

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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May 24, 2018

The Honorable Greg Walden
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Walden:

I write to request that the Energy and Commerce Committee hold a hearing to review recent reports regarding the seemingly unauthorized disclosure of the real-time location data wireless carriers collect and use in the course of providing cell phone service.¹ Third-party providers LocationSmart and Securus appear to have obtained such location information that was originally collected by wireless carriers and allowed location data to be exposed.

A hearing on how this information was made available is necessary to better understand whether the privacy protections in the Communications Act were violated and whether Congress needs to take action to ensure users' data are protected. The issues raised by this incident mirrors the Facebook/Cambridge Analytica scandal and similarly must be closely scrutinized.²

¹ *Service Meant to Monitor Inmates' Calls Could Track You, Too*, New York Times (May 10, 2018); *Hacker Breaches Securus, the Company That Helps Cops Track Phones Across the US*, Motherboard (May 16, 2018) (motherboard.vice.com/en_us/article/gykgv9/securus-phone-tracking-company-hacked); *Tracking Firm LocationSmart Leaked Location Data for Customers of All Major U.S. Mobile Carriers Without Consent in Real Time Via Its Web Site*, Krebs on Security (May 18, 2018) (krebsonsecurity.com/2018/05/tracking-firm-locationsmart-leaked-location-data-for-customers-of-all-major-u-s-mobile-carriers-in-real-time-via-its-web-site/); *A Location-Sharing Disaster Shows How Exposed You Really Are*, Wired (May 19, 2018) (www.wired.com/story/locationsmart-securus-location-data-privacy/).

² *The Privacy Scandal That Should Be Bigger Than Cambridge Analytica*, Slate (May 21, 2018) (slate.com/technology/2018/05/the-locationsmart-scandal-is-bigger-than-cambridge-analytica-heres-why-no-one-is-talking-about-it.html).

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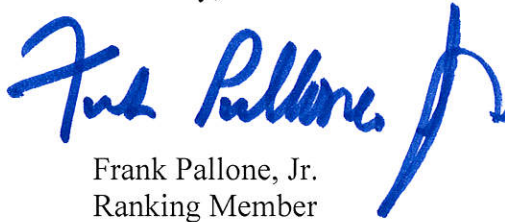
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Location information can be used to track individuals' physical movements without their knowledge or consent. As you know, Congress addressed this issue when it passed the Communications Act in 1996. That law and its implementing rules require carriers—and their vendors with whom the information is shared³—to safeguard this information⁴ and to get users' consent before disclosing it with anyone else.⁵

The reports detailing the wide availability of consumers' cell phone location information and the vulnerabilities in the relevant databases and systems that third-parties used to store this information suggest gaps in the law or enforcement. In light of our commitment to protect the privacy of the American people, I request a hearing on this issue so we can fully understand the use, transfer, and protection of cell phone location data and how Congress can act to protect consumers.

Thank you for your attention to this serious matter.

Sincerely,

A handwritten signature in blue ink, reading "Frank Pallone, Jr.", with a stylized flourish at the end.

Frank Pallone, Jr.
Ranking Member

³ 47 U.S.C. § 217.

⁴ 47 C.F.R. § 64.2010.

⁵ 47 U.S.C. § 222(f)(1).