

Congress of the United States
Washington, DC 20515

EB
Investigation
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February 14, 2011

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Genachowski:

We write regarding the Federal Communication Commission's investigation into Google's collection of sensitive consumer data. Google has admitted on several occasions that it captured and stored email communications and passwords, while it was collecting 360-degree panoramic photographs for its Street View Service.

In May, Members of the Energy and Commerce Committee wrote to Federal Trade Commission (FTC) Chairman Liebowitz and also to Google's CEO Eric Schmidt, in an effort to obtain answers as to how this data breach occurred, who had access to the data, how many consumers might have been affected and among other things, what types of data were collected.

The FTC dropped its investigation in October 2010, without providing answers to these serious questions. We also understand that Google has refused to turn over the data it collected from consumers to State Attorneys General investigating the breach, prompting at least one State Attorney General to begin settlement discussions without having reviewed key information necessary to determine how many consumers may have been affected.

Consequently, nine months after Google first admitted to collecting this data, we still don't have answers as to how this privacy breach was allowed to take place and how many Americans were affected, let alone a credible assurance that it will not happen again. The lack of progress in this investigation is concerning, particularly in light of the progress made by authorities in other countries, such as South Korea, a country one-sixth the size of the U.S., where investigators have been able to review the data captured and identify hundreds of thousands of affected consumers.


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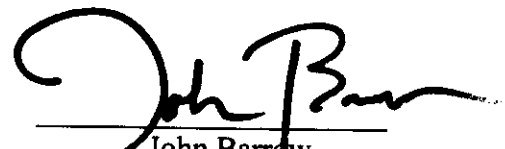
A serious inquiry into this matter requires hearing from the engineer that Google claims is responsible for the data collecting activity. Google's Street View vehicles captured and stored over 600 gigabytes of data. It is difficult to understand how just one individual could have been responsible for a data collecting operation of this scale.

These and other questions warrant serious attention. We therefore urge the Commission to conduct a full investigation and to get the facts out to American consumers, whether it finds a technical violation of the law or not. We also invite the Commission to suggest whether legislative action is necessary to enable it to act appropriately in the future.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,


Mike Rogers
Member of Congress (MI)


John Barrow
Member of Congress