

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 477 Session of
2011

INTRODUCED BY V. BROWN, KORTZ, CALTAGIRONE, FABRIZIO, PASHINSKI,
D. COSTA, YOUNGBLOOD AND MURT, OCTOBER 24, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 24, 2011

A RESOLUTION

1 Urging the Congress of the United States to establish a
2 framework for online consumer privacy protections.

3 WHEREAS, The laws governing consumer privacy protections are
4 outdated and need to be modernized so that there is meaningful
5 enforcement in the present-day Internet landscape; and

6 WHEREAS, The current laws only cover some forms of
7 communication under one law in one government agency and other
8 kinds of communication under different laws administered by a
9 different Federal agency; and

10 WHEREAS, Without meaningful privacy protections for
11 consumers, new innovative technologies may go underutilized; and

12 WHEREAS, Consumers do not need more confusion and
13 bureaucracy, but rather confidence that comes from knowing there
14 is a simple process that can effectively deal with bad actors
15 who misuse or access sensitive information about them without
16 their appropriate consent; and

17 WHEREAS, Congress needs to establish a new privacy framework
18 based on four key consumer-focused principles: simplicity,

1 flexibility, effective enforcement and lack of harm; and
2 WHEREAS, Congress should provide consumers with a simple,
3 one-stop, seamless process within a single regulatory agency
4 that has the most expertise on privacy and enforcement issues;
5 and

6 WHEREAS, Similarly, consumers should know that all their
7 private data will have a common place to remedy grievances,
8 regardless of the type of entity that has their data; and

9 WHEREAS, The Federal Trade Commission (FTC), not the Federal
10 Communications Commission, can best ensure that a privacy
11 framework applies equally to all relevant entities and can best
12 field e-commerce consumer privacy complaints because it has
13 jurisdiction over the entire Internet ecosystem and it has much
14 more experience with the Internet as a whole; and

15 WHEREAS, Congress should adopt a framework with clear and
16 basic privacy protection principles that avoids a one-size-fits-
17 all approach, but instead embraces the fact that all information
18 is not the same and not all information has the same level of
19 privacy or sensitivity, as well as recognizing that business can
20 sometimes be more effective in understanding how new products
21 fit under broad privacy principles; and

22 WHEREAS, In a rapidly changing and innovative world where new
23 devices, applications, software and networks are being delivered
24 to consumers every day, overly detailed, prescriptive rules tend
25 to quickly become obsolete and lead to unintended negative
26 consequences that may ultimately stifle innovation and
27 investment and delay expansion of new technologies; and

28 WHEREAS, Any of these negative consequences can hobble the
29 American economy at a delicate time and, in the end, harm
30 consumers' privacy as well; therefore be it

1 RESOLVED, That the House of Representatives urge Congress to
2 establish a framework for online consumer privacy protections;
3 and be it further

4 RESOLVED, That copies of this resolution be transmitted to
5 the President of the United States, the presiding officers of
6 each house of Congress, each member of Congress from
7 Pennsylvania and the Federal Communications Commission.