



May 2, 2017

Chair Williamson and Members of the House Rules Committee
Oregon State Capitol
900 Court Street NE
Salem, OR 97301

SUBJECT: OPPOSITION TO HB 2813

Dear Chair Williamson:

I am writing on behalf of TAO to express concerns with HB 2813. The Technology Association of Oregon (TAO) is a leader in the technology industry and broader business community. With an expanding network that extends beyond Oregon and SW Washington and includes over 420 tech and tech-enabled companies, TAO advocates for economic development programs that accelerate business growth and advocacy efforts that seek to improve the region's competitiveness.

Technology companies and the consumers they serve benefit from privacy obligations for broadband data that are uniform from one state to the next. Oregon Senator Ron Wyden's federal legislative efforts in the early days of the Internet recognized the power of clear, uniform privacy laws at the federal level governing the Internet's use by tech companies and consumers and carefully balanced consumer privacy with economic opportunity. The Electronic Communications Privacy Act, CAN-SPAM Act, and the Children's Online Privacy Protection Act are some examples of federal legislation that adhere to these same principles. There also are a wide range of state existing privacy and data breach notification laws that protect consumers privacy and data security. Moverover, our member companies take their customers' privacy seriously, which is why they also have adopted data privacy and protection policies for their products and services that apply throughout the U.S.

Recent actions at the federal level have not changed the privacy protections that have been in place for consumers across the country since the FCC adopted the Open Internet Order over two years ago and reclassified broadband Internet access service. The FCC acquired privacy jurisdiction over Internet Service Providers (ISPs) when it reclassified broadband as a common carrier. In order to ensure that consumers' data and privacy would be protected, the FCC issued an enforcement advisory, which is still in place, outlining that the Communications Act continues to apply to ISPs.

For these reasons, we respectfully request that you not adopt new state requirements that will have the effect of confusing consumers and hindering the continued growth of Oregon's technology industry. Thank you for your consideration.



Sincerely,

A handwritten signature in black ink, appearing to read "Warren Newberry", written in a cursive style.

Warren "Skip" Newberry, TAO President