



January 20, 2012

President Barack Obama  
The White House  
1600 Pennsylvania Ave., NW  
Washington, DC  
20500

Dear Mr. President,

I am writing on behalf of Consumer Watchdog to urge you to help give people the tools they need to control our online privacy. You recently expressed your commitment to maintaining freedom of expression on the Internet. Consumer Watchdog shares that commitment. Just as important, however, is protecting online privacy. Indeed, without adequate privacy protection freedom of expression ultimately is undermined. If people's privacy is not respected online, they will not trust the Internet. Unfortunately current online business practices pose substantial threats to personal privacy. Internet tracking is invasive and pervasive.

I urge you to use the State of the Union message on Tuesday as forum to underscore the importance of online privacy protections to a vibrant Internet.

When you, your wife or your children go online you are all tracked, usually without your knowledge and consent. What you and other people click on, purchase, or share with others is compiled, analyzed and used to build a profile. The online data gathered about people is often used to target advertising, but can also be used to make assumptions about them in connection with employment, housing, insurance, and financial services; for purposes of lawsuits against individuals; and for government surveillance. At the moment there are no state or federal limits on what information can be collected, with whom it can be shared, how long it can be retained or how it can be used. Unlike most other countries, there is no baseline privacy law in the United States. People have virtually no meaningful way to control how data about them is gathered or used.

Consumers are uncomfortable with online tracking and targeting. A poll conducted by Grove Insight for Consumer Watchdog in July 2010 revealed that 90 percent of Americans wanted more laws to protect online privacy, 86 percent favored the creation of an "anonymous button" that allows individuals to stop anyone from tracking their online searches or purchase, and 80 percent wanted a "Do Not Track Me" feature for online companies that would be administered by the Federal Trade Commission.

As you know, both the Commerce Department and the Federal Trade Commission will soon issue reports recommending online privacy policies. Industry is lobbying to make these proposals as ineffective as possible, but people should have meaningful privacy protections. I urge you use the State of the Union message as a vehicle to call for privacy legislation based on

the Fair Information Practices principles and that would also provide for a so-called “Do Not Track” mechanism.

A “Do Not Track” mechanism is a method that allows a computer user to send a clear, unambiguous message that one’s online activities should not be tracked. There are a number of ways this could be accomplished. In fact the “Do Not Track” concept is technology neutral. It is any method that sends the message to Websites a consumer visits that one’s activities should not be tracked. Simply put, “Do Not Track” is like posting a “No Trespassing” sign on your property. Legislation is necessary so the Do Not Track message is honored.

Giving Americans a visible, uncomplicated choice to stop Internet companies from tracking us online will not end online advertising, but it will force advertisers to respect our personal boundaries. If that means fewer targeted sales of Viagra or shady mortgage refinance schemes, so be it.

The "Do Not Track Me" movement is so important because it sets the principle and precedent of the first real governmental limits on the Wild West of Internet data mining. It establishes our right to be online without being tracked and makes clear the Internet has become a necessity of life that government must protect.

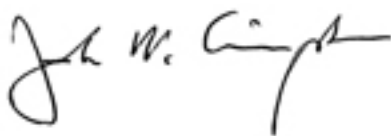
Privacy violations are not victimless. Identity theft has run rampant because so much of our personal information is available in so many places. Teenagers are particularly at risk because they tend to share too much information online. And our jobs, familial relationships and friendships can be jeopardized if information about our medical condition, sexual preferences or lifestyle choices is evident and available to anyone who can see the advertisements on our computer screens.

Of course, some consumers may decide that they want their information gathered so they can have a more personally focused experience while on the Web. The point is it must be up to us whether and when our data is gathered.

“We also believe, as do most American businesses, that no company loses by respecting the wishes of its customers,” FTC Chairman John Leibowitz recently wrote. “Do Not Track will allow the Internet to continue to thrive while protecting our basic right to privacy when we travel in cyberspace.”

A “Do Not Track” mechanism would give consumers better control of their information and help restore their confidence in the Internet. That’s a win-win for consumers and business. I urge you to endorse privacy legislation and “Do Not Track” during the State of The Union message.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

John M. Simpson  
Privacy Project Director