

## New Privacy Rules to be Proposed for Internet Providers

March 11, 2016 – The Federal Communications Commission is getting ready to propose new privacy rules for internet service providers. The proposal would place restrictions on the way that service providers can use your personal and browsing history information for advertising and marketing. It would also restrict service providers' ability to share your information with other companies.

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The FCC is likely to vote on the proposal at the end of March. If it is adopted, it would be the first time that privacy rules will be placed on service providers.

Under the proposal, consumers would have the right in most cases to control how their information is used. Although the proposal doesn't limit service providers' use of data supplied to purchase their services, it does restrict other data sharing. In some cases, consumers would have to opt-in to sharing their information. In others, service providers would be required to allow consumers to opt-out of information sharing. The proposal clearly establishes the precedent that your data belongs to you.

The proposal would also place a requirement on service providers to protect your data by adopting security protocols and requiring minimum levels of network protection.

Notably, service providers would also be required to notify consumers in the event of a data breach. While the vast majority of states currently require notification in the event of a data breach, there is an effort in congress to standardize and weaken those protections nationally. A requirement by the FCC is unlikely to be impacted by those congressional

efforts even if a bill does make it to the President's desk.

by Jim Malmberg

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