



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC CHAIRMAN JULIUS GENACHOWSKI AND MEXICAN COMMUNICATIONS UNDER-SECRETARY HECTOR OLAVARRIA TAPIA SIGN NEW BILATERAL ACCORD TO COMBAT THE THEFT AND CROSS-BORDER TRAFFICKING OF MOBILE DEVICES

FCC and Mexico's Secretariat of Communications and Transport to extend agency cooperation to crack down on the theft and cross-border trafficking of stolen mobile devices

Washington, D.C. – FCC Chairman Julius Genachowski today announced the signing of a new bilateral agreement with Mexican Communications Under-Secretary Hector Olavarria Tapia to combat the theft and cross-border trafficking of mobile devices between the United States and Mexico. The agreement builds further on the FCC's 'PROTECTS Initiative', and the recent participation of U.S. and Mexican mobile providers in an international stolen device database, which will prevent mobile devices stolen in New York, Los Angeles and other U.S. cities from being re-activated in Mexico, and stolen Mexican devices being re-activated in the U.S. market. U.S. carriers were able to join the database from October 31st. The agreement also commits the FCC and Mexico's Secretariat of Communications and Transport (SCT) to extend their inter-agency cooperation to crack down on the international trafficking of stolen mobile devices through a series of new action steps using technology and transparency.

Among other measures, Chairman Genachowski and Under-Secretary Olavarria agreed that the FCC and the SCT will closely track, analyze, and report progress in preventing mobile device theft. Both agencies will also develop and share best practices with respect to theft prevention and consumer education, especially the use of pins, passwords and mobile apps designed to protect sensitive information on mobile devices. Today's action is just the latest step forward in the FCC's 'PROTECTS Initiative' to combat mobile device theft and trafficking.* Chairman Genachowski and Under-Secretary Tapia were joined at the agreement signing at FCC headquarters by Metropolitan Police Department (MPD) Chief of Police Cathy L. Lanier, who has been leading the call to action on the issue of cell phone theft.

FCC Chairman Julius Genachowski said, "New mobile devices are delivering tremendous benefits. They help connect, inform, and save lives. They are helping grow the American economy – and economies around the world. But the rapid adoption of smartphones and tablets is also creating very real safety concerns. Today's announcement cracks down on the growing trend of stolen mobile devices. U.S. and Mexican collaboration to block reactivation of stolen mobile devices in both countries sends a clear message to thieves and criminal gangs: this is a crime that does not pay."

Under the terms of the new agreement, the FCC and SCT will also twice a year compile a report providing information and data, including compliance with carrier commitments, for FCC and SCT leadership, which will also be made publicly available online.

In Washington, D.C., New York and other large American cities, roughly 40% of all robberies now involve cell phones – endangering the physical safety of victims, as well as the security of the personal information on the stolen devices. Reports also suggest that some stolen devices in the U.S. are being resold in Latin American markets, including Mexico.

“Theft of personal electronics is an international problem,” said MPD Chief of Police Lanier. “I am very pleased that the FCC, the SCT and the wireless carriers have recognized the importance of taking the profit out of stolen devices. The initiative announced today is a huge step in rendering stolen devices useless, which will ultimately reduce thefts and injuries to victims.”

The signing of the agreement by Chairman Genachowski follows the recent progress in the Commission’s PROTECTS Initiative, a first-of-its-kind effort to combat mobile device theft that was launched in April 2012. U.S. and Mexican mobile providers – covering over 95% of wireless consumers on GSM-based networks in both countries – recently announced their participation in the international stolen device database, which is used to identify and deactivate a stolen device after it has been reported. U.S. wireless providers have been able to access the database for information about stolen devices in each country since October 31st.

The participation of U.S. companies (AT&T, T-Mobile, Cincinnati Bell) and Mexican companies in the international database will enable providers in both countries to share information and, when necessary, deactivate stolen devices so that they cannot be trafficked from one country and reactivated on the other country’s wireless networks. As such, government and industry leaders aim to deter criminals from targeting consumers who carry mobile devices.

***ABOUT THE FCC ‘PROTECTS INITIATIVE’**

In April 2012, Chairman Genachowski joined public safety leaders, representatives of the carrier, equipment and operating system communities and local officials to announce the PROTECTS Initiative, an FCC-led effort to combat the growing problem of mobile device theft

The PROTECTS Initiative consists of three key pieces.

1. Creating a database to prevent use of stolen smartphones and tablets. The database enables carriers to disable stolen smartphones and tablets, dramatically reducing their value on the black market.
2. Putting in place automatic prompts on smartphones and tablets for consumers to set up passwords and take steps to secure their devices
3. Launching a public education campaign urging consumers to use applications that increase security and reducing the value of stolen devices, including apps that enable consumers to locate, lock and wipe missing smartphones and tablets.

RELATED LEGISLATION

On May 15, 2012, Senator Schumer, of New York, introduced in the United States Senate S.3186, legislation that would make it unlawful or remove the identification number of a mobile device. By creating a separate cause of action against would-be criminals, this legislation provides an important additional step to deter mobile device theft and an additional tool to law enforcement officers around the country.

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