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Updated Statement of John Davisson

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Hearing on H.211 (The Delete Act)

Before the

House Committee on Commerce and Economic Development

Vermont General Assembly

January 28, 2026

Chair Marcotte, Ranking Member Jerome, and members of the committee:

Good afternoon and thank you for the opportunity to testify in support of H.211. My name is John Davisson; I am deputy director and director of enforcement at the Electronic Privacy Information Center, or EPIC.

EPIC is an independent nonprofit research organization in Washington, D.C., established in 1994 to protect privacy, freedom of expression, and democratic values in the information age.¹ EPIC has long advocated for the adoption of robust privacy laws at both the state and federal level.²

Like Matt, I want to wish everyone a happy Data Privacy Day, which is observed annually on January 28. It's appropriate that this hearing is occurring on the global celebration of data protection and the fundamental right to privacy. What better way to honor the importance of privacy rights than by considering legislation to enshrine those rights into law?

EPIC deeply appreciates the work that the committee has undertaken on the H.211. Vermont has long been a leader in reining in the out-of-control data broker industry. However, we urge the committee to retain the accessible deletion mechanism from the previous draft of the bill, as it represents the next critical step in imposing accountability and enforceable limits on companies that prey on some of our most sensitive personal information.

There's every reason to think that an accessible deletion mechanism that operates like a do-not-call list will be a broadly popular one. Just yesterday, we were informed that California's analogous Delete Request and Opt-out Platform, or DROP,³ has received 191,000 consumer

¹ <https://epic.org/about/>

² <https://epic.org/issues/privacy-laws/>

³ <https://privacy.ca.gov/drop/>

sign-ups in less than a month of existence. That’s a staggering response given that the data broker industry often operates in the shadows, a threat unseen and unknown to many consumers.

And make no mistake: brokers pose a threat to us all through the vast range, depth, and scale of the personal datasets and products they market.

For example, data brokers facilitate stalking and harassment by selling addresses and location data, a trade which poses a particular threat to domestic abuse survivors seeking to avoid their abusers.⁴ As a result, survivors may avoid seeking legal services that require personal information, limiting access to necessary support.⁵

Data brokers compile and sell sensitive information such as immigration status and employment history that can be used to discriminate against immigrants, denying them jobs, housing, and credit.⁶ At the same time, agencies like ICE and CBP purchase extensive personal data on immigrant communities from brokers for use in enforcement campaigns.⁷ Just last week, ICE issued an official request for information on how “Big Data” providers “can directly support investigations activities.”⁸

Data brokers pose a well-documented threat to national security, as well.⁹ In 2023, Duke University researchers found that data brokers sell sensitive data about active-duty military members, veterans, and their families for as little as \$0.12 per record.¹⁰ A 2024 investigation

⁴ <https://epic.org/wp-content/uploads/2024/11/12.4-Data-Broker-Harms-Domestic-Violence-DV-Survivors-One-Pager.pdf>

⁵ *Id.*

⁶ <https://epic.org/wp-content/uploads/2024/10/12.4-Data-Broker-Harms-to-Immigrants-One-Pager.pdf>

⁷ *Id.*

⁸ <https://sam.gov/workspace/contract/opp/411452e8b3614944b9c50cc3aa24fb42/view>

⁹ <https://epic.org/wp-content/uploads/2024/05/12.4-National-Security-Data-Broker-One-Pager.pdf>

¹⁰ <https://techpolicy.sanford.duke.edu/data-brokers-and-the-sale-of-data-on-us-military-personnel/>

discovered that data brokers sold location data which could be used to track the location of service members stationed at U.S. military bases around the world.¹¹

And data brokers create a heightened risk of violence to public officials by selling data points like home addresses, names of close relatives, phone numbers, and location data.¹² Last year, court documents showed that the gunman charged with assassinating Minnesota state Representative Melissa Hortman and her husband and shooting state Senator John Hoffman and his wife first consulted online people search websites to find their home addresses.¹³

These are just a few examples of how a largely unregulated data broker industry can harm Vermonters. But these examples reflect a broader truth: our personal data can be a powerful weapon in the hands of the highest bidder, depriving us of our privacy, safety, peace of mind, and control.

Establishing a centralized accessible deletion mechanism would dramatically shift that balance in favor of the public, giving Vermonters an easy, one-stop way to restore control over a key part of the personal data trade. While EPIC continues to support the adoption of robust comprehensive data protection legislation that would impose strong data minimization requirements and largely eliminate the need for opt-outs, establishing a central and accessible deletion mechanism would be a major step forward for privacy and data protection even on its own.

I wanted to appear today to convey our enthusiastic support of H.211, but unfortunately the latest draft of the bill represents a missed opportunity to adopt an accessible deletion

¹¹ <https://techpolicy.sanford.duke.edu/data-brokers-and-the-sale-of-data-on-us-military-personnel/>

¹² <https://epic.org/wp-content/uploads/2025/03/12.4-Data-Broker-Threats-Public-Officials-one-pager.pdf>

¹³ *Id.*

mechanism and relies on a significantly weakened and more cumbersome broker-by-broker deletion system. Although the draft establishes a right to have information deleted, which we certainly support, it puts the onus back on the individual to manage deletion requests, which is exceptionally time-consuming, expensive, or both. We support H.211 to the extent that it brings Vermonters one step closer to the accessible deletion mechanism that this bill originally contemplated and that some of their fellow citizens already enjoy, but again, we urge you to restore that provision today and not miss this opportunity. Data brokers certainly aren't biding their time.

I thank you again for the opportunity to testify, and I welcome any questions you may have.