

HR 6377

Mobile Device Privacy Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Sep 12, 2012

Current Status: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Latest Action: Referred to the Subcommittee on Commerce, Manufacturing, and Trade. (Sep 14, 2012)

Official Text: https://www.congress.gov/bill/112th-congress/house-bill/6377

Sponsor

Name: Rep. Markey, Edward J. [D-MA-7]

Party: Democratic • State: MA • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. DeGette, Diana [D-CO-1]	D · CO		Sep 12, 2012
Rep. Carson, Andre [D-IN-7]	D · IN		Nov 14, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Sep 14, 2012

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

No related bills are listed.

Mobile Device Privacy Act - Directs the Federal Trade Commission (FTC) to promulgate regulations requiring sellers or manufacturers of mobile devices and software, providers of mobile services, and operators of online services offering downloads of monitoring software for installation on a mobile device to disclose to consumers information about the installation and purpose of such software. Allows exemptions for uses consistent with the reasonable expectations of consumers.

Defines "monitoring software" as software with the capability to monitor mobile device usage or the location of the user and to transmit the information collected to another device or system, whether or not such capability is the primary function of the software or the purpose for which it is marketed.

Directs the FTC to promulgate regulations requiring: (1) the express consent of a consumer before monitoring software begins collecting and transmitting information and giving the consumer the opportunity to prohibit such collection and transmission at any time; (2) recipients of information transmitted from monitoring software to implement information security practices for the treatment and protection of the information; and (3) the filing with the FTC or the Federal Communications Commission (FCC), as appropriate, of a copy of an agreement under which a person receives the type of information regarding which disclosure is required by this Act.

Provides for enforcement by the FTC and FCC of regulations promulgated under this Act under the Federal Trade Commission Act and the Communications Act of 1934, respectively. Allows civil enforcement actions by states and by private persons injured by an act in violation of such regulations.

### **Actions Timeline**

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- **Sep 14, 2012:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Sep 12, 2012:** Introduced in House
- **Sep 12, 2012:** Referred to the House Committee on Energy and Commerce.