



The Honorable Roger Wicker, Chairman  
The Honorable Maria Cantwell, Ranking Member  
Committee on Commerce, Science, and Transportation  
U.S. Senate  
Washington, D.C. 20510

April 8, 2020

Dear Senators Wicker and Cantwell:

Privacy for America, a coalition of top trade organizations and companies representing a broad cross-section of the American economy, commends the Committee for holding this paper hearing, “Enlisting Big Data in the Fight Against Coronavirus,” to examine both the potential for using consumer data to fight the coronavirus and how to protect consumer privacy during and after this national emergency. We submit these comments for the record.

These are extremely challenging times for everyone. As we marshal the nation’s resources to navigate this national emergency, the business community intends to do its part. The benefits of responsible uses of data, in particular, have been brought into focus during the COVID-19 pandemic as social distancing has increased America’s reliance on online services. During this national emergency, Americans are relying on these services for reliable news and health information, to stay connected with family and friends, to ensure educators stay engaged with students, and to order and receive essential goods from the safety of their homes. Many of these services are supported and subsidized by online advertising. We have also read of and are encouraged by innovative uses of geolocation and app data with the potential to help track and prevent the spread of the coronavirus. At the same time, we have heard concerns that the government could use the information being made available to it to violate civil liberties or bad actors could take advantage of the current situation to violate the privacy interests of Americans.

We believe that the current situation underscores the need for a national privacy law that permits the responsible use of data while clearly defining illegal data practices that would harm consumers. The Privacy for America Framework (the “Framework”), publicly released last year and available [here](#), not only draws these clear distinctions but also provides the Federal Trade Commission the ability to identify and define additional prohibited practices as they appear in the marketplace. As a result, the Framework is uniquely suited to protect consumer interests when new threats to consumer privacy emerge that would have been difficult, if not impossible, to predict. In addition, our Framework recognizes that consumer data collected by businesses could be enrolled for public safety purposes. This hearing’s examination of how public authorities can and should use data made available to them constitutes a valuable and necessary component of the broader effort to pass a national privacy law. Consumers and businesses would each benefit to the extent such uses were conducted in accordance with a national law.

Privacy for America thanks you for your continued focus on these important issues and your ongoing work to navigate our country through this national emergency.

Sincerely,

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