

American Data Privacy and Protection Act

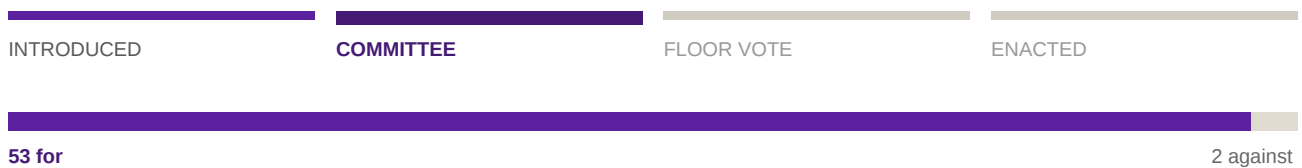
H.R.8152, 117th

REPORTED OUT OF COMMITTEE

Rep. Pallone (D-NJ)

Privacy & data · Executive / agency

HOW FAR IT WAS CARRIED



Energy and Commerce committee vote, 20 July 2022

BACKGROUND

The most substantial attempt at comprehensive federal privacy legislation to date, and the furthest one has advanced: reported out of the House Energy and Commerce Committee 53 to 2. It works from data minimisation rather than consent, so a company may collect what is necessary for a requested service and not more, with consent unable to authorise the excess. It also brings civil-rights protection inside privacy law, and requires algorithmic impact assessments for consequential decisions.

KEY PROVISIONS

- Establishes data minimisation as the default: collection limited to what is necessary for a requested service.
- Prohibits use of covered data to discriminate in housing, employment, credit, education or public accommodation.
- Requires algorithmic impact assessments for systems making consequential decisions.
- Grants individual rights of access, correction, deletion and portability.
- Provides a limited private right of action, with pre-emption of most state privacy law.

BY THE NUMBERS

53–2

Energy and Commerce committee vote, 20 July 2022

LEGISLATIVE RECORD

Reported out of Energy and Commerce 53–2 on 20 July 2022, the furthest a comprehensive federal privacy bill has advanced.

OFFICES ENGAGED

U.S. Congress

Drafted and advised. 1 office engaged.