

**Chairman Blackburn—Opening Statement**  
**“Algorithms: How Companies’ Decisions About Data and Content Impact Consumers”**  
**Subcommittees on Digital Commerce and Consumer Protection**  
**and Communications and Technology**

**November 29, 2017**

*(As prepared for Delivery)*

Good afternoon, and welcome to our witnesses. Let me also thank my colleague Mr. Latta for working closely with me to put together this all-star panel to discuss all things virtual. Although we often refer to the world on the other side of our screens as the virtual world, we are seeing that when things go wrong, the real world impacts on our privacy, finances, knowledge base, and even freedom of expression are anything but virtual. As so many of these issues overlap between our two Subcommittees, I am pleased that we are able to kick off our exploration of them as a team.

On a number of fronts, we are seeing the pressure turned up on the tech companies that often serve as the new town squares for our public discourse. As governments and users are demanding that certain speech be shut down, some of the responses have perhaps been a disappointment from the perspective of free speech. Companies that began as start-ups in Silicon Valley garages have fundamentally changed

the way we communicate with each other about everything from what song we want to hear, to what stock we want to buy or sell, to what is the best way to change our health care system. These multinational corporations now respond to pressures that do not necessarily line up with American values, so we need to examine how and why content is being blocked, filtered, or prioritized.

This may all sound faintly similar to another hot topic -- net neutrality. Exercise caution here as it is important that we note: the FCC's current rules only apply to ISPs, not social media or search platforms. In some very concrete ways, the open internet is being threatened by certain content management practices. These two-year-old FCC rules have not and cannot address these threats, so it is disheartening to see Title 2 regulatory advocates happily conflating the two to divert attention from who is actually blocking content.

The current FCC proposal to return Internet regulation back to the bipartisan light-touch norm also reminds us that we are simply shifting authority back to the FTC to handle privacy matters. The previous head of the FCC swiped jurisdiction from the FTC, a 100-plus-year-old institution established by a Democratic president to act against trusts. As discussed at our previous hearings on the limits of the FCC, its authority can only touch one part of the Internet ecosystem and thus it

ignores edge provider services that collect arguably more data than ISPs. As you may have heard, I introduced a bill that would create a level and fair privacy playing field by bringing all entities that collect and sell the personal data of individuals under the same rules.

Given the witnesses testimony today, let me also plug another bipartisan initiative I have worked on in the past -- data security. Given the implications and risks associated with transferring all of this data, it feels rather timely. I look forward to working with my friends across the aisle on this and all of these topics so we settle differences in this hearing room as opposed to relinquishing our authority to regulators in power.