

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Rules and Policies Regarding Calling Number Identification Service – Caller ID; Waiver of Federal Communications Commission Regulations at 47 C.F.R. § 64.1601(b) on Behalf of Jewish Community Centers, CC Docket No. 91-281*

Among the great technological advancements in telephone service during the second half of the 20th century is Caller ID. Thanks to this remarkable feature, in an instant, we know whether that incoming call in the middle of our favorite show is our child’s teacher calling about a missing homework assignment, or the wonderful, but incredibly verbose best friend looking to share with us something we already know.

But in some instances, what we find as we decide whether or not to pick up the phone is that the number is blocked, leaving us guessing who is on the other end. Sometimes there are good reasons for this, say when calls are made from a domestic violence shelter. But other cases can be nefarious, like a scammer trying to remain in the shadows. But when that incoming call is a threat of serious and imminent unlawful action, and the phone number is blocked, it is critical for law enforcement to be able to quickly identify its origin. Their ability to obtain Caller ID information can literally be a matter of life or death.

Today we launch a proceeding that would allow threatened parties and law enforcement personnel to have quick access to blocked caller ID information in the limited instances where a “threatening call” poses a substantial risk of harm to property, life, safety, or health. In tentatively proposing to amend our rules to allow access in limited circumstances, we recognize the significant privacy interests of consumers, and the need for safeguards to protect this information in cases where a threat may have been falsified.

Striking a balance between privacy and the interests of law enforcement and public safety has been a topic of great debate in this country for many years. At the foundation of our Constitution, are rights to free speech and protection against unreasonable search and seizures, and in the age of Caller ID, this means making sure that legitimate privacy interests are protected. This is why I am pleased that the NPRM asks for comment on how to determine whether a call in fact meets the definition of a “threatening call.” And by asking whether restricted Calling Party Number (CPN) information should be limited to law enforcement eyes only, we are headed down a path that I believe will provide the appropriate safeguards.

Many thanks are due to the staff of the Consumer and Governmental Affairs Bureau, including Patrick Webre, Mark Stone, Micah Caldwell, Kurt Schroeder, Karen Schroeder, Nancy Stevenson, Richard Smith and Nellie Foosaner, for their work on this critical item.