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September 25, 2009

Via Email

Jon Leibowitz  
Chairman  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

RE: Red Flags Enforcement Date

Dear Chairman Leibowitz:

The Alliance for Telecommunications Industry Solutions' (ATIS) Telecommunications Fraud Prevention Committee (TFPC) is writing to communicate its support for the Federal Trade Commission's (FTC) Red Flags Rule and to urge the FTC to enforce this regulation on November 1, 2009. As explained more fully below, the ATIS TFPC believes that any further extension of the Red Flags Rule compliance deadline could negatively impact the effectiveness of the regulation.

ATIS is a global standards development and technical planning organization that leads, develops and promotes worldwide technical and operations standards for information, entertainment and communications technologies. Industry professionals representing more than 250 companies from all segments of the communications industry actively participate in ATIS' open industry committees, forums and "Incubators." The ATIS TFPC is composed of leading fraud prevention experts who promote a united front to identify and address fraud vulnerabilities for current and future communications networks, architectures, services, and products. The TFPC promotes an open and cooperative environment in which to discuss and develop resolutions and mitigation for industry fraud threats.

As telecommunications fraud prevention professionals representing many Tier I and Tier II carriers, the ATIS TFPC supports the FTC's efforts to combat unfair, deceptive, or fraudulent practices in the marketplace. The ATIS TFPC believes that the FTC's Red Flags Rule is an effective anti-fraud regulation. Industry compliance to these new regulations will help reduce instances of identity theft.

While the ATIS TFPC supports the FTC's efforts to educate businesses on the Red Flags Rule and to provide additional guidance on compliance, it is concerned that the effectiveness of this regulation may be adversely impacted by delays in enforcement, particularly if there are further delays beyond the announced November 1, 2009, compliance date.

Further extensions of the Red Flags Rule enforcement date could create a sense of complacency and apathy toward the Red Flags regulation resulting in the persistence of identity theft and associated harm to the consumer. As the initial 2008 compliance deadline approached, the industry expended significant time and resources to establish compliance programs; with delays in enforcement, there is a concern that the Red Flags Rule will not remain a top priority among the industry segments that must comply with the regulation. The TFPC fears that there may be a latent expectation that, as the new November compliance date nears, the FTC will once again postpone enforcement.

The TFPC urges the FTC to communicate to the industry that the approaching November deadline is the final extension prior to implementation of these guidelines. The TFPC would be happy to assist the FTC in its efforts during this process.

If you have any questions regarding this correspondence or would like more information regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



Thomas Goode  
General Counsel