

Congress of the United States

Washington, DC 20515

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

Dear Mr. Page:

In April 2012, Google announced “Project Glass” on Google+.¹ The company indicated that it wanted to build a technology that “helps you explore and share your world.”² The creation of Google Glass is said to allow you to take pictures, record and share what you see hands free, obtain directions, send messages, and basically ask whatever is on your mind right before your eyes.³

Since the announcement of this initiative, there have been a number of articles written discussing not only the vast innovation of this technology, but also the privacy implications. For example, a recent article in the *Wall Street Journal* states, “It will only be a matter of time until you’ll be able to aim the lens of your device at his or her face, and using face recognition technology get the individual’s address, work history, marital status, measurements and hobbies.”⁴ In addition, an article in *Forbes* indicated that a bar in Seattle has already declared the technology banned in advance from the establishment due to privacy concerns.⁵

As members of the Congressional Bi-Partisan Privacy Caucus, we are curious whether this new technology could infringe on the privacy of the average American. Because Google Glass has not yet been released and we are uncertain of Google’s plans to incorporate privacy protections into the device, there are still a number of unanswered questions that we share. Accordingly, we would appreciate the answers to the questions that follow:

1. In 2010, it was discovered that Google was collecting information across the globe from unencrypted wireless networks.⁶ This practice caused multiple investigations into the company along with consumers left perplexed.⁷ Google just recently agreed to pay \$7 million to settle charges with 38 states for the collection of data from unprotected Wi-Fi

¹Parviz, B., Lee, S., & Thrun, S. (2012, April 4). Project Glass [Msg 1]. Message posted to <https://plus.google.com/+projectglass/posts>

² *Id.*

³ Glass. (n.d.). *Google*. Retrieved May 2, 2013, from <http://www.google.com/glass/start/what-it-does/>.

⁴Gardner, G., Jr. (2013 March 20). Too much, too soon? *Wall Street Journal*. Retrieved May 1, 2013, from <http://online.wsj.com/article/SB10001424127887323419104578372580870846420.html>

⁵Olson, P. (2013 March 10). The banning of google glass begins (and they aren’t even available yet). *Forbes*. Retrieved on May 1, 2013, from <http://www.forbes.com/sites/daviddisalvo/2013/03/10/the-ban-on-google-glass-begins-and-they-arent-even-available-yet/>

⁶Schatz, A., & Efrati, A. (2010, November 11). FCC investigating google data collection. *Wall Street Journal*. Retrieved May 2, 2013, from

http://online.wsj.com/article/SB10001424052748704804504575606831614327598.html?mod=WSJ_hp_LEFTWhatNewsCollection

⁷ *Id.*

networks without permission.⁸ Google also admitted that they did not adequately protect the privacy of consumers and “tightened up” their systems to address the issue.⁹ While we are thankful that Google acknowledged that there was an issue and took responsible measures to address it, we would like to know how Google plans to prevent Google Glass from unintentionally collecting data about the user/non-user without consent?

2. What proactive steps is Google taking to protect the privacy of non-users when Google Glass is in use? Are product lifecycle guidelines and frameworks, such as Privacy By Design, being implemented in connection with its product design and commercialization? For example, if a Google Glass customer/user decides to resell or to dispose of their Google Glass product, would there be any product capabilities incorporated into the device to ensure that one’s personal information remains private and secure?
3. When using Google Glass, is it true that this product would be able to use Facial Recognition Technology to unveil personal information about whomever and even some inanimate objects that the user is viewing? Would a user be able to request such information? Can a non-user or human subject opt out of this collection of personal data? If so, how? If not, why not?
4. In Google’s privacy policy, it states that the company “may reject requests that are unreasonably repetitive, require disproportionate technical effort . . . risk the privacy of others, or would be extremely impractical.”¹⁰ Please provide examples of when Google would reject requests on Google Glass that would risk the privacy of others? Would Google place limits on the technology and what type of information it can reveal about another person? If so, please explain. If not, why not?
5. Given Google Glass’s sensory and processing capabilities, has Google considered making any additions or refinements to its privacy policy? If so, please explain. If not, why not?
6. In Google’s privacy policy, it states that the company “may collect device-specific information (such as your hardware model, operating system version, unique device identifiers, and mobile network information including phone number).”¹¹
 - a. Would this information be collected from users operating Google Glass? If so, what specific information is Google intending to collect?
 - b. Would Google Glass collect any data about the user without the user’s knowledge and consent? If so, why? If not, please explain.
7. It was recently revealed that the New York Times was the first to release an app for Google Glass.¹² To what extent was privacy considered in approving this app? Is Google

⁸ Sasso, B. (2013, March 12). Google pays \$7 million to settle wi-fi snooping charges. *The Hill*. Retrieved May 1, 2013, from <http://thehill.com/blogs/hillicon-valley/technology/287651-google-pays-7-million-to-settle-wi-fi-snooping-charges#ixzz2S372LpNz>

⁹ *Id.*

¹⁰ Google. (2012, July 27). Privacy policy. Retrieved May 2, 2013, from <http://www.google.com/glass/start/what-it-does/>

¹¹ *Id.*

planning to make privacy a priority for future app developers? If not, why not? If so, please explain.

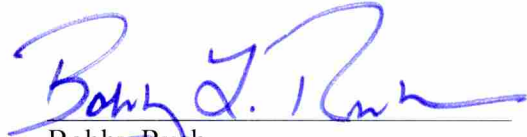
8. Will Google Glass have the capacity to store any data on the device itself? If so, will Google Glass implement some sort of user authentication system to safeguard stored data? If not, why not? If so, please explain.

We request your responses to the above questions no later than Friday, June 14, 2013. If you have any questions regarding this request, please contact Emmanuel Guillory in Congressman Joe Barton's office at emmanuel.guillory@mail.house.gov or call 202-225-2002.

Sincerely,



Joe Barton
Co-Chairman
Bi-Partisan Privacy Caucus



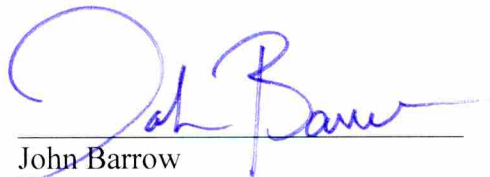
Bobby Rush
Member
Bi-Partisan Privacy Caucus



Richard Nugent
Member
Bi-Partisan Privacy Caucus



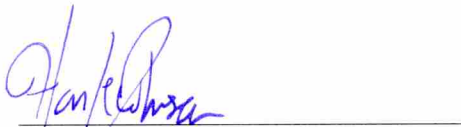
Steve Chabot
Member
Bi-Partisan Privacy Caucus



John Barrow
Member
Bi-Partisan Privacy Caucus



Walter B. Jones
Member
Bi-Partisan Privacy Caucus



Henry C. "Hank" Johnson, Jr.
Member
Bi-Partisan Privacy Caucus



Loretta Sanchez
Member
Bi-Partisan Privacy Caucus

¹² Stenovec, T. (2013, April 26). New York times google glass: newspaper releases app for glass. *The Huffington Post*. Retrieved on May 1, 2013, from http://www.huffingtonpost.com/2013/04/26/new-york-times-google-glass_n_3166010.html