

TOM WHEELER

September 13, 2017

The Honorable Ed Chau
Chair
Assembly Committee on Privacy
and Consumer Protection
Sacramento, California 95814

Dear Chair Chau:

I write to express my support for A.B. 375, legislation that would reestablish a simple and basic concept that consumers should be able to control how their data is used and shared by their Internet Service Providers.

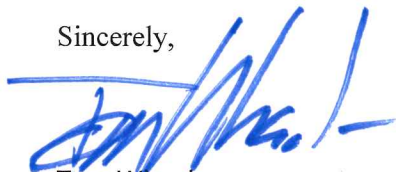
In October 2016, the Federal Communications Commission (FCC) updated the privacy rules that have applied to the communications industry for decades to reflect consumer expectations when using broadband Internet access services. Americans understand that when they make a phone call, the telephone company is not be allowed to sell or share information about that call. Our goal was to ensure that when people use the same device for phone calls, email, or web browsing, the same privacy protections apply.

Unfortunately, because Congress eliminated the FCC's rules in March 2017, Americans do not have the same privacy protections when they send an email over a smartphone that they have when they make a phone call on a smartphone or a traditional telephone. That is the damage the Congressional Review Act repeal of the FCC privacy rules has caused and why I support your efforts to respond with a state law to codify the FCC rules.

I have had the opportunity to review the final amended language that is pending a vote this Friday and believe it will restore the privacy protections that Congress took away. The amended version of A.B. 375 would re-establish for Californians the legal privacy rights that the FCC adopted in October 2016.

It is my hope that the legislature will act decisively and quickly to restore Californians' privacy protections with respect to data gathered by cable companies and telephone companies in the course of providing Internet access service. If California leads on consumer privacy, undoubtedly other states will follow and Americans will regain their privacy protections they have enjoyed for decades.

Sincerely,



Tom Wheeler
Chairman, Federal Communications Commission
November 2013-January 2017