

Reproductive Rights and Data Privacy

WHEREAS: Following revocation of the constitutional right to an abortion in June 2022, policymakers are concerned about the use of personal digital data for enforcement of state laws that ban or limit abortion access. As one of the world’s largest data brokers, these changes could have significant impact on IPG subsidiary, Acxiom. Congress is considering legislation that increases privacy protections for personal reproductive health information. California bars corporations based in the state from sharing personal data with out-of-state law enforcement regarding any investigations concerning an abortion that is lawful in California.

Law enforcement frequently relies on digital consumer data. While Acxiom does not report figures on government requests, Alphabet and Meta – which retain less data on individuals than Acxiom¹ -- collectively received about 110,000 requests in the second half of 2021.² Each complied with about 80 percent of requests. In 2022, Meta satisfied a Nebraska warrant for private Facebook messages from a mother facing felony charges for allegedly helping her daughter terminate a pregnancy,³ receiving significant negative press.

Acxiom has personal data on over 2.5 billion consumers worldwide,⁴ including geolocation data, internet activity, commercial transaction history and inferential data. This data could be accessed without consumer consent by states that criminalize abortion. The Company’s privacy policy allows disclosure of personal information “to respond to law enforcement.”⁵ Law enforcement could also purchase data from Acxiom⁶ regarding a customer’s activities that were legal in the state where they occurred, such as visiting an abortion clinic. In this way, Acxiom lags competitors like Experian, which ceased selling abortion-related datasets in 2016.

IPG’s Human Rights policy says: “We strive to ensure that data...are used across the enterprise and with IPG clients in ways that build trust and serve all people.”⁷ Yet Acxiom is susceptible to abortion-related law enforcement requests that may create significant reputational, financial, and legal risks. Although the Company already offers consumers the right to make data deletion requests, there is strong brand benefit to increasing consumer privacy expectations.

RESOLVED: Shareholders request the Board issue a public report assessing the feasibility of reducing the risks of abortion-related law enforcement information requests and purchases by expanding consumer

¹ <https://qz.com/213900/the-nine-companies-that-know-more-about-you-than-google-or-facebook>

² <https://transparencyreport.google.com/user-data/overview?hl=en>;
<https://transparency.fb.com/data/government-data-requests/country/us/>

³ <https://www.npr.org/2022/08/12/1117092169/nebraska-cops-used-facebook-messages-to-investigate-an-alleged-illegal-abortion>

⁴ <https://marketing.acxiom.com/rs/982-LRE-196/images/Acxiom%20Global%20Data.pdf>

⁵ <https://www.acxiom.com/about-us/privacy/highlights-for-us-products-privacy-policy/>

⁶ <https://slate.com/technology/2022/06/health-data-brokers-privacy.html>

⁷ <https://www.interpublic.com/wp-content/uploads/2021/04/Human-Rights-Policy.pdf>

privacy protections and controls over sensitive personal data. The report should be produced at reasonable expense, exclude proprietary or privileged information, and published within one year of the annual meeting.

SUPPORTING STATEMENT: Shareholders recommend, at board discretion, that input from reproductive rights and civil liberties organizations be solicited and reflected in the report, and that the report contain:

- (1) An evaluation of the benefits of notifying consumers about law enforcement information requests regarding their data prior to complying with any such request to allow sufficient time for consumer response; and,
- (2) An assessment of risks of selling users' information related to reproductive health, such as geolocation data, to third parties.