



December 18, 2023

Assemblyman Craig J. Coughlin
Assembly Speaker
569 Rahway Ave.
Woodbridge, NJ 07095

Assemblyman Louis D. Greenwald
Majority Leader
1101 Laurel Oak Rd., Suite 150
Voorhees, NJ 08043

Assemblyman John DiMaio
Minority Leader
208 Mountain Ave., Suite 3
Hackettstown, NJ 07840

CC: Assemblyman Raj Mukherji
Assemblyman Daniel R. Benson
Assemblyman Paul D. Moriarty

RE: Letter in Opposition to New Jersey A1971

Dear Speaker Coughlin, Majority Leader Greenwald, and Minority Leader DiMaio:

On behalf of the advertising industry, we write to oppose New Jersey A1971. The bill will have significant impacts on both New Jersey consumers and the economy and should be held so that the New Jersey Legislature has time to sufficiently consider the bill through the normal legislative process.

As the nation's leading advertising and marketing trade associations, we collectively represent thousands of companies across the country. These companies range from small businesses to household brands, long-standing and emerging publishers, advertising agencies, and technology providers. Our combined membership includes more than 2,500 companies that power the commercial Internet, which accounted for 12 percent of total U.S. gross domestic product ("GDP") in 2020.¹ By one estimate, over 240,000 jobs in New Jersey are related to the ad-subsidized Internet.² We would welcome the opportunity to engage with you further on the benefits of data-driven digital advertising and the issues with the bill we outline here.

While we and the companies we represent believe consumers deserve meaningful privacy protections supported by reasonable laws and responsible industry practices, such protections should not be rushed through the legislative process without providing adequate time to robustly consider the bill's impact on New Jersey consumers, small businesses, and the economy at large. A1971 proposes novel privacy standards that should be carefully considered through a robust legislative process. Yet only this morning the Assembly Judiciary Committee ("Committee") held a hearing on A1971, during which the Committee considered several substantive amendments that, as of the time of this writing, have yet to be released. Moreover, the State Assembly is scheduled to adjourn in mere days. The remaining time in this session simply does

¹ John Deighton and Leora Kornfeld, *The Economic Impact of the Market-Making Internet*, INTERACTIVE ADVERTISING BUREAU, 15 (Oct. 18, 2021), located [here](#) (hereinafter, "Deighton & Kornfeld 2021").

² *Id.* at 129-30.

not provide legislators, affected stakeholders, or consumers adequate time to carefully review A1971 and the proposed amendments to ensure the State Assembly advances practical and workable privacy protections.

More time is needed to refine a bill with wide-reaching impacts on both commerce and New Jersey consumers. The New Jersey State Assembly should not rush through A1971 in the waning days of the legislative session, and instead should take up these efforts again next year, when legislators have time to sufficiently consider the costs of the bill's unique provisions. An overly hasty legislative process without time to seek input from affected stakeholders is likely to result in avoidable inconsistencies and unnecessary regulatory ambiguity. When a bill is likely to significantly impact both a large volume of consumers and a great portion of the economy, it is vitally important that the rigorous vetting that occurs during the regular legislative process is not overpowered by calls to hastily pass important protections right away.

For these reasons, we respectfully ask you to hold A1971 so that it may be considered fully during the next legislative session. Thank you in advance for your consideration of this letter.

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Sincerely,

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