

Opening Statement of Chairman Fred Upton
Subcommittee on Communications and Technology
Hearing on “FCC Overreach: Examining the Proposed Privacy Rules”
June 14, 2016

(As Prepared for Delivery)

Today we focus on the latest regulatory overreach by the FCC to create a new privacy regime for broadband providers. As a result of last year’s reclassification of Internet service providers, the industry was removed from the Federal Trade Commission’s jurisdiction and placed in unclear territory. Attempting to fill the void it created, the FCC proposed a set of complex and burdensome new restrictions that will create uncertainty for consumers and cause harm to the marketplace.

These rules simply miss the mark. By singling out broadband providers, the FCC is feeding unbalance into the Internet economy. Until recently, the entire Internet ecosystem successfully operated under the enforcement-based privacy protections of the FTC model and I fear this new approach will reduce competition in the flourishing Internet marketplace. The FCC should hear the widely shared concerns and collaborate with industry to balance consumer privacy and innovation policy.

The focus of the Energy and Commerce Committee has always been consumers. We all share the goal of keeping personal data safe and secure, and while doing so encouraging innovation, growth, and better services. I joined with my colleagues earlier this month to encourage the FCC to reconsider their proposal. I hope our panel of experts today can help provide further insight into the proposed rules and an optimal path forward that will provide the greatest benefits for consumers.

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