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Federal Trade Commission
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**Statement of Commissioner Rebecca Kelly Slaughter at the Commercial
Surveillance and Data Security Public Forum**
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Thank you, Chair Khan, for organizing this public forum and Josephine Liu for the presentation and to Austin King and the rest of the staff for all the work that's been done to start this process. This kind of public engagement is vital to helping the FTC understand the state of commercial surveillance in our economy, the shape of the digital market for personal information, and the kinds of harms that people experience from data collection and the tools that are built from that collection. Public consultation is an integral part of FTC rulemaking and I'm happy to see so much interest in this forum.

As I said after the Commission vote on the ANPR, I support strong federal privacy legislation, but until there's a law on the books, the Commission has a duty to use all the tools we have to investigate and address unlawful behavior in the market. Kicking off our rulemaking process on data abuses and convening this first public forum shows we're taking that responsibility seriously.

Our open comment period on commercial surveillance and data abuses gives us the ability to hear from the public about the kinds of harms they see in the market, how those harms affect their lives as consumers, workers, and potential competitors to entrenched businesses. As I hope you've all now seen, the ANPR asks questions related to data minimization and the unfettered data collection we see in the market, how digital tools may discriminate based on people's protected characteristics, especially with regards to AI and advanced algorithms, and it asks questions related to young teens – kids who have aged out of the protections in the Children's Online Privacy Protection Act but aren't yet able to make consequential decisions about their digital lives.

Public and expert participation today and throughout this comment period is important. It will inform whether or not the Commission eventually proposes rules, what practices those proposed rules may address, and the kinds of action we may take to effectively deter that harmful conduct. I have not been shy in saying that where we see unlawful conduct the FTC has a duty to act. This is a truly open inquiry and I encourage commenters to critically examine prevailing business models that may be the source of harm. I also encourage industry to constructively engage in this process and inform the Commission about how we may better deter unlawful conduct, protect people's rights, and ensure that any possible rules are effective and not just a burdensome compliance exercise.

Opening a record like this is important for the FTC as an institution, too. The Commission is showing that we're no longer shying away from using all the tools we have available to deter unlawful conduct in the market. The work the Commission has done over the last year and a half should be read as a bookend to the long era of not appropriately exercising our rulemaking authorities.

I'm so grateful to the Chair for launching this proceeding, and for her and my colleague Commissioner Bedoya for their particular vision, perspective, and expertise. And I want to echo the Chair's thanks to staff throughout the agency for their excellent work on this project.

I'm looking forward to hearing from the public today and especially and from the folks we rarely see before the Commission. We have a lot to learn from your experiences and expertise.

I'd now like to move on to the next section of our program. Professor Olivier Sylvain will be moderating our first panel on "Industry Perspectives on Commercial Surveillance and Data Security". Following that discussion Rashida Richardson will moderate a panel on "Consumer Advocate Perspectives". And now – Professor Sylvain.