

Internet of Things Workshop Report  
Separate Statement of Commissioner Maureen K. Ohlhausen  
January 27, 2015

I concur in the issuance of the staff report on the Internet of Things (IoT) Workshop.

As the report acknowledges, we are in the early days of this rapidly developing technology. I have often advocated approaching complex technologies and rapidly changing business models with an attitude of regulatory humility. This means we must work to understand the likely benefits and risks of IoT technology focus on actual rather than speculative harms and evaluate the ability of our existing tools to deal with such harms before calling for new laws or regulations. This report makes some progress consistent with these goals, and therefore generally support it with a few caveats

The staff report does five things well:

- x The report opposes IoT-specific legislation, stating that such legislation “would be premature” because the industry “is in its relatively early stages,” and has “great potential for innovation.”
- x The report focuses on devices sold to or used by consumers, particularly devices that collect sensitive consumer information, such as real-time location or health information. Although consumers will likely benefit greatly from industrial and other business uses of IoT technology, such non-consumer facing technologies present very different data security and privacy issues than do consumer-oriented devices
- x The report prioritizes security of IoT technology and the personal data collected as a primary concern. Some IoT devices have already experienced data security failures that have harmed consumers.<sup>2</sup> The report thus reiterates the Commission’s recent unanimous-~~partisan~~ call for data security legislation.<sup>3</sup>
- x The report acknowledges the challenges that the IoT raises for the Fair Information Practice Principles (FIPPs) particularly the principles of notice and choice and data minimization. The report reasonably concludes that for many available consumer IoT applications, there are myriad ways to provide notice and choice for collecting consumers’ personal information. It also notes the findings of the White House and PCAST Big Data reports

of data collection and use that notice and choice simply cannot address.

above) as have others, including some workshop participants