



Feb. 24, 2011

The Hon. Ed Markey
Co-Chairman House Bi-Partisan Privacy Caucus
2108 Rayburn House Office Building
Washington, DC
20515

The Hon. Joe Barton
Co-Chairman House Bi-Partisan Privacy Caucus
2109 Rayburn House Office Building
Washington, DC
20515

Dear Rep. Markey and Rep. Barton,

I am writing because of your ongoing interest in protecting consumers' privacy. Consumer Watchdog was extremely troubled this week by yet another privacy gaffe by Google. As you are undoubtedly aware, the Internet giant was gathering partial social security numbers from children entering its Doodle 4 Google contest. Coupled with other information on the entry form – the birthplace and date of birth – the child's full social security number could likely be inferred.

Apparently after the problem was pointed out to the Federal Trade Commission, Google modified its contest entry form and stopped asking for children's social security numbers. This behavior is a recurring pattern with Google. The company overreaches as it gathers more and more data, but when caught with their fingers in the cookie jar, Google executives cite their "Don't Be Evil" motto, mutter apologies and get back to business. For Google's data miners, more data is always better. As outgoing CEO Eric Schmidt as put it, the company's policy is to go right up to the creepy line, but not cross it.

In fact, too often the line is crossed. The Doodle 4 Google incident is not a one-time event, but part of a consistent pattern of disregarding privacy rights. Consider the Wi-Spy scandal in which private data was gathered from Wi-Fi networks around the world and the breach of privacy when Google's ill-fated social networking service, Buzz, was launched.

Google's entire business relies on using personal data, yet it repeatedly has demonstrated that is not a reliable steward of consumers' information. Consumer Watchdog urges the House Bi-Partisan Privacy Caucus to seek hearings that would finally hold Google accountable and require top executives to testify under oath about why these privacy gaffes continue and how they will be stopped.

Here are some of the questions that need to be answered about the Doodle 4 Google incident:

- Why did Google decide to gather social security numbers and for what reason?

- Where was the information stored and who had access to it?
- Who decided to change the entry requirements?
- What is the authorization process for going live with programs like this?

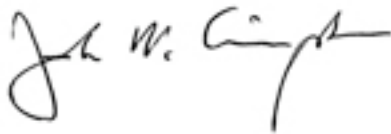
Here are some questions that need to be answered about the Wi-Spy incident:

- Why did Google gather data from the Wi-Fi networks?
- What plans were there to use the data?
- Who authorized the project and supervised it?
- Who at Google has used, analyzed or otherwise accessed payload data and for what purpose?
- If the data was collected “by accident,” why did Google seek a patent on the process that was used to gather the data?
- How can Google assure us this won’t happen again?
- How many Americans’ private information was collected by Google?
- What kind of information was collected? Emails, passwords, financial information, medical data, searches, videos? What else?

Because Google is such a force in the online world, holding it accountable and forcing it to explain what prompts its repeated misbehavior and disregard for privacy, would have a salutary impact on the entire online industry. I urge you to seek a hearing focusing on Google’s pattern of violating privacy until caught and then apologizing for the allegedly unintended violation.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is fluid and cursive, with a long horizontal stroke at the end.

John M. Simpson
Consumer advocate