

HR 4709

Telephone Records and Privacy Protection Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Feb 8, 2006

Current Status: Became Public Law No: 109-476.

Latest Action: Became Public Law No: 109-476. (Jan 12, 2007)

Law: 109-476 (Enacted Jan 12, 2007)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4709>

Sponsor

Name: Rep. Smith, Lamar [R-TX-21]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cannon, Chris [R-UT-3]	R · UT		Feb 8, 2006
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Feb 8, 2006
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 8, 2006
Rep. Herseth, Stephanie [D-SD-At Large]	D · SD		Feb 8, 2006
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Feb 8, 2006
Rep. Reichert, David G. [R-WA-8]	R · WA		Feb 8, 2006
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Feb 8, 2006
Rep. Wilson, Joe [R-SC-2]	R · SC		Feb 8, 2006
Rep. Berman, Howard L. [D-CA-28]	D · CA		Feb 16, 2006
Rep. Boucher, Rick [D-VA-9]	D · VA		Feb 16, 2006
Rep. Case, Ed [D-HI-2]	D · HI		Feb 16, 2006
Rep. Chabot, Steve [R-OH-1]	R · OH		Feb 16, 2006
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Feb 16, 2006
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Feb 16, 2006
Rep. Kline, John [R-MN-2]	R · MN		Mar 7, 2006
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Mar 9, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported By	Mar 16, 2006
Judiciary Committee	Senate	Discharged From	Dec 9, 2006

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 S 2178	Related bill	Mar 2, 2006: Placed on Senate Legislative Calendar under General Orders. Calendar No. 368.
109 HR 4662	Related bill	Feb 17, 2006: Referred to the Subcommittee on Telecommunications and the Internet.
109 HR 4657	Related bill	Feb 16, 2006: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
109 HR 4714	Related bill	Feb 8, 2006: Referred to the House Committee on the Judiciary.
109 S 2177	Related bill	Jan 18, 2006: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S15)

Summary (as of Jan 12, 2007)

(This measure has not been amended since it was passed by the House on April 25, 2006. The summary of that version is repeated here.)

Telephone Records and Privacy Protection Act of 2006 - Amends the federal criminal code to prohibit the obtaining, in interstate or foreign commerce, of confidential phone records information from a telecommunications carrier or IP-enabled voice service provider (covered entity) by: (1) making false or fraudulent statements to an employee of a covered entity or to a customer of a covered entity; (2) providing false or fraudulent documents to a covered entity; or (3) accessing customer accounts of a covered entity through the Internet or by fraudulent computer-related activities without prior authorization. Imposes a fine and/or imprisonment of up to 10 years.

Prohibits the unauthorized sale or transfer, in interstate or foreign commerce, of confidential phone records information by any person or the purchase or receipt of such information with knowledge that it was fraudulently obtained or obtained without prior authorization. Imposes a fine and/or imprisonment of up to 10 years. Exempts covered entities from such restrictions to the extent authorized by the Communications Act of 1934 (e.g., for billing, protection of property rights, or for emergency purposes).

Doubles fines and imposes an additional five-year prison term for violations occurring in a 12-month period involving more than \$100,000 or more than 50 customers of a covered entity. Imposes an additional five-year prison term for violations involving the use of confidential phone records information to commit crimes of violence, crimes of domestic violence, and crimes against law enforcement officials and the administration of justice.

Grants extraterritorial jurisdiction over crimes defined by this Act.

Exempts lawfully authorized federal or state investigative, protective, or intelligence activities from the prohibitions of this Act.

Directs the U.S. Sentencing Commission to review and amend, if appropriate, federal sentencing guidelines and policy statements for crimes defined by this Act.

Actions Timeline

- **Jan 12, 2007:** Signed by President.
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- **Jan 12, 2007:** Became Public Law No: 109-476.
- **Jan 12, 2007:** Became Public Law No: 109-476.
- **Jan 3, 2007:** Presented to President.
- **Jan 3, 2007:** Presented to President.
- **Dec 9, 2006:** Message on Senate action sent to the House.
- **Dec 8, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent.(consideration: CR S11640)
- **Dec 8, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent. (consideration: CR S11640)
- **Dec 8, 2006:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.
- **Dec 8, 2006:** Passed Senate without amendment by Unanimous Consent.
- **Apr 26, 2006:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Apr 25, 2006:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Apr 25, 2006:** Considered under suspension of the rules. (consideration: CR H1690-1694)
- **Apr 25, 2006:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4709.
- **Apr 25, 2006:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Apr 25, 2006:** Considered as unfinished business. (consideration: CR H1704-1705)
- **Apr 25, 2006:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 409 - 0 (Roll no. 101).(text: CR H1690-1691)
- **Apr 25, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 25, 2006:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 409 - 0 (Roll no. 101). (text: CR H1690-1691)
- **Mar 16, 2006:** Reported by the Committee on Judiciary. H. Rept. 109-395.
- **Mar 16, 2006:** Reported by the Committee on Judiciary. H. Rept. 109-395.
- **Mar 16, 2006:** Placed on the Union Calendar, Calendar No. 215.
- **Mar 2, 2006:** Committee Consideration and Mark-up Session Held.
- **Mar 2, 2006:** Ordered to be Reported by Voice Vote.
- **Feb 8, 2006:** Introduced in House
- **Feb 8, 2006:** Introduced in House
- **Feb 8, 2006:** Sponsor introductory remarks on measure. (CR E90)
- **Feb 8, 2006:** Referred to the House Committee on the Judiciary.