

May 20, 2010

The Hon. Jon Leibowitz
Chairman, Federal Trade Commission
600 Pennsylvania Avenue
Washington, DC 20508

CC: David Vladeck, Director, Bureau of Consumer Protection

Dear Chairman Leibowitz,

I am writing to ask the Federal Trade Commission to investigate Facebook's practice of disclosing a user's identity (Facebook username or user ID) to an advertiser when a user does nothing more than click an ad. In my testing, I have confirmed that such transmissions occur if a user clicks an ad on her own profile, or if a user views her own profile, clicks a link to another page (e.g. a friend's profile, a photo page, etc.), and clicks an ad on that second page. With a user's username or user ID, under current default Facebook privacy settings, an advertiser can obtain most of a user's Facebook details, including name, photos, friends, and more.

Facebook's transmission of usernames and user IDs to advertisers is contrary to Facebook's promises to users. For example, Facebook's privacy policy promises "we do not share your information with advertisers without your consent" (section 5). Clicking an ad, with nothing more, is not "consent" to share a user's name with an advertiser. Then, in section 7, Facebook lists eleven specific circumstances in which it may share information with others, but none of these circumstances applies to the transmission detailed above.

Facebook's transmission of usernames and user IDs to advertisers is also contrary to its blog statements. In an April 6, 2010 post, Facebook promised: "We don't share your information with advertisers unless you tell us to (e.g. to get a sample, hear more, or enter a contest). Any assertion to the contrary is false. Period." July 1, 2009: "Facebook does not share personal information with advertisers except under the direction and control of a user. ... You can feel confident that Facebook will not share your personal information with advertisers unless and until you want to share that information." December 9, 2009: "Facebook never shares personal information with advertisers except under your direction and control."

At <http://www.benedelman.org/news/05xx10-1.html>, I provide details of my findings, including packet log proof of the Facebook practices at issue, as well as specific methods by which Facebook could cease these improper transmissions.

Sincerely,



Benjamin Edelman