

**Congress of the United States**  
**Washington, DC 20515**

March 25, 2010

The Honorable Jon Leibowitz, Chairman  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Dear Chairman Leibowitz:

We are writing to express our concern over claims that Google's "Google Buzz" social networking tool breaches online consumer privacy and trust. Due to the high number of individuals whose online privacy is affected by tools like this – either directly or indirectly – we feel that these claims warrant the Commission's review of Google's public disclosure of personal information of consumers through Google Buzz.

Without a doubt this technology has made us all more productive, but it has also made it easier for others to invade our personal privacy, and reveal information about us and our families that we choose not to disclose. Of great concern to us are the unintended dangers that this alleged privacy breach poses for children. Recently, the *Los Angeles Times* reported that a mother discovered that her 9-year-old daughter had posted a private conversation on Buzz without realizing it. While monitoring her daughters e-mail account, she discovered that an unsolicited person with a sexually charged username used the Buzz service to get on her 4<sup>th</sup> grade daughter's contact list without her consent.

Of similar concern is Google's practice of automatically using consumers' e-mail address books to create contact lists for Buzz and then publicly disclosing the names of these private contacts by posting this information online. As was widely reported in the press, Google Buzz could inadvertently reveal a journalist's confidential sources or disclose information about a consumer's medical history, political views, and whereabouts.

Upon realizing the privacy risks associated with this service, many users understandably tried to deactivate their accounts or change their privacy settings. For many, this proved to be incredibly difficult. Google has since made several changes to the service to fix this, and we commend these efforts. While we are glad to hear that Google is working on these problems, we remain concerned that personal information was publicly disclosed without notice or choice and has yet to be appropriately secured.

The Electronic Privacy Information Center ("EPIC") has filed a complaint with the Commission alleging that Google Buzz violates federal privacy law. EPIC claims that Google converted "the private, personal information of Gmail subscribers into public information" for use with Buzz. EPIC also claims that Google's use of consumer data is inconsistent with the

company's privacy policy, that Google has engaged in unfair or deceptive trade practices, and that the Buzz service violates federal wiretap laws.

At the same time the company faces challenges protecting consumer privacy, it appears that Google seeks more access to personal information through a deal to acquire AdMob, according to a recent article in the *Wall Street Journal*. We understand that the Commission is in the process of reviewing Google's acquisition of AdMob, and we urge that the Commission scrutinize how the deal will affect competition and Google's incentives to offer robust consumer privacy protections.

We respectfully ask that the FTC carefully investigate these complaints and determine whether Google failed to adequately protect consumers' privacy rights. As part of this investigation, the Commission should ask and insist on answers to the following questions:

1. How will Google revise the Gmail privacy policy, notify consumers, and obtain consent for this change in the company's privacy practices?
2. Since Google Buzz was launched on February 9, 2010, how many consumers have deactivated or opted out of the Google Buzz service?
3. To what extent does Google use the consumer information collected through Buzz and other Google services for the purposes of delivering online advertising?
4. If the Commission approves Google's acquisition of AdMob, to what extent will the combined entity use consumer information collected through other Google products and services for the purposes of delivering advertising?

We hope to be of assistance to you in finding constructive solutions to fill in the gaps that leave our online privacy vulnerable to unsolicited intrusion. We are optimistic that a fair investigation into the Google Buzz claims will be of benefit to both consumers and internet search technology companies.

Sincerely,

John Baner

Frank Pallone Jr.

Jan Schakowsky

4<sup>th</sup> Boston

Bruce Braly

John M. Clark

Tom Murphy

Pat Gay

John B. ...

Steve Salve

M. J. ...

\_\_\_\_\_

CC: Julius Genachowski, Federal Communications Commission Chairman