



December 6, 2019

Privacy Regulations Coordinator
California Office of the Attorney General
300 South Spring Street, First Floor
Los Angeles, CA 90013

Re: NEMA Comments on California Consumer Privacy Act Proposed Regulations

The National Electrical Manufacturers Association (NEMA), the leading trade association representing manufacturers of electrical and medical imaging equipment, provides the attached comments on the Proposed Text of Regulations for Chapter 20, California Consumer Privacy Act (CCPA) Regulations. These comments are submitted on behalf of NEMA Member companies across multiple product Sections.

NEMA represents more than 325 electrical equipment and medical imaging manufacturers that make safe, reliable, and efficient products and systems across 56 product Sections. Our combined industries account for over 370,000 American jobs in more than 6,100 facilities covering every state. Our industry produces \$124 billion shipments of electrical equipment and medical imaging technologies per year with \$42 billion exported. In California, 68 of our Member companies maintain 181 facilities employing over 12,000 people.

The proposed CCPA regulation provides many clarifications and details. We seek further clarifications on several sections.

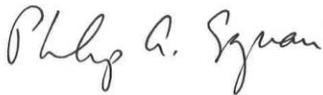
1. §999.313.(c)(3.) - The proposed regulations state that a business can decline to provide a consumer with specific personal information when there is an unreasonable risk to the security of that personal information. While a business should promptly respond to requests to identify categories of personal information held, requests to modify and/or delete “low value” personal information—such as; name, email address, or phone number—would represent a security risk that outweighs the potential benefit to the consumer. In these cases, it would be unreasonable to disclose the specific personal information. The Office of the Attorney General should be as clear as possible on this point and should provide additional guidance to the public.
2. §999.326(a)(1) – Questions remain about the extent of a business’s obligation to confirm the validity of the written permission granted from a consumer to an authorized agent for a request to know (i.e., validate the proof provided under 999.326(c)). Because the consumer will have to separately verify its identity directly with the business, any person could independently present a forged written permission document claiming to represent a verified consumer and the business will be required to disclose to the agent the consumer’s personal information. Additional guidance from the AG office is needed on this topic.
3. §999.337(b)(5)(a)—A good-faith estimate of personal data collected by a business can vary greatly and be proprietary. NEMA believes that there should be mechanisms in place to ensure the confidentiality of the estimates.
4. §999.312(a), §999.312(b), and §999.315(a)—These sections requiring businesses to have two or more designated methods for a person submitting requests to a business are overly prescriptive.

NEMA disagrees that there is any benefit to having two or more methods for these communications. Requiring more communication methods for a business to monitor may increase the risk of fraudulent data requests.

5. §999.313(c)(6) and §999.323(d)—These sections instruct businesses to use reasonable security measures when transmitting personal information and detecting fraudulent identity-verification activity. The phrase “reasonable security measure” is undefined. Industry maintains best practices for data protection which may involve compliance with internationally recognized standards development organizations (SDOs) and voluntary consensus standards.

If you have any questions or need more information, please contact Madeleine Bugel at 703-841-3222 or Madeleine.Bugel@nema.org.

Sincerely,

A handwritten signature in cursive script that reads "Philip A. Squair".

Philip A. Squair
Vice President, Government Relations