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January 24, 2023

Indiana Senate Commerce and Technology Committee
Indiana State Capitol
200 W Washington Street
Indianapolis, IN 46204

Dear Senator,

On behalf of the 33,583 members and supporters of the Council for Citizens Against Government Waste (CCAGW) in Indiana, I urge you to vote against [SB 5](#), which seeks to protect the personal identifying information of consumers in Indiana through the creation of a new set of consumer data privacy restrictions on companies conducting business with residents of the state.

While we understand the desire to protect consumer privacy, this bill will unfortunately fail to achieve that objective. Instead, it would create instability and uncertainty for companies doing business over the internet and their customers. The internet is not contained within a single state's boundaries and therefore participants operating within the internet ecosystem can only be regulated by the federal government under the Commerce Clause, Article I, Section 8 of the Constitution.

Because of inaction by Congress, several states have enacted or will be reviewing laws to protect personal information, including online privacy for children, websites, and monitoring employee e-mail communications. These laws would affect any business operating or selling to customers regardless of the state either the business or customer are located, impinging on interstate commerce. Without the adoption of a consistent national privacy protection framework that preempts state and local laws, more states will continue to enact their own separate rules, raising costs and complicating compliance for businesses and individuals.

Rather than enact more state laws that impose restrictions on businesses performing interstate commerce that also collect consumer data, the Indiana General Assembly should encourage Congress to pass a national data privacy framework that will promote innovation while providing certainty across state borders for the regulation of data privacy and the protection of consumer's personal identifying information.

Again, I urge you to vote against SB 5.

Sincerely,

Tom Schatz