

Congress of the United States
House of Representatives
Washington, DC 20515-2107

April 29, 2010

The Honorable Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chairman Leibowitz:

On April 19, 2010, CBS News broadcast an investigative report on digital copy machines, noting in its report that nearly every digital copier manufactured since 2002 contains a hard drive that functions in a manner similar to a computer hard drive. Specifically, according to the CBS investigation, the hard drive of digital copiers “stores an image of every document, scanned, copied or emailed by the machine...turning an office staple into a digital time bomb packed with highly personal or sensitive data.” As you know, photo copiers frequently are leased for a fixed period, and the CBS segment included footage of warehouses of used copiers – their hard drives intact and presumably packed with personal information – being sold and shipped to customers around the world.


I am concerned that these hard drives represent a treasure trove for thieves, leaving unwitting consumers vulnerable to identity theft as their Social Security numbers, birth certificates, medical records, bank records and other personal information are exposed to individuals who could easily extract the data from the digital copiers’ hard drive and use it for criminal purposes. According to the CBS report, an industry study in 2008 found that 60 percent of Americans did not know that copiers store images on the machines’ hard drives.

I am interested in any actions the Commission has taken to investigate this issue. I also encourage the Commission to pursue measures to provide consumers with additional information about the privacy risks associated with the use of digital copiers for copying sensitive information and the steps consumers can take to protect themselves against these risks. Businesses and government agencies also should ensure that all the personal information on the hard drives in these machines is wiped clean of personal information before the machine is sold, returned following the expiration of a lease or otherwise disposed of after the conclusion of its use by the organization.

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Thank you for your attention to this important matter. If you have questions, please have a member of your staff contact Mark Bayer on my staff at 202-225-2836.

Sincerely,


Edward Markey