



**Re: *In re Plaid, Inc. Privacy Litigation***  
**Case No. 4:20-md-03056**  
**Report for Cy Pres Award**  
**October 2023 through March 2024**

**About Privacy Rights Clearinghouse**

Privacy Rights Clearinghouse (PRC) is a 501(c)(3) nonprofit organization dedicated to increasing access to information, policy discussions, and meaningful rights so data privacy can be a reality for everyone. With over 30 years of organizational experience and a dedicated focus on data privacy, PRC serves as a recognized leader in consumer education and advocacy.

Our organization was founded on the belief that people deserve the opportunity to be informed of their rights and be heard by those who represent them. This serves as our team's motivation as we work toward a future where privacy rights are accessible, available choices are clear, and both are reflected in the products and services consumers use and interact with on a daily basis.

Each of our programs provides services that connect people with one another or to relevant resources to help them better understand and advance consumer privacy rights.

PRC's consumer education and outreach program increases access to information to expand public awareness and understanding of existing data privacy rights and choices by

- Publishing clear overviews of complex data privacy laws
- Creating educational resources that provide context for rights and choices that lie at the intersection of data privacy and health, employment, finance, education, and housing
- Engaging in community outreach

PRC's consumer and policy advocacy program defends and advances consumer data privacy protections by

- Providing expert policy analysis and input at the state and national level;
- Focusing strategic advocacy in California, a state that has long served as a driver of data privacy protections nationwide

- Coordinating advocates to enhance their public policy capacity with respect to consumer data privacy issues

PRC's privacy research tools program provides researchers, journalists, policymakers, and advocates with access to issue-relevant data and information to better and more efficiently understand data privacy issues by

- Building and maintaining databases and interactive tools to help analyze complex data
- Publishing reports analyzing emerging issues and trends

### **Cy Pres Funds**

Privacy Rights Clearinghouse has spent \$95,603 of the *In re Plaid Litigation* Settlement cy pres award funds as of March 31, 2024. \$662,814 of the \$758,417 cy pres award remains.

The report below provides an overview of Privacy Rights Clearinghouse's recent activities that have benefitted from cy pres award funds.

### **Program Updates**

#### **Privacy Research Tools**

Privacy Research Tools is comprised of publicly-available databases, interactive visual dashboards, and reports designed to help people research and better understand privacy-related issues. Our current tools focus on two key topics central to improving consumer financial and online privacy – data breaches and the data broker industry. When personal information is compromised or sold to third parties, consumer trust erodes and people face increased risk.

Our tools help users identify patterns and measure the effectiveness of existing law and regulations across the United States, assess privacy and security claims of consumer products and services in privacy statements and marketing materials, and raise awareness to incentivize improved data practices.

Over the past six months, our Privacy Research Tools work has focused primarily on data breaches.

#### *Data Breach Chronology*

PRC has tracked reported data breaches in the United States since 2005. In February 2024, we launched an updated and overhauled Data Breach Chronology Database and [Dashboard](#) with information dating from 2005 through Q3 2023. The Dashboard has been viewed over 50,000 times since the update, and (with the Database) is widely used by researchers, advocates, journalists, and policymakers to better understand data breaches.

In addition to new data from government agency sources, our team [digitized](#) and analyzed over 16,000 data breach notification letters. We also released an [archive dashboard](#) using PRC's historical data.

#### *U.S. Data Breach Notification Law Dashboard*

One of the many challenges facing consumer advocates and those studying data breaches is the wide variation in applicable state law. In October 2023, our team created an interactive [dashboard](#) to help people compare U.S. data breach notification laws. This has been viewed over 4,000 times since launch,

and we plan to improve the design and release an updated dashboard in late 2024.

## **Consumer and Policy Advocacy**

PRC advocates for meaningful privacy rights and protections across the U.S. Over the past six months, our work has centered on increasing transparency and accountability around the data broker industry, researching online courseware privacy in higher education, and facilitating consumer privacy advocacy in California.

### *Advocating to Improve Data Brokers Business Practices and Accountability*

PRC has long worked to shine a light on the underregulated data broker industry. Data brokers are a common subject of individual complaints directly submitted to our organization. Reporters, researchers, and government agencies have also highlighted this industry increasingly in recent years. Unchecked and working in the shadows, data brokers can help criminals commit identity crime and financial fraud, facilitate stalking, subject individuals to abusive and discriminatory practices, impact a person's access to healthcare and employment, and compromise national security.

In 2023 (prior to receipt and not funded by *cy pres* funds), PRC sponsored the [California Delete Act](#). Signed into law in fall 2023, the Delete Act requires data brokers to disclose additional information about their business practices when they register with the California Privacy Protection Agency, and it will soon provide Californians with the ability to easily request deletion of personal information from all registered data brokers.

We believe such data broker protections must exist nationwide, and have focused on raising awareness of these issues on a larger scale over the past six months. We wrote an [op-ed](#) published in The Hill, and have been interviewed by multiple publications on the topic, for example, [PBS](#) and [Bloomberg Law](#). Our Policy Counsel regularly presents on the topic, and has also weighed in at California Privacy Protection Agency board meetings and in comments.

We will continue to focus advocacy and outreach on data broker accountability and consumer rights across the U.S. in 2024 and beyond.

### *Researching Online Privacy in Higher Education Courseware*

In late 2023, our team began a research project to better understand privacy practices, risks, and protections surrounding online courseware for post-secondary students. Reporting shows that students are often required to pay to access online course materials, but are then unclear regarding the privacy practices and protections surrounding their personal data and the data they generate when using the services. Our project will go into detail on this issue, and we plan to publish a report on this issue during summer 2024.

### *Facilitating Consumer Data Privacy Advocacy*

For nearly 20 years, PRC has coordinated consumer and privacy advocates to enhance their capacity to engage in policy discussions concerning data privacy issues. We focus strategically on California—a state with a constitutional right to privacy that has long been a driver of data privacy rights across states and nationwide.

In late October 2023, we hosted our annual policy convening for advocates. By providing structured facilitation and a forum for advocates to discuss privacy issues with one another and guest speakers, we encourage advocates to share expertise and information with one another to enhance their advocacy capacity on data privacy issues. The event sets the tone and priorities for the group throughout the following calendar year, during which we hold and facilitate an average of three meetings per month to share resources and follow the issues and priorities set forth during the annual event. For example, in 2024 this includes AI, data brokers, online global privacy opt-out control, and education privacy.

### **Consumer Education and Outreach**

As privacy issues and rights evolve, it is critical for our organization to adapt our services to meet the needs of consumers. The majority of our consumer education and outreach work has traditionally centered on written materials on [PrivacyRights.org](https://www.privacyrights.org) and one-to-one communications. We continue to maintain and update our site and materials, but are also evaluating our approach with the goal of expanding our team and program services by 2025.

In March 2024, our team began evaluating PRC's existing consumer education resources and outreach strategies to determine areas for improvement and needs for new resources. Using the Liberatory Design Process—an approach that prioritizes designing *with* rather than *for* an intended audience, we are working with stakeholders to inform and test new approaches to increase our impact and effectiveness. Our goal is to better understand individuals' and communities' data-privacy-related concerns in context and provide them (and the organizations directly serving them) resources that clarify existing rights and choices.

Upcoming *cy pres* award updates will detail the results of this initiative, activities, and project deliverables specifically focused on financial services and online privacy.