

Opt-Out Obstacles: Concerning Practices by Registered Data Brokers and the Multi-Billion-Dollar Cost of Breaches

Supplement: Findem Heeds Ranking Member Hassan's Calls to Improve Opt-Out Options

On February 27, 2026, Joint Economic Committee Ranking Member Maggie Hassan issued a report on the results of her investigation into challenges with data collection opt-out options at registered data brokers and the multi-billion-dollar cost to Americans from data broker breaches. The report detailed several ways in which registered data brokers improved opt-out options for consumers after pressure from the Ranking Member. The report also noted that one registered data broker, Findem, had not responded to Ranking Member Hassan's request.¹ Following release of the report, Findem engaged with the Committee and took steps to make opt-out options easier, including by making the company's opt-out page available in search results and simplifying the opt-out process for consumers.

On the same day that Ranking Member Hassan released her report, Findem responded for the first time to the investigative request that she issued to the company in August 2025. The company provided a second written response on March 20, 2026, in response to further questions.

After the August 2025 request, Committee staff sent multiple emails to Findem, including to the company's dedicated privacy inbox, and called the company multiple times as well, leaving a voicemail and then speaking briefly with a Findem representative. The company stated, however, that it had missed the August 2025 request "because of an internal oversight."²

In response to the request, Findem stated that its "do not sell my information" page containing opt-out options, along with other pages, was "unintentionally excluded from search results from February 6, 2023, through February 27, 2026," through the use of "no index" code.³ The company also stated that it removed the "no index" code from this page "immediately upon receiving notification" through public reporting on the Ranking Member's report.⁴ Findem also stated that after removing the code, it had requested indexing of the "do not sell my information" page via Google Search Console.⁵ The company further stated that following this request, it had confirmed that the page appeared in public search results via Google.⁶ A Google search by Committee staff in February 2026 showed the "do not sell my information" page in search results.⁷

In addition, Findem stated that its “opt-out option is clearly accessible from every page of the website via a direct link in the footer as well as a link in the privacy policy, which is a top result in search engine results.”⁸ The company stated that it had “never considered using ‘dark patterns’ or any other methods to prevent or impede anyone from removing their data from our platform.”⁹ According to Findem, it received 418,096 data subject requests last year;¹⁰ the company also noted that its opt-out page received 679 total unique visitors between February 1, 2023, and March 4, 2026.¹¹

Until March 19, 2026, Findem requested that consumers submitting opt-out requests provide a name, email address, and additional user profile information (e.g., a LinkedIn URL).¹² The company used this information to determine whether it possessed personal data relating to a requestor.¹³ Following Ranking Member Hassan’s request, Findem simplified the form to require only the requestor’s email address.¹⁴

Finally, Findem stated that in 2025, the company had “fully responded” to 99 percent of opt-out requests and “was 100% compliant with data privacy laws.”¹⁵ Responses from the company to Ranking Member Hassan, as well as updated 2025 information on the Findem website, indicate that “instances in which [the company] did not process requests were (1) when it did not possess personal data relating to the requestor or (2) when it was not clear that the consumer had properly authorized a request made by a third party.”¹⁶ Of the 418,096 data subject requests that Findem received in 2025, for example, the company stated that it granted “81,481 in whole or in part, denied 4 because they were not made by (or properly authorized by) a consumer,” and received “an additional 336,611 requests for which Findem did not possess personal data related to the requestor.”¹⁷

The company also noted that it “is conducting an [informal] audit of its policies and practices across multiple areas including opt-out options and request rates.”¹⁸ These efforts involve “ongoing assessment and refinement of its data practices to ensure they align with the Company’s commitment to privacy and compliance.”¹⁹

¹ According to Findem, the company uses data to match candidates with employment opportunities and assist employers with workforce planning. Findem has stated that “[u]nlike traditional data brokers whose primary purpose is to monetize data, Findem is focused on helping individuals secure employment in today’s challenging economy.” Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

² Letter from Findem to Ranking Member Hassan (Feb. 27, 2026). The company stated that an employee monitoring the privacy inbox did not recognize the significance of the email that Committee staff had sent and did not escalate it internally. Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026). Findem has since clarified its operating procedures to

require employees to action or escalate every communication received (other than spam and sales emails), regardless of whether they appear to be data-related requests. *Id.*

³ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026). Findem stated that “no-index code had been placed in February 2023 by an employee who left the Company in December 2024. Findem executives did not direct the employee to place the code and cannot determine why the code was placed, but the Company did not intend to obfuscate the Do Not Sell or Share My Personal Information page.” Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

⁴ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026); Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

⁵ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026).

⁶ *Id.*

⁷ Screenshot on file with Committee.

⁸ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026).

⁹ *Id.*

¹⁰ Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026). Findem stated that it receives about 35,000 requests per month from privacy vendors acting on behalf of consumers; the company suggested that some of these requests may be automated and not associated with individuals whose data it possesses. *Id.*

¹¹ *Id.*

¹² *Id.* Consumers could also submit a request via email. Correspondence from Counsel for Findem to Joint Economic Committee Minority Staff (Apr. 22, 2026).

¹³ Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

¹⁴ *Id.*

¹⁵ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026).

¹⁶ Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026). *See also* Findem, Platform Privacy Policy (www.findem.ai/privacy-policy-platform) (accessed Feb. 28, 2026); Letter from Findem to Ranking Member Hassan (Feb. 27, 2026). Findem indicated that it had added “additional explanatory information” to its 2025 information, compared to the 2024 version, “in an effort to improve transparency.” Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026). Based on the limited explanatory information in the 2024 version – and absent communication with Findem – the February 27, 2026, report raised concerns regarding the fact that Findem did not process 80 percent of privacy requests from consumers and other parties in 2024 due to “insufficient data.” As noted above, however, subsequent responses from Findem to Ranking Member Hassan indicate that “insufficient data”

refers to requests for which Findem did not possess personal data related to the requestor – as opposed to requests to which Findem did not respond. *See id.*

¹⁷ Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

¹⁸ Letter from Findem to Ranking Member Hassan (Feb. 27, 2026); Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).

¹⁹ Letter from Counsel for Findem to Ranking Member Hassan (Mar. 20, 2026).