



May 21, 2024

TO: Members, Subcommittee on Innovation, Data, and Commerce  
FROM: Committee Majority Staff  
RE: Subcommittee Markup of Three Bills

## I. INTRODUCTION

The Subcommittee on Innovation, Data, and Commerce will meet in open markup session on Thursday, May 23, 2024, at 10:00 am (ET) in 2123 Rayburn House Office Building to consider the following legislation:

- **H.R. \_\_\_\_\_, American Privacy Rights Act (discussion draft)**
- **H.R. 7891, Kids Online Safety Act (Reps. Bilirakis, Bucshon, Castor, Houchin, Schrier)**
- **H.R. 8449, AM Radio for Every Vehicle Act (Reps. Bilirakis and Pallone)**

In keeping with Chair Rodgers' announced policy, amendments submitted at least two hours in advance will be granted priority consideration in the markup. Amendments should be submitted in PDF format by email to [EandCdocs@mail.house.gov](mailto:EandCdocs@mail.house.gov). Any information with respect to an amendment's parliamentary standing (e.g., its germaneness) should be submitted at this time.

## II. EXPLANATION OF LEGISLATION

### **H.R. \_\_\_\_\_, American Privacy Rights Act**

This discussion draft would establish a preemptive national consumer data privacy and security standard to govern how certain entities can collect, process, retain, and transfer Americans' personal information. The draft would require certain entities to be transparent about how they use consumer data and give consumers the right to access, correct, delete, and export their data, and to opt out of having their data used for targeted advertising and public research. The draft would establish a data minimization standard that would limit how companies can collect, process, retain, and transfer information. The draft would prohibit the use of covered data to discriminate against consumers and would give consumers the right to opt out of certain covered algorithms. The Federal Trade Commission (FTC), State attorneys general, and consumers could enforce against violations of the Act.

Title II would amend the Children's Online Privacy Protection Act of 1998 to strengthen protections relating to the online collection, use, disclosure, and deletion of personal information of children, among other things.

### **H.R. 7891, Kids Online Safety Act**

This bill would require high impact online and video game companies to take reasonable measures in the design and operation of products or services used by minors to prevent and mitigate certain harms that may arise from that use, like sexual exploitation and online bullying. Covered platforms would be required to provide minors with certain safeguards. Further, covered platforms would be required to provide parents or guardians with tools to supervise minors' use of a platform, such as control of account settings.

Additionally, covered platforms would have to disclose specified information, including details regarding the use of personalized recommendation systems. It would allow parents, guardians, minors, and schools to report certain harms. Covered platforms would be prevented from facilitating advertising of age-restricted products or services to minors, and they would also be required to annually report on foreseeable risks of harm to minors from using the platform.

Finally, this bill would require guidance for market and product research focused on minors and an evaluation of options to verify a user's age.

### **H.R. 8449, AM Radio for Every Vehicle Act**

This bill would direct the Department of Transportation, in consultation with the Federal Emergency Management Agency (FEMA) and the Federal Communications Commission (FCC), to issue a rule that requires automakers to maintain AM broadcast radio devices as standard equipment in their vehicles in a way that is easily accessible for consumers, and without a separate or additional payment, fee, or surcharge, while also providing extra compliance time for small manufacturers. It would require any automaker that sells vehicles without access to AM broadcast radio before the effective date of the rule to clearly disclose to consumers that the vehicle lacks access to AM broadcast radio. The bill would also direct the Government Accountability Office (GAO) to conduct a comprehensive study on disseminating emergency alerts and warnings to the public.

### **III. STAFF CONTACTS**

If you have any questions regarding this markup, please contact Tim Kurth, Teddy Tanzer, Brannon Rains, Michael Cameron, or Jessica Herron at 202-225-3641.