



**Testimony of
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**Senate Bill 893 and Senate Bill 156
February 25, 2021**

**Before the
Connecticut Joint Committee on General Law**

Chairs D'Agostino and Maroney, ranking members Senator Witkos and Representative Rutigliano. Vice Chairs Fanfara and Gibson, and members of the committee, on behalf of CTIA, the trade association for the wireless communications industry, thank you for the opportunity to provide this testimony on Senate Bill 893 and Senate Bill 156, which would establish state regulations to address an inherently national and global issue: the protection of personal data.

For over 20 years, the Federal Trade Commission (FTC) has developed and enforced an effective privacy framework that applies to all players in the internet ecosystem. The FTC is an active consumer privacy enforcer. It has brought over 500 enforcement actions protecting consumer privacy. Through these enforcement actions, as well as through extensive policy guidance, the FTC has articulated a consumer privacy framework in which more sensitive personal information (e.g., biometric or genetic information, children's information, and health information) is generally subject to heightened protections, while there is greater flexibility to collect, use, and disclose non-sensitive information.

In addition, the Connecticut Attorney General already has the authority to address unfair or deceptive acts or practices relating to consumer privacy under state



consumer protection laws.

CTIA appreciates the time and effort in drafting SB893. However, we respectfully encourage a federal approach to the privacy issue since a patchwork of state laws makes it difficult and expensive for businesses to comply. Not included in SB 893, SB 156 seeks to create a cause of action and penalties for violations. CTIA and its members oppose inclusion of a private right of action. A private right of action in privacy legislation would subject companies, both large and small, to the risk of expensive litigation that primarily benefits the plaintiffs' bar and offers little relief to consumers. Enforcement agencies such as the state attorneys general should shape statewide policy with a more holistic and experienced approach. Agencies can be expected to better understand the complexities of the law and to balance the various factors of encouraging compliance, supporting innovation, and preventing and remediating harm.

CTIA members are strongly committed to protecting the privacy of their customers, and CTIA supports uniform, technology-neutral consumer privacy protections. Federal legislation is the only way to ensure clear, consistent privacy protections for consumers and certainty for businesses. Neither consumers nor businesses benefit from the fragmentation that additional privacy laws at the state and local levels introduce. Thank you for your time and for your consideration.