

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Chairman Frank Pallone, Jr.

Markup of Eight Bills

June 23, 2022

We are here today to consider vitally important consumer protection legislation. I am proud that the first bill we will be marking up is H.R. 8152, the American Data Privacy and Protection Act, which I introduced with Ranking Member Rodgers, Subcommittee Chair Schakowsky, and Subcommittee Ranking Member Bilirakis. This bill is the culmination of years of hard work by many members on this Committee. I want to thank them all for their roles in getting us here today.

As discussed at the legislative hearing on a discussion draft of the bill earlier this month, this legislation is the first serious, comprehensive national privacy legislation with bipartisan, bicameral support from the leaders of the House and Senate committees of jurisdiction. Today's markup is another milestone towards our ultimate goal of enacting meaningful national privacy legislation.

Every American knows it is long past time for Congress to protect their data privacy and security. The modern world demands it. This legislation meets the moment with essential compromises that protect consumers while ensuring American businesses remain innovative and globally competitive.

There is nothing abstract about the right to privacy and data security. This bill would protect our children and teens more than ever before. Companies, including social media platforms, will be flatly prohibited from targeting kids with harmful advertising. This advertising has been shown to increase rates of eating disorders, suicide, and other mental health issues, particularly among young women and girls. Companies will be required to get affirmative express consent before transferring any data related to people under the age of 17. A new Youth Privacy and Marketing Division at the Federal Trade Commission (FTC) will have the sole mission of protecting young people and will be staffed with experts in youth development.

The American Data Privacy and Protection Act would also help protect vulnerable women in abusive relationships by giving them control over their personal information, limiting the data available for their aggressors to exploit, and regulating shady data brokers that too often provide the means to abuse the most vulnerable.

The bill would ensure that people of color are not discriminated against in trying to find housing, apply for a loan, look for job, or being offered any goods and services. Privacy rights

June 23, 2022

Page 2

are civil rights. We must stop discriminatory uses of data so that people are not unfairly punished for who they are. This bill helps prevent algorithmic bias from infecting the digital world and extends civil rights protections to the online world.

The version of the bill we consider today contains numerous changes from the initial discussion draft. This ongoing work demonstrates that we continue to finetune the legislation and find solutions to problems that have troubled many earlier privacy efforts. I look forward to continuing to improve the bill as it moves through the legislative process.

Two issues in particular have long posed difficulties. First, the question of how national privacy legislation relates to existing laws, and second, the rights of individuals to access the courts. The bill today generally takes the same approach as the discussion draft. We are continuing to refine these provisions through productive discussions and have made tremendous progress. I believe we are close to carving out the necessary solutions.

There is no time to wait on protecting Americans privacy and data security and providing certainty to American businesses. With this legislation we are finally close to turning longstanding promises into reality. The status quo is untenable, and I am optimistic we will continue working together to get this done for the American people.

Finally, I would be remiss if I did not discuss the other important bipartisan bills before us today. We will be marking up bills that protect horses from the terrible practices of soring and from being slaughtered for human consumption.

We will also markup Reese's Law to protect children from ingesting button cell and coin batteries. We will also consider bills that would make sure internet-connected devices tell people before they record them, standardize remote online notarization, and establish a primary online location for information on federal manufacturing programs.

I look forward to the discussion on all of these important bills.