



June 8, 2023

The Honorable Cathy McMorris Rodgers  
Chair  
Committee on Energy & Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Frank Pallone  
Ranking Member  
Committee on Energy & Commerce  
U.S. House of Representatives  
Washington, DC 20515

Dear Chair McMorris Rodgers and Ranking Member Pallone:

The U.S. Chamber of Commerce respectfully requests that the Energy & Commerce Committee consider a recently released report, entitled *Data for Good: Promoting Health, Safety, and Inclusion*<sup>1</sup> (“the Report”), as it explores the role of data analytics companies, sometimes as known as data brokers.<sup>2</sup> While data analytics companies play a vital role in bettering society through secondary uses of personal information, the Chamber believes that consumers should be empowered to make decisions about how personal information is collected and used through a strong national data privacy law.

As noted in the report, secondary uses of consumer of data include:

- Enabling online fraud detection and security;
- Providing law enforcement with tools and insights that have located missing and exploited children and led to the arrest of mass shooters like the San Bernardino attack perpetrators; and
- Expanding access to credit and financial inclusion by more efficiently allocating risk and considering alternative data sources to qualify traditionally underserved communities for lending.

As the Committee ponders the role of data analytics companies in the economy and potential national data privacy legislature, Congress should also consider how consumers benefit from secondary uses of data.

In addition to consumer benefits, commercial credit agencies help simplify and streamline lending to small businesses. These same small businesses benefit from data analytics and targeted marketing to compete with larger companies.<sup>3</sup>

National privacy legislation should focus on preventing and mitigating harms to individuals and not create blanket prohibitions on the collection of broad categories of data.

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<sup>1</sup> [https://americaninnovators.com/wp-content/uploads/2020/01/CTEC\\_DataForGood\\_v4-DIGITAL.pdf](https://americaninnovators.com/wp-content/uploads/2020/01/CTEC_DataForGood_v4-DIGITAL.pdf)

<sup>2</sup> <https://energycommerce.house.gov/posts/e-and-c-leaders-continue-bipartisan-investigation-into-data-brokers-potential-exploitation-of-americans-privacy>

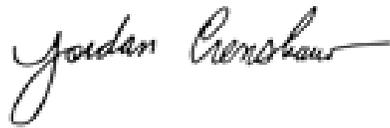
<sup>3</sup> <https://americaninnovators.com/wp-content/uploads/2022/08/Empowering-Small-Business-The-Impact-of-Technology-on-U.S.-Small-Business.pdf>

Consumer data, even what some consider sensitive personal information, will be necessary to provide the benefits of public safety and inclusion as described above. In addition, technology developers that seek to finetune the accuracy of Artificial Intelligence will benefit from secondary uses of data. Consumers should have the ability to opt-in to the collection of sensitive data and businesses should be permitted to leverage societally beneficial uses of data for good.

These societally beneficial uses include but are not limited to fraud detection and prevention, public safety, network security, public health, financial inclusion, and research. Congress should also not place prescriptive restrictions on first- and third-party advertising which has enabled affordable access to millions of Americans to view content and allows small businesses to compete. Laws and pending legislation in states like Virginia and Texas for example strike a good balance in protecting consumer privacy and promoting the use of data for good. Finally, to facilitate more effective compliance, national legislation should set one strong standard that helps avoid a patchwork of state data protection laws.

We look forward to working with you to ensure that American consumers and the small businesses who serve them reap the benefits of the data-driven economy through a balanced national data privacy legislation.

Sincerely,

A handwritten signature in black ink that reads "Jordan Crenshaw". The signature is written in a cursive, flowing style.

Jordan Crenshaw  
Senior Vice President  
Chamber Technology Engagement Center  
U.S. Chamber of Commerce