

RALPH NADER RADIO HOUR EPISODE 458 TRANSCRIPT

Steve Skrovan: Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan, along with my co-host, David Feldman. Hello, David.

David Feldman: Hello, Steve.

Steve Skrovan: And before we get started, we have a very exciting announcement. Next week's show will be another live taping.

Ralph Nader: Corporate predators are preying on our children. We've covered this commercial assault on our youngest and most vulnerable here on the *Ralph Nader Radio Hour* before, and now it's time to move to the critical next stage, what can be done about it? And this is the subject for our special live Zoom episode of the *Ralph Nader Radio Hour*, co-sponsored by the American Museum of Tort Law on Wednesday, December 21st at 12:30 p.m. ET.

Steve Skrovan: Yes, and our guests will be Susan Linn, author of *Who's Raising the Kids?: Big Tech, Big Business, and the Lives of Children*, and Claire Nader, author of *You are Your Own Best Teacher! Sparking the Curiosity, Imagination and Intellect of Tweens*. Children's rights expert Robert Fellmeth, who has also been another frequent guest on our show, will serve as moderator for this vitally important discussion and bring a legal tort angle to it. He is from the University of San Diego Law School. And as always, Ralph, Steve and David will be there. We're going to offer our own insights. So go to ralphnaderradiohour.com to register for next week's live Zoom event. And of course, for this show, the man is here, the man of the hour, Ralph Nader. Hello Ralph.

Ralph Nader: Hello, everybody. What a show this is.

Steve Skrovan: That's right. On today's show, we're going to talk about the promises and perils of smart devices, everyday objects like watches, security cameras, vacuum cleaners that gather your data, and even toilets that track your movements. Although, let's face it, if they were really smart, they wouldn't be toilets. These devices all operate on an integrated network and use advanced computing like artificial intelligence and machine learning. Your Roomba remembers the layout of your house. Your Ring Camera monitors your home. Your Apple Watch tracks your workouts. That's all very convenient, but how secure is that personal data? And what are Amazon, Google and Apple doing with all of that data? Our guest today will be *Washington Post* technology columnist, Geoffrey Fowler. He writes about technology from a user's perspective and we'll be asking him some of our most pressing consumer-centric questions about data privacy, our legal protections as consumers, corporate responsibility, and what practical steps we can take to enjoy the benefits of technology without giving up our rights and exposing ourselves to exploitation. He'll be our featured guest today. And as always, at the end, we'll check in with our corporate crime reporter, Angela Petrie, because corporate crime never sleeps. But first, how can you be smart about your smart devices? David?

David Feldman: Geoffrey Fowler is the *Washington Post* technology columnist. Before joining the *Post*, he spent 16 years with the *Wall Street Journal* writing about consumer technology,

Silicon Valley, and national affairs in China. Welcome to the *Ralph Nader Radio Hour*, Geoffrey Fowler.

Geoffrey Fowler: Hello, hello, hello. Let's get nerdy.

Ralph Nader: Welcome again, Geoffrey. As I'll say again, as I said earlier, I don't know any other reporter that probes deeper and more clearly on what Silicon Valley companies are doing to our privacy and to our rights as consumers. So we're going to talk today about what you call in an article you just wrote recently, "Your kids' apps are spying on them". Tell parents and grandparents who may have no idea what kind of gulag these apps have gotten these children in and elaborate that.

Geoffrey Fowler: Yeah. Well, let me give a little context. We don't have many laws in the United States that govern technology and data and particularly our privacy, but we do have one that was made in the '90s. It's called COPPA. And the whole idea was it was supposed to protect children's privacy because we couldn't agree on a lot of other things, but we could agree that kids should have a childhood that isn't dominated by commercial messages and being tracked and everything that they do to have their lives sold to. But it turns out that that law, which is on the books, just isn't very effective. And I wanted to understand just how bad the situation had become for tracking kids on their phones. That law was written back in the era of fax machines and now we've got eight-year-olds walking around with the most powerful computer that's ever fit in a pocket. So what's really happening? What I discovered was really, really shocking. With the help of a company that hired some people who used to be at the FTC, we looked at the 1000 most popular iPhone apps that are likely to be used by children and found that two-thirds of them were collecting data about children's personal information, including their location, and sending it off to the advertising industry. That is a gigantic number for something that, again, we're supposed to have a law in place that does not allow that. There's another set out there that I'll share that really shook me. And it's that by the time a child reaches 13, online advertising companies hold an average of 72 million data points about them, 72 million on each kid.

Ralph Nader: Each one?

Geoffrey Fowler: Yes, on each kid. So, we have allowed technology companies and through the products made by companies like Apple, which supposedly sell us the idea that they're protecting our privacy, we have created a whole ecosystem that is tracking everything our kids do and commercializing it.

Ralph Nader: Now extend that a bit. What do they do with all this information in the wide world of the Internet when they get such personal information about these children, which also involves personal information about their siblings, their parents, their friends? What do they do with this data that makes them so much money? We're talking Facebook, Instagram and then this Google and Apple Stores.

Geoffrey Fowler: Yeah, it's a lot of different kinds of things. So first of all, the online advertising industry is huge and continues to grow. And they want this data so that they're able to either build profiles of people; get them young, get to understand who they are, what they like, what they don't like, and then use that to build networks of information about who their friends are, who their family is, so that they can market better to people. These companies, the big ones

like Facebook and TikTok and others also want detailed information about how kids are using their phones so that they can hook them into their products, right? I mean, the whole premise of TikTok is that it knows you better than you know yourself so that they can keep you there scrolling by presenting you just the right thing on the next screen that'll keep you there looking at it longer, so they can make more money by showing you more ads.

Ralph Nader: Well, you ask in your article, Apple and Google run the app stores, so what are they doing about it? And you answer it, "Enabling that." Really? I thought Google is trying to persuade us that they're on the frontiers of protecting privacy, given all the money they've spent putting in full-page ads in newspapers over the recent years.

Geoffrey Fowler: Oh boy, Google and Apple alike, and I think this really cuts to what is a core problem with the technology industry broadly, but also specifically with regards to kids. We don't have any cops on the beat, right? We have the FTC, but it has been weakened in many ways and hasn't really been able to make a big dent in the way that this entire industry collects people's information and uses it, uses it against us. And so we're left to trust that the industry can self-regulate. And the way that the app industry self-regulates is that Google and Apple, which control the two big app stores, in the case of Apple, if you have an Apple product, if you have an iPhone, you have no choice but to use Apple's App Store. And they say that's because only they can protect our privacy; only they can protect our security; only they are able to do this. So we have to trust them. And as part of these app stores, the premise is that they are going to be vetting each of these apps. They're going to make sure that they're A) not breaking any laws and B) don't collect data when they're not supposed to. And particularly, don't collect data about children without the explicit permission of parents. But as we found in the investigation that I did; they're not honoring that. They're just using the lightest touch and allowing all kinds of stuff to get into the app stores that violates their own rules. So, parents can't really trust when their child downloads an app from the app store that Apple has taken all the necessary steps, to make sure that they're not being tracked. And I think that's a big problem and it speaks to one of the reasons why we need to talk about antitrust and monopoly powers. If Apple is allowed to be the only app store on the phone but can't be trusted to really protect us. Clearly, we need some alternatives. We need to have other app stores from folks that we trust might actually protect us.

Ralph Nader: A paragraph in your article jumped out and I'm going to quote it; it's short. "Research suggests many children can't distinguish ads from content and tracking tech let's marketers micro target young minds. Children's privacy deserves special attention because kids' data can be misused in some uniquely harmful ways," end quote. What are some of the harmful ways?

Geoffrey Fowler: Yeah. I think we learned, for example, with the disclosures last year from Frances Haugen, the Facebook whistleblower, that children's data can be used to hook them into social media systems like Facebook, Instagram, and TikTok. And their use of those systems and the ways that those algorithms that use their data present them information can do things like cause eating disorders and depression and all kinds of problems that are truly, at the end of the day, algorithmically driven. And at the base of that is them collecting all this data about kids and trying to essentially use it against them.

Ralph Nader: Well, there are a lot of other studies on the mental health of these kids. They're exhibiting more anxiety, more fear, more dread, and they're just not allowed to enjoy their

childhood because they're first tempted, then they're seduced, then they're addicted five, six hours a day in their iPhone or tablet into this Internet world that has no finite limit as to who can use all this information against them. Let's say 10, 15 years from now, they're teenagers, they're in their 20s, does this data still exist? Does it ever get removed? I think there's a right to forget law in Western Europe where you can tell your company to erase data about you. Can you explain that?

Geoffrey Fowler: Yeah. We have no laws like that in the United States, at least on the federal level. In California, we do have a law that not only says that they're not supposed to be collecting data about young children, but also that anybody should have the ability to tell a company to stop collecting data about them and then also delete the data that they've already gotten. But that law has — the lobbyists for the tech companies have made sure that that law is implemented in a way that makes it a whole lot of work on normal people to exercise that. And to your point about the experience of being a kid now, it's also just a terrifying time to be a parent. When I was talking with Rebecca Slaughter, who is one of the FTC commissioners, and she happens to be a mother of a whole bunch of kids. This is a person who is way smarter about data than almost anybody else I know, but she said, "Good Lord, Geoff, there is no way that I could possibly know what is going on with the data in my kids' lives. They've got devices. They've got a laptop for school. They've got a phone. They've got iPads. They're playing games." The entire system that we've got set up in the US right now would put the burden onto parents to make sure that they know what data is being collected, what apps to trust, when that data is going to be deleted, how it's going to be used or pushed back against companies and ask for it to be deleted. I mean, just no normal parent can do that. Not even Rebecca Slaughter, an FTC commissioner, can do that. And she helps run the rules about things like privacy policies. So we've really just got the wrong structure in place in America right now if we want to make sure that kids are protected and that they're not contributing to dossiers about their lives and their ideas and their friends that will stick around for a long, long time.

Ralph Nader: Well, in 1998, Congress passed, with the backing of Senator Ed Markey of Massachusetts, the Children's Online Privacy Protection Act, or COPPA. But you say it has a huge loophole that allows all these companies to disregard it. What is that? The loophole in COPPA says that companies have to know that a child is using their website or app. And if they work to make sure that they don't know that it's a child that's using it, then they can claim that it is a general interest app. It is not targeted towards children. And if it's not targeted towards children, then they don't have to do things like seek explicit parental permission to collect data. And that is the loophole that frankly all of these apps are using. They're working very hard to make sure that they don't know or to pretend. I mean, like Instagram and Facebook pretend like they don't know that kids under 13 are using their services when we very well know that kids under 13 are using their services. But if they pretend not to know, then they can continue to collect the data. Senator Markey understands that this loophole has emerged, and he helped write a law that was made in an era where being online meant families gathered in the living room around a big desktop computer with a dial-up modem. But the world has considerably changed now. And he's been trying to push a new version of that COPPA law that would close some of these loopholes. But getting Congress to act on anything that would stem the power of technology companies has proven not too successful in the last couple of years.

Ralph Nader: Well, this is an example of what the former Dean of the Harvard Law School, Roscoe Pound, in the 1920s mentioned during the age of prohibition, of producing and selling alcohol. He said there are certain patterns of commercial behavior that are, quote, "beyond the effective limits of legal action." have a sense that this is really beyond the effective limits of legal action. It's so multilayered, so out of control, even if you plug the loophole. For example, the companies that you show are profiting off kids' data, there are apps that don't collect kids' data, that don't collect, but they make it very difficult for parents to see them, right?

Geoffrey Fowler: Yeah. The app stores are not curated in a manner that helps you differentiate them.

Ralph Nader: That's what Apple and Google are deliberately doing. They're making it difficult.

Geoffrey Fowler: Yeah, because they ultimately have a business relationship with this giant app industry, which is making lots of content to help keep us buying new iPhones every year or new Android devices, and so they don't really want to rock the boat there.

Ralph Nader: But what about the labeling issue? You mentioned that there could be a requirement that Apple and Google start labeling all the child-directed apps in their stores, so they don't take advantage of this loophole you described.

Geoffrey Fowler: Yeah, this could be one way to start to address this, right. So the loophole right now is that the apps get to claim... they might be a calculator app that markets themselves in the App Store as we'll help you do your homework, but then they'll claim, "Oh, but we're not for kid." I actually spoke to one app developer who did exactly that and I was like, "Come on, what kind of game are you trying to play here when you say this is for doing your homework but it's not for kids?" They did acknowledge after I called them on it that they probably shouldn't be doing that, and so they stopped marketing it as for doing homework. But the idea is, or one idea here for a solution is let's force Apple and Google again as the gatekeepers, as the people who run these stores, as the ones who tell all of their customers, all of us, that they are reviewing these apps and they're curating these stores for us. Let's make them put a label on apps that are child-directed and say, if this is a child-directed app, then it cannot collect data about young people without parents' permission. And also put them in a special part of the store so that when a parent sets up a kid's version of an iPhone, that they're only allowed to access those apps, the ones that have actually been vetted as being better for kids' privacy and safer. And as it is right now, you can set up a kid's version of an iPhone, but the App Store has access to pretty much everything else that you and I have, including stuff that you definitely would not want on a 10-year-old's phone.

Ralph Nader: Well, you mentioned one remedy is already in law in England. It's called the Age-appropriate design code. Seems pretty simple. Why don't you explain it and is it getting any traction in Congress?

Geoffrey Fowler: Yeah, the British law essentially says that companies would have to take responsibility for knowing who is using their apps and design their apps with protecting children in mind. The problem is it's a little bit vague and so far it hasn't made much of a dent back here in the U.S., but it's one of the ideas that children's advocates are following.

Ralph Nader: You end your article by saying, quote, "US lawmakers have been talking about privacy broadly without much action for years, but surely protecting children is one thing Democrats and Republicans could agree on?" end quote. Yeah, and we've been hearing them talk at regular hearings and they shout up and down with the Silicon Valley CEOs come. Mark Zuckerberg is like rope-a-dope in the boxing area. They know they listen to these shoutings and they go back to California and nothing happens. You think there's a possibility here for a grassroots left-right movement, because conservative and liberal families are getting the same horror show?

Geoffrey Fowler: I got to agree with you, Ralph. I spent a lot of my career writing for the *Wall Street Journal*, and the readers of the *Wall Street Journal* cared as much about this topic as do my readers now at the *Washington Post*. I don't really see this as a Republican versus Democrat issue. I see this as a power of the user, we the users, power of the consumer, call us whatever you want, versus the power of corporations that have essentially committed themselves to deceiving or coercing us into giving them control over large portions of our lives. And we need to push back about that. But this is my question for you, Ralph. So how do these movements take shape? How do they actually make an impact? Again, we're now coming up on almost a decade of a broader awareness among the public that, hmm, it's not just what's cool about your new iPhone or what it can do for you, you also have to ask the question how evil is it, and what ways might it be hurting me. And yet, we haven't gotten a lot of action out of our lawmakers. How do we get this sense of unease that people now have about technology and turn that into change?

Ralph Nader: Well, there are two books that have just come out on that. One is by Susan Linn, which is *Who's Raising the Kids?: Big Tech, Big Business and Our Children*. And my sister, Claire Nader, has put out a book called *You Are Your Own Best Teacher! Sparking the Curiosity, Imagination and Intellect of Tweens*, directly speaking to the tweens, saying, "Do you realize all these things are happening to you and do you want them to happen to you?: On the idea that you can awaken these youngsters the way they're waking up on climate disruption and marching and protesting and talking to their parents about what kind of world they're leaving behind; they have a lot of moral authority once these kids are given an opportunity to step back and connect with their parents and their community and their teachers and get out of the virtual reality for a while. Now, that may seem so grassroots as to be unrealistic, but the point is there are a lot of major movements started with conversations by a few people, whether it's the civil rights movement or the environmental movement or the consumer movement. So, I think what we need to do is have the kind of clarity of reporting that you're known for, Geoffrey, because we're going to talk in a very short time, listeners, to a long article that's clear as can be by Geoffrey Fowler of the *Washington Post*, where he starts out saying "you may not realize all the ways Amazon is watching you." And it's just mind blowing if people allow these smart homes to be put in place where they can be tracked on every single movement and all the data going into the metaverse for whatever nefarious or commercial reasons that those data are going to be used for. So I think part of this is start talking to the tweens and the teenagers themselves. Once they get alert, they get indignant, and then they become a moral authority, the same way they were chiding their parents on smoking cigarettes, chiding their parents for not using seatbelts; that's the kind of effort that has to be much more extensive. And I don't see it written in clarity. A lot of tech reporting is on the tech page. It should be on the KidsPost page, which is a section in the *Washington Post*. And it should be on the consumer page and on the op-ed page. So you're concerned, as I am, about the recycling of all this electronic gadgetry, the iPhones, the computers

and platforms, because it's a very toxic process and Apple is not known for investing some of its enormous profits into a much more thorough recycling, protecting the workers as well as the environment. And I find it hard to believe that Tim Cook, who makes \$833 a minute, a minute, Geoffrey, on a 40-hour week is not aware of this. Can you enlighten us about this? And is Samsung doing more than Apple on this recycling?

Geoffrey Fowler: Yeah, the environmental angle to Big Tech is an important and complicated one. These companies have been really effective, particularly Apple, at doing corporate greenwashing, which is to say making people feel like they are doing good by the environment. And if we take a step back, organizations like Greenpeace that vet some of these claims would rank Apple higher than a company like Samsung or others for certain programs--for trying to offset carbon use, by trying to put some recycled materials into products, and by offering recycling programs to people to trade in their old devices. But at the end of the day, the thing that they're not addressing is actually the big and most important problem. Every time they get you to buy a new iPhone, you are making a dramatic impact on this planet. You're making an impact on the people who had to assemble it. You're making an impact on the people who had to mine the rare earth compounds that go into those batteries, sometimes in conflict areas of the Earth. You're making an impact on the carbon that's put into the air because it turns out that something like 70% of the entire carbon impact over the life of something like a laptop or an iPhone is created just in making the new device. That means every time you buy a new device, you are making the worst possible impact on our climate.

And what we haven't seen Apple and others do is really commit to the idea of, well, can we get these devices to last longer? Can we make a laptop that goes five or six years? Can we make a phone that is so easily repairable that people will hold on to it for a long time that could maybe even have little modules you could pop in and out? I mean, I'm not that old, but I'm old enough to remember a time when computers had screws in them and when a newer, better part would come out, they could just take out the older part and put in the new one. You didn't have to get a whole new computer. But Apple has helped lead this entire industry in a direction where that is not how computers work anymore. And the original sin of that, the original example of that is the iPod. You may remember back when it first came out, it was amazing. Everybody was excited. I bought one because how cool, you could have all these songs, 10,000 songs in your pocket. But the problem with the iPod was that it had a battery in it. And like pretty much everything we buy these days; it had a lithium-ion battery in it that was rechargeable. And the thing about lithium-ion batteries is that they are destined to die. It's just the nature of the technology. They can only be charged a certain number of times. And back with that first iPod, everybody who bought one of them learned the lesson that after you listen to this thing a certain number of times, the battery is going to die. And then there was nothing you could do about it. It was sealed inside, literally glued in there. You couldn't just pop it open and pop in a new battery like we might have done with devices in the '90s. This was designed to become trash from the beginning.

And Apple has, in many of its products, and again copied by Samsung and all the others in this industry, really continued to push into these sealed devices with batteries that cannot be replaced. The leading example these days is Apple's most successful product of the last couple of years, the AirPods, those headphones that we've all got that have no cord attached to them. The AirPods were designed with tiny little batteries that are literally glued inside. And when they necessarily are going to die after about two or three years, there's nothing you can do. And even

if you really, really wanted to, and I know because I'm a nerd and I have tried, I got a special magical vibrating knife from Japan that would supposedly let me cut into the plastic and metal that's in this thing, and I tried to pop one of these open, but it had so much glue and gunk in it there was no hope; you basically had to be a brain surgeon to get the battery out of these things and replace it with another one. But this is how Apple designed this product. Now they're going to say, oh, they did it that way because that makes them longer lasting, more resistant to water and everything. And yet, they didn't have to do it that way. They could have found a screw or made it a millimeter larger so that these products would be built to last. And so that is the fundamentally biggest problem that we, the users, we the consumers, have with this industry right now, that it hasn't really taken seriously the commitment to making products that last and can be repaired, particularly by replacing the batteries so they can go on and have a nice happy life. So, I did a piece over the summer in the *Post* where I tried to call out this behavior by lots of different companies by publishing the hidden death dates that were built into these products. We even made a tiny little set of graveyard gravestones with RIP AirPods, RIP electric toothbrush. And I quizzed the companies. I quizzed people who repair them and just went through each of them and tried to identify - when is this thing designed to die? And what's going to happen to it after it dies? Can you even get the battery replaced? And in some cases, electric toothbrushes - more Americans have electric toothbrushes than have iPhones right now. And yet, pretty much all of the Philips and other Sonicare electric toothbrushes out there are built to die after as little as two or three years because they put that battery in there that's sealed inside. So, this is the kind of thinking that we need differently from the electronics industry. Sorry, that was a very long answer to your question, but hopefully we got to the core problem.

Ralph Nader: And it's for no reason in terms of profits. These are companies making more profit than anybody can ever conceive of. Apple made so much money they didn't know what to do with it. In the last eight years, they have bought back \$400 billion of their own stock to increase the metrics for executive compensation. This doesn't produce one job; it doesn't enhance one pension; it doesn't create any R&D. It's just designed to further the status of these corporate bosses. And what you've described is the next stage from product obsolescence. Folks used to talk about cars and product obsolescence. This is product extermination. This is where they implode the use of the product without even telling you what the data is so you have to go and buy another so-called upgrade. See what I mean by criminogenic behavior? This isn't a crime under existing statutes, but under the common law of criminal behavior. It is a severe amount of damage to your property rights when you buy these products and they have expiration, in effect, dates when you cannot use them anymore without buying more from the company that sold it to you in the first place.

I want to get to your fabulous article, October 12th, *Washington Post*, listeners. It's called "Tour Amazon's dream home", where every appliance is also a spy. This is Alexa on steroids and Geoffrey, we're talking with Geoffrey Fowler of the *Washington Post*, broke it down in one app after another. For example, he would say the Fire TV or Omni TV set, the Kindle or Fire tablet, the Ring doorbell, the Echo speaker. And here's one that will make sure you remember it. It's called toilet with Alexa integration. What's that about before you get into the bigger picture of what a smart house designed by Amazon is going to do to your freedoms?

Geoffrey Fowler: Well, Amazon wants to know how often you flush and maybe even the temperature of your heated toilet seat if you've got one of those too. And if you connect, it's

smart assistant to your connected toilet, you get the magical ability to speak out loud and have the toilet flush itself, but you also are exchanging information to Amazon about when and how often you flush the toilet. What they want to do with that data is one of the biggest questions of our era. But I'm so glad that you enjoyed this piece, Ralph, because it was essentially a labor of love on my part. So, I have been a tech journalist for a long time, and I have reviewed a lot of gadgets; I have tried many of these things. And over the summer, in August, Amazon announced that it was trying to buy iRobot, the company that makes the Roomba. That is the roving robot vacuum cleaner that goes around people's houses. And when this happened, my colleagues and I just sort of said, "Holy crap; is there anything that Amazon doesn't know about our homes now?" And someone said, it would be really interesting if we could try to figure out what all it does know about your home. Like, if you've got all of the things that Amazon now makes and it has become one of the largest not only sellers, but makers of connected devices that Americans use, what all could it know about you? So, I sat down and started a list and it turned out this was a rather insane proposition. I thought I'd just try to see if I can tally it up. It took me way too long. I should have been working on other stories. Sorry to my editors if you're listening. And I took what I learned about these products from using them and from testing them over the years, and I quizzed Amazon to see if they would tell me certain things. And even still, after spending weeks and weeks on this, I couldn't ultimately get to a complete whole answer of what data Amazon is collecting and what it's doing with it.

Ralph Nader: Let's go into some of the specifics here that's going to really alarm our listeners properly. By the way, listeners, you won't have to read Aldous Huxley's *Brave New World* anymore. I mean, that's a gross understatement compared to what you can read now in the *Washington Post*, which by the way is owned by Jeff Bezos. And to his credit, he leaves the *Washington Post* alone. Of all the criticism he gets, he really deserves credit for saving the *Washington Post* from possible bankruptcy years ago and increasing the staff and letting them even put articles in that criticize Amazon. But let's get to three that really caught my attention. Tell people about the Roomba vacuum cleaner, what it knows, and why that matters.

Geoffrey Fowler: Yeah. So, the Roomba, for those who aren't familiar, it's a robot that goes around your house and figures out what to vacuum up. But it turns out that the Roomba is also evolving essentially into a roving, potentially security robot, right? Because it's got all of these sensors in there, ostensibly that are there to help it figure out to make sure that it's covered all the areas of your carpet and it doesn't fall down steps and doesn't get tangled up and stuff. But now it's sending back data to its owner, which is now Amazon, about the shape of your rooms, where your furniture is, even of how often you clean certain parts of your room. And Amazon has its own product called the Astro, which is literally a home security robot that they've pushed into being a remote cop so if it hears someone breaking into your house, they say remote security officers can operate it and go over to the area. But what we're all watching to see is how the Roomba gets married up with the Astro robot and truly becomes this kind of police force inside your house. What's so interesting about this to me is, again, going back to 1984, how quickly the use of these products turns into policing. The big problem was supposed to be, "Oh yes, we'll have *The Jetsons*; we'll have Rosie the maid doing all the cleaning for you that's a robot." But in fact, what these things are really becoming is police officers.

Ralph Nader: Yeah. Let's look at on your point, the Ring security system, what it knows, why that matters. That's the way you've broken down these categories. What it knows, why it matters.

Geoffrey Fowler: Yeah. So Ring started out as an innocent enough idea as doorbells that you compress, and when you press them it will ring your phone. And if you're not home, you could have a conversation, you can see who's at your door. But what it's evolved into is a giant surveillance network that Amazon got us to install ourselves. And so now Americans are all over the place filming their neighbors and then sharing these clips with each other, and in some cases, with the police, and in some cases, overreacting to what they see. I believe there was a case recently where someone was shot basically because someone saw something happening through their Ring doorbell that they thought was suspicious and then they shot them. And there are all kinds of implications about having that kind of surveillance in our lives. One small example is Amazon told everybody when we installed these Ring doorbells that we would always have total control over who got to see the video that these cameras collect. But that has not turned out to be true. And in fact, earlier this year, the Senate got Amazon to acknowledge the number of cases where it has allowed police to directly access footage from people's Ring surveillance cameras and doorbells without the owner's permission, because they got a judge to back it.

Ralph Nader: What is the fine print like? I mean, for example, if you sign up for Eero WiFi router, what kind of fine-print rights do you relinquish in intellectual property or control on how that information is used? Just tell us what is the Eero WiFi router.

Geoffrey Fowler: Yes. So this is a WiFi system that helps people get better coverage in their homes by having these multiple devices all over the place that connect to each other. They make what's called a mesh. But the WiFi is the central gateway to all of the data that's in your home and in your life. And so it's all passing through this machine that has connections to Amazon. And they have made some claims about how they're not using that data for targeting ads or learning about the kind of traffic that's on your network. But the problem is that these companies very often will simply change their terms of service after you've bought it and all of a sudden it has a new use or a new purpose. So it's one area that we got to watch very, very closely.

Ralph Nader: Okay. I know what some of our listeners are saying. They're saying, Ralph, Geoffrey, why don't you look at the big picture? This is nothing more than an ongoing incarceration that extracts information of all kinds that are none of anybody's business but the family in return for modest convenience at most. So why do people put up with it? Why do they buy it? Why do they pay for it? Why do they allow their entire internal life and logistics and movements and house designs and connections with the outside world be given over to Amazon? Why don't they just say, I don't want any of this. I can flush my own toilet?

Geoffrey Fowler: You can flush your own toilet. Look, I think you've asked what is one of the central tensions of living with technology today. Here's the funny thing. Listeners might not realize this after the conversation we just had, but I'm actually really excited by technology. I love it. I am the kind of person who will ask for gadgets and gizmos for Christmas gifts. I have a one-year-old and I've automated his bedroom so that when it's time to get him to wind down for bed, I can say a magical command and the lights will start to dim over five minutes and this noise machine will turn on and this helps him get to bed, and I think that's great. So what angers me is that we've allowed a couple of really big corporations – Amazon, Apple, Google, Facebook – to give us, as consumers, as users of this stuff, a false choice. And the false choice is,

as you just said, you can either live in a world where you have all these great conveniences, you can use this new technology, you can be part of this future where the things in your walls are smart and are responsive and could do magical things for you. But if you want that, you have to give us all of this data. You have to allow us to surveil you. You have to allow us to watch everything your kids do so we can market to them.

And if you don't want, and the false choice here is if you don't want that, you just can't have the future. You just have to go live under a rock, where you don't have a smartphone, where you don't have the ability to automate your kids' bedroom in a way that helps them get to sleep at night. And I refuse to accept that. I think we, the users of this technology, and I actually have this series that I started in the *Post* called "We the Users" Many of the stories we've talked about were part of it, where I want us to push back and say no, this is not a real choice; we can have a future with cool digital technologies that doesn't involve corporate surveillance and corporate control over everything we do. We might need the help of lawmakers to make that happen, but there are some good ideas out there on how to push back on the kinds of controls and the kinds of surveillance that these companies are doing. And we need to make sure that those get the attention and the time so that we can have a future that is good for everyone but also doesn't involve corporate surveillance. So I definitely have hope.

Ralph Nader: Geoffrey, you really surprise me. It seems like you're mostly disagreeing about the terms of conditions of this technology with Amazon, not the technology itself. So let me ask you a personal question. At what age are you going to allow your child to get an iPhone?

Geoffrey Fowler: That's a very tough question. Well, he's only one right now, and Lord only knows what will happen, what the technology will look like by the time he's a teenager or ready to go off to college. It's not just the terms of service that I have issues with, but I don't think that technology has to be used for evil, has to be used for control, has to be used for surveillance. But right now, to avoid those things takes an awful lot of work on the part of consumers. And the whole system right now is set up so that you can opt out of this and that, but you have to know all the exact places to click. And one of the things we do at the *Post* on our technology team is we give guides to help people do this stuff. We give guides to for example, here are the five worst default settings on your iPhone; go and change them right now. So, I feel like, by the time my son is old enough to need and want a phone, we'll be in a better position as consumers, as users of this stuff where we have some choices and we can choose technology that won't surveil him.

Ralph Nader: That's a response to my question that I call responding by Valhalla. Let's assume that the iPhone is just what it is today, 7, 8, 9, 10 years from now, 11 years. When are you going to allow your child to have an iPhone?

Geoffrey Fowler: That's a good question. I haven't determined an answer to that yet because I don't know about my son's personality totally yet. I think ultimately as a parent when it comes to iPhones, as with so many things in life, it feels like it's about teaching values and being on the same page about how we spend our time and what our relationship is with other people, with our community. And so I think that's going to probably have to be more important in raising him than any specific technical concerns. But I also know he's going to live in a world where if he wants to be a part of the economy, if he wants to be a part of a community, he's going to need digital technology. I just don't think that's going away.

Ralph Nader: I'm sure some of our listeners are wondering how much does all this cost? Let's say you buy in to Amazon with the smart house. Give us an idea what you have to pay, and I take it you pay monthly or what?

Geoffrey Fowler: Well, it depends on the product. And actually, ironically, one of the reasons why Amazon's products are so popular is because they're relatively cheap compared to Apple's products. They all but give away their smart speakers, the Echo devices, the ones with Alexa built into them, because they hope that they can use the data that they gather to make money in other kinds of ways, by either pushing you to buy more stuff from Amazon, learning about your habits so that they can market to you better on the Amazon website. I think they had big visions for that. However, what's interesting is that that may not be completely panning out for Amazon, that business model, because they actually recently just announced that they were going to be doing some significant layoffs in the team that builds these particular devices and the Alexa technology. So we'll see how that business model is working out for them. But they're generally cheaper than the Apple options, which may often have –

Ralph Nader: How much cheaper? In other words, how does this compare with the electric bill, the telephone bill? Give us an idea. Let's say someone wants to sign up for everything that's in your article as complete a smart house as possible with Amazon. What would they have to pay and how often?

Geoffrey Fowler: Yeah. So most of Amazon's things don't actually have a recurring charge to them, though they have increasingly gone to some. Like the Eero WiFi system that we talked about, you can get an optional monthly fee for extra security protections and that sort of stuff. Let's take the most popular one. The most popular speaker ever sold is Amazon's Echo speaker, which you can get for as little as 20 bucks, or sometimes they throw them in for free along with other purchases. The most popular way that Americans stream on their televisions now like to watch Netflix and other things is through Amazon's Fire TV dongle. Those, again, can be super cheap.

Ralph Nader: One-time payment you mean?

Geoffrey Fowler: One-time, yeah, \$20, \$30 that one time. Now, these things are not designed to last. You're probably going to have to replace them over time. Also, like with the Fire TV thing, they get you because, if you really want it to be useful, you're going to need to subscribe to some things, which includes Amazon Prime, and that's how they get you into buying even more stuff on Amazon, which may or may not be necessarily the cheapest that's out there. But they've already got you committed to this program and that's what now, \$130 or plus a year. And then of course, other services like Netflix that you're going to have to subscribe to. Then there's these doorbells which are increasingly popular. Those cost in the realm of \$200 one time. And then if you want to keep an archive of those recordings or do certain things with them, you do have to subscribe to one of their services which is about 100 bucks a year. So one thing that they've done is take technologies that used to be very expensive, getting someone to install--like ADT to install a whole home security system for you and have it modern and everything, they put that in the hands of consumers and made it a little bit more accessible. That's one of the reasons why they're so popular. But again, they bought this tradeoff with it, which I think is a false one, which is that they then also get to collect all this data and do what they want to do with it.

Ralph Nader: We've been talking with Geoffrey Fowler, the sterling reporter for the *Washington Post*, and the article really says it all. The title is "Tour Amazon's dream home, where every appliance is also a spy. Here's everything Amazon learns about your family, your home and you". It's an October 12th issue of the *Washington Post*. It's very graphic. It might give you the chills. It might excite you. But it'll get you thinking, which is what's important. I can't believe that Steve and David don't have any follow-up inquiries. Steve?

Steve Skrovan: You are correct, sir. And I just wanted to pick up more on the personal, on the practical Geoffrey. Ralph asked you about iPhones in the future for your child. What do you do now, or what don't you have so that you cannot be spied on now that you know what you know?

Geoffrey Fowler: Yeah. So, one of the things that I have done is helped build my career about where I'm figuring out what buttons you do need to press, what choices you do need to make to be safer. And we publish these in the *Washington Post*. We actually have a series of guides on the website that I recommend listeners use. One of them is called the *Privacy Reset Guide*. And we just take you through product by product, really focused around the awful default settings that are built into these products and the ways that Google tricks you into handing over all of your data even though — to satisfy regulators. Particularly in Europe, they have to give you the option to get out of it. So that's a great place to start. Just things like, yes, you can use Google for search or for maps but you don't have to allow Google to continue to collect your location constantly and keep an archive of everything you've ever searched for on Google. If you know where to look, if you know what to click on, you can stop that. So, I do all of those things, but again, I'll be the first person to acknowledge that's an awful lot of work that most people don't have the time for. And that's how we keep losing as a society.

Ralph Nader: Geoffrey, I want to ask you, just curious. Have you read Bill Joy's seminal article "Why the Future Doesn't Need Us" in *Wired* magazine exactly 20 years ago? He talks about biotechnology, nanotechnology and artificial intelligence running away with the human race.

Geoffrey Fowler: I have not but I'm adding it to my list.

Ralph Nader: Yeah. It's a spectacular article. Created quite a stir and then it was treated with indifference. But he was the chief scientist for one of the companies out there that no longer exists. Bill Joy. I'd like to see an article you write on terms and conditions as well with Amazon, what do people have to give up, opt in, opt out, all that. It'll be good for consumers to know that.

Geoffrey Fowler: I did a piece as part of my "We the Users" series, where I attempted to read all of the privacy policies and terms and conditions of every app on my phone. And I collected them all at one place and it was well over a million words that I would have had to read, that supposedly I have consented to just by using these apps on my phone, which really cuts to how much of a farce it is that we, the users of these things, we consumers are actually consenting to anything, and some of the more fundamental issues with the whole legal framework that we're using for these devices in our lives. And in that piece, I propose that we should abolish privacy policies. This whole consent theater is not working for consumers. Instead, what should replace privacy policies is we should have things that are readable by machines that could be our agents that can go in and quickly understand what data is a thing collecting and what is it doing with it. And our agents, our technology can be like a butler, if you will, and go in and say, "Okay, Geoff, you don't want to use this app," or we can instruct this app on my behalf to not do certain things,

because it's just too much for any individual to manage on their own. That's the article, in fact, that I spoke with the U.S. Federal Trade Commission's Rebecca Slaughter about, because she's essentially in charge of privacy policies. And she agreed with me that they have completely failed us and that we need a whole new...

Ralph Nader: No, you're right. I agree with that too. When did that article come out?

Geoffrey Fowler: It would have been over the summer.

Ralph Nader: Okay. David?

David Feldman: The Republican talking point is TikTok, a Chinese-owned video sharing company. And TikTok is the embodiment of everything that is wrong with Big Tech. Is TikTok going to be banned here in the United States? Can it be banned here in the United States? And how different is Chinese Big Tech vis-à-vis America's Big Tech? I know that Jack Ma has been disappeared from Alibaba.

Geoffrey Fowler: Yeah. This definitely has become a Republican talking point particularly because they know that China can be an effective boogeyman. The problem is there's a lot that we don't know. I think it is possible that we're going to ban the use of TikTok on government devices, on government phones, but that doesn't particularly bother me. We should also ban Facebook and Instagram and Twitter on these devices. There's not much indication from the investigation that I and others have done that TikTok is actually gathering more data about the users of these devices than is Facebook or Twitter or others. And so, that's not to say it's good; these other apps also gather a lot of data, including about children, as we discussed earlier. But I'm not certain that it's going particularly further. I think one of the reasons there is concern though is we know that Chinese companies do not draw any lines of distinction between the government and their corporate parentage. And so TikTok says that it's moving its data to servers in America as a way to comfort people. So the fear is that the values of the Chinese government will make it into that algorithm. But already we've seen that TikTok is not a place, for example, that you're allowed to talk about politics, that you're allowed to talk about the election. And there is a lot of very opaque content moderation that happens there where if you bring up certain topics or certain things, it's not that they'll delete it, but that just suddenly you'll be sort of suppressed and people won't get to see it. You could be algorithmically suppressed. And there's a lot that we've got to figure out about how that really works. So that's the root of the concern, but I have many of those same concerns about Facebook and Twitter, and the values of the people and the organizations that run them too. So I'm not certain that TikTok is really alone in the moral panic that's going on.

Ralph Nader: Well, unfortunately, our time is up. We've been talking with Geoffrey Fowler, the sterling reporter for the *Washington Post*, blazing new enlightenment on where all this technology is going. I think this should be continued, Geoffrey, because I know our listeners are going to wonder what about all the unintended psychological, economic, anthropological consequences of all this on family, on excessive dependency on the end of self-reliance. And I think all those need to be discussed. I don't know whether Amazon has in-house social scientists to talk about unintended consequences but one thing we know that's an iron rule about technology – it all has unintended consequences. So thank you very much for your work and your approaching forthcoming work. If you want to know about what's going on in technology

penetrating the lives of the average people, you cannot avoid reading Geoffrey Fowler in the *Washington Post*. Thanks, Geoff.

Geoffrey Fowler: Thank you.

Steve Skrovan: We've been speaking with Geoffrey Fowler. We will link to his work at ralphnaderradiohour.com. Up next, we're going to check in with our corporate crime reporter, Angela Petrie.

Angela Petrie: From the National Press Building in Washington, D.C., this is your *Corporate Crime Reporter* "Morning Minute" for Friday, December 16, 2022. I'm Angela Petrie.

A federal judge last week ruled that a woman may proceed in her lawsuit because her bags of TGI Friday's mozzarella stick snacks contained no mozzarella cheese, only cheddar cheese. That's according to a report in the *Washington Post*. Amy Joseph of Illinois purchased the shelf-stable crispy treats which prominently feature a picture of mozzarella sticks, and claimed she was misled after discovering that mozzarella was not in fact an ingredient. Judge Robert Dow Jr. issued a ruling agreeing that it was a reasonable interpretation for her to expect the product to contain mozzarella cheese. But he granted TGI Friday's request to be dropped from the lawsuit, agreeing with the restaurant chain that it was merely a licensor who allowed its name to be used on the packaging. Dow allowed the lawsuit to continue with the actual manufacturer of the product, snack-food maker Inventure Foods, as the sole defendant.

For the *Corporate Crime Reporter*, I'm Angela Petrie.

Steve Skrovan: Thank you, Angela. Welcome back to the *Ralph Nader Radio Hour*. I'm Steve Skrovan along with David Feldman. I want to thank our guest again, Geoffrey Fowler. For those of you listening on the radio, that's our show. For you podcast listeners, stay tuned for some bonus material we call "The Wrap Up". A transcript of this program will appear on the *Ralph Nader Radio Hour* website soon after the episode is posted.

David Feldman: Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel. And for Ralph's weekly column, it's free, go to nader.org. For more on corporate crime, go to corporatecrimereporter.com.

Steve Skrovan: The American Museum of Tort Law has gone virtual. Go to tortmuseum.org to explore the exhibits, take a virtual tour and learn about iconic tort cases from history.

David Feldman: To order your copy of the *Capitol Hill Citizen*, Democracy Dies in Broad Daylight, go to capitolhillcitizen.com. Join us next week on the *Ralph Nader Radio Hour*. Our guests will be Robert Fellmeth, Susan Linn, and Claire Nader. They'll be joining us along with the American Museum of Tort Law's director, Melissa Bird, to discuss the commercialization of childhood. And we'll be taping that episode live. That's on Wednesday, December 21st at 12:30 p.m. Eastern. Go to ralphnaderradiohour.com to sign up to be in our live Zoom audience. Thank you, Ralph.

Ralph Nader: Thank you. Tell your friends, relatives, co-workers, and neighbors it's going to be a very compelling show, the likes of which you don't see on commercial or public broadcasting.