

**A Resolution of the Washington County Democratic Party  
Resolution 2017-044  
Relating to Privacy Protection for Broadband ISP Customers**

**WHEREAS**, by virtue of the Broadband Internet Service Provider-Customer service agreement, Broadband ISPs (for example, Comcast, Verizon, Frontier) function as “keyholders” with direct access to their customers’ proprietary network information “bank,” and

**WHEREAS**, a customer’s information bank holds internet browsing history as well as personally identifiable information including name, address, phone number, Social Security number, financial, health, and other confidential data<sup>1</sup>, and

**WHEREAS**, customers’ proprietary information can overlap with personally identifiable information which potentially exposes customers to significant harm such as identity theft, political and religious targeting, data breaches, broad dissemination of sensitive or embarrassing personal details, and other unauthorized uses<sup>2</sup>, and

**WHEREAS**, unauthorized or undisclosed use of customer’s proprietary information and/or personally identifiable information challenges constitutionally protected privacy and personal property rights, and

**WHEREAS**, the Federal Communication Commission’s *Privacy Order*--adopted October 2016 and effective March 2017--restricted Broadband ISPs’ ability to sell their customers’ proprietary information to advertisers and third parties without the customer’s consent or knowledge. The *Order* also required Broadband ISPs to inform their customers of such activity,<sup>3</sup> and

**WHEREAS**, telecommunications and cable industry representatives successfully petitioned the FCC, in January 2017, to stay the *Privacy Order*,<sup>4</sup> and

**WHEREAS**, the Republican-sponsored U.S. Senate Joint Resolution 34 nullified the *Privacy Order* in March 2017,<sup>5</sup> and

**WHEREAS**, eleven U.S. Democratic senators have introduced Senate Bill 878 that “establishes privacy protections for customers of broadband Internet access service...,” and

**WHEREAS**, given the Republican majorities in Congress, it seems unlikely SB 878 will become law in the foreseeable future,<sup>6</sup> and

**WHEREAS**, internet privacy legislation is currently pending in some states, e.g. Minnesota’s Senate Bill SF 2309 prohibits the collection of personal information by broadband ISPs without the customer’s written consent,<sup>7</sup> and

**THEREFORE, be it Resolved** by the Democratic Party of Washington County (DPWC), Oregon, that:

1. The DPWC urges the Democratic Party of Oregon (DPO) to request the State’s legislators to enact a state law restricting Broadband ISPs’ unauthorized activities including browsing history sales or sale or release of customer network proprietary information.

2. The DPWC will forward this resolution of to all Washington County legislators and request a statement of their position on this issue.

*Resolution submitted 5/18/2017 – Vallie Gilham; deferred for discussion to 7/11/17*

## CITATIONS

<sup>1</sup>*Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, WC Docket No. 16-106*. Notice of Proposed Rulemaking FCC 16-39, Federal Communications Commission, 4/1/2016, pg. 8, 21-22  
[https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-16-39A1](https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-39A1)

<sup>2</sup>*Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, WC Docket No. 16-106*, Report and Order FCC 16-148, Federal Communications Commission, 11/2/2016, pg. 2  
[https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-16-148A1](https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-148A1)

<sup>3</sup>*ibid.*

<sup>4</sup>*Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, WC Docket No. 16-106*, Order Granting Stay Petition in Part FCC 17-19, Federal Communications Commission, 3/1/2017  
[https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-17-19A1](https://apps.fcc.gov/edocs_public/attachmatch/FCC-17-19A1)

<sup>5</sup>*S.J.Res., 34*, 115<sup>th</sup> Congress 1<sup>st</sup> Session, 3/7/2017  
<https://www.congress.gov/115/bills/sjres34>

<sup>6</sup>*S.878*, 115<sup>th</sup> Congress 1<sup>st</sup>, Introduced 4/4/2017  
<https://www.congress.gov/bill/115th-congress/senate-bill/878>

<sup>7</sup>*Senate Bill SF 2309*, Minnesota State Legislature, 90<sup>th</sup> Legislature, Section 1. [237.122] PERSONAL INFORMATION; PROHIBITION  
<https://www.revisor.mn.gov/bills>