

# Why marketers should take the Banning Surveillance Advertising Act seriously

Article

**The news:** On Tuesday, US Democrats **introduced** the **Banning Surveillance Advertising Act**, which would prevent ad platforms, like those of **Meta** and **Google**, from targeting ads using

any data that is “reasonably linkable” to an individual.

- That’s a massive escalation from existing privacy bills, which simply make it more difficult for advertisers to target ads by requiring them to ask for users’ consent.
- Recent changes, such as **Apple’s** Identifier for Advertisers (IDFA) deprecation and **Chrome’s** third-party cookie sunset, also look like small potatoes in comparison.

### How it works:

- Broad location targeting, like for a state or a congressional district, would still be allowed.
- Advertisers would also be able to upload first-party customer lists to marketing platforms. The platform could then serve ads based on those lists, but it could not combine the advertisers’ data with its own.
- They would not be allowed to target based on sensitive information such as race, gender, or religion.

**Will it pass?** It’s unlikely. “I don’t think the bill will pass, but it’s a signal of the dissatisfaction out there, and the danger of relying fully on an ad model that could disappear,” said **Yoram Wurmser**, eMarketer principal analyst at Insider Intelligence.

### Why it matters regardless:

- Even if this bill doesn’t pass in its current form, privacy laws like it are becoming more popular. More regulations will certainly come, whether from states passing their own version of the **California Consumer Privacy Act (CCPA)**, or from companies such as Apple moving away from third-party tracking.
- Without a sweeping federal bill, change will likely come at a much slower pace, but that gives advertisers the time to shift their focus toward first-party data or explore alternatives like contextual advertising—things many have already started to do in the wake of existing privacy changes.