



March 31, 2022

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](mailto:lalexander@naic.org)

Dear Chair Johnson, Vice Chairs Amann and Aufenthie, and Members of the Privacy Protections Working Group:

Thank you for this opportunity to comment on the NAIC Privacy Protections Working Group's draft workplan. We believe ACLI and the Working Group share the same overarching goal- to ensure this important work is done correctly, thoughtfully, and promptly. ACLI has historically been deeply engaged in this process, frequently offering comments and willingness to provide additional information as needed. At this time, we would like to offer these comments on the draft plan.

First, we recognize the Working Group has developed this ambitious draft plan to lay the groundwork for the next phase of addressing potential gaps in existing privacy laws. We have demonstrated our constructive engagement in previous years and commitment to "get it right" over adherence to potentially arbitrary deadlines that may cut against the development of a well-thought-out deliverable. While recognizing the initial goal will be to adhere to the draft plan, we do hope the Working Group remains flexible and willing to deviate where issues merit deeper or broader conversation to fully address the complexity and nuance of the subject matter.

Additionally, we understand the one-week comment period provided on the draft plan was short given that everyone is eager to begin the necessary and complicated work the next phase will entail. When possible, future comment periods should be at least 30 days, as is the standard across many NAIC workstreams. ACLI serves as a voice of our membership to the NAIC, and we rely heavily on receiving substantive, thoughtful comments at every stage of the process. It is critical that all stakeholders be given voice by having the necessary time to communicate information, collect feedback, and compile it to share with the Working Group. Complex concepts like these should be discussed with all stakeholders present, having had sufficient time to prepare for robust engagement. A compressed timeline limits the thoughtful and meaningful review process that topics this important to consumers and industry alike merit.

Finally, we request additional information on the initial plan concerning the whitepaper on "data ownership and use rights" identified in the draft plan. Currently, the agenda for the Working Group meeting to be held on April 4<sup>th</sup> does not include any reference to the whitepaper. It would be helpful to hear the initial thoughts and plans of the Working Group regarding the whitepaper so that our

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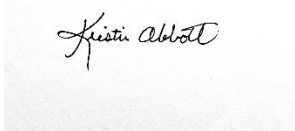
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The American Council of Life Insurers (ACLI) is the leading trade association driving public policy and advocacy on behalf of the life insurance industry. 90 million American families rely on the life insurance industry for financial protection and 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.

members can better engage in the process going forward. We ask that you add some time on the upcoming agenda to address this topic in more detail.

Thank you for your consideration. We look forward to working with you on these issues.

Sincerely,

A handwritten signature in cursive script that reads "Kristin Abbott". The signature is written in dark ink on a light-colored, slightly textured background.

Kristin Abbott  
Counsel