



November 15, 2021

NAIC Privacy Protections (D) Working Group
NAIC Central Office
1100 Walnut Street
Suite 1500
Kansas City, MO 64106

Attn: Lois Alexander, NAIC Market Regulation Manager
Via email: lalexander@naic.org

Dear Chair Amann, Vice Chair Kreiter and Members of the Privacy Protections Working Group:

Thank you very much for the continued opportunity to provide comments on your ongoing review of past and current consumer privacy frameworks. We very much appreciate the extensive work that the NAIC Privacy Protections Working Group is doing to develop their Privacy Policy Statement. ACLI appreciates this opportunity to participate in the process, as our members are deeply engaged.

We respectfully submit the following thoughts to the Working Group on the “Right to Restrict the Use of Data” provisions of the Privacy Policy Statement.

Right to Restrict the Use of Personal Information

Similar to other financial services companies, life insurers are already subject to a complex array of federal and state laws and regulations that impose many limits on and conditions for their permissible collection, use, and sharing of personal information. They include transparency obligations by way of not one, but multiple privacy notices or disclosures that are required to be delivered to their customers and made available to consumers. These longstanding protections are working and remain consistent with the reasonable expectations of consumers about how and why their personal information is being collected and used. In addition to their regulatory obligations, life insurers also offer customers and consumers choices to tailor and easily update their communications, advertising, and online preferences and experiences.

We are proud that the insurance industry has long been a consumer privacy leader in adhering to its obligations in the appropriate collection and ethical use of personal information. While we believe it is important for consumers to continue to have certain rights with respect to their personal information, we are concerned about the introduction of another with the potential to cause friction and jeopardize existing customer relationships, and in some cases negatively impact consumers.

American Council of Life Insurers | 101 Constitution Ave, NW, Suite 700 | Washington, DC 20001-2133

The American Council of Life Insurers (ACLI) is the leading trade association driving public policy and advocacy on behalf of the life insurance industry. 90 million American families rely on the life insurance industry for financial protection and retirement security. ACLI's member companies are dedicated to protecting consumers' financial wellbeing through life insurance, annuities, retirement plans, long-term care insurance, disability income insurance, reinsurance, and dental, vision and other supplemental benefits. ACLI's 280 member companies represent 94 percent of industry assets in the United States.

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Life insurers need the continued ability under existing regulations to collect and process personal information to reach underserved communities, provide consumers with the financial products and services they have shown an interest in or requested, ensure the accuracy and integrity of the information insurers rely on, safeguard against fraud, security incidents, and illegal activity, perform risk management and other essential administrative activities, and to comply with applicable laws, regulations and legal proceedings.

Where the Working Group's draft Privacy Policy Statement did not include a specific recommendation, we hope you consider the unintended and disruptive consequences of offering consumers an indefinite, absolute right to restrict all uses of their personal information or only to certain uses specified by the consumer.

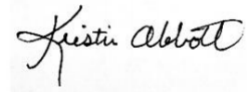
Conclusion

Thank you for your continued consideration of our comments. We look forward to continuing to collaborate with the Working Group as we move through this review process.

Sincerely,



Shelby Schoensee
Associate Counsel



Kristin Abbott
Counsel