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Statement of Rep. Henry A. Waxman, Ranking Minority Member Committee on Government Reform The Threats to Privacy and Security from File Sharing Networks

May 15, 2003

I join with Chairman Davis today to bring attention to an Internet technology that is in many of our homes and may be risking our personal privacy and security without us even knowing it.

We live in a world that is increasingly more connected. New computer innovations can open us up to a new experiences and offer more choices than ever before. As we experiment with new technologies, however, we must also recognize their risks. In the real world, we know to guard our privacy and security carefully. It's just as important to do so in the online world.

Today's hearing is the second in a series of hearings in the Committee about peer-to-peer file-sharing programs. These programs are incredibly popular. In fact, the most popular of these file-sharing programs, Kazaa, has been downloaded more than 220 million times – 22 million times in the last two months alone.

But despite their soaring popularity, few people understand the risks that these new file-sharing programs can pose. In large part, this is due to what I call the online generation gap. The users of file-sharing programs are predominantly teenagers. We parents and grandparents are too often left struggling to keep up.

Two months ago, at our Committee's first hearing, we focused on one key issue raised by file-sharing programs: how they can inundate our children with pornography. We learned that even when kids are searching for music by Britney Spears or videos of the Olson Twins, what they encounter is often the most hard-core, triple-x pornography imaginable.

Today, we will focus on another key issue: the ways that these programs can jeopardize personal privacy and security.

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Chairman Davis and I are releasing a new report by our investigative staff that examines these issues. Its findings should concern every family that's using one of these new file-sharing programs.

Our Committee investigation found that many people are inadvertently sharing incredibly personal files through these peer-to-peer networks. Our investigators found that they could find completed tax returns, medical records, and even entire e-mail inboxes through simple searches using file-sharing programs.

No one would want to share this kind of personal information, but in many cases that is exactly what's happening. Due to the way some users configure their computers, their personal files can be accessed by millions of strangers through peer-to-peer networks.

And this invasion of privacy is not the only risk families face. Our report finds that when users download free file-sharing programs, they are also exposing their computers to hidden software called "spyware" or "adware." These programs track what you do online – the websites you look at, how long you stay on them, even your e-mail address. Even "zombie-ware," which takes over the spare computing power of personal computers, can be bundled with file-sharing programs.

Besides tracking your personal computer habits, these programs can also cause software conflicts and computer crashes. In fact, in Committee testing, these programs ruined a Committee computer twice. Even the House's most experienced computer technicians could not restore the computer.

And there are still other risks. Our staff also contacted some of the leading experts from universities and the private sector to find out whether file-sharing programs can put computers at risk for viruses and other damaging computer files. You will hear what they have to say about this serious threat later today.

Technical innovation on the Internet is tremendously important. Our purpose in holding these hearings and releasing these investigative reports is not to say that peer-to-peer technology is inherently bad. In fact, it may ultimately prove to have important and valuable uses.

But there can be no question that this new technology – at least in its current incarnation – can create serious risks for users. Our purpose in holding these hearings is to help the public understand what these risks are. Without this knowledge, families and businesses simply won't be able to make intelligent decisions about the technology.