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Via electronic filing
Office of the Secretary
Federal Trade Commission
Room H-135 (Annex P2)
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

RE: Privacy Roundtable Comment, Project No. PO95416

February 26, 2010

Dear Sir/Madam:

The National Council of Investigation and Security Services (NCIIS) is an association of professional private investigators and firms providing security services throughout the United States. We appreciate the opportunity to provide our views on the best method to protect sensitive data as the Commission prepares for its third privacy roundtable.

Over the past several years many of our members have been called upon by victims of identity theft to assist them in responding to this most serious, costly and time consuming crime. We are convinced by our experience that the single most valuable tool for preventing the fraudulent use of an individual's identity is the use of appropriate authentication by businesses and other governmental and private institutions. In this regard we concur with the finding of the Commission expressed in the December, 2008 "Recommendations on Social Security Number Use in the Private Sector":

The Commission believes that the most effective course of action is to strengthen the methods by which businesses authenticate new and existing customers. Stronger authentication would make it more difficult for criminals to use stolen information, including SSNs, to impersonate consumers, thus devaluing the SSN to identity thieves and reducing the demand for it.

In addition, there are several other steps that can be undertaken. Courts must treat identity theft as serious crime and fully apply the penalties that have been increased by Congress and many states in the last few years. And to the extent resources permit, law enforcement must reduce the high thresholds often established before prosecuting this crime.

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Most important, though, is that as public officials establish new privacy regimens they do so with great care so as not to impede the ability of those of us in the private sector to combat identity theft and other fraud. In an effort to protect sensitive personal information, courts across the land are limiting access to public records that assist private investigators in solving cases of fraud. And Congress is considering legislation which would deny access to Social Security number information which is critical to many investigations. The Social Security number is the single identifier that investigators and database providers use to cross-index records and thereby identify incidents of possible identity theft as well as the individuals who are committing the crime.

As the Commission's roundtables regarding the use of Social Security numbers in the private sector showed, law enforcement does not have the resources to effectively handle reports of identity theft. When prosecutors set thresholds of over \$100,000 victims must turn to the private sector for assistance. If consumers must rely on the private sector for remedies, then government should not deny licensed professional investigators the tools we require to assist victims of fraud.

If the above actions are taken, then criminals will have much less incentive to access sensitive personal information.

NCIIS will be pleased to explore these issues with the Commission.

Submitted By:

Jimmie Mesis
Legislative Chair
National Council of Investigation & Security Services