

Mathematics and Computer Science Department

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Sebastian Zimmeck Assistant Professor of Computer Science 860 685 2398 szimmeck@wesleyan.edu September 19, 2024

Dear Governor Newsom,

I am contacting you to express my support of AB 3048. My name is Sebastian Zimmeck, and I am an assistant professor of computer science at Wesleyan University. My research areas are privacy and security. I am one of the co-founders of Global Privacy Control (GPC), the privacy preference signal that California residents can send to websites to exercise their CCPA opt out rights. It is my hope that you will sign AB 3048 into law.

AB 3048 would not only meaningfully improve California residents' privacy rights but also contribute to evolving the Internet towards a structurally privacy-preserving system. Technological mechanisms, such as GPC, cannot by themselves advance people's privacy rights. The Do Not Track experience demonstrates this point. On the other hand, privacy laws need effective implementations to work. In this sense, AB 3048 and GPC are complementing each other to give California residents a meaningful opt out right.

One argument I heard against the bill is that California residents would not know what they are opting out of. However, our research suggests the opposite. 81% of participants in our study on the comprehension and utility of GPC understood what they were declaring, and 94% would turn it on (https://petsymposium.org/popets/2023/popets-2023-0052.php). Thus, our results suggest both a need as well as a utility of a GPC browser setting.

Another argument I heard is that signing AB 3048 into law would result in an overly broad setting preventing users from exercising their GPC choices for individual sites. However, that is not the case. We designed and implemented GPC user interfaces that support broad opt outs from all sites as well as from individual sites if users prefer to do so (https://petsymposium.org/popets/2024/popets-2024-0015.php). Those interfaces are compatible with AB 3048 and easy to implement in browsers and mobile operating systems.

It is important to note that a site's or app's first party relationship with its users would not change if AB 3048 would become law. They could still store all personal information that is necessary to perform the tasks the user wants the app or site to perform. They could also still advertise, not only based on the context of the interaction but in personalized form as well. For example, Google provides the Topics API (https://developers.google.com/privacy-sandbox/private-advertising/topics), which is

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available both on the web and on Android. The Topics API is a more privacy-friendly ad mechanism that third parties can use to personalize ads without selling or sharing personal information under California law.

I particularly appreciate that AB 3048 not only covers browsers but also mobile operating system. Results from our most recent study suggest that currently very few apps respect California residents opt out rights despite being obligated to do so (https://arxiv.org/abs/2407.14938). Thus, AB 3048 would be a big step towards improving the opt out situation on mobile devices.

In my view, the meaning of Google's Adld mechanism on Android as well as Apple's App Tracking Transparency framework for iOS already captures the essence of what AB 3048 would now codify into law. Notably, the AdID setting of Android 14 and its corresponding user interface enables users to "[i]nstruct apps not to [...] build profiles or show [...] personalized ads" and to "[o]pt out of interest-based ads" (see Figure 1 of https://arxiv.org/abs/2407.14938). The setting applies device-wide to all installed apps and their integrated third parties and, thus, corresponds to current CCPA Regulations. The situation is similar on iOS. iOS apps must request users' permission for "collect[ing] data about end users and shar[ing] it with other companies for purposes of tracking across apps and web sites." (https://developer.apple.com/documentation/apptrackingtransparency). AB 3048 would be a natural extension of these opt out mechanisms.

AB 3048 poses only minor technological challenges for implementers. It seems to me that its major criticism comes from the viewpoint of trying to hang on to outdated business models that are based on technologies putting people's privacy at risk. Few people are aware that in many cases when they open a website or use an app they not only interact with the site or app but also with various integrated third parties. The underlying sharing and selling of personal information from the site or app to third parties in these interactions is not transparent and difficult to prevent. AB 3048 would surface these relationships and give California residents a chance to exercise their opt out right.

In my view, AB 3048 has the promise of big privacy gains for California residents with minimal impact on online advertising. It would be a step towards advancing the online ad ecosystem towards privacypreserving ad technologies and business models. Thus, I am supporting AB 3048 and hope that you will sign it into law.

If I can provide additional information, I would be happy to do so. Thank you for your consideration.

Sincerely,

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Sebastian Zimmeck