

Congress of the United States
House of Representatives
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April 21, 2011

Mr. Steve Jobs
CEO
Apple Corporation
1 Infinite Loop
Cupertino, CA 95014

Dear Mr. Jobs:


An April 19, 2011 report in The Guardian, “iPhone Keeps Record of Everywhere You Go”, highlighted research by security experts that indicates Apple’s iOS 4 operating system collects customers’ location data, stores it on the iPhone and iPad, backs it up when synched with another device, and leaves it unprotected. One of the experts who exposed this problem, Alasdair Allan, showed that, on his own phone, “almost 220,000 data points have been collected, along with time stamps and the IDs of the Wi-Fi networks.” I am concerned about this report and the consequences of this feature for individuals’ privacy. Accordingly, I request responses to the questions that follow.

1. Is it accurate that Apple iPhone keeps track of where iPhone users go, saving this information to a file on the device that is then copied to the owner’s computer when the two are synchronized? If yes, did the company notify its users of this fact? If Apple does provide notification, please indicate where and via what means. If notification is not provided, why not?
2. Did Apple intentionally develop this functionality in order to log the locations of users? If yes, why? If not, what is the purpose of this feature?
3. How does Apple collect this customer location information?
4. Does Apple use this information for any purpose? If yes, how does Apple use this information? Has Apple used this location information for any commercial purpose? If yes, how was this information used? Does Apple have any current or future plans to use this information for any commercial purpose, either internally or in conjunction with any third party?

5. If location information is used for a commercial purpose, please describe the policies and procedures Apple utilizes to comply with Section 222 of the Communications Act (47 U.S.C. 222), which requires express prior customer authorization for the use, disclosure of, or access to the customer's location information for commercial purposes.
6. Is it possible for customers to disable this feature? If yes, how? If not, why not?
7. Given the widespread usage of iPhones and iPads by individuals under the age of 18, is Apple concerned that the wide array of precise location data logged by these devices can be used to track minors, exposing them to potential harm? If yes, what is Apple doing to reduce the potential for such harm? If not, why not?

Please provide responses to these questions within fifteen business days or no later than May 12, 2011. If you have any questions, please have a member of your staff contact Mark Bayer of my staff at (202) 225-2836.

Sincerely,



Edward J. Markey