

GEN MOBILE LAW ENFORCEMENT OR GOVERNMENTAL ENTITY INFORMATION REQUEST POLICY

Version May 2022

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I. INTRODUCTION

DISH Wireless L.L.C. dba Gen Mobile (“Gen Mobile”) strives to assist law enforcement or governmental entities in their investigations while maintaining its legal obligation to protect customer privacy as required by law and applicable policies. The relevant statutes may include, without limitation: The Electronic Communications Privacy Act (18 U.S.C. §§ 2510-2522, 2701-2712, 3121-3127); Communications Assistance for Law Enforcement Act (47 U.S.C. §§ 1001-1010); and the Telecommunications Act of 1996 (specifically, 47 U.S.C. § 222 pertaining to customer proprietary network information or CPNI). Gen Mobile makes every effort to provide a response within ten (10) business days, unless otherwise specified or required.

II. INFORMATION REQUESTS

Every information request is reviewed and evaluated by a Gen Mobile representative in light of any particular procedural or legal requirements and applicable state and federal laws.

Gen Mobile is generally able to provide the following type of information (if available):

1. Customer’s name
2. Customer’s address
3. Length of service, including start date and last service date, if applicable
4. Customer’s telephone number, device number, or other customer number or identification
5. Call Detail Records (“CDRs”), including local and long distance calling connections
6. Type or types of payment used to purchase service (may be limited to providing the name on the credit/debit card and the last four digits of the card number)

Call Detail Records

Gen Mobile generally archives historical call detail records (“CDRs”) for up to eighteen (18) months. CDRs contain metadata of service usage, including data fields that describe a specific instance of usage, but does not include the content of that usage. For example, a call detail record describing a particular phone call might include the phone numbers of both the calling and receiving parties, the start time, and duration of that call. CDRs include voice, text, and data usage records. In certain circumstances, records beyond eighteen (18) months may be available; however, Gen Mobile may need additional time to properly provide such records.

A. Emergency Disclosure Requests

Under 18 U.S.C. §§ 2702(b)(8) and (c)(4), Gen Mobile may disclose customer information to a governmental entity if Gen Mobile believes in good faith that an *emergency situation involving danger of death or serious physical injury may occur* if the information is not provided quickly.

Emergency Disclosure Requests are only fulfilled if the requestor provides all the information on the Emergency Disclosure Form, which can be found on Gen Mobile's website at www.genmobile.com or attached hereto as **Exhibit A**.

Send a completed and signed **Emergency Disclosure Form, on department letterhead**, (with "Emergency Disclosure Form" in the subject line) to: subpoena@genmobile.com

B. Court Orders, Search Warrants, and Subpoenas

All court orders, search warrants, and subpoenas **must be properly served** either in person at our business office or through our Registered Agent for Service of Process. Improper service may delay release of any information.

Business Office

DISH Wireless L.L.C. dba Gen Mobile
Attn: Legal Department
2627 Manhattan Beach Blvd., Suite 210
Redondo Beach, CA 90278

C. Preservation of Records Requests

Title 18 U.S.C. §§ 2703(f) and 2704 allows governmental entities to request that Gen Mobile preserve customer information and data already in its possession, but not on an ongoing, continual basis unless and until a proper legal order is obtained. Gen Mobile will not release any customer information without a proper and valid legal request. The information will be retained for up to ninety (90) days. In the event Gen Mobile does not receive a valid legal request, the information will be kept according to regular business practices.

D. Other

Gen Mobile is unable to provide information requests for the following: Interception of Communications, Internet Protocol (IP), Pen Register/Trap, Trace Device, and Wiretaps. Please request such information from the underlying carrier.

Gen Mobile also does not provide customers with email addresses and does not retain customer email content and attachments.

III. CUSTOMER ACCOUNT IDENTIFICATION

The following outlines whether Gen Mobile can provide customer information based on the different kinds of identification provided by law enforcement or governmental entities:

Identification based on:	Gen Mobile:
a telephone number	can only provide account information on telephone numbers for which we currently or have historically provided service
an Internet Protocol (IP) address	is unable to search using IP addresses
an email address	can only provide addresses of record if the customer provides one
a person's name	may not be able to identify a customer based on a name alone. It may be necessary to also have other identifiable information (street address, account number, phone number) where the customer likely uses our service. Please include all name variations in your request. Gen Mobile will conduct searches for the exact name(s) on the request.
a street address	can only provide addresses of record if the customer provides one. The request should include the target house or apartment number, street name, city, state, and zip code. It is possible that Gen Mobile has provided service to multiple customers at the same address. Therefore, please provide a specific time period to narrow the search for the customer identity.

IV. COST REIMBURSEMENT (18 U.S.C. § 2706)

Below is the table for the reimbursement of costs based on the type of information request:

Type of Request	Cost Reimbursement
Customer Information	\$25.00 per number
Call Detail Records (Less than 30 Days)	\$5.00 per number
Call Detail Records (More than 30 Days)	\$10.00 per month per number
Legal Document Responses	\$0.10 per screen print
Diskette/CD	\$10.00 processing fee

Payable to: DISH Wireless L.L.C. dba Gen Mobile, Attn: Legal Department, 2627 Manhattan Beach Blvd., Suite 210, Redondo Beach, CA 90278

Exhibit A
Emergency Disclosure Form

In an emergency situation involving danger of death or serious physical injury, Gen Mobile may release information to a member of a law enforcement agency or a governmental entity. Please **fully complete** this form; incomplete forms may lead to a delay.

Name of Requestor:	
Title and Badge # (if applicable):	
Name of governmental entity:	
Address:	
Telephone #:	
Email:	
<p>1. Why is this an emergency situation that involves immediate danger of death or serious physical injury?</p> <p>2. What information do you have that may help Gen Mobile identify the customer?</p> <p>3. What information are you requesting?</p> <p>4. What is the best way to provide this information to you? (check one) <input type="checkbox"/> via email <input type="checkbox"/> via telephone call</p>	
<p>Indemnification</p> <p>I acknowledge this request is made solely as a result of immediate danger of death or serious physical injury, and that the information shall not be obtained, shared, or disseminated for any unlawful or harmful purpose. I affirm that I have the legal authority to execute this form and agree to defend, indemnify, and hold Gen Mobile, its subsidiaries, employees, and agents harmless for any and all claims, demands, losses or injury, including reasonable attorneys' fees brought against Gen Mobile by a third party, including the customer, as a result of Gen Mobile's compliance with this request.</p>	
<p>I declare under penalty of perjury that the foregoing is true and correct.</p>	
<p>_____</p> <p>Requestor's Signature</p>	<p>_____</p> <p>Date</p>
<p>Please send this completed and signed form, on department letterhead, to subpoena@genmobile.com (with "Emergency Disclosure Form" in the subject line)</p>	