

**Opening Statement of Chair Gus Bilirakis
As Prepared for Delivery
Committee On Energy and Commerce
Subcommittee on Innovation, Data, and Commerce
Hearing entitled “Promoting U.S. Innovation and Individual Liberty through
a National Standard for Data Privacy”
March 1, 2023**

Good morning everyone. We got an early jump start on the day to accommodate our friends across the aisle who have a retreat later today. I’m confident we’ll make the most of our time this morning.

We made great strides last Congress with the leadership of this Committee demonstrating that we can come together in a bipartisan fashion for the American people. I look forward to continuing and completing that important work this Congress.

Earlier this week, the House passed H.R. 538, the Informing Consumers about Smart Devices Act from Representatives Curtis and Moulton, with broad bipartisan support. I want to recognize Chair Cantwell and Ranking Member Cruz in the Senate for sponsoring the Senate Companion bill, which I take as a strong sign that the Senate cares about Americans’ privacy. I thank these Members for working on legislation that compliments this Committee’s broader privacy goals and provides greater transparency to Americans about the ability for devices to secretly record them. This is just one of many examples why Congressional action on broader comprehensive privacy and data security is desperately needed and why we are holding this hearing today, the second in a series of three.

With that I want to express my gratitude to our panelists not only for bearing with us for the early start time, but also for sharing your expertise today. Each of you bring important insights that will help our Committee advance comprehensive privacy and data security legislation this Congress.

Americans need and deserve more transparency over how their information is collected, processed, and transferred. In the past several years, our constituents have likely noticed the internet becoming more personalized for them – whether they are seeing more targeted advertisements showing items that they’ve recently viewed on another website, or experiencing content on social media that matches what they’ve interacted with elsewhere. To some, these practices may be viewed as more convenient for their shopping or useful for how they digest information. But others may find this practice invasive and unsolicited. So let’s give Americans the right to choose if they want this or not.

Mr. Mudd, thank you for being here to walk us through how legislation can work for businesses operating in the digital ecosystem and to share your expertise about how we can both protect innovation in our economy and still give Americans freedoms to choose what to do with their personal and sensitive data.

We also need to ensure legislation works for everyone and doesn’t adversely impact our constituents or impede on the basic liberties that every American deserves. Miss Givens, I want

to thank you for your expertise on these matters, as well as for your support over the last year in advancing comprehensive legislation.

Lastly, we need to ensure responsible government approach to enforcing clear rules for businesses to comply. Companies, especially small startups, shouldn't be subject to random or punitive letters in the mail notifying them that certain practices could be unfair or deceptive. It is essential that the FTC enforce the laws that we as a Congress enact and specifically authorize, but not go rogue beyond the rules of the road we provide. This type of regulatory certainty is needed for businesses to come into compliance.

Miss Rich, thank you for testifying. You have great insights regarding the role of the FTC in enforcing laws but doing so in a way that doesn't unduly burden legitimate business activity. I look forward to continuing to work with you on achieving the right balance for the FTC to enforce a national privacy and data security law to protect Americans of all ages, while at the same time ensure that businesses that follow the rules aren't subject to government overreach and frivolous litigation. The Committee appreciates your deep institutional knowledge and insight.

Thank you again to our panel for being here and I look forward to your testimony.