

**Opening Statement of Republican Leader
Gus Bilirakis
Subcommittee on Consumer Protection and Commerce
Legislative Hearing on “Protecting America’s Consumers: Bipartisan
Legislation to Strengthen Data Privacy and Security”
June 14, 2022**

Good morning, everyone. Thank you madam chair for holding this important legislative hearing and to our witnesses for your testimony.

This is an exciting day for this Subcommittee as it marks the first time a bicameral, bipartisan comprehensive privacy and data security deal is considered on the Congressional docket. This topic has had its ups and downs to get to this point, but I’m proud to be here with my colleagues on both sides of the aisle to discuss and improve the “American Data Privacy and Protection Act.”

As a reminder, what we have before us is a discussion draft, which means we should spend our time today learning how we can make it better. But, to be clear, this is historic and we need to keep moving together and build upon the constructive feedback while rejecting tactics that may seek to derail our bipartisan work. This draft establishes a delicate balance for putting control of data back into the hands of everyday Americans, while providing businesses with fair rules of the road and preserving their ability to innovate. I know from my vantage point in Florida that the travel and tourism industry encounter countless transactions from their visitor interactions, but we know we must be sensitive to these small and medium sized businesses since they are only using a fraction of data that Facebook or Google do, who have legions of lawyers to manage compliance.

For years I have heard the calls for Congress to “urgently” enact a national privacy law, so I have a level of skepticism now when I hear let’s take a pause or

do it next year. I won't buy that, this is best committee on Capitol Hill and we are up to this challenge.

So hopefully today's hearing helps shine a light on how this legislation is designed to operate and how we can continue moving the process forward with consensus from both sides of the aisle in both chambers. We have a broad scope of witnesses for this hearing that can speak to different aspects of the bill, from small businesses and startup technologies to consumer advocates. I know we can bridge any divides we have and I'm thankful for you all being here.

Today's discussion draft threads the needle on many challenges that have acted as barriers to passing a comprehensive privacy and data security bill including preemption, individuals' rights to courts, and the role of the Federal Trade Commission (FTC). However, just as importantly, this legislation also addresses meaningful policy issues that have been priorities for many members on this Committee.

Every member on this committee can point to small mom-and-pop stores in their districts that they enjoy visiting, whether it's a great restaurant with authentic cuisine or a local boutique shop selling homemade goods. We recognize these businesses don't have infinite resources but still need to collect data in order to make it in today's economy, which is why the draft agreement excludes small businesses from certain requirements to lessen the potential burdens they would face, and it provides additional resources for them to help with compliance.

The legislation also takes a leap forward in protecting children from malicious online practices. Our draft would ban targeted advertising to children under the age of 17, ensure large data holders like Big Tech regularly assess how their algorithms impact and harm children online, and classify all data belonging to

children under the age of 17 as sensitive covered data, which is subject to heightened protections and requirements. I'm pleased to see this language in the draft, as protecting children's privacy has been a long-standing priority of mine that I know we all share, and I want to recognize Congressman Walberg in particular for his tireless bipartisan efforts on this front. This is certainly great progress and I look forward to continuing our work to protect kids' privacy and safety online.

Again, I'm thankful we can hold today's hearing to officially start the process on this bipartisan bicameral legislation, and I'm hopeful with Chairman Pallone's and Leader Rodger's leadership we can get this done. We have a great chance here, and I look forward to a constructive conversation. I yield back.