers to gather feedback on how DROP is being used as well as publishing a public report on data broker compliance to increase transparency. Commenter offers proposed language on an appeals process with escalating penalties on noncompliance and publishing data on compliance and complaints. Commenter suggests implementing a “three strikes” framework, requiring businesses to justify noncompliance, and ensuring dispute resolution transparency.	The Agency agrees with this comment in part. The Agency already maintains a complaint process that allows individuals to submit complaints to the Agency if they believe there has been a violation of the Delete Act. If the Agency takes an enforcement action against a data broker, the APA allows for an administrative adjudication process. The extent of the Agency’s authority and the penalties it can impose are contained in the Delete Act. The Agency cannot change the Delete Act or take any actions inconsistent with the Delete Act. The Agency does not believe that an annual report on data broker compliance is necessary at this time. However, the Agency provides enforcement updates at Board meetings and through other mechanisms, and its enforcement actions are public information. The Agency has and will continue to work with stakeholders on the DROP and future policy development.

DROP Confirmation	375	Commenter recommends sending automated confirmation emails to users after a DROP request has been submitted, sending follow up surveys, and including automated confirmations that consumer personal information is continuing to be deleted to ensure consumers know that the DROP is working.	The Agency disagrees in part with this comment. Data brokers are required to report the status of delete requests in the DROP, which will be available to consumers to confirm the status of their request. The Agency believes that the status verification function will be sufficient and more efficient than additional confirmations. The Agency notes commenter's recommendation for surveys and intends to continue to engage with stakeholders as the DROP is implemented.
DROP Security	33, 307	Commenter suggests the Agency establish a mechanism to identify and block misuse and fraud of the DROP. Comment requests that the Agency include a provision requiring it to report breaches to data brokers registered through the DROP; similar to their obligation to inform the Agency of breaches related to their DROP credentials. Commenter indicates that this is necessary for data brokers to take necessary steps to prevent further security incidents impacting their own systems. Commenter also notes that a DROP data breach could create security risks for data brokers maintaining automated connections with the DROP.	The Agency notes commenters' suggestion. The Agency will follow the requirements for security and data breaches for its information technology systems, including making appropriate notifications in response to breaches when required. As such, the Agency does not think it is necessary to include an additional requirement in the regulations at this time. The Agency will monitor the DROP to determine whether modifications to the regulations are necessary in the future.
DROP Technical Requirements	209, 210, 211	Commenter requests that the technical requirements for applying the DROP be designed for the least sophisticated data brokers, not the most sophisticated larger businesses. Commenter requests the Agency amend requirements requiring data hygiene, data modification, and combinations of data to be delayed for one year following DROP enactment to give smaller data brokers time to comply. Commenter states requiring data brokers to combine data may be contrary to preserving privacy and thus the Delete Act because it requires data brokers to process or store more personal information than they would.	The Agency agrees in part with this comment. In developing the DROP and these regulations, the Agency has considered small businesses and less sophisticated data brokers, including information provided in the preliminary rulemaking activities and the formal comment periods by such stakeholders. In regard to delaying implementation, Civil Code § 1798.99.86 expressly requires that the DROP shall be made available for consumers to submit requests starting January 1, 2026, and that data brokers shall be required to comply with deletion requests starting August 1, 2026. The requirement to combine data in limited circumstances helps verify the accuracy of deletion requests. Furthermore, data brokers are only required to standardize its personal information temporarily to comply

			with § 7613, and they are only required to store the minimum information necessary to comply with their ongoing opt-out and deletion obligations under the Delete Act. (*See* §§ 7613(a)(1)(C), (b)(1)(B), (c).)
Education	330, 333, 334, 341, 343, 363, 372, 373, 374	Commenter suggests businesses that qualify for exemptions be required to notify consumers that they are not subject to DROP to further prevent consumer confusion. Commenter recommends clarifying scope of DROP to ensure DROP applies consistently and clearly for data brokers, affiliates, and evolving business models. Commenter recommends enhancing consumer education of DROP including clarifying first-party and third-party data, as well as exempted entities and data. Commenter offers proposed language for publishing a list of entities that are exempted from DROP and a timeline of review to align with enforcement actions. Commenter recommends educating consumers and managing expectations by ensuring the DROP is clearly publicized and designed in an accessible, approachable way, while also educating Californians on the scope and limits of the tool. Commenter asserts that consumers face barriers in understanding privacy laws and how companies use their personal data. Commenter provides studies that support this statement and emphasizes the need for the Agency to build consumer trust through transparency and consumer-friendly communication such as a step-by-step explanation of (1) how businesses process these opt- out requests, (2) what personal data is and, importantly, is not covered by the opt-out request, (3) how a consumer will be notified that their request has been processed, and (4) what recourse consumers have if a business does not comply. Commenter suggests educating consumers about the DROP so that	The Agency agrees in part with this comment. The Agency revised the original proposed text to clarify that data brokers may share consumer information with contractors and service providers to facilitate deletion obligations. The Agency intends to provide educational materials to assist consumers with understanding the DROP and notes commenter's suggestions.

		consumers know their rights under the Delete Act. Commenter emphasizes the importance of communicating this information in a clear, accessible, and engaging way and managing consumer expectations. Commenter suggests creating a page that explains the DROP tool, why it exists, how it works and providing links to the DROP, consumer complaint portal, and a consumer feedback portal in that page. Commenter suggests educating consumers about the DROP by first reaching the community through digital ad companies, physical outreach and mailers, utilizing community partnerships, hosting webinars, and partnering with influencers to raise public awareness. Commenter recommends managing consumer expectations about the DROP through the system's user experience design to avoid undermining trust in the DROP and the Agency. Commenter recommends having clear disclaimers on the website and during outreach and clarifying examples of data and data brokers not covering by the DROP. Commenter emphasizes that the landing page on the DROP be simple with clear language and that the tool be optimized for mobile devices. Commenter emphasizes that the visual design and tone of the tool should be approachable and consumer friendly. Commenter emphasizes that the system should be accessible to consumers in the state's most commonly spoken languages and comply with the Web Content Accessibility Guidelines. Commenter states these strategies will increase trust and usage in the DROP. Commenter recommends sending automated confirmation emails to users after a DROP request has been submitted, sending follow up surveys, and including automated confirmations that consumer personal information is	

		continuing to be deleted to ensure consumers know that the DROP is working.	
Enforcement	331, 336, 337, 338, 339, 340, 362	Commenter requests Agency conduct periodic audits of data brokers to ensure data brokers are not using technical loopholes to circumvent DROP requests. Commenter recommends regulations that provide clarity that on how the Agency plans to incentivize and enforce data broker compliance to ensure consumers and businesses understand their rights and obligations. Commenter recommends strengthening enforcement mechanisms against unregistered data brokers by increasing monitoring and investigations, imposing stronger penalties, using automated compliances tools, publicizing noncompliant data brokers, and using online tracking, industry reports and consumer complaints. Commenter suggests Agency work together with the California Department of Technology and California universities to develop compliance tools so Agency can use automated tools to track large-scale data transactions to ensure those businesses are registered. Commenter states current fine of $200/day for failure to register may be insufficient deterrent, especially for larger data brokers and recommends the Agency consider increasing fines for prolonged noncompliance and scaling penalties based on size. Commenter recommends Agency publish annual report listing businesses that fail to register to increase accountability and deter noncompliance. Commenter offers proposed language for monitoring registration compliance and restructuring registration fees to incentivize registration.	The Agency agrees that enforcement of the DROP provisions and against unregistered data brokers is an important part of its regulatory authority in the Delete Act and notes commenter's suggestions. In addition, the Agency notes the forthcoming independent audit requirements described in the Delete Act. However, the extent of the Agency's authority and the penalties it can impose are contained in the Delete Act, and the Agency cannot change such requirements or take any actions inconsistent with the Delete Act. While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders and our state partners on future policy development.
Examples	371	Commenter suggests the Agency define more edge cases in regulations and offer scenario-based guidance to businesses and consumers to provide clarity. Commenter suggests	The Agency notes commenter's suggestions. However, the Agency has provided examples in the regulations based on what it determined was appropriate at this time. The Agency

		conducting audits and cooperating with other states as other states begin developing similar legislation as the Delete Act.	will monitor the DROP to determine whether modifications to the regulations are necessary in the future.
Exemptions	201, 203, 204, 268	Commenter states that many small data brokers face technical and operational burdens from the regulations. Commenter requests that data brokers who do not compile data but only "pass through" data have separate processes and exemptions from the DROP. Commenter also states that many of the registered data brokers only "pass through" data from other data brokers, do not store third-party data from a lengthy period of time, and will be required to maintain very large suppression lists but will not delete data as intended by the Delete Act. Commenter requests that data brokers who "pass through" data and do not "compile data" be able to access and apply a "Do Not Sell" suppression list instead of requiring deletion. Commenter requests exemption for businesses that support data brokers by making third-party data available and are designated as service providers. Commenter includes examples of potential exemptions for advertising or marketing agencies that procure third party data, software as a service platforms that provide software to use third-party data, and data marketplaces that promote data broker offerings.	The Agency disagrees with the comment. Data brokers, as defined under the Delete Act, are required to process a deletion request under Civil Code § 1798.99.86. The Agency cannot adopt regulations inconsistent with the Delete Act.
Exemptions	202, 248, 367	Commenter requests regulation allowing consumers to re-consent to having their data sold by data brokers after submitting a DROP request. Commenter states there are other regulatory bodies that allow express written consent to override privacy choice registrations, such as the federal Telephone Consumer Protection Act and Federal Trade Commission's 'Do Not Call", and the CCPA includes a consent override provision. Commenter requests regulations to	The Agency agrees with this comment in part. § 7620(d) allows consumers to amend or cancel their deletion request at any time.

		provide clarity on how consumers can revoke their DROP requests.	
Exemptions	344	Commenter suggests businesses that qualify for exemptions be required to notify consumers that they are not subject to DROP to further prevent consumer confusion.	The Agency disagrees with this comment. § 7614 requires data brokers to report the status of delete requests in the DROP. One of the status' is "record exempted," which informs the consumer that the information will not be deleted because it is exempt pursuant to Civil Code § 1798.99.86. The Agency has determined that this is sufficient at this time to provide consumers information about whether their personal information is exempt from deletion by a particular data broker.
Federal Government Employees	316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329	Commenter commends the Agency's universal deletion tool for simplifying data removal from unreliable brokers as the current system creates an unreasonable burden on consumers, who wish to protect their privacy. Commenter notes that it is difficult for Americans to stop the sale of their data, which creates personal and national security concerns, and allows for exploitation. The selling and using of AI to analyze commercial data could enable pattern recognition across datasets, making federal employees vulnerable; blocking access to this information helps protect our security. Commenter states that the Agency opted for a simpler, lower-cost design for the accessible deletion mechanism—at the expense of some privacy protections—to meet the January 1, 2026, Delete Act deadline and stay within resource limits. Commenter indicates that the Agency will provide separate lists by identifier that data brokers must download and use to remove matching records from their systems. Commenter states that data brokers will not be provided information that is linked in the lists. Commenter states that the regulations' requirements to send the data brokers the identifiers in hashed form, even though the Federal Trade Commission	The Agency notes commenter's support of the accessible deletion mechanism and the Agency's regulations to initially implement the DROP. The Agency agrees with commenter that without the DROP, it is difficult for consumers to stop the sale of their personal data, which can be used for exploitation, including with respect to federal government employees. The Agency notes commenter's suggestions to improve the DROP following the initial launch and have it use modern encryption technologies, such as private set intersection, so that data brokers only receive the minimum information required. The Agency will also monitor the DROP to determine whether modifications to the regulations are necessary and looks forward to continuing to work with stakeholders on future policy development.

		does not believe that is an effective method of protecting private data, and states that the hashed data can be reverse engineered to link data. Commenter states that the regulations of the DROP design may be acceptable for the average person, but that it is unlikely to meet higher security needs of U.S. government personnel. Commenter states that agencies are unlikely to recommend enrolling in the DROP due to the security concerns. Commenter indicated that while the regulations are a good first step on the DROP, other states are likely to follow California's lead, so the DROP should be improved immediately following the initial launch. Commenter suggests that the DROP eventually use modern encryption technologies, such as private set intersection, so that data brokers only receive the minimum information required.	
Federal Identity Assurance Standards	87, 313	Commenter asserts that they are subject to federal obligations requiring adherence to identity assurance standards before processing deletion requests. Commenter requests that the regulations need to reflect federal identity assurance standards and a process for attestation from the CPPA that the DROP meets the minimum security standards pursuant to NIST 800-63-3 for Identity Assurance Level (IAL) 2.	The Agency disagrees with this comment. The regulations are based on California law, which governs data brokers conducting business in California and the Agency. Commenter does not provide support for the premise that they are subject to federal identity assurance standards and that those standards are in conflict with the regulations, or that an attestation from the Agency is required for federal compliance. Moreover, NIST SP 800-63-3 provides technical requirements for federal agencies and may be used voluntarily by nongovernmental organizations. The Agency is required to adopt regulations consistent with California law applicable to data brokers and has done so in the regulations.
General Comment	1	Commenter states that while they respect efforts to "implement important consumer data rights", they believe that the regulations contradict existing California laws and	The Agency disagrees with this comment. The Agency is not aware of any existing California law contradicted by the regulations, and the comment does not specify any laws it

		their legislative intent, as well as leave out crucial requirements; thus, may end up harming California consumers.	asserts the regulations contradict, or the requirements it asserts are left out. The regulations protect consumers' rights established by the Delete Act.
General Comment	106	Commenter states that they are generally supportive of the regulations and believes that they will help to "create a robust and user-friendly mechanism for consumers to delete their personal information held by data brokers, as required by the Delete Act."	The Agency agrees with this comment and notes commenter's support.
General Comment	110	Consumers should not be expected to remember each place they gave their information to if they want to delete their information, especially after several years have passed. Consumers should be able to leverage the DROP to exercise a universal deletion request.	The Agency agrees with this comment and notes commenter's support.
General Comment	192	Commenter states support for the regulations, which will strengthen the privacy interests of Californians, automate and clarify compliance obligations for data brokers, and serve as a model for other states.	The Agency agrees with this comment and notes commenter's support.
General Comment	259	Commenter states that they appreciate the regulations' opt out and deletion rules because they believe consumers are at a disadvantage and that there are untrustworthy actors in data brokerage.	The Agency agrees with this comment to the extent it supports the regulations and notes commenter's support.
General Comment	269	Commenter states companies are confused about registration and participation requirements in DROP, as well as whether they need to apply the deletion and, potentially, suppression files before they share that data with clients.	The Agency agrees with this comment to the extent it supports the regulations providing clear requirements. The Delete Act and the revised regulations clearly articulate the criteria for meeting the definition of data broker and that data brokers must register with the Agency and participate in the DROP. The regulations are also clear that data brokers must actually delete the data if a match occurs. For a data broker to provide information to clients when it has received a deletion request,

			without first deleting the consumer's information, would be inconsistent with the Delete Act.
General Comment	273	Commenter believes that the regulations exceed the Agency's authority under the California Privacy Rights Act (CPRA).	The Agency disagrees with this comment. The regulations are not based on the Agency's authority under the CPRA. Rather the regulations are based on the Agency's authority under, and the provisions of, the Delete Act. CPRA and the Delete Act are separate and distinct statutes with different provisions and protections. The regulations are within the Agency's authority and are consistent with the Delete Act.
General Comment	356, 361	Commenter offers proposed language for DROP requests requiring the request to apply to all affiliates, subsidiaries, and third-party partners; requiring transparency on data sharing within corporate structure and external partners; preventing data brokers from reacquiring deleted data through third parties; and that the Agency will audit data brokers for compliance. Commenter offers proposed language prohibiting data brokers from reacquiring deleted data.	The Agency disagrees with this comment. The regulations already contain a provision requiring data brokers to direct their contractors and service providers to delete personal information in response to a deletion request, as well as a provision that each entity that meets the definition of data broker must register separately, including the parent company and subsidiaries. The Agency has modified the text to require data brokers to check against a consumer deletion list to ensure that the data broker does not sell or share personal information of a consumer who has submitted a deletion request. While transparency on data sharing and Agency audit processes is not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
General Comment	366, 381	Commenter requests regulations to address consumers who may desire opting out of specific data collections and allow for partial opt-outs. Commenter also states that the regulations should provide targeted deletion options that allow people to remove just their personal household information, professional/business information, or both.	The Agency agrees in part with this comment. The regulations and the DROP will allow consumers to submit deletion requests to specific data brokers. Additionally, the Delete Act requires data brokers to delete any personal information related to the consumer as defined by Civil Code § 1798.140. (*See, e.g.,* Civ. Code §§ 1798.99.80(a), 1798.99.86(c), 1798.140(v).) The Agency cannot amend the statute or adopt regulations inconsistent with it. However, to clarify that the

			definitions in the CCPA apply to the Delete Act, the Agency modified § 7601 to clearly state that its definitions are in addition to those in Civil Code § 1798.140.
General Comment	368	Commenter requests regulations to provide clarity on how the Agency processes DROP requests for personal information that is processed in another jurisdiction with different privacy laws for organizations that must comply with multiple privacy laws across jurisdictions.	The Agency disagrees with this comment. The Delete Act and these regulations clearly indicate when a business is subject to the Delete Act and that the Agency will verify that the consumer is a California resident. If both of those criteria or met, the deletion request must be processed in compliance with California law.
General Comment	377, 378	Commenter identifies arguments that could possibly be made related to the regulations violating the First Amendment, as well as arguments that support the regulations as constitutional – such as the unique risk presented by data brokers of which consumers are not aware of or have not provided consent to, that the regulations are not compelled speech, and the justifiable narrowly tailoring of the provisions.	The Agency agrees that the DROP and its implementing regulations do not violate the First Amendment and notes the information provided by commenter.
General Comment	379	Commenter identifies arguments that could possibly be made related to the regulations violating the Dormant Commerce Clause, as well as arguments that support the regulations as constitutional – such as compliance has significant costs and interferes with the ability to operate efficiently across state borders, and that it conflicts with or is preempted by federal laws if they subsequently enact one that the regulations are inconsistent with.	The Agency notes the information provided by commenter.
Informed Consent	48, 49, 150, 166, 380, 382	Commenter asserts that informed consent is fundamental to California privacy law. Commenter requests that the regulations provide more information about the scope of a deletion request to help consumers make an informed decision on the deletion of their personal information. Commenter states consumers have the right to receive	The Agency agrees with the comment that it is important for consumers to make informed decisions about whether to submit a request to delete. The Delete Act, these regulations, and the DROP contain information about deletion requests. § 7620(c) requires consumers to affirmatively consent to the disclosure of their personal information to data brokers for the

		speech and that advertising includes not only selling products providing advice and support. Consumers should understand what they gain and lose by submitting a request through DROP. Commenter notes and consumers should be aware that the effects of submitting a deletion request can include the loss of access to civic engagement, educational and scholarship information, community resources, visibility into professional databases, and financial discounts or information. Commenter indicates confusion about whether affirmative consent overrides participation in the DROP. Commenter also states the regulations do not provide a safe harbor to allow data brokers to keep data in a non-operational database if consumers change their minds about deleting their personal information; the data cannot be restored or recreated and that the loss to the consumer will be permanent. Commenter asserts that the regulations do not contain sufficient safeguards for informed consent.	purpose of processing a deletion request. The Agency also allows consumers to amend or cancel their request under § 7620(d), and the regulations clearly specify what a data broker may retain after processing a delete request. Moreover, The Agency intends to provide educational materials to assist consumers with understanding the DROP. The Agency does not think it is necessary to include additional requirements in the regulations at this time. The Agency will monitor the DROP to determine whether modifications to the regulations are necessary in the future.
Potential Resistance from Industry	376	Commenter asserts that businesses may push back on the DROP, stating compliance burdens, implementation costs, impact on revenue, chilling innovation, and that it imposes a disproportionate burden on small and mid-sized data brokers that benefits dominant industry players. Commenter asserts that some businesses may assert that advertising efficiency is harmed because ad delivery is being affected. Commenter states some businesses may claim that innovation is being stifled for artificial intelligence and machine learning, affecting fraud prevention and cybersecurity. Lastly, commenter states some industry groups may raise concerns about consumer confusion and that DROP requests may affect personalized services.	The Agency notes the comment and the information shared by the commenter.

Unauthorized Deletion	308	Commenter requests that the Agency provide safe harbor from liability for data brokers who in good faith act on deletion requests later found to be unauthorized.	The Agency disagrees that there should be a safe harbor from liability for good faith unauthorized deletions. The Agency does not have the authority to create a statutory exemption as requested, nor does it have the authority to exempt data brokers from liability from legal action taken by other parties through regulation. However, in determining whether an enforcement action will be taken, the Agency will consider the facts and circumstances of each situation.
Unintentional Deletion	385	Commenter states that the regulations should provide restoration options for unintended deletions.	The Agency disagrees with this comment. One of the primary purposes of the Delete Act is to effectuate the deletion of a consumer's personal information. In order to provide restoration, the personal information deleted would need to be maintained and, thus, would be inconsistent with the Delete Act. The Agency cannot adopt regulations inconsistent with the Delete Act.

NOT ON PROPOSED ACTION

Section of Regulation	Comment Numbers	Summary of Comments 45-Day Comment Period	Agency Response
7601(k)	223	Commenter requests clarification that "registration period" pertains to DROP renewals and that a data broker can register at any time pursuant to the prorated costs in § 7611.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development. The Agency notes that the access and registration fees are distinct fees, and that only the access fee has a prorated structure depending on when a data broker begins accessing DROP in a given year.
7601(l)	224	Commenter requests that the term "or desire to have children" be removed because it is broad or instead include the term "knowingly" regarding the data use. Commenter	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.

		states the definition could mistakenly include behavioral activities or casual correspondence between app users and unknowingly implicate business or third-party advertising services.	
7602(b)	225	Commenter requests that the regulation allow multiple individuals to complete registration for a data broker, such as by an agent, so long as the individuals meet the knowledge requirement.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
7602(c)	226, 227	Commenter requests that "agents" be allowed to amend registrations and that the Agency establish clear guidelines for amending completed registrations.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
7603(b)	228	Commenter requests that the regulation be amended to state that the website links and email addresses must be accurate and functioning at the time of submission since they are subject to change.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
Data Sharing Disclosures	356	Commenter requests Agency require data brokers to disclose how they share data within corporate structures and with external partners.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
Exemptions	345	Commenter recommends Agency assess whether exemptions should be narrowed over time to align with evolving privacy concerns and regulatory needs.	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.
Registration	335	Commenter recommends ensuring that the final regulations incentivize data brokers to register, to both allow the Agency to better understand the landscape and increase public trust that submitting a deletion request through DROP will reach as many data brokers as possible. Commenter states the fee increase may cause an under-inclusive DROP registration. Commenter recommends setting up monitoring processes and incentivizing data brokers to register by including structuring fees to apply on a scaled business. Commenter	While not on the proposed action, the Agency notes commenter's suggestion and looks forward to continuing to work with stakeholders on future policy development.

		suggests working with California Department of Technology and California research universities to investigate barriers to data broker registration.	
Robotic & Scam Calls	260, 261, 262, 263, 264, 265, 266	Commenter expresses frustration with excessive robotic and scam calls, despite being on the FTC Do Not Call Registry. Commenter states would like a system that detects and identifies robotic and spoofed callers; large fines for using spoofed information; opt-in rather than opt-out for information lists; a charge for each phone call made to a person in the state; and the regulations to favor consumers due to irresponsible use of personal information by data brokers. Commenter further states that limiting access to personal data is urgent because people cannot block large categories of calls without missing critical calls from family and professionals.	Commenter references issues with calls and the FTC Do Not Call Registry, which is outside of the Agency's authority and the purview of the Delete Act.