

**STATEMENT OF  
CHAIRMAN KEVIN J. MARTIN**

*Re: 1<sup>st</sup> Source Information Specialists, Inc., d/b/a LocateCell.com, Apparent Liability for Forfeiture, Notice of Apparent Liability for Forfeiture, EB File No. EB-05-TC-059; FRN 0014762439; NAL Acct. No. 200632170005.*

As I testified to Congress earlier this year, the Commission is taking numerous steps to protect the privacy of consumers' personal phone records. One of these steps is our current investigation into whether telecommunications carriers are complying with their customer privacy obligations under the Communications Act. Examining how data brokers are able to access consumer call records from these carriers is an integral part of this investigation.

Responding to Commission subpoenas is not optional. We expect that subpoenas, as well as all of our requests for information, will be responded to completely and promptly. Although we propose the maximum forfeiture against LocateCell for its failure to adequately respond, I fear that the amount we propose - \$97,500 - is merely a cost of doing business. As I have said previously, it is my hope that, in the future, our statutory maximum will be increased. If companies such as LocateCell have no incentive to comply with our requests for information, our enforcement processes will be severely compromised.

The Commission remains committed to ensuring that consumers' personal phone data is kept confidential. Our investigation is ongoing. In addition to this investigation, we intend to complete the proceeding we began several months ago that seeks to strengthen the safeguards currently in place to protect customer phone records. The ability of data brokers, such as LocateCell, to engage in the trafficking of these records is a practice that must be stopped.