

Consumer Internet Privacy Protection Act of 1997 (Introduced in House)

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To regulate the use by interactive computer services of personally identifiable information provided by subscribers to such services.

IN THE HOUSE OF REPRESENTATIVES

January 7, 1997

Mr. VENTO introduced the following bill; which was referred to the Committee on Commerce

A BILL

To regulate the use by interactive computer services of personally identifiable information provided by subscribers to such services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. ➔

This Act may be cited as the `Consumer Internet Privacy Protection Act of 1997'.

SEC. 2. REGULATION OF USE BY AN INTERACTIVE COMPUTER SERVICE OF A SUBSCRIBER'S PERSONALLY IDENTIFIABLE

INFORMATION. ➔

(a) DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION WITHOUT CONSENT PROHIBITED-

(1) IN GENERAL- An interactive computer service shall not disclose to a third party any personally identifiable information provided by a subscriber to such service without the subscriber's prior informed written consent.

(2) REVOCATION OF CONSENT- Such service shall permit a subscriber to revoke the consent granted under paragraph (1) at any time, and upon such revocation, such service shall cease disclosing such information to a third party.

(b) KNOWING DISCLOSURE OF FALSIFIED PERSONALLY IDENTIFIABLE INFORMATION PROHIBITED- An interactive computer service or an employee of such service shall not knowingly disclose to a third party any personally identifiable information provided by a subscriber to such service that such service, or such employee, has knowingly falsified.

(c) SUBSCRIBER ACCESS TO PERSONALLY IDENTIFIABLE INFORMATION-

(1) IN GENERAL- At a subscriber's request, an interactive computer service shall--

(A) provide the subscriber's personally identifiable information maintained by the service to the subscriber;

(B) permit the subscriber to verify such information maintained by the service; and

(C) permit the subscriber to correct any error in such information.

(2) ACCESS TO IDENTITY OF RECIPIENTS OF INFORMATION- At a subscriber's request, the service shall provide to the subscriber the identity of the third party recipients of the subscriber's personally identifiable information.

(3) FEE- The service shall not charge a fee to the subscriber for making available the information under this subsection.

SEC. 3. ENFORCEMENT AND RELIEF. ➔

(a) FEDERAL TRADE COMMISSION- The Federal Trade Commission shall have the authority to examine and investigate an interactive computer service to determine whether such service has been or is engaged in any act or practice prohibited by this Act.

(b) RELIEF-

(1) CEASE AND DESIST ORDER- If the Federal Trade Commission determines an interactive computer service has been or is engaged in any act or practice prohibited by this Act, the Commission may issue a cease and desist order as if such service were in violation of section 5 of the Federal Trade Commission Act.

(2) CIVIL ACTION- A subscriber aggrieved by a violation of section 2 may in a civil action obtain appropriate relief.

SEC. 4. DEFINITIONS. ➡

As used in this Act--

(1) the term `interactive computer service' means any information service that provides computer access to multiple users via modem to the Internet;

(2) the term `Internet' means the international computer network of both Federal and non-Federal interoperable packet switched data networks;

(3) the term `personally identifiable information' has the meaning given such term in section 631 of the Communications Act of 1934 (47 U.S.C. 551);

(4) the term `informed written consent' means a statement--

(A) in writing and freely signed by a subscriber;

(B) consenting to the disclosures such service will make of the information provided; and

(C) describing the rights of the subscriber under this Act; and

(5) the term `third party' means, with respect to the disclosure of personally identifiable information provided by a subscriber to an interactive computer service, a person or other entity other than--

(A) such service;

(B) an employee of such service; or

(C) that subscriber to such service.