

The Location Privacy Protection Act of 2014—*Summary* Senator Al Franken

Location information reveals a wealth of sensitive information: where you live, where you drop your kids off at school, the church you attend, the doctors you visit. **Yet under the Electronic Communications Privacy Act, the companies that get this data are free to give or sell it to almost anyone.** This loophole is misused by popular companies – and abused by stalkers:

- At least 25,000 adults are victims of GPS stalking annually (*Wall Street Journal*). “Stalking apps” are freely available online and brazenly market themselves to stalkers.
- Half of top apps (including kids apps and dating apps like Tinder), top mobile operating systems, and top device makers have all been found collecting or sharing user location data *without users’ affirmative consent*.
- Top car companies have disclosed their users’ movements to third parties without consent (Nissan) or announced plans to collect the data without consent (OnStar). A Ford exec recently said: “We know everyone who breaks the law, we know when you’re doing it. We have GPS in your car, so we know what you’re doing.” (Ford retracted the comments.)
- Separate GAO investigations found that app companies and in-car navigation companies gave users too little information about how their location information was used or shared.

The **Location Privacy Protection Act of 2014** fixes this outdated federal law to protect consumers and victims of stalking. The bill:

- (1) Requires that companies get individuals’ permission before collecting location data off of their smartphones, tablets, or in-car navigation devices, and before sharing it with others. *This rule doesn’t apply to parents tracking kids, emergencies, and similar scenarios.*
- (2) Stymies GPS stalking by preventing companies from collecting location data in secret.
- (3) Requires *any* company collecting the location data of 1,000 or more devices to post online: the kinds of data they collect, how they share and use it, and how people can stop the collection or sharing.
- (4) Bans the development, operation, and sale of GPS stalking apps – and allows law enforcement to seize the proceeds of those sales to fund anti-stalking efforts; and
- (5) Requires that the federal government gather more information about GPS stalking, facilitate reporting of GPS stalking, and prioritize training grants for law enforcement.

The bill is co-sponsored by Senators **Chris Coons** (D.-Del.) and **Elizabeth Warren** (D.-Mass.) has the support of the nation’s leading consumer and anti-domestic violence groups, including the **National Center for Victims of Crime**, the **National Network to End Domestic Violence**, the **National Women’s Law Center**, the **Minnesota Coalition for Battered Women**, **Consumer Action**, **Consumers Union**, the **National Association of Consumer Advocates**, the **National Consumers’ League**, and the **Online Trust Alliance**. The bill doesn’t concern law enforcement location tracking, which is addressed in other legislation.