



February 2, 2017

The Honorable Marsha Blackburn, Chair
The Honorable Michael Doyle, Ranking Member
U.S. House Committee on Energy and Commerce
Subcommittee on Communications and Technology
2125 Rayburn House Office Building
Washington, D.C. 20515

RE: Hearing on “Reauthorization of NTIA”

Dear Chairwoman Blackburn and Ranking Member Doyle:

We write to you regarding the reauthorization of the National Telecommunications & Information Administration (NTIA). American consumers face unprecedented privacy and security threats. The unregulated collection of personal data has led to staggering increases in identity theft, security breaches, and financial fraud in the United States. Congress should work with the NTIA to develop meaningful safeguards for the privacy and security of Americans’ personal information.

The Electronic Privacy Information Center was established in 1994 to focus public attention on emerging privacy and civil liberties issues. EPIC is a leading advocate for consumer privacy and has appeared before this Committee on several occasions, and has actively participated in the proceedings of the Federal Trade Commission (“FTC”) and the Federal Communications Commission (“FCC”).¹

¹ See, e.g. Marc Rotenberg, EPIC Executive Director, Testimony before the U.S. House Energy & Commerce Subcommittee on Communications and Technology, *Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows* (November 13, 2015), <https://epic.org/privacy/intl/schrems/EPIC-EU-SH-Testimony-HCEC-11-3-final.pdf>; Marc Rotenberg, EPIC Executive Director, Testimony before the U.S. House Energy & Commerce Subcommittee on Communications and Technology, *Communications Networks and Consumer Privacy: Recent Developments* (April 23, 2009), https://epic.org/privacy/dpi/rotenberg_HouseCom_4-09.pdf; Letter from EPIC to the U.S. House Committee on Energy and Commerce on FCC Privacy Rules (June 13, 2016), <https://epic.org/privacy/consumer/EPIC-FCC-Privacy-Rules.pdf>; Letter from EPIC to the U.S. Senate Committee on Commerce, Science, and Transportation on FTC Oversight (Sept. 26, 2016), <https://epic.org/privacy/consumer/EPIC-Letter-Sen-Comm-CST-FTC-Oversight.pdf>.

The recent Yahoo! data breach that exposed the personal information of more than one billion users is the latest in a growing number of high-profile hacks that threaten the privacy, security, and financial stability of American consumers. Far too many organizations collect, use, and disclose detailed personal information with too little regard for the consequences. Further, there are massive privacy and security implications of the growing “Internet of Things.” Earlier this week, the New York Times reported on the hack of an Austrian hotel relying on Internet-connected locks.² The hackers demanded ransom to unlock guests’ doors. Last week, it was discovered that hackers infected a majority of the storage devices that store data from D.C. police surveillance cameras just a week before Inauguration Day.³ Congress and the NTIA must work together to enact concrete consumer protections that:

- Promote Privacy Enhancing Techniques (PETs) that minimize or eliminate the collection of personal information.⁴
- Ensure routine security updates for IoT devices; and
- Carefully assesses IoT deployment for critical functions, including transportation, home security, and medical devices.

The NTIA’s multi-stakeholder processes are simply not working – they result in weak, voluntary self-regulatory regimes. Industry self-regulatory programs do not provide meaningful privacy protections.⁵ The NTIA should support a strong legal framework that protects American Internet users and promotes public safety.

The implications of Internet of Things for consumer privacy and security are far-reaching. If the NTIA fails to develop appropriate safeguards, the country will face growing risk.

We ask that this letter be entered in the hearing record. EPIC looks forward to working with the Subcommittee on Communications and Technology on these issues.

Sincerely,

Marc Rotenberg
Marc Rotenberg
EPIC President

Caitriona Fitzgerald
Caitriona Fitzgerald
EPIC Policy Director

² Dan Bilefsky, *Hackers Use New Tactic at Austrian Hotel: Locking the Doors*, NY Times (January 30, 2017), <https://www.nytimes.com/2017/01/30/world/europe/hotel-austria-bitcoin-ransom.html>.

³ Clarence Williams, *Hackers hit D.C. police closed-circuit camera network, city officials disclose*, Wash. Post (Jan. 27, 2017), http://wpo.st/Jb_Y2.

⁴ See Comments of EPIC, *On the Privacy and Security Implications of the Internet of Things*, FTC File No. ____ (June 1, 2013), <https://epic.org/privacy/ftc/EPIC-FTC-IoT-Cmts.pdf>.

⁵ Comments of EPIC, *Multistakeholder Process to Develop Consumer Data Privacy Codes of Conduct*, Docket No. 120214135-2135-01 (Apr. 2, 2012), <https://epic.org/privacy/consumer/EPIC-NTIA-Comments-FINAL.pdf>; Comments of EPIC, *Protecting the Privacy of Customers of Broadband and Other Telecommunications Services*, WC Docket NO. 16- 106 (July 6, 2016), <https://epic.org/apa/comments/EPIC-FCC-Privacy-NPRM-Reply-Comments-07.06.16.pdf>.