



November 13, 2025

MA Joint Committee on Economic Development and Emerging Technologies
24 Beacon St. Room 109-D
Boston, MA 02133

RE: S. 301 – “An Act advancing the economic development of the commonwealth through comprehensive data”

Dear Chairs Finegold and Fiola, Vice Chairs Collins and Giannino, and Members of the Joint Committee on Economic Development and Emerging Technologies:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose S. 301. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the provision of digital services therefore can have a significant impact on CCIA members.

CCIA strongly supports consumer data protection and understands that Massachusetts residents are rightfully concerned about keeping their data safeguarded properly. CCIA also appreciates lawmakers’ continued efforts to allow innovation to thrive while preserving meaningful consumer protection. However, several provisions of S. 301 create vague compliance obligations for covered businesses and would place them at a competitive disadvantage without meaningfully improving user privacy.

CCIA appreciates the chance to share the following concerns, as noted below:

S. 301 contains vague standards for processing minors’ data.

S. 301’s restrictions on processing sensitive data apply when a controller “knows or reasonably should know” that a user is a minor. However, it is difficult to objectively determine when a controller “reasonably should know” that a user is a minor. Without objective criteria to make such determinations, companies would be incentivized to collect more data about younger users (such as via age verification) to ensure compliance, even if the bill does not require them to do so.

This incentive structure carries several downsides: First, this increased data collection would undermine privacy for both adults and minors by creating centralized repositories of their sensitive data. Second, small businesses would face competitive disadvantages: A recent Digital Trust & Safety Partnership (DTSP) report, *Age Assurance: Guiding Principles and Best Practices*, found that “smaller companies may not be able to sustain their business” if forced to implement costly age verification or assurance methods.² Third, the standard’s subjective language risks inconsistent enforcement, leaving companies unable to know what precautions they are required to take.

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

² *Age Assurance: Guiding Principles and Best Practices*, Dig. Tr. & Safety P’ship 10 (Sept. 2023), https://dtspartnership.org/wp-content/uploads/2023/09/DTSP_Age-Assurance-Best-Practices.pdf.



To avoid these problems, CCIA recommends removing the phrase “or reasonably should know” from the definitions of “Child” and “Minor.”

Requiring opt-outs for first-party targeted advertising disadvantages Massachusetts businesses without significantly improving privacy.

Section 8(a)(iii) requires covered businesses to provide opt-outs from targeted first-party advertising. This provision removes a critical tool for businesses without meaningfully improving privacy. Targeted advertising lowers consumer costs by allowing businesses to sell products more efficiently (particularly smaller businesses),³ and allows platforms connecting billions of people to operate without charging users. Additionally, growing a business requires leveraging first-party data collected from consumers to better evaluate their needs and reach new customers. Such advertising also benefits consumers by allowing them to more easily find the products and services they need without their data being disclosed to additional parties. When possible, the legislature should therefore incentivize businesses to use the data they collect about their own consumers rather than third-party data that can pose greater risks to consumers when disclosed.⁴ Accordingly, CCIA recommends removing Section 8(a)(iii).

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We appreciate the Committees’ consideration of these comments and stand ready to provide additional information as the legislature considers proposals related to technology policy.

Sincerely,

Kyle J. Sepe
State Policy Manager, Northeast Region
Computer & Communications Industry Association

³ See, e.g., Marimer Guevara et al., *Digital Tools Offering Channels for Success: Facilitating a Small- and Medium-Sized Business Renaissance*, CCIA Res. Ctr. (Nov. 28, 2023),

https://ccianet.org/wp-content/uploads/2023/11/CCIA_SMB-Retail-Channels-to-Market.pdf

⁴ See also Jesse Lieberfeld, *Lessons Learned from California’s Privacy Rulemaking*, Disruptive Competition Project (Oct. 28, 2025), <https://project-disco.org/privacy/lessons-learned-from-californias-privacy-rulemaking/>.