

JON TESTER
MONTANA

SENATE HART BUILDING
SUITE 311
WASHINGTON, DC 20510
202-224-2644

COMMITTEES:
APPROPRIATIONS
BANKING
INDIAN AFFAIRS
VETERANS' AFFAIRS
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

United States Senate

INTERNET:
<http://tester.senate.gov/contact>

March 3, 2017

The Honorable Maureen K. Ohlhausen, Acting Chairwoman
United States Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington DC 20580

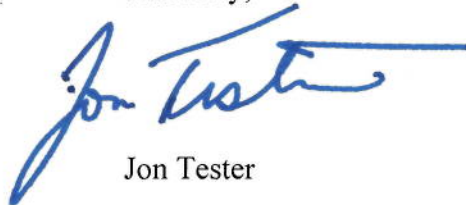
Dear Ms. Ohlhausen:

I write regarding the Federal Trade Commission's (FTC) recent settlement with Vizio on the company's significant breach of privacy. Like many Americans, I am appalled to see that for several years Vizio used sophisticated technology to spy on the television viewing habits of millions of its customers, without their consent or knowledge. The company profited from unauthorized data gathering by selling its customers' television viewing information to third party advertisers and others that linked it with existing personally identifiable information for marketing purposes. This type of scheme is completely unacceptable and an affront to law-abiding Americans' right to privacy.

This type of deceptive behavior is reckless and threatens our civil liberties. I am pleased to see that the FTC recently put an end to this particular privacy breach through a settlement with the company. I am, however, concerned that these types of privacy intrusions are increasing and met with inadequate punishments. While I appreciate the FTC's work to secure a \$2.2 million settlement, I am concerned that it is a disproportional response considering Vizio spied on up to 11 million television views without their consent. Moving forward, I urge the FTC to intensify its efforts to enforce privacy and consumer protection laws, to focus on preventing another Vizio case from violating Americans' privacy and to work with Congress to develop additional tools and resources to combat privacy breach issues.

I stand ready to work with the FTC to ensure that the agency is well equipped to take on the new privacy challenges that we face in the digital era. Privacy is a fundamental right that we must protect from eroding as technology continues to advance. Thank you for your leadership.

Sincerely,



Jon Tester

BOZEMAN
(406) 586-4450

BUTTE
(406) 723-3277

GLENDALE
(406) 365-2391

GREAT FALLS
(406) 452-9585

HELENA
(406) 449-5401

KALISPELL
(406) 257-3360

BILLINGS
(406) 252-0550

MISSOULA
(406) 728-3003