

**EDOLPHUS "ED" TOWNS**  
MEMBER OF CONGRESS  
10TH DISTRICT, NEW YORK

**ENERGY AND COMMERCE**  
HEALTH

TELECOMMUNICATIONS AND  
THE INTERNET

COMMERCE, TRADE, AND  
CONSUMER PROTECTION

**GOVERNMENT REFORM**  
GOVERNMENT, ORGANIZATION,  
AND PROCUREMENT SUBCOMMITTEE  
CHAIRMAN

**Congress of the United States**  
**House of Representatives**  
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October 26, 2007

The Honorable Deborah Platt Majoras  
Chairman  
Federal Trade Commission  
600 Pennsylvania Avenue N.W.  
Washington D.C. 20580

Dear Chairman Majoras:

As a long-standing member of the Energy and Commerce Committee of the U.S. House of Representatives, I am deeply committed to consumer protection issues. I have in my career repeatedly worked to protect consumer rights, including specifically in the context of new technology, and I have sponsored legislation to address a range of novel consumer protection concerns, including legislation dealing with pretexting, spyware, and data security.

I am writing you today to emphasize the important consumer protection issues raised by Google's proposed acquisition of DoubleClick. It is evident from Google's and DoubleClick's own policies and public statements that each company collects a substantial volume and variety of information about computer users. The potential merger of these companies raises questions about the privacy and security ramifications of so much private online data in the hands of one company. These privacy and security concerns featured prominently in recent hearings of the Senate Subcommittee on Antitrust, Competition Policy, and Consumer Rights. They also have been raised by Chairman Rush of the House Subcommittee on Commerce, Trade, and Consumer Protection, and by a variety of consumer protection groups in the United States and abroad.

As I understand, the Commission intends to address questions relating to the collection and use of information collected by companies online at a Town Hall meeting in early November. I commend this step. But I also encourage the Commission to analyze the unique consumer protection issues raised by Google's proposed acquisition of DoubleClick. These questions include:

- (1) Will Google combine DoubleClick's extensive user profiles with the user data already in Google's possession?
- (2) Will the combined company be subject to any legal obligations to ensure that it cannot use the significant amount of online user data in its possession in a manner

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October 26, 2007  
Page 2

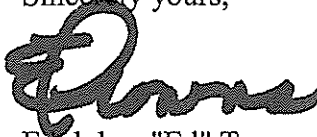
that would substantially lessen competition, limit consumer choice, or harm consumer interests?

- (3) Could Google become so powerful that it no longer would be subject to market pressure to compete with respect to the quality of its privacy practices?

Section 5 of the FTC Act gives the Commission broad authority to address potential consumer harms, and I trust the Commission will use this authority to ensure that consumers' privacy interests are protected in connection with Google's proposed acquisition of DoubleClick.

Thank you in advance for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ed Towns". The signature is stylized and cursive.

Edolphus "Ed" Towns  
Member of Congress