April 16, 2024

The Honorable Cathy McMorris Rodgers
Chair
House Energy and Commerce Committee
2188 Rayburn House Office Bldg.
Washington, DC 20515-4705

The Honorable Frank Pallone
Ranking Member
House Energy and Commerce Committee
2107 Rayburn House Office Bldg.
Washington, DC 20515

The Honorable Gus Bilirakis
Chair
House Energy and Commerce Innovation, Data, and Commerce Subcommittee
2306 Rayburn House Office Bldg.
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
House Energy and Commerce Innovation, Data, and Commerce Subcommittee
2408 Rayburn House Office Bldg.
Washington, DC 2051

Dear Representatives McMorris Rodgers, Pallone, Bilirakis, and Schakowsky:

Privacy for America is a coalition of trade organizations and companies representing a broad cross-section of the American economy. Our membership includes companies and trade associations in the advertising, travel, hospitality, media, financial services, data services, communications, and market research industries, as well as many others. We have long supported the enactment of a comprehensive, preemptive national standard for consumer privacy that applies across the marketplace. The Privacy for America *Principles For Privacy Legislation* ("Framework") serve as an example of how to strike an appropriate balance for national data standards that provide strong protections for individuals while preserving vital and valuable data processing functions that benefit individuals and the economy.[1]

While we are encouraged that the Innovation, Data, and Commerce Subcommittee of the House Energy and Commerce Committee is considering comprehensive privacy legislation during its April 17, 2024 hearing, we are concerned that the American Privacy Rights Act ("APRA"), as presently drafted, would significantly hinder beneficial and legitimate data processing activities, such as data-driven advertising, public safety, and important identity and fraud solutions that ensure the security of online transactions, to the detriment of individuals and businesses alike. If APRA is enacted as presently drafted it could create a less competitive and fair marketplace, diminishing the availability of information and offerings for individuals. As discussed in the Framework, we strongly believe that routine, essential, and responsible uses of data must be permitted to persist to enable individuals' continued access to critical online resources and to support a thriving economy.

We are committed to working toward a practical and protective privacy law that benefits all Americans, and we will provide targeted suggestions to help address the negative

[1] Privacy for America, *Principles for Privacy Legislation* (2019), https://www.privacyforamerica.com/overview/principles-for-privacy-legislation/.

consequences the current APRA language could create. We will work with all willing members of Congress to refine the APRA to provide robust protections for consumers while allowing responsible uses of data to continue to benefit consumers and power the data-driven economy.

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Thank you for your consideration of this letter as you deliberate on ways to improve the APRA.

Sincerely,

Privacy for America