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SCHAKOWSKY CALLS ON CONGRESS TO MAKE IT ILLEGAL TO OBTAIN AND SELL PHONE RECORDS

PARTICIPANTS IN HEARINGS WITH IL AG MADIGAN; INTRODUCES SAFE CALL BILL TO PROHIBIT PRETEXTING

WASHINGTON, DC - U.S. Representative Jan Schakowsky, ranking member on the Subcommittee on Commerce, Trade, and Consumer Protection, today called on Congress to seal the legal loophole that has allowed companies and individuals to pretext, or pose as others, in order to obtain and sell phone records at a hearing before the Energy and Commerce Committee. Yesterday, Representative Schakowsky introduced H.R. 4678, the Stop Attempted Fraud against Everyone's Cell and Land Lines (SAFE CALL) Act, which she has been collecting support for since July. The SAFE CALL Act would make it illegal for third parties to pretext in order to obtain call and other records from telephone and wireless companies.

Representative Schakowsky's opening statement is below:

For about a hundred dollars, scam artists can earn cash by getting access to and selling someone else's phone records. Now Congress needs to act to plug this legal loophole.

I am proud to say that my state of Illinois has been the leader in the nation on cracking down on pretexting, or posing as others in order to obtain and sell their phone records. Frank Main at the Chicago Sun-Times first broke this story; Senator Durbin introduced the first bill in his chamber, the Phone Records Protection Act; Illinois Attorney General, Lisa Madigan - one of our witnesses here today who is quickly becoming recognized as one of the most impressive AGs in the U.S., has brought the first case in the country against a phone call broker; and I've introduced the SAFE CALL Act, which is a somewhat tortured acronym for the Stop Attempted Fraud against Everyone's Cell and Land Line Act, or, which would end all ambiguity in the law

and make pretexting for phone records illegal - no question about it. I am glad we are looking into this invasion of privacy on a national level, and I hope that the SAFE CALL Act becomes the base for a strong, bipartisan Energy and Commerce bill.

Privacy is scarce resource these days. Personal and Business phone records can be accessed with just the click of the mouse by anyone who wants them. There are around 100 websites offering phone logs, with proclamations, such as, "Bargain Prices! Smart Deals! Accurate. Dependable. Results within hours." Data Trace USA's website brags about what it can deliver: "You provide us with a working cell phone number, name and possible address. We will provide you all incoming and outgoing calls from the most recent billing cycle available. If you have target dates you want, please provide them to us as well." Of course, Data Trace's site also has the disclaimer that, "all performed searches are intended for research purposes only. This information will only be obtained legally via private investigators research." But, who's checking for compliance?

Say it's a competitor trying to steal contacts. Is that such a smart deal for the small business that's ruined? What if it is a stalker who has made the request? Think the victim of domestic violence is comforted knowing that her records are so easily accessed? The Chicago Police Department has already put out a warning that drug dealers could use pretexting to identify undercover cops, putting law enforcement officers at deadly risk. There's a lot more than privacy that's at stake.

It is time to put any question of legality about pretexting to rest. It is time to tell phone call brokers that getting into our private business is not going to be the bread and butter of their business. And, it is time that phone companies stop being freewheeling with their customers' calls. ☐☐