



THE CHAIRMAN

FEDERAL TRADE COMMISSION

WASHINGTON, D.C. 20580

May 11, 2010

The Honorable Edward J. Markey
United States House of Representative
2108 Rayburn House Office Building
Washington, DC 20515-2107

Dear Representative Markey. *Ed*

Thank you for your April 29, 2010 letter calling attention to the privacy risks associated with the use of digital copiers. You ask for information about actions the Federal Trade Commission ("FTC") has taken to investigate this issue, and encourage us to pursue additional consumer education in this area.

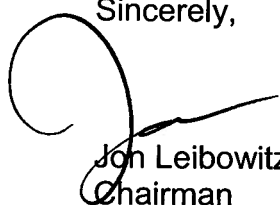
The FTC is aware of reports regarding the privacy risks associated with the use of digital copiers. Like you, we also are concerned that personal information can be so easily retrieved from copiers, making it vulnerable to misuse by identity thieves. As you point out, businesses and government agencies should ensure that the information on the hard drives in digital copiers are wiped clean of personal information after the conclusion of use. The FTC is now reaching out to copier manufacturers, resellers, and retail copy and office supply stores to ensure that they are aware of the privacy risks associated with digital copiers and to determine whether they are warning their customers about these risks, whether they are providing education and guidance on this subject, and whether manufacturers and resellers are providing options for secure copying. We will work with these entities to help ensure that they provide appropriate educational materials on this subject to their clients. With respect to government agencies, our own practice is to acquire ownership of the hard drives in the digital copiers we lease, and to erase and subsequently destroy these hard drives when the copiers are returned. We are also reaching out to government contracting officials to advise them of the risks associated with the use of digital copiers and ensure that the government is taking measures to protect the information we collect from the public.

In addition, you suggest that the Commission provide consumers with additional information about the privacy risks associated with the use of digital copiers; as a result, we are reviewing our educational materials in search of opportunities to supplement our

guidance. Our current consumer education material encourages consumers to wipe clean or physically destroy hard drives before disposing of their computers,¹ and our business education materials similarly instruct businesses to dispose of hard drives containing customer information securely.² We will provide additional guidance to both consumers and businesses specifically addressing how to protect personal information that may be stored on hard drives of digital copiers and other devices.

Thank you again for raising this issue with us and for your long-standing support for our work on privacy. I hope that the foregoing information is helpful, and I appreciate your interest in the Commission's work on this issue of vital consumer interest.

Sincerely,



Jon Leibowitz
Chairman

¹ See FTC Consumer Alert: The Download on Disposing of Your Old Computer, available at www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt120.shtm; Computer Disposal, available at www.onguardonline.gov/topics/computer-disposal.aspx.

² See Protecting Personal Information: A Guide for Business, available at www.ftc.gov/bcp/edu/pubs/business/idtheft/bus69.pdf; Facts for Business, Financial Institutions and Customer Information: Complying with the Safeguards Rule, available at www.ftc.gov/bcp/edu/pubs/business/idtheft/bus54.shtm; FTC Business Alert: Disposing of Consumer Report Information? New Rule Tells How, available at www.ftc.gov/bcp/edu/pubs/business/alerts/alt152.shtm.