



February 28, 2023

The Honorable Patrick McHenry
Chair
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Dear Chairman McHenry and Ranking Member Waters:

The U.S. Chamber of Commerce offers the following views on H.R. 1165, the “Data Privacy Act of 2023” put forward by Chairman McHenry, that will be marked up on February 28. The Chamber believes it is critically important that individual privacy is protected while businesses are given regulatory clarity and certainty.

While the Chamber looks forward to working with Chairman McHenry and members of the Committee to finetune the substantive details of the bill – the first update to the Gramm-Leach-Bliley Act privacy provisions in decades – the Chamber supports both the bill’s preemption and enforcement approach.

The Data Privacy Act would provide strong preemption to eliminate the possibility of a patchwork of conflicting state laws. Equally important, the proposal would provide certainty to consumers and businesses alike by placing enforcement with financial services regulators as opposed to creating private rights of action that the Chamber has pointed out would be harmful to the American economy, particularly small businesses. It is important that privacy legislation provide a strong national standard while at the same time preventing costly and frivolous litigation.

We stand ready to work with you to ensure consumer privacy is protected and businesses can continue to innovate.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley". The signature is fluid and cursive, with a large loop at the end.

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

cc: Members of the House Committee on Financial Services