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November 12, 2010

The Honorable Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Dear Chairman Leibowitz:

I write regarding the Federal Trade Commission's recent decision to end its inquiry into allegations that Google's Street View service collected information that resulted in a breach of countless consumers' privacy. The FTC is the primary federal regulator responsible for protecting our citizens' privacy rights and investigating breaches thereof. I am therefore alarmed by this decision.

In the wake of revelations that the Wi-Fi data recorded by Google contained personal information (including potentially sensitive health information), the Commission's decision is in stark contrast to at least three separate regulators in Europe, as well as that of the Privacy Commissioner of Canada. These regulators have initiated new investigations into Google's stealth collection of unencrypted personal Wi-Fi data, expanded existing inquiries of the matter, or banned Google from expanding its Street View mapping service. The Commission's decision relies on Google's personal assurances to the Commission and on Google's publically-stated intentions to improve internal policies. However, Google has made a number of public assurances and statements regarding its data collection practices that have subsequently been retracted or amended because they were inaccurate. I therefore am concerned that the Commission may not be utilizing its authority to the fullest extent necessary to protect the rights of those affected by Google's actions.

I understand the Commission will soon release policy suggestions regarding many of these issues in the forthcoming report on internet privacy. However, I believe the Commission's decision to end the Google inquiry is unfortunate and may result in further harm to consumers.

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Accordingly, I request a non-public briefing on the Commission's decision, as well as a comprehensive overview of the Commission's ongoing work on all matters regarding Internet privacy.

I respectfully request the briefing no later than Friday, November 19, 2010. Thank you for your prompt attention to this matter.

Sincerely,



Joe Barton
Ranking Member

cc: The Honorable Henry A. Waxman, Chairman