

STATE PRIVACY AND SECURITY COALITION

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New England Cable & Telecommunications Association, Inc.

April 19, 2017

The Honorable Robert A. DeLeo
Speaker of the House of Representatives
State Capitol
Boston, Massachusetts

Re: Opposition to Massachusetts ISP Privacy Bills

Dear Speaker DeLeo:

The undersigned associations represent hundreds of the country's leading technology companies in high-tech manufacturing, computer networking, and information technology, clean energy, life sciences, Internet media, ecommerce, education, and sharing economy sectors. Our member companies are committed to advancing public policies and private sector initiatives that make the U.S. the most innovative country in the world.

We oppose Massachusetts HD 3888, HD 3896, SD 2157, and SD 2165, pertaining to Internet Service Providers (ISPs) privacy.¹ If any one of these bills were to be enacted, consumers would be presented with frustrating requests for consent to use the Internet for routine purposes. Consumers benefit from being protected by a predictable, consistent regulatory framework that has a history of successfully governing how their online data is handled.

There is no gap in federal law that would permit ISPs to violate their customers' privacy. The FCC retains authority to enforce privacy violations, just as it did for the last several years under the Obama Administration. What is more, the Chairs of the Federal Communications Commission and the Federal Trade Commission have pledged to work together to adopt

¹ We also oppose Amendment #575 to H. 3600, pertaining to ISP privacy, for the same reasons articulated in this letter.

consistent federal policy on Internet privacy, which will create a consistent, national privacy framework that will protect consumers.

No other state has passed a bill like HD 3888, HD 3896, SD 2157, or SD 2165. Massachusetts should not be the first to attempt to regulate an interstate service. Massachusetts is a national leader in Big Data and data analytics. Creating new and different standards in Massachusetts could disrupt a significant portion of the state's innovation economy and have major unintended consequences for consumers and businesses as companies are forced to adjust their investment and technology deployment plans based on a singular set of rules for Massachusetts.

Thank you for your consideration of our concerns. We would be happy to discuss the bills further at your convenience.

Respectfully,

State Privacy & Security Coalition
Association of National Advertisers (ANA)
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New England Cable & Telecommunications Assn. Inc. (NECTA)
TechNet