

# Authorized Agents: Building Technical Infrastructure for Consumers to Delegate their CCPA Rights

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**Abstract—The California Consumer Privacy Act (CCPA) provides new privacy rights, including the right to access, delete, and stop the sale of Californians' personal information. However, many of these rights place responsibility on the consumer to submit requests. It is not scalable for consumers to submit requests to hundreds or thousands of companies. The CCPA has an “authorized agent” provision that allows a consumer to designate a third party to perform requests on their behalf, allowing a practical option for exercising CCPA rights.**

Through this project, we seek to develop technical infrastructure to submit opt-out, access and deletion requests on consumers' behalf as an authorized agent. We will analyze the legal and technical obstacles to submitting verified requests at scale, and identify aspects of the process that are not automatable. We will also analyze responses and data formats received from companies and recommend request/response patterns and data delivery formats to regulators. We hope our analysis and recommendations can pave the way to standard protocols and APIs embraced by companies as they receive, process, and respond to agent requests that serve consumers.

**MOTIVATION** Consumer Reports' previous research revealed how tough it can be for Californians to exercise their right to opt out of the sale of their information under the CCPA. [1] Not only do consumers need to submit requests to many companies to protect their privacy, but some companies have developed onerous opt-out processes that interfere with consumers' ability to exercise their data rights. Access and deletion requests require additional steps for the company to verify the requestor's identity. [2] Consumers need tools that can automate request formulation and submission—particularly for access, deletion, and requests to data brokers, where browser privacy signals like Global Privacy Control do not apply. [3] Without good tools, even motivated consumers are unlikely to exercise their CCPA rights.

**DESCRIPTION** The CCPA allows consumers to appoint “authorized agents” to submit data requests on their behalf. [4] In 2020, Consumer Reports conducted a pilot study and issued data requests as an authorized agent on behalf of 124 volunteers in California. We sent 210 “Do Not Sell” or “opt-out” requests to 21 companies on consumers' behalf,

which we found to be arduous and sometimes ineffective. [5] We encountered variation in companies processing of requests, posing challenges to a standard submission process. Moreover, identifying opt-out processes in the first place was difficult. Some companies did not explain in their privacy policies how to submit authorized agent requests and many customer service agents were unable to explain the processes. Some failed to notify us that the opt-out requests had been honored.

Authorized agent access and deletion requests pose additional challenges, especially when performed at scale. As with opt-out requests, we anticipate that companies will have different processes for accepting these requests, posing a challenge to standardization. We also expect that some companies will claim CCPA exemptions to avoid complying with requests. Because access and deletion requests require identity verification, we anticipate that authorized agent processes for these requests will be even more complex.

We will soon launch a pilot to submit CCPA data access requests as an authorized agent. We plan to automate a process to obtain authorization on behalf of participants and to coordinate with receiving companies and third-party software providers who help companies respond to requests. We will catalog companies' access request workflows, analyze processes, and share learnings with regulators. Legal and technical requirements will need to move in lockstep to make authorized agents practical for consumers. Our findings will allow us to recommend adjustments to existing rules, flag non-compliance, and convene industry to align on standard protocols and APIs that will make authorized agents flourish.

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## REFERENCES

- [1] Maureen Mahoney, *California Consumer Privacy Act: Are Consumers' Rights Protected*, Consumer Reports, [https://advocacy.consumerreports.org/wp-content/uploads/2020/09/CR\\_CCPA-Are-Consumers-Digital-Rights-Protected\\_092020\\_vf.pdf](https://advocacy.consumerreports.org/wp-content/uploads/2020/09/CR_CCPA-Are-Consumers-Digital-Rights-Protected_092020_vf.pdf), October 2020.
- [2] Cal. Code Regs. tit. 11 § 999.323(a).
- [3] Global Privacy Control, <https://globalprivacycontrol.org/>
- [4] Cal. Civ. Code § 1798.135(c); § 1798.140(y).
- [5] - Maureen Mahoney, Ginny Fahs, and Don Marti, *The State of Authorized Agent Opt Outs Under the California Consumer Privacy Act*, Consumer Reports, [https://advocacy.consumerreports.org/wp-content/uploads/2021/02/C\\_R\\_AuthorizedAgentCCPA\\_022021\\_VF\\_.pdf](https://advocacy.consumerreports.org/wp-content/uploads/2021/02/C_R_AuthorizedAgentCCPA_022021_VF_.pdf), February 2021.