PROTECT CONSUMER DATA PRIVACY

Consumers should have meaningful rights over their personal information, and companies that access this information should be held consistently accountable under a comprehensive federal consumer data privacy law. The absence of a U.S. federal privacy law contributes to an increasingly fragmented and complex regulatory landscape across the country. It also threatens U.S. leadership in technology globally and undermines efforts to establish globally interoperable privacy regimes that facilitate the protected transfer of data.

1. Pass federal consumer privacy legislation.

Congress should pass and the President should sign into a law federal consumer data privacy legislation that provides strong and consistent privacy protections for consumers and establishes a national privacy framework to enable continued innovation and growth in the U.S. digital economy. This federal privacy legislation should accomplish the following objectives:

a. **Champion consumer privacy and establish accountability.** The legislation should include strong protections for personal data that enhance consumer trust and demonstrate U.S. leadership as a champion for privacy by including clear and comprehensive obligations regarding the collection, use and sharing of personal data as well as accountability measures to ensure that those obligations are met.

b. **Foster innovation and competitiveness.** The legislation should be technology neutral and take a principles-based approach so organizations can adopt privacy protections that are appropriate to specific risks, such as the sensitivity of the data, as well as provide for continued innovation and economic competitiveness in a dynamic and constantly evolving technology landscape.

c. **Harmonize privacy protections through a strong national framework.** The legislation should establish a coherent framework for consumer privacy protection across federal and state jurisdictions through a comprehensive national law. The law should build upon the global standards for privacy protection and avoid the potential for conflicting state approaches that would confuse consumers and create a challenging patchwork of compliance requirements.

d. **Achieve greater global interoperability.** The legislation also should facilitate international transfers of personal data and e-commerce. It should further promote consumer privacy regimes that are interoperable on a global basis, meaning the legislation should support consumer privacy while also respecting and bridging differences between U.S. and foreign privacy regimes (e.g., the European Union's [EU] General Data Protection Regulation).

Business Roundtable’s [framework for privacy legislation](#) proposes a strong and comprehensive consumer data privacy law to establish a set of core individual rights that we believe consumers should have over their data. Additionally, Business Roundtable has outlined [principles to protect the privacy and security of personal COVID-19 data](#).
2. Finalize a new privacy framework for EU-U.S. cross-border data flows.

The Administration should prioritize continued, constructive engagement with their European counterparts that helps ensure the ability of U.S. companies to efficiently conduct cross-border data transfers between the EU and United States in light of the Court of Justice of the European Union’s (CJEU) invalidation of the Privacy Shield Framework in its Schrems II decision and the underlying concerns it raised in that case.

To secure an agreement, the U.S. government must take action to address the issues raised by the CJEU around providing Europeans with more information and an ability to seek redress in association with U.S. surveillance activities. Passing a comprehensive federal privacy law that is interoperable with global standards will also help. The new EU-U.S. privacy framework should be as flexible as possible to comply with EU and other global regulations. It should reflect the principles of the EU’s General Data Protection Regulation and the Asia-Pacific Economic Cooperation Cross-Border Privacy Rules.