Senate Democrats call on FTC to fix data privacy ‘crisis’

Senate Democrats are calling on the Federal Trade Commission to write new rules to protect consumer data privacy in a new letter to the agency authored on Monday.

The letter, led by Sen. Richard Blumenthal (D-CT) and signed by eight other Democratic senators, was sent to FTC Chair Lina Khan Monday, calling on the agency to “begin a rulemaking process” on privacy. Specifically, the senators are requesting that the FTC pen new rules addressing privacy, civil rights, and the collection of consumer data.

“Consumer privacy has become a consumer crisis”
“Consumer privacy has become a consumer crisis,” the lawmakers wrote. “Tech companies have routinely broken their promises to consumers and neglected their legal obligations, only to receive wrist-slap punishments after long delay, providing little relief to consumers, and with minimal deterrent effect.”

The FTC declined to comment.

The letter comes just days after President Joe Biden nominated longtime privacy and facial recognition critic Alvaro Bedoya to become the third Democratic FTC commissioner. At Georgetown Law, Bedoya led research into the effects of technologies like facial recognition on minority groups and produced several surveys studying the tech’s potential for racial bias.

Bedoya is a professor at Georgetown Law’s Center for Privacy and Technology, and has previously served as chief counsel to the Senate Judiciary Subcommittee on Privacy, Technology and

the Law under Chairman Sen. Al Franken (D-MN).

The Senate has yet to schedule a confirmation hearing for Bedoya, but he would likely help the FTC craft any future rulemakings related to privacy.

Congress has tried and failed to craft its own data privacy legislation over the last few years, and an FTC rulemaking could be the government's best chance at regulating the industry in light of tense partisan divides. In July, the FTC voted to update the agency's rulemaking procedures in a way that would make it easier to issue comprehensive privacy rules on its own.

"Consumers deserve strong and enforceable privacy safeguards in the digital economy – opening a rulemaking would be a powerful step toward addressing this long overdue need," the lawmakers wrote in their Monday letter.

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