



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Privacy and Identity Protection
Bureau of Consumer Protection

August 19, 2011

Mr. John M. Simpson
Privacy Project Director
Consumer Watchdog
413 East Capitol Street, SE, First Floor
Washington, D.C. 20003

Dear Mr. Simpson:

Thank you for your recent letter to Chairman Leibowitz regarding online advertising networks described in a recent Stanford Security Lab study (*see* <http://cyberlaw.stanford.edu/node/6694>). The complaint raises a number of privacy concerns related to consumers' ability to opt out of behavioral advertising and online tracking practices generally.

Your letter raises important issues that relate to online data collection and use practices, as well as the ability of consumers to limit or prevent such collection and use of their data. I can tell you that we are carefully monitoring the privacy issues associated with online tracking generally, and have aggressively pursued enforcement actions in the online behavioral advertising area. For example, we recently agreed to a consent order in a case against Chitika, settling allegations that the company offered a deceptive opt-out mechanism to consumers.¹ We also have developed policy proposals that would impact the practices described in the Stanford study, such as a recommendation that consumers be given a universal, one-stop control mechanism for online behavioral tracking, often referred to as Do Not Track.

If you have any additional information you wish to provide about this matter, please let me know. Please be advised that any Commission investigation is non-public unless and until the Commission decides to issue a formal complaint or close the investigation. As a result, we can neither confirm nor deny that we are conducting an investigation of the issues raised by your letter.

Thank you for raising this issue with us.

Sincerely,

A handwritten signature in black ink, appearing to read "Maneesha Mithal".

Maneesha Mithal

¹ *Chitika Inc.*, FTC Docket No. C-4324 (June 7, 2011) (consent order), available at <http://www.ftc.gov/opa/2011/03/chitika.shtm>.