

SAMPLE PRESS RELEASE ON REPUBLICANS TAKING AWAY PRIVACY PROTECTIONS

[MEMBER] & Consumer Groups Denounce Trump & Congressional Republicans for Stripping Privacy Protections

CITY, STATE – [MEMBER'S NAME] today held a [TYPE OF EVENT] with local consumer groups to denounce President Trump and Congressional Republicans for gutting broadband privacy protections and data security rules.

Earlier this month, behind closed doors, President Trump signed legislation into law that overturns the only rules requiring internet service providers (ISPs) to get a consumer's permission before selling their private internet browsing history and other sensitive information.

The legislation, which was approved along party lines by Congressional Republicans in both the House and Senate before being sent to the President's desk, also tells providers they no longer have to use even "reasonable measures" to protect consumers' personal information, and notify people if their data is stolen. Washington Republicans were taking this action weeks after the Justice Department indicted two Russian spies for hacking Yahoo and stealing 500 million consumers' accounts.

"President Trump and Washington Republicans just gave broadband companies free rein to sell your personal information without your permission," [MEMBER] said. "Since American consumers visit a variety of internet destinations every day through different devices, broadband providers potentially have access to every bit of data that flows from a consumer. People want control over their privacy. They should have the freedom to decide how their sensitive information is used, and Washington Republicans just took away that freedom."

Last November, the Federal Communications Commission (FCC) adopted new privacy protections requiring broadband providers to clearly ask for their customers' permission before collecting or selling their sensitive personal information. The categories of "sensitive person information" include:

- location;
- financial and health information;
- social security numbers;
- web browsing history;
- app usage history;
- email content;
- and information about children.

The resolution supported by Republicans in Washington not only nullifies the FCC's new privacy protections, but it also prevents the agency from proposing similar rules in the future. Last year, the FCC was responding to overwhelming public opinion. Americans want more privacy protections. A recent Pew Research Study found that nearly 75 percent of internet users want more control over who can see and use their information.

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TALKING POINTS AGAINST THE REPUBLICAN ROLL BACK OF YOUR PRIVACY PROTECTIONS

President Trump and Washington Republicans just gave broadband companies free rein to sell your personal information without your permission.

- Earlier this month, behind closed doors, President Trump signed legislation into law that overturns the only rules requiring internet service providers to get consumer's permission before selling their private internet browsing history and other sensitive information.
- The bill went to the President's desk after Congressional Republicans approved the legislation along party lines last month. Every Democrat in the House voted against the bill.
- The law overturns rules that were approved last October by the Federal Communications Commission.
- The new privacy rules essentially did three things:
- First -- internet service providers must ask permission before selling their customers' sensitive data.
- Second -- the companies must take "reasonable measures" to protect that data.
- And third -- if someone steals that data, the companies have to let their customers know.
- This rule sounds reasonable – and hardworking Americans deserve no less.

Sensitive Information that can now be sold:

- So, what is the type of information that these companies can sell?
- The FCC rules said that broadband providers had to clearly ask if they wanted to sell any sensitive personal information, which includes location, financial and health information, social security numbers, web browsing history, app usage history, email content and information about your children.
- Again, this all sounds reasonable. Broadband companies should be required to ask your permission before they sell this information to someone else.
- Unfortunately, in many rural areas, consumers only have one choice for how they connect to the internet. Without these rules, those providers are free to do whatever they want with their customers data. Rural consumers will have no choice—either give up their privacy or don't connect at all.
- Americans should be the ones in control of what happens to their data – not their broadband provider.

The American people are rightfully concerned about their privacy and they want more privacy protections.

- A recent survey by Pew Research found that nearly 75 percent of internet users want more control over who can see and use their information.
- Consumers overwhelmingly supported the FCC action, and yet Washington Republicans stripped those protections away.

Without these rules, Republicans in Congress and President Trump have put Americans' safety and security and risk.

- Our personal information is under constant attack from both domestic and foreign actors.
- This resolution tells the companies who manage our networks that they no longer even have to take "reasonable measures" to protect our data and notify people if their data is stolen.
- Washington Republicans stripped these protections weeks after the Justice Department indicted two Russian spies for hacking Yahoo and stealing 500 million customers' accounts.
- Since data breaches lead to serious financial, reputational and even physical harms, these companies should be expected to take "reasonable measures" to protect our data. Thanks to Washington Republicans that's no longer the case.

This resolution not only nullifies the FCC's new privacy protections, but it also prevents the agency from proposing similar rules in the future.

Since American consumers visit a variety of internet destinations every day through different devices, broadband providers potentially have access to every bit of data that flows from a consumer.

People want control over their privacy. They should have the freedom to decide how their sensitive information is used, and Washington Republicans just took away that freedom.

IF ASKED ---- OR IF YOU WANT TO PROACTIVELY WANT TO REFUTE THE COUNTER-ARGUMENT:

Republican Arguments About the Rules Not Covering All of the Internet Miss the Point:

- Some Republicans argued for Congress to scrap your privacy protections because they only applied to your internet service provider. In most cases that means your cable company.
- To be clear, we need strong privacy protections for all Americans everywhere.

- But, broadband providers sit directly between you and the broader internet, and so they can see everywhere you go.
- People are never required to give their information to a website if they don't want to, but if you want to get on the internet at all, you have to go through a broadband provider. Even worse, many Americans don't have a choice in their provider.
- And because internet providers are also cable companies, they can see even more than anyone else. They can track you as you watch T.V. and at the exact same time, they can track what you're doing on your smart phone, tablet, or laptop.
- If we don't have these rules, we have no rules. It makes no sense to say that no parts of the internet should have consumer protections if all parts can't have the same protections.

That just leaves consumers vulnerable—but maybe that's the point.



April 2017

FACT SHEET ON REPUBLICAN ROLLBACK OF PRIVACY SAFEGUARDS

Committee on Energy and Commerce, Democratic Staff

On the evening of Monday, April 3, behind closed doors, President Trump signed S.J. Res. 34, a resolution gutting all broadband privacy protections and data security rules, into law. The resolution also prohibits the Federal Communications Commission (FCC) from ever enacting similar protections again without further Congressional action. Combined with restrictions that already limit the Federal Trade Commission (FTC), this resolution has effectively left Americans' privacy and data unprotected by any federal agency. Prior to reaching the President, the House and Senate both passed the bill along party lines.

The FCC's privacy and data security protections were the only bright-line rules to protect Americans when they go online. The FCC adopted new privacy protections and data security rules for broadband providers last October. These safeguards essentially required broadband providers to clearly ask for their customers' permission before collecting and selling their sensitive personal information. These protections also ensured that broadband providers took "reasonable measures" to protect customers' information and required providers to quickly notify those customers after a breach. These were sensible basic protections.

People should have the freedom to decide how their sensitive information should be used; privacy violations can lead to real harm. The categories of "sensitive information" protected under the FCC's rules included location, financial, and health information, as well as information about children, social security numbers, web browsing history, app usage history, and the content of communications. Data breaches lead to serious financial, reputational, and even physical harms.

Without these rules, Republicans in Congress and President Trump have put Americans' safety and security at risk. Americans' personal information is under constant attack from both domestic and foreign actors. This resolution tells the companies who manage our networks that they no longer even have to take "reasonable measures" to protect our data. Real people could be harmed by this reckless action.

By passing this legislation, Republicans in Congress and President Trump undid essential consumer protections. Rolling back these protections was a giveaway to industry over consumers, and it leaves Americans' personal information vulnerable. Without the FCC's internet privacy rules, ISPs can easily collect and sell customers' data without prior consent. Americans want more privacy protections—Pew Research found that nearly 75 percent of internet users want more control over who can see and use their information. Consumers overwhelmingly supported the FCC action.

No adequate privacy or data security consumer protections remain. Without these privacy and data security protections, the FCC can only act after people are already harmed, and the FCC now has no clear rules to apply. Opponents of the FCC's privacy rules consistently point to the FTC as the appropriate agency to oversee privacy. But the FTC cannot bring enforcement actions against ISPs, nor can it adopt rules to protect consumers before they are harmed. Consumers need more protection than that.

Undoing these privacy and data security protections creates more uncertainty and confusion for consumers. The CRA is a sledgehammer that completely nullifies agency action and prevents rules "in substantially the same form" from being adopted in the future. By passing this resolution, the Republicans have neutered the FCC's ability to ensure that ISPs adequately protect customers' sensitive information. Opponents of the FCC's internet privacy rules claim that the FCC can still adopt new privacy rules, if necessary. But there is no court precedent on the CRA that indicates if that's true. These are empty promises.