

EPIC To Lobby to Establish Data Protection Agency in the United States  
Statement of Marc Rotenberg  
EPIC President  
June 20, 2019

“The Electronic Privacy Information Center was founded 25 years ago to focus public attention on emerging privacy and civil liberties issues. Over our history, EPIC has pursued many important campaigns, brought many important cases, and made available important information about privacy on our website, [epic.org](http://epic.org).

“We have also testified many times before Congressional committees, advised members of Congress and their staff, but we did not actively support legislation. ‘Lobbying’ was not part of our vocabulary.

“Following a review of the current state of privacy protection in the United States, we have decided that EPIC can no longer stand on the sidelines. We will engage the legislative process and we will work to create a data protection agency in the United States.

“For more than 20 years, we tried to establish the authority of the Federal Trade Commission to safeguard the privacy and personal data of American consumers. But we have concluded that the FTC is simply not up to the task.

“Instead of going after the dominant tech firms that pose the greatest threats to privacy and competition, the FTC has chosen instead to go after small businesses. Last week, the FTC told a company that no one had ever heard of to stop violating an arrangement that is voluntary. And no fines were imposed. Meanwhile, more than 26,000 complaints against Facebook are pending at the Commission.

“EPIC and other consumer privacy organizations helped establish the Facebook consent order in 2011, but the Commission has not taken a single enforcement action. More than a year has passed since the FTC said it would reopen the investigation of Facebook and still there is no outcome. The Commission has turned its back on the American public.

“A data protection agency is the cornerstone of effective privacy protection. Data protection agencies act as ombudsmen for the public. They encourage innovation and good business practices. They identify emerging privacy challenges and pursue solutions. They take enforcement action when necessary and they impose penalties that are meaningful.

“Virtually every democratic country has created a privacy agency. But the United States has not. As a consequence, data breach and identity theft continue to rise in the United States. The pace of mergers is accelerating and the rate of innovation is slowing.

“Beginning today, EPIC will engage the legislative process. EPIC will work to establish a Data Protection Agency in the United States.”