

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

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*

Pretexting has become the biggest threat to consumer security in the Information Age. Today's action further enhances the Commission's ability to protect consumers from these advanced fraudulent practices by strengthening our existing rules. Among the new requirements imposed on carriers, the decision prohibits carriers from releasing call detail information during customer-initiated telephone calls except when the customer provides a password. It also precludes carriers from disclosing CPNI to independent contractors and joint venture partners without the customer's specific consent, and requires carriers to notify customers of all account changes and unauthorized disclosures of CPNI.

We must take all necessary steps to protect unauthorized disclosure of this sensitive data, keeping in mind that pretexters are constantly trying new techniques to defraud consumers. In view of the pretexters' malevolent intent, the Commission will vigilantly pressure carriers to take precautions to stay ahead of the pretexters. However, our rules should strike a careful balance and should also guard against imposing over-reaching and unnecessary requirements that could cause unjustified burdens and costs on carriers. In the spirit of finding that balance, the *Further Notice* seeks comment on possible additional protections against unauthorized disclosure of CPNI. I look forward to reviewing the comments on those proposals.