

White House to Host Meeting on Data Brokering Industry as CFPB Promises New Regulations

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The White House hosted a roundtable meeting Tuesday on the data brokering industry as a part of an administration-wide push toward strengthening America's consumer privacy landscape. The meeting brought together researchers, regulators, and consumer advocates. The Biden-Harris Administration has called for stronger national regulations on data brokering, or the buying and selling of personal consumer data. Data brokers have been implicated in sharing extremely sensitive data without the subject's knowledge. For example, [we previously reported](#) on a Federal Trade Commission (FTC) suit against a broker for allegedly selling personal geolocation data that indicated the subjects' places of worship and visits to reproductive health clinics.

In a tandem announcement, the Consumer Financial Protection Bureau (CFPB) [announced](#) that it is considering new regulations empowered by the Fair Credit Reporting Act (FCRA). The CFPB proposes classifying certain data brokers as consumer reporting agencies under the FCRA. This would subject those data brokers dealing in the broad categories of data covered by the FCRA to increased oversight and restrictions on improper use. The regulations will also clarify to what extent "credit header data," or data gleaned from credit reports and circulated by data brokers, is a consumer report per FCRA. These regulations are in the pre-proposal stage, and the CFPB is asking small business owners for input.

If enacted as described, these regulations may be a much-needed win for American consumer privacy. There is no overarching privacy legislation at the federal level, and only a few states (among them California and Vermont) currently try to regulate the wild west of data brokering and surveillance capitalism.

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