

July 16, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden:

We write to urge you to work with Congress to enact a nationwide consumer data privacy law. For the past year, millions of Americans have shifted their normal activities online in response to the COVID-19 pandemic. To facilitate this transition to virtual and remote living, Congress has accelerated its efforts to close the digital divide and expand broadband access to unserved and underserved communities throughout the country. Although this has helped increase access to connectivity, e-commerce products, and essential services, it has also resulted in more consumer data and personal information flowing across state lines and throughout the economy than ever before.

Consumer data has long been a target for cybercriminals and other bad actors seeking to exploit Americans' personal information for nefarious purposes. Unfortunately, the pandemic has only worsened this situation. According to the Federal Trade Commission, identity theft increased by almost 3,000 percent over the past year.¹ This problem is exacerbated by the failure of some companies to properly safeguard consumer data from misuse and unwanted collection and processing.

In light of the recent increase of cyberattacks on United States critical infrastructure, as well as businesses and localities, and ongoing efforts to expand internet services to every American, we urge you to prioritize comprehensive data privacy legislation as part of your Administration's agenda. Such legislation should:

- Establish one national data protection standard, rather than a patchwork of state laws, to provide consumers across the country with the same strong protections over their personal information no matter where they live;

¹ Consumer Sentinel Network, Data Book 2020. Federal Trade Commission, February 2021. Available at: https://www.ftc.gov/system/files/documents/reports/consumer-sentinel-network-data-book-2020/csn_annual_data_book_2020.pdf

- Increase transparency and accountability to ensure consumers have a better understanding of how their information is collected, used, and shared, and to ensure companies who misuse consumer information are held sufficiently accountable;
- Promote innovation by setting clear and workable rules that enable startups and small businesses to grow and compete; and
- Enhance data security protections to ensure companies have reasonable practices in place to safeguard consumer information.

Absent much-needed federal data privacy legislation, we risk losing consumers' trust and confidence in the internet marketplace and undermining our national security and technological leadership abroad. In particular, the passage of federal data privacy legislation would bolster America's position in the ongoing negotiations with the European Union to create a new framework governing transatlantic data flows. It would also solidify the United States' status as a global leader on consumer privacy, by ensuring innovation and competition remain a foundational principle to our economic advancements, especially at a time when China, Russia, and others seek to do the same.

Americans deserve to have their data protected and secured. We thank you for your attention to this urgent matter and look forward to working with you to develop a national bipartisan data privacy law that protects consumers, provides accountability, and promotes continued investment, innovation, and competitiveness in the digital economy.

Sincerely,



Senator Roger F. Wicker
Ranking Member
U.S. Senate Committee on Commerce,
Science, and Transportation



Representative Cathy McMorris Rodgers
Ranking Member
U.S. House Committee on Energy
and Commerce



Senator Marsha Blackburn
Ranking Member
U.S. Senate Subcommittee on Consumer
Protection, Product Safety, and Data Security



Representative Gus Bilirakis
Ranking Member
U.S. House Subcommittee on
Consumer Protection and Commerce