

Attachment—Additional Questions for the Record

Ms. Denise Zheng, Vice President, Technology, Innovation, Business Roundtable

The Honorable Michael C. Burgess, M.D.

1. One of my concerns with the online ecosystem is transparency -- how companies tell their consumers about their collection and use of personal data. Terms of services are too long and too complicated for anyone to reasonably read.
 - a. Ms. Zheng, do you agree that companies can do better to help consumers understand their terms of service and how they are using data? Do you have any examples of companies who are thinking outside of the box on this issue?

Yes, I agree that more can be done to help consumers understand the terms of service and how data is used. Consumers should have access to clear, understandable statements about the organization's practices and policies with respect to personal data. These statements should include information on the types of personal data collected; the purposes for which the personal data will be used; whether and for what purposes personal data may be disclosed or transferred to non-affiliated third parties; the choices and means for exercising individual rights with respect to personal data; and the contact details of persons in the organization who can respond to questions regarding personal data. Many Business Roundtable member companies are applying innovative approaches to provide consumers with information and tools they need to more easily understand how their data is collected and to exercise more control over their personal data. I would be happy to follow-up with your staff to discuss more specific examples.

The Honorable Richard Hudson

1. Ms. Zheng, among the objectives of a privacy law highlighted by the Business Roundtable are fostering innovation and protecting competition. How should we considering striking the right balance between ensuring consumers information is protected, but not creating an environment where we impede innovation and growth?

Innovation thrives in a stable policy environment where new ideas can be explored and flourish within a well-understood legal and regulatory framework. A state-by-state approach to regulating consumer data privacy threatens to undermine innovation in the United States. It is important for federal privacy legislation to establish a consistent set of protections for consumers that replaces the patchwork of state privacy laws. To enable continued innovation, any rulemaking authority that may be considered in privacy legislation should be narrowly scoped and require the regulatory agency to analyze the costs, benefits, and impact on innovation before any new rules are enacted.