

## AAPC's Principles for Balanced Privacy Legislation

To protect political speech, robust advocacy, and democratic participation while advancing pragmatic consumer data protections, the AAPC urges lawmakers to incorporate the following priorities into any privacy framework:

1. **Exempt Political and Non-Profit Entities** - Prevent data restrictions from chilling constitutionally protected speech by exempting political committees, advocacy organizations, and their service providers. Without exemption, regulatory burdens risk undermining advocacy, voter engagement, and the democratic process itself.

**Without a nonprofit and political exemption, the following safeguards become indispensable:**

2. **Exempt Small Business** – Sensible thresholds are essential to prevent privacy laws from suppressing political speech by overburdening small organizations and campaigns. Exemptions help preserve the tools and voices vital to democratic participation.
3. **Reject Private Right of Action, Institute a Right-to-Cure** - Eliminate a private right of action and establish a meaningful right-to-cure. This allows regulators to correct bad actors while preventing opportunistic lawsuits that chill political speech. It gives organizations, campaigns, and their service providers certainty that inadvertent errors can be fixed before penalties attach.
4. **Protect Strategic Partnerships** - Reject mandates requiring the disclosure of all third parties with data access. This protects proprietary client lists, vendor lists, and strategic relationships essential for competitive advocacy. Forced disclosure erodes associational privacy and exposes organizations to harassment.
5. **Oppose Data-Minimization Mandates** - Oppose data-minimization mandates that strip organizations, campaigns, and their service providers of the detailed information essential for political speech. Restricting data collection and retention undermines the exercise of free speech, impedes robust democratic participation, and leaves the electorate less informed.
6. **Preserve Targeted Advertising** – As most people now get their information online, effective outreach requires the data that enables campaigns and organizations to connect with their target audiences, especially underrepresented voters and constituents. Prohibiting targeted advertising threatens this right, severing a vital channel for democratic participation.
7. **Regulate "Authorized Agents"** - Prevent the weaponization of data rights by prohibiting or tightly regulating "authorized agents." These guardrails are needed to stop bad-faith actors from using fraudulent, mass-generated privacy requests to overwhelm staff, disrupt political speech, or siphon sensitive data.
8. **Safeguard Access to Public Information** - Safeguard access to public information and derivative data as a fundamental component of political speech. Limiting this access directly impedes democratic participation and weakens representative government by restricting the ability to inform and mobilize the electorate.
9. **Prevent a "Speech Tax"** - Prevent a "speech tax" by opposing special taxes or registration fees on data processing for political work. These levies disproportionately harm smaller campaigns and grassroots advocacy, diverting funds away from exercising free speech and enabling democratic participation, thereby undermining political speech itself.