

ONE HUNDRED SIXTEENTH CONGRESS

**Congress of the United States****House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115

Majority (202) 225-2927

Minority (202) 225-3641

February 5, 2019

Mr. Tim Cook  
Chief Executive Office  
Apple, Inc.  
1 Infinite Loop  
Cupertino, CA 35014

Dear Mr. Cook:

We are deeply troubled by the recent press reports about how long it took for Apple to address a significant privacy violation identified by Grant Thompson, a 14-year-old in its Group FaceTime feature.<sup>1</sup> As such, we are writing to better understand when Apple first learned of this security flaw, the extent to which the flaw has compromised consumers' privacy, and whether there are other undisclosed bugs that currently exist and have not been addressed.

In today's world, nearly every adult and many children walk around with a device in a purse, a backpack, or pocket that has a microphone and camera. According to one study, the average age children first get a smartphone is 10 years old.<sup>2</sup> Moreover, the marketing of smart home devices encourages consumers to place cameras and microphones in the most personal and intimate rooms in their homes. While these are wonderful tools when used right, the serious privacy issue with Group FaceTime demonstrates how these devices also can become the ultimate spying machines. That is why it is critical that companies like Apple are held to the highest standards. Your company and others must proactively ensure devices and applications protect consumer privacy, immediately act when a vulnerability is identified, and address any harm caused when you fail to meet your obligations to consumers.

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<sup>1</sup> *Apple Was Slow to Act on FaceTime Bug That Allows Spying on iPhones*, New York Times (Jan. 29, 2019).

<sup>2</sup> *Kids and Tech; The Evolution of Today's Digital Natives*, Influence Central ([influence-central.com/kids-tech-the-evolution-of-todays-digital-natives/](http://influence-central.com/kids-tech-the-evolution-of-todays-digital-natives/)) (accessed Feb. 5, 2019).

As a first step, we believe it is important for Apple to be transparent about its investigation into the Group FaceTime feature's vulnerability and the steps it is taking to protect consumers' privacy. To date, we do not believe Apple has been as transparent as this serious issue requires. Specially, we request a written response to the following questions no later than February 19, 2019:

1. When did your company first identify the Group FaceTime feature's vulnerability that enabled individuals to access the camera and microphone of devices before accepting a FaceTime call? Did your company identify the vulnerability before being notified by Mr. Thompson's mother? Did any other customer notify Apple of the vulnerability?
2. Please provide a timeline of exactly what steps were taken and when they were taken to address the vulnerability after it was initially identified.
3. What procedures and testing were in place, and what procedures are now in place, to identify such vulnerabilities prior to the release of a consumer product? Why did those procedures fail in this case? What steps are being taken to improve pre-launch testing in the future?
4. Why did it take so long for Apple to address the Group FaceTime feature vulnerability once it was discovered and reported to Apple by Mr. Thompson's mother?
5. What steps are being taken to identify which FaceTime users' privacy interests were violated as a result of this vulnerability? Does Apple intend to notify and compensate those consumers for the violation? When will Apple provide notification to affected consumers?
6. Are there other vulnerabilities in Apple devices and applications that currently or potentially could result in unauthorized access to microphones and/or cameras? If so, how is Apple addressing each such vulnerability?

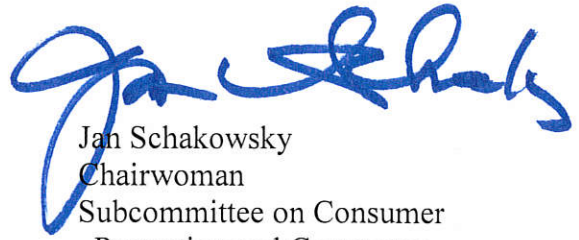
Your assistance in this matter is greatly appreciated, and we look forward to receiving your response. If you have any questions, please contact Lisa Goldman with the Committee staff at (202) 225-2927.

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Sincerely,



Frank Pallone, Jr.  
Chairman



Jan Schakowsky  
Chairwoman  
Subcommittee on Consumer  
Protection and Commerce