



June 10, 2024

The Honorable Cathy McMorris Rodgers
Chair
The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chair Rodgers and Ranking Member Pallone:

We are writing on behalf of the undersigned organizations to raise concerns about negative public safety implications of the American Privacy Rights Act (APRA) as currently written. While enhancing personal privacy and data security are critical priorities, APRA should be improved before passing to prevent significant negative impacts on law enforcement's ability to investigate and solve crimes. We urge the committee to pause action on the bill and work with law enforcement stakeholders to address concerns.

In its current form, APRA would weaken or eliminate access to common investigative research services and other investigative tools that are used successfully every day by local, state, and federal law enforcement agencies around the country. These tools are critical for investigations of many types of crimes including shootings, human trafficking, child sexual exploitation, fentanyl trafficking, carjacking, financial fraud, kidnapping, and threats of mass violence.

These tools provide essential building blocks for generating leads, and there is simply nothing that can replace that capability for investigators. If they are degraded or eliminated by legislation or regulation, our ability to solve crime and get justice for victims will certainly be impacted. This will have a significant impact on the safety of our communities across the United States.

Any federal data privacy legislation or regulation should ensure that crucial information and data remain accessible to law enforcement for investigative purposes. APRA would delay investigations because of provisions that enable the right to demand deletion of certain data and restrict access to data that is either publicly available or currently authorized to be obtained under federal law. These and other current APRA provisions would impact our ability to investigate crimes.

APRA would delay law enforcement's access to information in situations where time is of the essence, for example during SWAT callouts and other in-progress crime. If timely access to the aggregated information that investigative research services compile from hundreds of publicly available sources is eliminated, or confidence the accuracy of aggregated data is degraded, law enforcement would have to manually obtain information those sources. We simply do not have the resources to accomplish this, and there are no alternative tools. Because of this, the pending version of APRA would unquestionably impede investigations and may in some cases affect officer safety.

We urge lawmakers to pause work on APRA and engage in serious discussions with law enforcement and others to find ways to achieve privacy and data security goals without jeopardizing public safety. We are committed to working constructively with you on these critically important issues.

Sincerely,

Association of State Criminal Investigative Agencies (ASCIA)
Drug Enforcement Association of Federal Narcotics Agents (DEANFA)
Federal Law Enforcement Officers Association (FLEOA)
Major Cities Chiefs Association (MCCA)
Major County Sheriffs of America (MCSA)
National Alliance of State Drug Enforcement Agencies (NASDEA)
National District Attorneys Association (NDAA)
National Fusion Center Association (NFCA)
National HIDTA Directors Association (NHDA)
National Narcotic Officers' Associations' Coalition (NNOAC)
National Sheriffs' Association (NSA)
Sergeants Benevolent Association NYPD (SBA NYPD)

Cc: Members of the Committee on Energy and Commerce