

# U.S. Sen. Baldwin: Baldwin, Klobuchar urge Federal Trade Commission to protect data privacy of Women seeking reproductive health care

Posted on Friday, May 20, 2022

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WASHINGTON, D.C. – U.S. Senators Tammy Baldwin (D-WI) and Amy Klobuchar (D-MN), both members of the Senate Commerce Committee, urged the Federal Trade Commission (FTC) to protect the data privacy of women seeking reproductive health care, following the Supreme Court's leaked decision overturning *Roe v. Wade*. The senators expressed their concern over reports that data brokers are selling location data that allow purchasers to see how many people sought abortion services and other family planning care.

“We write to express serious concerns regarding recent reports identifying data brokers buying and selling location data that includes personal data related to family planning and abortion services,” **the senators wrote to FTC Chairwoman Lina Khan.** “Recent reports highlight data brokers selling location data that allows the buyer to see how many people visit a certain location and when, including how many people are seeking care at reproductive health clinics such as Planned Parenthood.”

“In light of reports that the Supreme Court is set to overrule *Roe vs. Wade*, we are concerned about the privacy of women making decisions that should be between them, their families, and their doctors, as they have for more than five decades,” **the senators continued.** “We appreciate your efforts to highlight the critical need for increased consumer privacy and danger of open data to further

victimization. However additional measures need to be taken to protect personal data and ensure the privacy of women as they make decisions that should be between them and their doctors.”

In addition to Baldwin and Klobuchar, the letter was also signed by Senators Kirsten Gillibrand (D-NY), Catherine Cortez Masto (D-NV), Dianne Feinstein (D-CA), Mazie Hirono (D-HI), Tammy Duckworth (D-IL), Elizabeth Warren (D-MA), Tina Smith (D-MN), Cory Booker (D-NJ), Alex Padilla (D-CA), Bernie Sanders (I-VT), Edward J. Markey (D-MA), Mark R. Warner (D-VA), Richard Blumenthal (D-CT), and Dick Durbin (D-IL).

Senator Baldwin also joined colleagues this week in [calling out data brokers](#) for collecting and selling the cellphone-based location data of people who visit abortion clinics and risking the safety of anyone seeking access to abortion services. The senators demanded answers about the companies’ data collection practices and calling on them to create a complete and permanent ban on these and similar practices.

The full text of the letter is available [HERE](#) and below:

Dear Chair Khan,

We write to express serious concerns regarding recent reports identifying data brokers buying and selling location data that includes personal data related to family planning and abortion services. We respectfully request additional information on what steps the Federal Trade Commission (FTC) is taking to ensure data brokers are not collecting, buying, or selling sensitive location data that put people, particularly those seeking medical attention, at risk.

We are concerned about online markets that sell and trade mobile phone location data. This data is often collected and sold by ordinary apps installed on a person’s smartphone, such as weather apps. The data is then bought and resold by data brokers. All of this information has historically been used to identify individuals. The estimated value of the location data market has been estimated at approximately \$14 billion in 2021.

Recent reports highlight data brokers selling location data that allows the buyer to see how many people visit a certain location and when, including how many people are seeking care at reproductive health clinics such as Planned Parenthood. One

report identified the purchase of data showing the number of people that visited over 600 Planned Parenthood locations in a week for just over \$160.

In light of reports that the Supreme Court is set to overrule *Roe vs. Wade*, we are concerned about the privacy of women making decisions that should be between them, their families, and their doctors, as they have for more than five decades. Should the Court's final decision match the leaked opinion, thirteen states could immediately ban abortion and over a dozen others are likely to criminalize it. Banning and criminalizing abortion in parts of our country could create added risks to those seeking family planning services in states where abortions remain legal.

We appreciate your efforts to highlight the critical need for increased consumer privacy and danger of open data to further victimization. However additional measures need to be taken to protect personal data and ensure the privacy of women as they make decisions that should be between them and their doctors.

We respectfully request that you respond to the following questions by June 1:

- What measures is the FTC taking to ensure individuals have the right to review and remove their information online, and assist them should their data be sold or they become victim to a breach? If so, please describe these measures.
- How does the FTC plan to address mobile phone apps that are developed to collect and sell the location data? How is the FTC educating individuals about how to identify apps that collect and sell their location data?
- What is the FTC doing to coordinate with the Department of Justice, states and localities, health care providers and private stakeholders to prevent data brokers and others from gaining access to the personal information of women and their healthcare decisions?
- Does the FTC need additional resources to better protect women from having their personal location data bought and disseminated by data brokers?

Thank you for your attention to this important matter. We look forward to working with you to address this threat to privacy and safety.

An online version of this release is available [here](#).