

ONE HUNDRED ELEVENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

Majority (202) 225-5051
Minority (202) 225-5074

April 20, 2009

Mr. Mark Gorton
Chairman
The Lime Group
377 Broadway, 11th Floor
New York, NY 10013

Dear Mr. Gorton:

We are writing to you with deep concern regarding the apparent continued privacy and security risks associated with the use of LimeWire peer-to-peer file sharing applications.

As you know, peer-to-peer file sharing applications (commonly referred to as “P2P”) link computers and allow everyone who downloads the network software to access files stored on any other computer within the network. While the most widely used P2P – LimeWire – is used by millions of people to unlawfully disseminate copyrighted music and movies, our Committee’s investigation revealed that the software permitted access to many other files, including files containing confidential information belonging to government agencies and private citizens.

On July 24, 2007, you testified before the Committee on Oversight and Government Reform in a hearing on “Inadvertent File Sharing on Peer-to-Peer Networks.” During that hearing, the Committee demonstrated the security problems presented by P2P applications. In fact, you should recall that witnesses at the hearing easily obtained bank records, health records, military files, tax returns, corporate documents, and other highly sensitive private files via the LimeWire network.

During the hearing, the Committee’s Ranking Member, Mr. Issa, asked whether you were aware of these security breaches and you responded:

“I had no idea there was that amount of classified information out there or that there are people actively looking for that and looking for credit card information.”

Mr. Issa followed up by asking:

Now that you are aware of it, the first question I am going to ask . . . are you prepared here today to say you are going to make significant changes in the software to help prevent this in the future?

To which you responded:

*"Absolutely."*¹

However, it appears that nearly two years after your commitment to make significant changes in the software, LimeWire and other P2P providers have not taken adequate steps to address this critical problem. A recent string of press reports indicates the continued availability of highly sensitive private and government information on P2P networks like LimeWire.

- On February 28, 2009, WPXI television in Pittsburgh reported that a company that monitors P2P file sharing networks had located blueprints and the avionics package for "Marine One," the President's helicopter, at an IP address in Iran. Experts tracked the file back to its original source – a defense contractor in Bethesda, Maryland.²
- On February 26, 2009, the Today Show broadcast a segment on inadvertent P2P file sharing, reporting that social security numbers, more than 150,000 tax returns, 25,800 student loan applications, and nearly 626,000 credit reports were easily accessible on a P2P network.³
- On February 23, 2009, a Dartmouth College professor published a paper reporting that over a two-week period he was able to search a P2P network and uncover tens of thousands of medical files containing names, addresses, and Social Security numbers for patients seeking treatment for conditions such as AIDS, cancer, and mental health problems. The professor found links to four major hospitals and 355 insurance carriers that provided health coverage to 4,029 employers and 266 doctors.⁴
- On July 9, 2008, the Washington Post reported that an employee of an investment firm who allegedly used LimeWire to trade music or movies inadvertently exposed the names, dates of birth, and social security numbers of about 2,000 of the firm's clients, including Supreme Court Justice Stephen Breyer.⁵

¹ Hearing transcript at p. 113.

² "Navy Releases New Information on Presidential Security Leak," WPXI.com (February 28, 2009).

<http://www.wpxi.com/news/18818589/detail.html>.

³ "New Warnings on Cyber Thieves," Today Show, MSNBC, Web video (February 26, 2009).

<http://today.msnbc.msn.com/id/26184891/vp/29405819#29405819>.

⁴ See "Academic Claims to Find Sensitive Medical Info Exposed on Peer-to-Peer Networks," Wired.com (March 2, 2009). <http://blog.wired.com/27bstroke6/2009/03/p2p-networks-le.html>.

⁵ See "Justice Breyer Is Among Victims in Data Breach Caused by File Sharing," WashingtonPost.com (July 9, 2008). <http://www.washingtonpost.com/wp-dyn/content/article/2008/07/08/AR2008070802997.html>.

- There have also been press reports alleging that file sharing programs like LimeWire have been used to steal others' identities.⁶

The House Committee on Oversight and Government Reform is the principal oversight committee in the U.S. House of Representatives, with jurisdiction over "any matter." Under Rules X and XI of the House Rules, we are reopening our investigation of inadvertent file sharing on peer-to-peer networks, including LimeWire. To aid in this investigation, please provide the following information and records:

1. Were LimeWire services, applications, or software involved in any of the foregoing incidents? If so, please provide copies of all records pertaining to each such incident, including:
 - a. the date of the incident;
 - b. a detailed description of the incident;
 - c. the names of all parties involved;
 - d. all complaints, reports, analyses, and other information related to the incident; and
 - e. all records related to actions taken by LimeWire in response to such incident.
2. Are you aware of any other incidents of inadvertent or induced sharing of sensitive or private information involving LimeWire services, applications, or software? If so, please provide copies of all records pertaining to each such incident, including:
 - a. the date of the incident;
 - b. a detailed description of the incident;
 - c. the names of all parties involved;
 - d. all complaints, reports, analyses, and other information related to the incident; and
 - e. all records related to actions taken by LimeWire in response to such incident.
3. Since your testimony on July 24, 2007, what changes have you made in LimeWire file-sharing services, applications, and software to prevent inadvertent file sharing? For each such change, please describe the nature of the change, the purpose of the change, and the date the change was implemented.

⁶ See "Seattle Man Accused of Using Software to Hack into Victim's Computers," Seattle Times.com (March 5, 2009). http://seattletimes.nwsourc.com/html/nationworld/2008818184_webtheft05m.html (personal information used to forge checks).

4. Does LimeWire 5 (or any later iteration) contain effective measures for preventing inadvertent file sharing? If so, please identify each such measure and explain why you believe it is effective.
5. What tests have you performed on LimeWire file-sharing services, applications, and software to assess whether the changes made since July 24, 2007 are effective? For each such test, please provide the following information and records:
 - a. the date of the test;
 - b. the nature of the test;
 - c. the identity of the tester (i.e., whether the test was carried out by LimeWire or by some other entity);
 - d. a summary of the results of such test; and
 - e. all reports, analyses, and other information related to such test; and
 - f. all records related to actions taken by LimeWire in response to such test.
6. What measures has LimeWire taken to correct the security problems with LimeWire file-sharing services, applications, and software that were distributed prior to July 24, 2007? For each such measure, please describe the nature of the measure, the purpose of the measure, and the date the measure was implemented.
7. Does the installation of a LimeWire software upgrade provide complete protection to a user, or does the user have to install the latest full version of LimeWire for complete protection against inadvertent file sharing?
8. What measures have you taken to identify and eliminate illegal activities associated with the use of LimeWire, including any measures to refer violators to law enforcement or other authorities? Please identify all such measures and the dates such measures were implemented.
9. What have you done to protect copyright and other intellectual property rights for works shared on LimeWire?

Mr. Mark Gorton

Page 5

Please deliver the requested information and records to the Committee on Oversight and Government Reform, room 2157 Rayburn House Office Building, no later than 4:00 p.m. on Monday, May 4, 2009. To facilitate delivery and review, we prefer that the records be delivered in electronic format, if possible. In responding to this request, please be advised that the terms "records" and "relating to" are defined in the attachment to this letter.

Should you have any questions regarding this request, please contact me or Steven Rangel of the Committee staff at 202-225-5051.

Sincerely,



Edolphus Towns
Chairman



Darrell Issa
Ranking Member



The Honorable Peter Welch
Member of Congress

Attachment

ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.
2. The terms "relating," "relate," or "regarding" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.