

March 9, 2021

The Honorable Drew Hansen, Chair  
House Civil Rights & Judiciary Committee  
370 John L. O'Brien Building  
Olympia, WA 98504

The Honorable Tarra Simmons, Vice-Chair  
House Civil Rights & Judiciary Committee  
132F Legislative Building  
Olympia, WA 98504

Re: Enforcement of the Washington Privacy Act (2SSB 5062)

Dear Chair Hansen and Vice-Chair Simmons:

MPA – The Association of Magazine Media, recognizes the importance of privacy legislation that balances foundational consumer privacy protections with businesses' needs to operationalize the legislation's requirements. As you consider the Washington Privacy Act, MPA writes to respectfully urge the House Civil Rights & Judiciary Committee to once again reject any modifications to the current enforcement language, including any efforts to amend the bill with a broad private right of action.

MPA's membership includes more than 500 magazine media brands that span a vast range of genres across print, digital, mobile and video media. Our members provide trusted, edited and curated content that informs, inspires and entertains more than 90 percent of all U.S. adults. Washingtonians are enthusiastic magazine media readers, with just under six million magazine subscriptions going to Washington consumers each year.

Including a broad private right of action in 2SSB 5062 would have a negative impact on businesses, including magazine publishers, by creating a significant risk of damaging financial outcomes and requiring overcaution in using consumer data in useful, productive ways that consumers support, all while creating a regulatory requirement that in practice fails to provide any additional privacy protections for consumers. The Washington legislature should again recognize that enforcement by the Attorney General is in the best interest of consumers.

Magazine publishers recognize that consumers benefit from strong data privacy protections and that consumer privacy protections can be effective without inhibiting consumers' ability to connect with magazines and access content they value. The threat of private lawsuits could undermine readers' access to the trusted, insightful, meaningful, and world-changing content they expect while imparting no tangible improvements to consumer data privacy.

Respectfully submitted,

Brigitte Schmidt Gwyn  
President & CEO

Emily Emery  
Director, Digital Policy

CC: Senator Reuven Carlyle, Chair, Senate Environment, Energy & Technology Committee