

**Opening Statement of Republican Leader
Cathy McMorris Rodgers
Subcommittee on Consumer Protection and Commerce
Hearing on “Oversight of the Federal Trade Commission: Strengthening
Protections for Americans’ Privacy and Data Security”
May 8, 2019
*As Prepared for Delivery***

Good morning and welcome to the Consumer Protection and Commerce Subcommittee hearing with the Federal Trade Commission.

Thank you Chairman Simons, and Commissioners Phillips, Wilson, Chopra, and Slaughter.

Whether through deceptive advertising, fraud, or other schemes, bad actors regularly try to game our system. The FTC has been one of the top cops on the consumer protection beat for decades.

I’m glad you are here to discuss the Commission’s vital mission to protect consumers and promote competition and innovation especially as it relates to one of the most important issues today—data privacy.

In America’s 21st century economy, our days start and end by exchanging our information with products that save us time, keep us informed, and connect us with our communities.

Many of us start our days asking Alexa or Siri, what’s the weather today? Then we browse Facebook and Instagram open some emails and read the news; check for traffic updates on our iPhones and if traffic doesn’t look too bad, there’s time to order groceries to be picked up or delivered after work.

And that’s just before we walk out the door.

All day long we are sharing our information with the internet marketplace and for people who use health trackers and apps, it might not even stop when you go to sleep. This free flow of information drives much of the innovation and technology growth here in the U.S.

Bottom line, we make choices every day to be connected and when we do, we should be able to trust that our privacy is protected.

We deserve to know how our data is collected, how it's used, and who it's being shared with. There should be no surprises and these protections shouldn't change depending on what state we're in.

In recent survey, 75 percent of respondents said privacy protections should be the same everywhere they go. The vast majority of Americans want the same protections whether they are in Eastern Washington, San Francisco, New Jersey, or Illinois.

That's why we've been advocating and leading for a national standard for data privacy that:

One, doesn't leave our privacy vulnerable in a patchwork

Two, increases transparency and targets harmful practices, like Cambridge Analytica

Three, improves data security practices

And four, is workable for our nation's innovators and small businesses.

So today, I look forward to hearing from the Federal Trade Commission which is the main cop on the beat to enforce privacy standards, promote transparency, and hold companies accountable.

The FTC's mission is to protect consumers and promote innovation. Our four principles for a data privacy law, are in line with that mission.

It's about protecting consumers from concrete harms, empowering the choices they make and also, promoting the new technologies that we haven't even dreamed of yet. This Congress should lead on writing the privacy rules of the road.

I remain ready and willing to work with my colleagues on the committee for a bipartisan solution that puts consumers and their choices first.

In various proposals some groups have called for the FTC to have additional resources and authorities. I remain skeptical of Congress delegating broad

authority to the FTC or any agency, however we must be mindful of the complexities of these issues as well as the lessons learned from previous grants of rulemaking authority to the Commission.

The FTC's jurisdiction is incredibly broad. Its authority extends beyond just Big Tech, touching almost every aspect of our marketplace – from loyalty programs at your local grocery store to your favorite coffee shop.

The existing statutory rulemaking authority given to the FTC by Congress must also be part of this discussion. Had the FTC undertaken rulemaking efforts on any number of issues we will discuss today... even starting 8 to 10 years ago... those efforts could have already been completed.

The history of the FTC's authority is important, and it should not be transformed from a law enforcement agency to a massive rulemaking regime. To understand the pain this could cause look no further than GDPR in Europe.

Investment in startups in Europe is down 40 percent and thousands of US firms are no longer operating in the EU because they can't take on the millions of dollars in compliance costs.

If we decide to increase the FTC's resources and authority to enforce a privacy law, then this Committee must exercise its oversight of the Commission to its fullest extent.

Oversight must be part of this conversation... so Congress does its job to review and hold the FTC accountable.

Thank you all for being here today and I look forward to our discussion.