



October 28, 2021

The Honorable Lina Khan
Chair, Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chairwoman Khan,

Next Century Cities is a 501(c)(3) nonprofit organization made up of over 220 member municipalities across 40 states. Just as our members have a vested interest in expanding broadband access, they are also concerned about protecting their residents' privacy and promoting digital rights. We urge the FTC to establish safeguards and best practices for collecting, storing, and sharing personal data in an increasingly digitized society.

Personal data collection has a direct impact on many facets of our daily lives. The information contained therein is used to curate our online experiences. It dictates a range of opportunities from our level of access to accurate information to economic opportunities. While some data collections are required, there are too many occasions in which personal data is collected, packaged, and sold by companies to be used for a myriad of unclear purposes that often leads to far more negative outcomes than positive ones.

As an organization that works to ensure that every resident in every community is able to get online, we are increasingly concerned about their ability to do so with a sense of security. A looming concern is that data collection processes that lack transparency and oversight most disparately impact populations who have limited options for redress.

In the past, the FTC has worked on privacy issues, demonstrating its willingness to address how opaque data practices impact civil rights. The Commission should recommit to that work and use its authority to start building a framework that examines every aspect of online data collection, use, storage, sharing, and deletion processes. Federal oversight will give consumers, and the local officials working to improve their connectivity outcomes, an opportunity to voice concerns about experienced harms.

Importantly, instituting a rulemaking proceeding will enable the Commission to promulgate clear, understandable rules designed to curb discriminatory or abusive data management practices. It would also provide necessary guidance for state and municipal officials to develop state and local solutions that complement federal regulations.

Millions of residents still do not have reliable Internet access at home and are forced to rely on public networks at schools, libraries, and other public WiFi locations. As long as the Internet is powered by data mining and monetization, many of those users who have the fewest resources will continue to have fewer privacy protections.



We need to start working on a national strategy for combating abusive and discriminatory data practices, a framework that considers perspectives from a variety of stakeholders that include local and state leadership. The Commission is well-positioned to lead that effort. There will never be a better time for action.

Respectfully Submitted,
Next Century Cities

cc: Commissioner Noah Phillips
Commissioner Rebecca Slaughter
Commissioner Christine Wilson

