

FCC offers hope for consumers seeking online privacy protections

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I think most of us can agree that the internet poses some unique and wide-scale risks to our privacy.

Our every move online can be - and often is - tracked. In the past, it might have been hard for companies or the [government](#) to know your interests, political leanings, [religious affiliation](#) or [health problems](#). But they can glean all that and more by simply watching what you do on the internet.

With a few exceptions, the government has failed to meaningfully curtail the [data collection](#) or help consumers gain some real control or choice over it. And industry self-regulation has been a joke.

But there finally might be a bit of hope for users.

The Federal Communications Commission is considering new rules that would restrict how broadband service providers - companies like Comcast, AT&T and Verizon - can use the data they collect on our internet habits. The rules would give consumers a better idea of what data's being collected by those companies and more control over how it's being used.

The rules aren't perfect. For one thing, they probably need to go further than proposed to bar some particularly pernicious practices. For another, they wouldn't do a thing to restrict the kind of data collection being done by the Facebooks and Googles of the world.

But they represent an important first step in rebalancing the [privacy](#) equation.

The rules are "a step in the right direction," said Meredith Rose, staff attorney with Public Knowledge, a consumer advocacy group.

The new rules would require such companies to disclose what data they're collecting on subscribers and require them in many cases to seek permission from customers before sharing that data with their affiliates or other companies.

They also will potentially bar those companies from collecting certain kinds of sensitive information. And they would require companies to keep customers' personal data safe and give notice to customers in a timely manner if that data's been hacked.

The FCC's move stems from some real concerns.

For all the legitimate worries about the amount of information Facebook and Google are hoovering up about their users, neither of those companies has the kind of view of consumers' online activities that [broadband providers](#) have. Your broadband provider serves as the conduit for all your online activities, which gives them an unparalleled view into who you are, such as who you bank with, how often you use Netflix or if you visit porn sites regularly.

Your broadband provider "knows everything you do, which puts them in a unique position when it comes to consumer information," said John Simpson, director of the privacy project at Consumer Watchdog, an advocacy group.

With Google, Facebook and other online services, consumers have some choice. If you don't like Google tracking your web searches, for

example, you can use Microsoft's Bing or another search engine instead.

But Americans often have little choice when it comes to their broadband provider. Most don't have the options of choosing a different one if they don't like what their current one is doing with their data.

And the concern about broadband providers' use of subscribers' personal data isn't just a theoretical worry. AT&T is explicitly seeking to track the activities of customers of its new ultra-high-speed GigaPower broadband service; customers who don't want their activities monitored have to pay \$29 a month extra to opt out.

Jeff Chester, executive director of the Center for Digital Democracy, has documented how providers, including AT&T, Comcast and Verizon, seeing the potential for a lucrative new side business, have moved aggressively in recent years to ramp up their abilities to track their broadband customers' activities. Perhaps most worrying, many of them can now track users across devices, seeing not just what users do on their computers, but also on their smartphones and even on their televisions, and also being able to glean where they are in real time.

Broadband providers now "have this kind of powerful system to monitor you," said Chester, whose organization advocates for consumer privacy protections. "It's a whole new ballgame when it comes to data and privacy today."

Opponents of the rules, which are basically the broadband providers and their backers, note that they don't cover Facebook, Google and other online companies. Imposing privacy rules on broadband providers while not imposing them on the online companies risks confusing consumers and unfairly tilting the market, they argue.

But those objections ignore some simple facts. The FCC has authority

over communications providers and is required by law to protect the privacy of their customers. It generally doesn't have any power over [internet](#) companies like Google or Facebook, so it can't control what they do with consumers' information.

It would be great if Congress would pass a general privacy law that would cover online companies as well as broadband providers. But until it does, any step toward protecting consumers' online privacy is better than none at all.

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