
CALIFORNIA PRIVACY PROTECTION AGENCY

400 R ST. SUITE 350
SACRAMENTO, CA 95811
cppa.ca.gov



INVITATION FOR PRELIMINARY COMMENTS

DELETE REQUEST AND OPT-OUT PLATFORM (DROP) AUDITS

The California Privacy Protection Agency (CalPrivacy) is exploring the requirements for data broker audits. (See Gov. Code §§ 11346(b), 11346.45.) CalPrivacy seeks input from stakeholders on this topic and is accepting preliminary comments through May 7, 2026.

Invitation for Preliminary Comments

The California Delete Act governs data brokers. (Civ. Code § 1798.99.80 et seq.) “Beginning January 1, 2028, and every three years thereafter, a data broker shall undergo an audit by an independent third party to determine compliance with [Civil Code section 1798.99.86].”

CalPrivacy is considering adopting regulations to clarify or further specify the audit requirement for processing deletion requests. CalPrivacy is particularly interested in receiving comments addressing the questions provided below. Additionally, stakeholders may want to propose specific regulatory concepts or language.

Commenters are encouraged to review the short “[Tips for Submitting Effective Comments](#)” guide for help formulating and submitting effective comments.

Questions for Preliminary Comment

1. What credentials, certifications, or independence requirements do you recommend third party auditors possess to ensure they are qualified and sufficiently independent?
2. What records, documentation, or other evidence would demonstrate in an audit whether a data broker has properly processed consumer deletion requests?

For example, what documentation should a data broker be required to maintain for audit purposes that evidences: how they have standardize and hashed their data; their method for matching their data to that from CalPrivacy; whether they are deleting information when finding a match while only retaining allowable data; and how they are using the deletion list(s) they maintain solely to compare with any new records (also known as a “suppression list”)?

3. What audit practices, methods, standards, and/or technical tools should CalPrivacy consider adopting as requirements for data broker audits? Are there additional or different audit requirements you recommend when a data broker uses artificial intelligence (AI) or agentic AI systems?

For example, should CalPrivacy consider audit practices used in the cybersecurity or banking sectors, and should auditors be required to use certain tools, such as data analytics or code-review software?

4. What audit requirements would allow CalPrivacy to determine if it should be requesting different identifiers from consumers to generate the highest number of matches between the DROP data and the data broker’s data?

For example, CalPrivacy collects only zip codes from consumers, but if a full address would generate more matches—or another identifier altogether (e.g. IP address, etc.)—what evidence would demonstrate that?

5. When CalPrivacy requests an audit report, what other materials, at minimum, do you recommend be submitted to CalPrivacy at the same time?
6. What else should CalPrivacy consider in developing data broker audit regulations?

Time Period to Submit Preliminary Comments

CalPrivacy will be accepting preliminary comments from April 7, 2026 until 5:00 p.m. PT on May 7, 2026.

Where to Submit Preliminary Comments

Electronic Submission:

Comments may be submitted electronically to regulations@coppa.ca.gov. Please include **“Preliminary Comment – DROP Audits”** in the subject line.

Mail Submission:

California Privacy Protection Agency
Attn: Legal Division – Regulations
400 R St., Suite 350
Sacramento, CA 95811

Preliminary Comments

The preliminary comments sought in this invitation are to assist CalPrivacy with its preliminary rulemaking activities and do not reflect any decisions made by CalPrivacy regarding future rulemaking. If CalPrivacy decides to propose regulations, a formal public comment period will be held at a later time during the formal Administrative Procedure Act rulemaking process. All preliminary comments

received by CalPrivacy are public records subject to disclosure and may be included in future rulemaking packages.

Questions

Questions regarding this Invitation for Preliminary Comments may be directed to regulations@coppa.ca.gov.