

February 8, 2021

The Honorable Christine Rolfes  
Senate Ways & Means Committee  
303 John A. Cherberg Building  
Olympia, WA 98504

The Honorable Lynda Wilson  
Senate Ways & Means Committee  
224 John A. Cherberg Building  
Olympia, WA 98504

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

Dear Chair Rolfes and Ranking Member Wilson:

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 Senate Ways and Means 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 SSB 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