



Office of Commissioner
Alvaro M Bedoya

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Statement of Commissioner Alvaro M. Bedoya
Joined by Chair Lina M. Khan and Commissioner Rebecca Kelly Slaughter in full

were “hunted & persecuted on every side,” he wrote. While “some were taken & clapt up in prison, others had their houses besett & watctht night and dāy[.]”

Four-hundred years later, those loose networks of citizens have been succeeded by a digitized, automated, and highly profitable industry of commercial data brokers that “artfully dodge[] privacy laws.⁶” In 2001, the Electronic Privacy Information Center used the Freedom of Information Act to survey federal law enforcement agencies’ reliance on those firms.⁷ They determined that this network of data brokers allows law enforcement to easily and warrantlessly “download comprehensive dossiers on almost any” adult.⁸ They warned that “[f] we are ever unfortunate enough to have George Orwell’s Big Brother in the United States, it will be made possible by the private sector.⁹

This complaint and proposed settlement concern two contemporary peers of those data brokers, Gravy Analytics, Inc. and its subsidiary, Venntel, Inc. (“Respondents”). The Commission alleges these companies collect, aggregate, and sell precise geolocation data from roughly one billion mobile devices.¹⁰ According to public reporting, Venntel’s customers have included American law enforcement.

II.

You may not know anything about Gravy Analytics, but Gravy Analytics may know quite a bit about you.

Do you eat breakfast at McDonald’s? Do you buy CBD oil? Did you recently buy lingerie? Are you pregnant? Are you a stay-at-home parent? Are you a Republican? A Democrat? Are you in the pews every Sunday in Charlotte? Or Atlanta? Have you recently attended an event for breast cancer? Are you a blue-collar Gen X parent and golf-lover who has recently been looking into Medicare?

⁵ See William Bradford Huie, *OF PLYMOUTH PLANTATION* 6 (c. 1630-1651). Professor Coffey explains that, while Catholics were the focus of government surveillance efforts at the time, Separatist Puritans were also targeted. Coffey, *supra* note 2, at 103 (“The harsh repression of the Separatists in the 1580s and 90s was... out of all proportion to their threat. [...] Separatist congregations were hunted down and incarcerated, their ringleaders put to death.”).

⁶ See

These are just a few of the 1,100 labels that the Commission alleges that Gravy Analytics appended to individual consumers so as to sell their bundled data to private companies for targeted advertising — or to better understand the “persona” of any individual whose data a company has requested.¹² According to our complaint, Respondents actively encouraged their

like the Department of Homeland Security (DHS), the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), and the Internal Revenue Service²¹ (IRS), poses

IV.

Speaking generally, the proposed order prohibits Respondents from disclosing sensitive location data in any of its products or services. Sensitive location data includes, inter alia, medical