

## (February 2, 2006) Lipinski Introduces Bill to Ban Sales of Personal Telephone Records

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FCC Chairman Says a "No Sale" Approach Could Help Protect Privacy

WASHINGTON, D.C. - Congressman Dan Lipinski (IL-3rd) this week introduced a bill to stop the sale of telephone records. H.R. 4657, the Secure Telephone Operation (STOP) Act, will make it a criminal violation for anyone to sell private phone calling records, such as the log of telephone numbers called by a telephone customer. Congressman Lipinski introduced his legislation on the first day the House of Representatives was in session this year.

"Third-party data brokers, openly advertising on the internet, have been offering to sell calling logs to anyone willing to pay," Lipinski said. "These sales reveal the calls made by phone customers - a gross invasion of privacy."

FCC Chairman Kevin J. Martin said yesterday that one way to help stop this troubling practice is for Congress to ban the commercial sale of phone records. "I believe that Congress could specifically make illegal the commercial availability of consumers' phone records," he said. Testifying before the House Energy and Commerce Committee, Martin said that new legislation should apply to any entity selling this information for a fee, "regardless of how it obtained such information."

"Right now there is no law that makes it illegal to sell these records," Lipinski pointed out. "So, we are left with a patchwork of federal laws that deal with the fraud and deception employed in obtaining the customer's records, with enforcement split between several federal agencies. My bill would change this by specifically banning the sale of phone records."

The STOP Act is narrowly tailored to allow law enforcement to continue legal retrieval of information and to permit legitimate commercial purposes such as the creation of telephone books. Responsibility for prosecuting violations would be given solely to the Department of Justice and the penalty would be large enough - up to ten years in federal prison - to discourage the practice.

"The sale of this information is especially dangerous for law enforcement personnel working undercover and for people victimized by stalkers, such as battered women," Congressman Lipinski said. "This bill will help end this practice which is not only a threat to privacy but also a threat to the safety of vulnerable individuals."