

Implementing Consistent National Consumer Protections

76%

OF CONSUMERS SAY THEY WOULD NOT BUY FROM A COMPANY WHO THEY DO NOT TRUST WITH THEIR DATA¹

Consumers demand and deserve straightforward privacy protections while they're online. They also expect access to the internet content and applications they choose. Broadband providers have long supported—and delivered—privacy protections and open internet principles for their consumers. Now it's time to ensure that the same rules apply everywhere. Only consistent, modern, and national safeguards can protect consumers while promoting U.S. infrastructure investment and our innovation economy. Policy leaders must look beyond rules from the past when making policies that govern the future of online technologies.

For the better part of two decades, bipartisan coalitions in Congress, along with the Federal Communications Commission (FCC) and the Federal Trade Commission (FTC), have recognized the need to allow a wide lane for innovation in the ever-changing and ever-improving internet space. The risk of 50 different state regulatory regimes, from consumer privacy to net neutrality, poses a new threat to innovation, investment, and clarity for consumers and providers alike.

CONSUMER PRIVACY

USTelecom members are doing their part to shore up trust and give Americans the confidence that no matter what platform, device, or network they choose, guardrails will be in place to protect their online privacy and support the growing and interdependent internet ecosystem. Congress should continue to examine comprehensive, unified privacy blueprints that put consumers first, apply uniformly to all companies that collect, use, or share a consumer's online personal data, and unite states under a single national privacy law.

Ultimately, a national framework for online privacy will require Congressional intervention and comprehensive legislation. Unless and until Congress formulates federal legislation on privacy, individual states will keep stepping in with well-meaning but counterproductive and conflicting privacy rules that create consumer confusion, uncertainty for internet companies, and turn states into de facto regulators of online privacy in the U.S.

USTelecom believes online privacy is sacred and consumers should be able to confidently use the internet while maintaining their privacy.

NET NEUTRALITY

While the scope of the term "Net Neutrality" is broad, it generally is used to describe a free and open internet where lawful content and applications are not blocked, throttled, or unfairly prioritized.

USTelecom's member companies already support and adhere to net neutrality principles and believe modern net neutrality rules are vital for a pro-consumer, pro-innovation, and pro-investment broadband ecosystem.

To ensure net neutrality protections, some have called for applying 1934's Title II common carrier provisions to the internet we know and rely on today. But it would be incompatible to apply regulations written almost a hundred years ago to the continually evolving and improving modern network that is the internet. As a result, this issue has been the subject of oscillating FCC rulemakings, legal challenges, and legislative attempts at codification in various forms since 2004. Certainty is needed for consumers and providers alike.

CONGRESS CAN END THE REGULATORY PING PONG

Congress should insist on consistent national approaches so consumers across the country can trust they have equal protections under the law and companies can invest with the confidence that our nation will continue its global leadership under a cohesive, national, innovation policy.

- **National Privacy Law:** Codify a comprehensive, unified privacy blueprint that:
 - *Puts consumers first and applies uniformly to all companies that collect, use, or share a consumer's online personal data.*
 - *Preempts individual state laws.*
- **21st century Net Neutrality Legislation:** Enact new, modern, net neutrality rules that provide certainty by:
 - *Ending a decade and a half of regulatory back and forth that fostered uncertainty and resulted, at times, in the cautious narrowing of investments.*
 - *Ensuring consumers enjoy permanent open internet protections across the internet ecosystem.*
 - *Allowing broadband companies to unleash the power and promise of investment and innovation to deliver even faster and more resilient communications networks.*