



Key Privacy/Data Security Takeaways: Senate Commerce Committee's FTC Hearing

Apr 22, 2021

Reading Time : 1 min

By: Taylor Daly

The hearing featured discussion from lawmakers on the federal data privacy landscape, with Ranking Member Roger Wicker (R-MS) reiterating the need for a strong federal privacy standard.

With respect to key components of a federal privacy law, Acting FTC Chairwoman Rebecca Kelly Slaughter outlined the need for privacy legislation to give the FTC more clear rulemaking authority, impose civil penalties on violators, and establish meaningful limitations on how data is collected and used. She further cautioned against relying on a notice and consent framework and highlighted the connection between consumer protection and competition, asserting that the issues should be jointly considered. In addition, Sen. Amy Klobuchar (D-MN) asserted that consumers should have the right to opt-in to the use of their sensitive personal data, to which Commissioner Chopra agreed, along with other consumer rights.

Sen. Jerry Moran (R-KS) also highlighted his [Consumer Data and Privacy Security Act](#), noting that he will soon be reintroducing the measure with continued efforts with Sen. Richard Blumenthal (D-CT) to reach agreement on bipartisan data privacy legislation. In addition, Sen. Marsha Blackburn (R-TN) noted that she is working with others on a "virtual youth protection agenda" to address privacy, data security, online antitrust and other issues related to Section 230 of the Communications Decency Act of 1996.

Further, the hearing also featured discussion on data security, with Chairwoman Maria Cantwell (D-WA) outlining the need for greater data security rules. She asked if the witnesses support a data security rulemaking by the FTC, and while all Commissioners answered in the affirmative, Commissioner Phillips noted that he would prefer Congress to pass a data

security statute. Commissioner Chopra also outlined concerns about the Equifax and Marriott breaches, as well as Chinese state surveillance, voicing his support for both Congressional action and action from the Commission.

Looking ahead to the rest of the panel's agenda, Chairwoman Cantwell indicated that the Committee will likely hold a hearing in May on the issue of market concentration in the news.

Categories

Federal Privacy Policy

FTC

Consumer Privacy

© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.