

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
May 10, 2011

Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
On the Subcommittee On Privacy, Technology And The Law
Hearing On "Protecting Mobile Privacy:
Your Smartphones, Tablets, Cell Phones and Your Privacy."

May 10, 2011

Today, the Subcommittee on Privacy, Technology and the Law holds a very important hearing on the privacy implications of Smartphones and other mobile applications. I commend the Subcommittee's Chairman, Senator Franken, for holding this timely hearing -- the first for this new subcommittee -- and I thank him for his dedicated leadership on consumer privacy issues.

Throughout my three decades in the Senate, I have worked to safeguard the privacy rights of all Americans. Ensuring that our Federal privacy laws accomplish this essential goal -- while addressing the needs of law enforcement and America's vital technology industry -- has been one of my highest priorities as the Chairman of the Senate Judiciary Committee. That is why I decided to establish this new privacy subcommittee, and why I am working to update the Electronic Communications Privacy Act (ECPA). I hope to introduce legislation soon to address some of these needed reforms.

In the digital age, American consumers and businesses face threats to privacy like no time before. With the explosion of new technologies, such as social networking sites, smartphones and other mobile applications, there are many new benefits to consumers. But, there are also many new risks to their privacy.

Like many Americans, I am deeply concerned about the recent reports that the Apple iPhone, Google Android Phone and other mobile applications may be collecting, storing, and tracking user location data without the user's consent. I am also concerned about reports that this sensitive location information may be maintained in an unencrypted format, making the information vulnerable to cyber thieves and other criminals. A recent survey commissioned by the privacy firm TRUSTe found that 38 percent of American smartphone users surveyed identified privacy as their number one concern with using mobile applications.

They have good reason to be concerned. The collection, use and storage of location and other sensitive personal information has serious implications regarding the privacy rights and personal safety of American consumers. As this Committee considers important updates to the ECPA and

other Federal privacy laws, it is essential that we have full and accurate information about the privacy impact of these new technologies on American consumers and businesses.

This hearing provides a timely opportunity for us to obtain this information and to examine these pressing privacy issues. I am pleased that representatives from the Department of Justice and Federal Trade Commission are here to discuss the administration's views on the privacy implications of mobile applications. I am also pleased that representatives from Google and Apple will address the privacy implications of their smartphones, tablets and other mobile applications.

Safeguarding the privacy rights of American consumers and businesses is one of the most important and challenging issues facing the nation. The many threats to privacy in the digital age impact all Americans and should concern all Members, regardless of party or ideology. I welcome the bipartisan support on the Committee for examining consumer privacy issues and I look forward to a productive discussion.

#####