



Highlights this week include ANA's friend of the Court brief in *CTIA v. Berkeley*, the House vote on impeachment, and several important hearings.

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News of Interest

- [YouTube, Hasbro, Mattel And Others Sued Over Children's Privacy, *MediaPost*, October 28,](#)

2019

- [What's The Impact Of Proposed CCPA Regulations On Digital Advertising?](#), A List Daily, October 28, 2019
- [Everything Marketers Need to Know About the California Consumer Privacy Act](#), Adweek, October 30, 2019
- [Privacy Regs Like GDPR Hurt Competition In The Short Term, Study Finds](#), AdExchanger , October 31, 2019
- [Will More States Adopt Privacy Laws in 2020?](#), GovTech, October 30, 2019
- [Simultaneous Privacy Timelines in California](#), Dan Jaffe's *Regulatory Rumbblings*, November 1, 2019

Word on the Street

- Congratulations to the Washington Nationals on winning the World Series – the first World Series win for a Washington DC based team since 1924.

Upcoming ANA Events

- [ANA/BAA Marketing Law Conference](#) – November 4 – 6, 2019, San Diego, Ca.
- [ANA Legal & Regulatory Webinar: Marketing and Advertising of Cannabis 101](#) - November 12, 2019

Federal Affairs

[ANA Files Friend of the Court Brief Calling on Supreme Court to Overturn Berkeley Ordinance on Mandatory Cell Phone Advertising Disclosures](#)

Yesterday, the ANA filed a “friend of the court” *amicus brief* with the U.S. Supreme Court in a key case being appealed from the U.S. Court of Appeals for the Ninth Circuit dealing with the City of Berkeley’s mandated advertising disclosure regarding cell phone radiation emissions.

To read the full press release on this important filing please click [here](#).

[Senate Judiciary Subcommittee Schedules Hearing on "How Corporations and Big Tech Leave Our Data Exposed to Criminals, China, and Other Bad Actors"](#)

On October 29, 2019, the Senate Committee on the Judiciary’s Subcommittee on Crime and Terrorism [announced](#) a November 5, 2019 hearing entitled, “How Corporations and Big Tech Leave Our Data Exposed to Criminals, China, and Other Bad Actors.” According to a [press release](#) issued by Subcommittee Chairman Josh Hawley (R-MO), the hearing will address security concerns regarding online platforms’ collection of data and international companies’ ability to access data, among other topics.

[Privacy and Advertising Highlights from FTC Workshop on Class Action Notices](#)

On October 29, 2019, the Federal Trade Commission convened a workshop on “Consumers and Class Action Notices.” The hearing addressed consumer notice and claim rates with respect to consumer class action notices and did not touch upon contractual arbitration clauses. Privacy and advertising highlights from the hearing are [attached](#).

[House Energy and Commerce Subcommittee Members Discuss Privacy](#)

Implications During Hearing On The Reauthorization of the U.S. SAFE WEB Act

On October 29, 2019, the House Committee on Energy and Commerce's Subcommittee on Consumer Protection and Commerce convened a hearing entitled, "Reauthorizing Brand USA and the U.S. SAFE WEB Act." During the hearing, Subcommittee Chairwoman Janice Schakowsky (D-IL) noted that [H.R. 4779](#), a bill introduced by Subcommittee Ranking Member Cathy McMorris Rodgers (R-WA), would reauthorize the U.S. SAFE WEB Act, which she stated strengthens the Federal Trade Commission's (FTC) enforcement and jurisdiction internationally for issues of fraud and deception.

Subcommittee Ranking Member McMorris Rodgers noted that the FTC Commissioners requested the reauthorization of the Act during a previous Subcommittee [hearing](#) entitled, "Oversight of the Federal Trade Commission: Strengthening Protections for American's Privacy and Data Security," adding that bad actors online are responsible for data breaches and privacy violations. Ranking Member McMorris Rodgers expressed support for reauthorizing the Act, stating that it has enabled the FTC to pursue settlements for Children's Online Privacy Protection Act (COPPA) violations overseas and has ensured the success of the European Union-United States Privacy Shield Framework.

Committee Ranking Member Greg Walden (R-OR) expressed support for reauthorizing the Act and said that reauthorization could lead to "strong uniform standards and protections" for consumer privacy. When Rep. Robin Kelly (D-IL) asked a witness about examples where the Act has been successful in the FTC's relationship with Canada, the witness responded that the FTC worked with the Canadian Office of the Privacy Commission to investigate a COPPA violation and a data breach. Rep. Kelly stated that reauthorizing the Act would help address privacy violations in addition to "normal fraud."

House Holds Vote on Formal Rules for Impeachment Inquiry into the President

Yesterday, the House of Representatives took a major step in the impeachment inquiry of President Trump by holding a floor vote to formalize rules, therefore paving the way for public testimony to occur. The vote passed mostly along party lines, with 2 moderate Democrats voting with the Republicans and a former Republican turned independent voting with the Democrats.

This vote only increases the amount of oxygen that the impeachment inquiry will use up and leads to an even steeper barriers to passage of major legislation.

State Affairs

State Legislative Weekly Tracker

Click [here](#) for a summary report of this week's legislative activity in the states.

Contact Us

If you have questions on any of the issues mentioned in the ADviser, please feel free to contact ANA's Government Relations team in Washington, D.C.:

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