

February 17, 2012

Larry Page
Chief Executive Officer
Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Page:

I am writing with regard to recent reports that Google is tracking consumers' internet use by intentionally circumventing the privacy settings on the Safari web browser. I am troubled by this apparent disregard of consumers' privacy preferences and seek more information regarding this practice.

According to an article in today's *Wall Street Journal*, Google and several other web advertising companies "used special computer code that tricks Apple's Safari Web-browsing software into letting them monitor many users." This special code was necessary because Safari, unlike other major browsers, employs default privacy settings that block "cookies" from third-party websites such as advertising networks. Safari does allow cookies when the user interacts with the third-party website, such as by clicking an ad or by submitting some information in a form.

Google reportedly employed a script that detects whether a consumer is using Safari and, if so, submits an invisible, empty form, allowing third-party ads to store cookies on the user's computer or mobile device. This exploit then opened the user up to other cookies, including the main tracking cookie of Google's DoubleClick ad network.

I believe that these actions run counter to consumers' expectations of privacy and request that Google provide the following information.

1. What information do these third-party cookies collect?
2. With whom do these third-party cookies share information that is collected?
3. Has Google ever notified Safari users that it was employing methods to circumvent the default blocking of third-party cookies by Safari?
4. Is it possible for Safari users who wish to block these cookies to do so?
5. Google offers an "Advertising Cookie Opt-out Plugin," which allows users of several web browsers to "permanently opt out of the DoubleClick cookie, which is an advertising cookie that Google uses." Until recently, the website for this plugin stated that although there is no Safari version of Google's advertising cookie opt-out plugin, "Safari is set by default to block all third-party cookies. If you have not changed those settings, this option effectively accomplishes the same thing as setting the opt-out cookie." Does Google believe that this statement is accurate in light of its manipulation of Safari privacy controls?
6. Does Google believe that the information and practices described above comply with the existing Federal Trade Commission consent order prohibiting the misrepresentation of "the

extent to which [Google] maintains and protects the privacy and confidentiality of any covered information, including . . . the purposes for which it collects and uses covered information, and . . . the extent to which consumers may exercise control over the collection, use, or disclosure of covered information”?

As I have noted in the past, I recognize that some consumers may appreciate the benefits that they are provided by having their web use tracked, analyzed, and used across multiple platforms; some users may prefer to see web advertisements that are targeted to the interests reflected in their web history. But as I have also noted in the past, other users may strongly object to this use of their information and would prefer to opt out of such use of their information. I believe that many of these users have expressed that preference by using a web browser that prevents such use, such as Safari, and by exploiting a loophole in Safari’s design, Google has denied consumers the ability to decide how their data is used.

I appreciate your prompt response on this important issue.

Sincerely,



Richard Blumenthal
United States Senate