

**STATEMENT OF  
COMMISSIONER DEBORAH TAYLOR TATE**

Re: *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 96-115 and WC Docket No. 04-36*

I have said time and again that the brokerage of personal information – whether it be personal identity, financial records, or a list of phone calls – is intolerable. “Pretexting” is nothing more than stealing; robbing consumers in a variety of slick ways of their most personal information. Indeed the law places a duty on telecommunications providers to protect this information and today, we take important steps to better secure private customer telephone records.

While I generally prefer market-based solutions to government intervention, I agree with my colleagues that the widespread actions of pretexters to obtain this type of personal customer information from carriers, required this action on our part.

I fully support strict requirements governing treatment of this sensitive data. However, I hope that the broad scope of our actions will not impact the ability of both companies and consumers to benefit from marketing information which may lead to lower prices or competitive bundled packages. An approach limiting the very strict “opt-in” obligations only to call detail records may have cured the problem at hand in a less burdensome manner.

In the end, however, customer privacy must take precedence. I am pleased that the rules we adopt today will go a long way towards closing off the avenues that information snatchers have repeatedly used to violate the privacy of consumer phone records.