



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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March 16, 2021
Honorable Chair Jerry Klein
North Dakota State Legislature
600 East Boulevard
Bismarck, ND 58505-0360

Re: TechNet Opposition to EHB 1486

Dear Chair Klein and Members of the Senate Industry, Business and Labor Committee:

I write on behalf of TechNet respectfully in opposition to **Engrossed House Bill 1486**, relating to limitations on the authorized access to telephone records and the sale or procurement of telephone records.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than three and a half million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

EHB 1486 would do little to strengthen consumer privacy because of federal Consumer Proprietary Network Information (CPNI) regulations in line with the Federal Communications Commission and the Communications Act. These regulations already mandate that carriers gain consumer consent to use or access their CPNI data. Should this bill be enacted, it would burden consumers who have already given consent to carriers, subjecting them to sign an unnecessary release form that can create more confusion.

In addition, this legislation would impede business processes in North Dakota. By requiring consumer authorization of accessing and selling CPNI data through signed release, businesses would have to create new processes to adhere to EHB 1486, impeding innovation and deterring business relocations to the state.

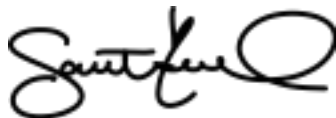
TechNet members are deeply committed to the protection of consumer data and invest significant resources to public safety associated with that data. However, we believe that provisions on data privacy should not be a piecemeal approach depending on the type of data or the state. Instead, data privacy legislation should be comprehensive to minimize unintended consequences and should be addressed at the federal level. Recently, the North Dakota State Legislature did not pass HB

1330, another state-specific privacy bill. Among discussions about this legislation, it is clear that other legislators agree that these privacy issues are best left to the federal government.

Data privacy continues to be one of the most significant challenges facing public and private entities in the modern digital economy. TechNet understands the role states can play in this discussion, especially as it pertains to a consumer's right to know what data exists and how their data may be used. Nonetheless, we believe additional consumer consent in selling data would hinder all parties and should fall solely under Attorney General enforcement until there are federal regulations in place.

For these reasons, TechNet opposes EHB 1486. We thank you in advance for your consideration, and please do not hesitate to reach out with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Santana" followed by a stylized flourish.

Samantha Kersul
Executive Director, Northwest
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