

U.S. CHAMBER MODEL PRIVACY LEGISLATION



The U.S. Chamber's model privacy legislation would create a federal consumer privacy law that would eliminate a confusing patchwork of state laws. The model legislation draws upon the transparency, data sharing, and data deletion provisions of California's new consumer law, and data security elements of Europe's General Data Protection Regulation (GDPR).

The model legislation would:

- Eliminate a patchwork of regulations that would be confusing for consumers and businesses
- Empower consumers through transparency, opt-out, and data deletion
- Support innovation through regulatory certainty
- Task the Federal Trade Commission (FTC) with enforcement power

TRANSPARENCY AND CONSUMER CONTROL RIGHTS

Under the model legislation, businesses would take steps to proactively be clear and transparent about how a consumer's information is used. Businesses would be required to maintain and post a privacy policy that consumers can easily find. A business must also share how a specific consumer's personal information is being collected, used, and shared if requested by that consumer.

The model legislation includes consumer control rights. Through an opt-out provision, the model bill would give a consumer the ability to direct a business to stop sharing personal information with third parties. Under a data deletion provision, consumers would also have the right to request that businesses delete personal information.

SUPPORTING INNOVATION

Providing clarity to consumers and businesses about how data is used would support innovation and consumer confidence. The model legislation aims to create an environment where businesses know the rules of the road and consumers would be comfortable sharing personal information.

ENFORCEMENT

The FTC is tasked with enforcement of this model legislation. The bill empowers the FTC to require companies to offer and abide by consumer controls, including data deletion, opt-out rights, and transparency provisions. Companies that do not honor these controls would be in violation of the model bill and potentially subject to civil penalties. Currently, businesses are not required to offer these consumer controls.

Learn more at uschamber.com/data-privacy



U.S. CHAMBER OF COMMERCE

