



December 10, 2025

The Honorable Brett Guthrie  
Chairman  
The Honorable Frank Pallone  
Ranking Member  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

The Honorable Gus Bilirakis  
Chairman  
The Honorable Jan Schakowsky  
Ranking Member  
Subcommittee on Commerce, Manufacturing and Trade  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

**RE: H.R. 6292 – “Don’t Sell Kids’ Data Act”**

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Schakowsky,

We are writing on behalf of the Major County Sheriffs of America (MCSA) and the Association of State Criminal Investigative Agencies (ASCIA) to express concerns about the challenges H.R. 6292, the “Don’t Sell Kids’ Data Act,” would potentially create for criminal investigations and child safety as currently written.

MCSA and ASCIA strongly support strengthening minors’ data privacy. We appreciate the Committee’s leadership on this issue, and we share your commitment to protecting children from online child exploitation, trafficking, abuse, and other harms. But as introduced, certain provisions in H.R. 6292 could inadvertently eliminate critical evidence, shield offenders, and impede urgent efforts to identify and rescue victimized children.

Our goal is not to oppose the bill, but to work with you to refine it so that it advances privacy protections while preserving the tools necessary to safeguard vulnerable children.

The types of investigations that could be impacted include Internet Crimes Against Children (ICAC) child exploitation cases, trafficking investigations, missing and abducted child response, cybercrime attribution involving juvenile victims or offenders, and homicides or other violent crimes where minors are victims, witnesses, or suspects.

Below are specific language concerns.

- **§2(a)(1)(A): Prohibition on maintaining minors' data**  
This could prevent detection of identity theft victimization of minors, which currently relies on data maintained by credit reporting companies and other data brokers.
- **§2(b)(2): Mandatory deletion within 10 days**  
Without an explicit requirement to preserve records when served with lawful process, a data broker could be forced to destroy evidence needed to identify child victims or offenders.
- **§2(b)(1)(B)(iii): Deletion request by an "agent"**  
The bill allows anyone claiming to be an agent of a minor to demand deletion – without verification. Individuals grooming, exploiting, or abducting a child could compel the destruction of evidence.
- **§2(g)(3): Potential reclassification of common platforms as data brokers**  
The current language could – in an unintended manner – classify platforms providing direct-to-consumer services (e.g., Facebook, Instagram, MeetMe) as data brokers, especially if the platform obtains data from other sources including when done so in a good faith effort to comply with existing federal law. This could potentially create conflicts with COPPA and other existing federal laws and disrupt the ability of platforms to assist in child safety investigations.
- **Broad prohibitions on collection, use, and transfer of minors' data**  
As written, the bill would block legitimate, life-saving uses - such as missing child recovery analytics, suicide-risk detection, and threat assessment research used by law enforcement and child protection specialists.

Below are some real-world investigative and minor victimization risk examples under the current bill language:

- **Identity theft victims could go undetected for years.**  
Credit reporting companies routinely maintain files that help parents and law enforcement identify when a minor's Social Security Number is being used fraudulently. This bill could prevent that entirely.
- **Law enforcement could lose the ability to identify children in child sexual abuse material (CSAM) or ongoing exploitation.**

Investigators regularly use facial recognition and other commercial data to identify “unknown minor” victims and stop active abuse. The bill would eliminate these tools, directly reducing the ability to rescue children in real time.

We respectfully request the opportunity to work with you to refine the legislative text so that privacy protections are strengthened without compromising child safety or criminal investigations. Our organizations stand ready to provide technical assistance and proposed language to achieve these shared goals.

We are also reviewing other bills on the December 11 markup agenda and would value the opportunity to discuss the law enforcement perspective with you.

Thank you for considering our views and we look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Grever".

Louis Grever  
Executive Director  
Association of State Criminal Investigative Agencies (ASCI)

A handwritten signature in blue ink, appearing to read "Megan Noland".

Megan Noland  
Executive Director  
Major County Sheriffs of America (MCSA)