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July 30, 2025

Senator Marsha Blackburn
Chairman
Senate Subcommittee on Privacy, Technology, and the Law
Senate Judiciary Committee
United States Senate
Washington, DC 20510

Senator Amy Klobuchar
Ranking Member
Senate Subcommittee on Privacy, Technology, and the Law
Senate Judiciary Committee
United States Senate
Washington, DC 20510

Dear Chairman Blackburn, Ranking Member Klobuchar, and Members of the Subcommittee:

The Consumer Technology Association (CTA®) submits this statement for the record for the Senate Judiciary Committee hearing on “Protecting the Virtual You: Safeguarding Americans’ Online Data.”

Privacy as a Foundation for Innovation

Privacy protection remains a central pillar of CTA’s 2025 Innovation Agenda. As digital technologies and online services become even more embedded in American life, consumers rightly expect both privacy safeguards and continued access to the innovative, data-driven products and services that enhance daily life. A robust privacy framework must maintain this balance while supporting American technological leadership.

The Need for a Comprehensive, Uniform Federal Approach

Current state-by-state privacy statutes have created a fragmented regulatory landscape resulting in consumer confusion, uneven rights, and disproportionate compliance burdens—especially for startups and smaller businesses. CTA strongly supports a uniform, national privacy law with the following key attributes:

- Federal Preemption
- No Private Right of Action
- Risk-Based and Tiered Compliance
- Harmonization with Sectoral Laws

Clear Definitions, Consumer Rights, and Transparency

A federal law should adopt precise definitions for roles, types of data, and regulatory responsibilities, avoiding overbroad requirements for low-risk data. Ensuring concise, accessible consumer disclosures—without overwhelming legal jargon—is central to fostering trust and meaningful consent.

Data Security, Safe Harbor, and Enforcement Structure

Strong security requirements, such as encryption for sensitive data and use of recognized best practices, should adapt to evolving threats. CTA recommends public-private partnerships to enhance cybersecurity and inform consumers.

CTA firmly supports a well-structured safe harbor provision, granting affirmative legal defenses for responsible companies following established frameworks. This incentivizes best practices and protects small businesses especially from opportunistic litigation.

Enforcement should rest with the Federal Trade Commission, in partnership with agencies like National Institute of Standards and Technology (NIST) and Cybersecurity and Infrastructure Security Agency (CISA) for technical guidance. Rulemaking and enforcement should remain separate, with the FTC focused on consistent, expert enforcement.

Avoiding Restrictive Models and Championing U.S. Leadership

CTA cautions against rigid frameworks modeled on the EU's GDPR, which have demonstrably stifled innovation and disadvantaged small businesses in Europe. Instead, the U.S. should advance an innovation-friendly model, align with successful industry standards, and ensure ongoing compatibility with existing federal laws.

Conclusion

The above discussion is consistent with CTA's well-established position in favor of a uniform, national privacy law.

On April 7th, CTA wrote to the House Energy & Commerce Committee Privacy Working Group in response to its Request for Information to explore a data privacy and security framework. In our response, CTA argued that a well-structured federal framework without a private right of action would enhance consumer protection while fostering regulatory certainty that spurs American innovation.

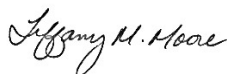
On July 9th, CTA's VP of Digital Health René Quashie echoed these calls while serving as an expert witness before the Senate Committee on Health, Education, Labor, & Pensions' hearing titled, "Securing the Future of Health Care: Enhancing Cybersecurity and Protecting Americans' Privacy." In his testimony, he highlighted the importance of patient data privacy and the need for a federal solution.

CTA appreciates the Subcommittee's leadership and stands ready to collaborate with Congress in crafting a balanced national privacy framework—one that ensures regulatory clarity, preserves American innovation, and delivers robust protections to all consumers.

Sincerely,



Gary Shapiro
CEO and Vice Chair



Tiffany M. Moore
SVP, Political and Industry Affairs



Rachel Nemeth
Sr. Director, Regulatory Affairs

Cc: Members, Senate Subcommittee on Privacy, Technology, and the Law, Senate Judiciary Committee