

STATEMENT OF COMMISSIONER KEVIN J. MARTIN

Re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991; CGB Docket No. 02-XXX; CC Docket No. 92-90

I commend the Chairman and Bureau staff for their effort to craft this Notice that seeks comment on how we can more effectively protect consumers from unwanted telephone solicitations and facsimile transmissions. I also support the inquiry on whether to revisit the option of establishing a national do-not-call list and, to what extent, we should supplement the Federal Trade Commission's pending proposal to adopt a national do-not-call list.

With the development of more effective telemarketing practices during the past decade, American consumers are now faced with a greater amount of unwanted solicitations on their telephones and fax machines. The frequency of these solicitations has become an unwanted interruption in the busy lives of the American family. Today, we begin the process to give the American consumer additional tools to stem the tide of these unwanted solicitations. I am pleased to support another Commission decision that engages our authority to protect consumers by modifying our rules to address evolving business practices, changing marketplace conditions, and technological innovation.

I am also pleased to note that the proceeding we launch today does not seek to alter in any way the existing exemption from the telemarketing restrictions for entities involved in political or religious speech. Protecting free and unfettered political and religious speech is critical to our democracy. In my view, the risk of any actual or perceived infringement on political and religious discourse outweighs whatever speculative benefits may be obtained from imposing additional regulatory restrictions on such activity.