



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

January 31, 2019

Re: SB 284- Biometric Privacy

Dear Chair Sen. Kathleen Taylor and members of the Senate Workforce Committee:

TechNet is the national, bipartisan network of over 84 technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50 state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than three million employees in the fields of information technology, e-commerce, clean energy, telecommunications, gig economy, sharing economy, venture capital, and finance.

TechNet respectfully submits these comments in opposition to SB 284 filed by Sen. Monnes Anderson. While TechNet appreciates the desire of the Sponsor to protect the privacy and safety of employees, this legislation as drafted is overly broad and could have unintended consequences. There are legitimate business reasons for a company to store and collect biometric data of its employees and often companies are required by federal law to do so.

From phones and computers to computerized entrances in office spaces, there are a number of new technologies leveraging fingerprints for timekeeping and other purposes, including tracking which employees gain access to particular information. Many of the organizations utilizing these technologies are already responsible for retaining sensitive and confidential information, such as personal information about customers. In an effort to protect this vital information, companies will often take extra care through fingerprinting to ensure that there is no unauthorized access. An outright ban on this ability could compromise the security of not only the businesses themselves but of the customers they are looking to protect.

TechNet and its members also have concerns with how this legislation would conflict with federal law. There are currently federal laws requiring an employer to audit employee fingerprints to be submitted to the Federal Bureau of Investigation (FBI) for background checks prior to handling certain types of sensitive data, including criminal justice information. Additionally, several industries, such as finance are also required to follow federal law to submit fingerprints for background checks, including Section 17(f)(2) of the Securities Exchange Act of 1934 and Rule 17f-2 thereunder, the SEC requires firms to submit fingerprints for all partners, directors, officers and employees, unless they do **not** sell securities; regularly have access to the keeping, handling, or processing of securities, monies, or the original books and records relating to the securities or monies; and have direct supervisory responsibility

over those who sell securities or have access to securities, monies, or the original books and records.

In an effort to protect Oregon businesses' ability to comply with federal law, protect customer information, and execute sufficient security measures, we urge you to not support the passage of SB 284. Thank you in advance for your consideration on these matters and please do not hesitate to reach out with any questions.

Sincerely,

/s/

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