



409 7th Street, NW, Suite 250  
Washington, DC 20004

April 17, 2024

The Honorable Cathy McMorris Rodgers  
Chair  
U.S. House Committee on Energy and  
Commerce  
2188 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Pallone Jr.  
Ranking Member  
U.S. House Committee on Energy and  
Commerce  
2107 Rayburn House Office Building  
Washington, DC 20515

The Honorable Gus Bilirakis  
Chair  
U.S. House Subcommittee on Innovation,  
Data, and Commerce  
2306 Rayburn House Office Building  
Washington, DC 20515

The Honorable Janice Schakowsky  
Ranking Member  
U.S House Subcommittee on Innovation, Data,  
and Commerce  
2408 Rayburn House Office Building  
Washington, DC 20515

Dear Chairs McMorris Rodgers and Bilirakis, Ranking Members Pallone and Schakowsky:

On behalf of the Network Advertising Initiative (NAI), thank you for your leadership in holding this hearing, and for your continued support for a uniform national data privacy and security framework to protect all Americans, regardless of the state they live in.

Founded in 2000, the NAI is the leading non-profit, self-regulatory association for advertising technology companies. For over 20 years, the NAI has promoted strong consumer privacy protections, a free and open internet, and a robust digital advertising industry by maintaining and enforcing the highest voluntary industry standards for the responsible collection and use of consumer data. Our member companies range from small startups to the largest companies in the industry, and they collectively represent a substantial portion of the digital advertising technology ecosystem.

The NAI is committed to promoting responsible data-driven advertising that powers a rich digital media industry and supports free and low-cost digital content for consumers. Our top priority is the establishment of a uniform national privacy framework that protects consumers and provides a level playing field for all companies. With more than a dozen comprehensive state privacy laws recently enacted, in addition to numerous narrower state privacy laws focused on issues like health data, consumers now more than ever need a strong, consistent

data protection standard across the country, and businesses need clarity and certainty in data protection and privacy law to implement clear compliance processes. Neither of these goals are served by the expanding patchwork of disparate state privacy laws.

The NAI welcomes congressional action on a comprehensive national privacy framework that replaces the confusing and inconsistent patchwork of state privacy laws, and we thank you for creating the discussion draft American Privacy Rights Act (APRA) as a starting point. This legislation reflects many widely held priorities of the NAI, such as a strong set of consumer data rights, easy to use opt-out preference signals to facilitate consumer choices, a commitment to preempting conflicting state laws, and promotion of self-regulatory efforts to help companies comply.

However, as currently drafted, the APRA's application to data-driven advertising, and particularly targeted advertising, is not clear. The discussion draft appears to broadly restrict data processing in a way that would severely limit data-driven advertising and other beneficial uses of data that consumers want, and that business can provide responsibly. As the Energy and Commerce Committee considers this critical legislation, I hope the discussion draft can be updated to clearly promote responsible ad-supported media.

Again, the NAI views the discussion draft and this hearing to be a valuable first step, and we look forward to working with you and other members of this Committee to enact a national privacy framework that balances the goals of enhancing consumer rights and protections, while also promoting responsible data-driven advertising.

Sincerely,

A handwritten signature in black ink, appearing to read "Leigh Freund", enclosed in a thin black rectangular border.

Leigh Freund  
President & CEO  
NAI