

April 23, 2020

Harvey Perlman, Chair  
William McGeeveran, Reporter  
Collection and Use of Personally Identifiable Data Committee  
Uniform Law Commission  
111 N. Wabash Ave  
Suite 1010  
Chicago, IL 60602

Dear Chairman Perlman and Reporter McGeeveran:

The American Bankers Association and the undersigned state bankers associations, representing banks of all sizes, respectfully submit this comment for consideration by the Uniform Law Commission in response to the most recent draft of the proposed Collection and Use of Personally Identifiable Data Act. We appreciate the opportunity to provide input on the latest draft and would be happy to discuss the following suggested change at your convenience.

Our respective members are strong proponents of protecting consumer data and privacy, and are subject to extensive federal privacy and data protection laws, regulations, and oversight. Unlike other sectors, where statutory or regulatory violations must occur prior to authorities being made aware of a problem, financial institutions are required to undergo regular, in-depth examinations that ensure their compliance with data protection and privacy laws, such as the Gramm-Leach-Bliley Act (“GLBA”). We appreciate the inclusion of an exception for information subject to Title V of the GLBA in the second release from the Committee. However, limiting the exception to information subject to the GLBA (as opposed to financial institutions subject to the GLBA) ignores the carefully constructed financial privacy regime enacted by Congress that provides an effective and successful balance between strong consumer protections and ensuring that consumer financial transactions take place in a safe and secure environment. Going forward, an exception for financial institutions subject to the GLBA should be included in any privacy legislation enacted by the states. In furtherance of this effort, and in recognition of the robust regulatory privacy framework and oversight financial institutions are subject to, the undersigned organizations recommend section 3(b)(4) of the Draft Act be amended to read:

*A financial institution subject to Title V of the federal Gramm-Leach-Bliley Act of 1999 (15 U.S.C. §6801 et seq.), and the implementing regulations promulgated thereunder*

Again, we greatly appreciate the Drafting Committee’s consideration of our recommendation and look forward to continued participation in the drafting process.

Sincerely,

American Bankers Association

Alabama Bankers Association  
Alaska Bankers Association  
Arizona Bankers Association  
Arkansas Bankers Association  
California Bankers Association  
Colorado Bankers Association  
Connecticut Bankers Association  
Delaware Bankers Association  
Florida Bankers Association  
Georgia Bankers Association  
Hawaii Bankers Association  
Idaho Bankers Association  
Illinois Bankers Association  
Indiana Bankers Association  
Iowa Bankers Association  
Kansas Bankers Association  
Louisiana Bankers Association  
Maine Bankers Association  
Maryland Bankers Association  
Massachusetts Bankers Association  
Michigan Bankers Association  
Minnesota Bankers Association  
Mississippi Bankers Association  
Missouri Bankers Association  
Montana Bankers Association  
Nebraska Bankers Association  
Nevada Bankers Association  
New Hampshire Bankers Association  
New Jersey Bankers Association  
New Mexico Bankers Association  
New York Bankers Association  
North Carolina Bankers Association  
North Dakota Bankers Association  
Ohio Bankers League  
Oklahoma Bankers Association  
Oregon Bankers Association  
Pennsylvania Bankers Association  
Puerto Rico Bankers Association  
Rhode Island Bankers Association  
South Carolina Bankers Association  
South Dakota Bankers Association  
Tennessee Bankers Association  
Texas Bankers Association  
Utah Bankers Association

Vermont Bankers Association  
Virginia Bankers Association  
Washington Bankers Association  
West Virginia Bankers Association  
Wisconsin Bankers Association  
Wyoming Bankers Association