



Wednesday, June 26th 2024

Senator Steve Daines
320 Hart Senate Office Building
Washington, DC 20510

Senator Jon Tester
311 Hart Senate Office Building
Washington, DC 20510

Congressman Ryan Zinke
512 Cannon House Office Building
Washington, DC 20515

Congressman Matt Rosendale
1023 Longworth House Office Building
Washington, DC 20515

RE: The Montana Public Policy Center comment on The American Privacy Rights Act

Dear Montana Delegation,

The Montana Public Policy Center (“MPPC”) has deep concerns about provisions within The American Privacy Rights Act. This bill threatens key industries and small, family-owned businesses in our country by emboldening ill-intentioned trial lawyers.

This bill allows trial lawyers to line their pockets with frivolous lawsuits. This is heralded as a bill to protect consumer privacy on the internet. The inherent problem with this legislation is that there are functional exemptions to lawsuits for big tech companies. Big tech and other corporations have vast resources and entire legal departments at their fingertips – family owned, small businesses do not. Retailers and other small business will be one lawsuit away from shuttering their doors.

Elected officials have an obligation to protect consumer privacy. They also have an obligation to protect small businesses and retailers, the families who own them, and the employees who work at them. We need to think of all the unintended consequences. What if a retailer or small business hires an advertising vendor that they do not have full control over and get sued? What if this causes a family-owned business to lose their livelihood and leaves many employees without jobs? This could have a profound impact on our way of life in Montana.

Congress should institute a National Privacy Bill, but Congress needs to ensure that there is uniformity, and it is well thought out.