

September 24, 2018

The Honorable John Thune, Chairman
The Honorable Bill Nelson, Ranking Member
U.S. Senate Committee on Commerce, Science, and Transportation
512 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

We write to you in advance of the hearing “Examining Safeguards for Consumer Data Privacy”.¹ We appreciate your attention to this important issue. There is an urgent need for the United States to update its privacy laws. We have appeared before this Committee many times to help the Commerce Committee address emerging privacy issues.²

Now EPIC writes to express our deep concern that not a single consumer group was invited to testify at this week’s hearing. We join with the almost thirty other consumer privacy organizations that have expressed “surprise and concern” about the absence of consumer voices at this hearing.³ As we wrote recently with Ralph Nader, “the voices of these consumer advocates should be heard. It is not too late to start a meaningful dialogue on the future of privacy in America.”⁴

We ask that this Statement from EPIC be entered in the hearing record.

Sincerely,

/s/ Marc Rotenberg
Marc Rotenberg
EPIC President

/s/ Caitriona Fitzgerald
Caitriona Fitzgerald
EPIC Policy Director

¹ *Examining Safeguards for Consumer Data Privacy*, 115th Cong. (2018), Senate Comm. on Commerce, Sci., and Trans. (Sept. 26, 2018), <https://www.commerce.senate.gov/public/index.cfm/2018/9/examining-safeguards-for-consumer-data-privacy>.

² See, e.g. *Impact and Policy Implications of Spyware on Consumers and Businesses Before S. Comm. On Commerce, Sci., and Transp.*, 110th Cong. (2008) (statement of Marc Rotenberg, Executive Director, EPIC), https://epic.org/privacy/dv/Spyware_Test061108.pdf; *Protecting Consumers’ Phone Records Before the S. Comm. On Commerce, Sci., and Transp.*, 109th Cong. (2006) (statement of Marc Rotenberg, Executive Director, EPIC), <https://epic.org/privacy/iei/testimony2806.pdf>.

³ *EPIC, Consumer Groups Urge Senate Commerce to Invite Privacy Witnesses to Privacy Hearing* (Sept. 20, 2018), <https://epic.org/2018/09/epic-consumer-groups-urge-sena.html>

⁴ Ralph Nader and Marc Rotenberg, *Consumer Voices Needed in US Privacy Debate*, (Sept., 24, 2018), <https://nader.org/2018/09/24/consumer-voices-needed-in-us-privacy-debate/>