Yesterday, the United States House of Representatives approved Senate Joint Resolution 34, a joint resolution repealing the Federal Communications Commission’s (“FCC”) broadband privacy and data security regulations. The joint resolution, approved last week by the United States Senate, now heads to President Trump for his signature. It is anticipated that President Trump will sign the resolution, with the White House issuing a press release stating that the “Administration strongly supports” Senate Joint Resolution 34, and that the President’s “advisors would recommend that he sign the bill into law.”

The expansive privacy and data security regulations, approved last year in a 3-2 party line vote, were divided into four broad categories of rules: meaningful and transparent notice requirements, customer choice with respect to the use and sharing of their information, data security and breach notification, and rules pertaining to carrier practices the FCC found to be particularly harmful. The rules had already been partially stayed by the FCC in response to multiple reconsideration petitions. If the President signs the joint resolution as expected, the regulations would be repealed and the FCC would be unable to reissue the rules without the passage of a new law authorizing the rules.

We will continue to monitor the status of the joint resolution and its impact on the FCC’s privacy and data security regulations, and will provide additional updates in the coming weeks.

If you have any questions concerning these developing issues, please do not hesitate to contact the following Paul Hastings Washington, D.C. lawyer:

Sherrese M. Smith  
1.202.551.1965  
sherresesmith@paulhastings.com

