

January 4, 2002

Secretary
Federal Trade Commission
CRC-240
Room 159
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: GLB Act Notice Workshop – Comment, P014814

The Center for Democracy and Technology (“CDT”) commends the Federal Trade Commission and sponsoring agencies for holding the December 4, 2001 workshop. The event provided a much-needed forum for discussion of the relative effectiveness of the privacy notices required under Gramm-Leach-Bliley (“GLB”).

CDT is an independent, non-profit public advocacy organization that works to promote democratic values and constitutional liberties in the digital age. With expertise in law, technology, and policy, CDT seeks practical solutions to enhance free expression and privacy in global communications technologies.

CDT has long held that robust notice is a linchpin of sound implementation of fair information practices. In May, 2000, CDT testified before the House Subcommittee on Courts and Intellectual property about consumers’ need for more effective notice.

Concerns about notices that are difficult to understand and confusing to consumers were brought into stark relief when financial services organizations began to send notices of their privacy policies to customers as required by GLB. Responding to the public’s confusion and concern, CDT conducted an in-depth survey and analysis of the notices generated by financial services organizations, highlighting the disservice to consumers these notices more often than not represent. Ari Schwartz, Associate Director of CDT, presented these findings at the December 4 workshop.

CDT believes that effective notice to consumers requires that privacy policies be clearly, articulately, and simply stated; that they be prominently displayed; and that choice based on the notice be easy to exercise and readily available.

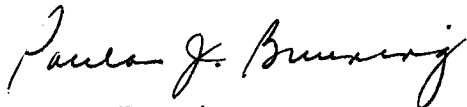
In addition, consumer education plays a critical role in making notices clear and understandable to consumers. Just as companies must improve and refine their notices to make them more useful to consumers, general information must be available to consumers to help them read, understand and take action on the notices they receive. Consumer education does not obviate the need for baseline legislation to protect privacy, nor does it replace existing initiatives to protect consumers from inappropriate sharing of information. In particular, it does not eliminate the urgent need for companies to create better privacy notices. Rather, it supplements these efforts, supplying consumers with information necessary to understand data practices, the impact of developing technologies on privacy, their rights under existing law and what they can do to protect themselves.

CDT, along with co-sponsors Privacy Rights Clearinghouse, National Consumers League, Call for Action, and Consumer Action, has attempted to bring this information to consumers in a new initiative – ConsumerPrivacyGuide.org (<http://www.consumerprivacyguide.org>). The goal of this web site is to engage and empower consumers with resources, information and how-to tips to help them take control of the collection and flow of their information. ConsumerPrivacyGuide.org makes this information available to consumers in a straightforward, understandable, consumer-friendly way and serves as a resource for Internet users of all levels of experience and all demographic groups.

Among the site's offerings are a top ten list of things consumers can do to protect their privacy; a how-to guide to opting out of the sharing of information; a glossary of privacy and Internet terms; and a page dedicated to children's privacy. It links to other online resources consumers may find helpful. While information about privacy has been available to consumers online, ConsumerPrivacyGuide.org organizes it to create a one-stop-shopping resource for consumers interested in taking at least some measure of control over their privacy.

We attach additional information about the site and submit it with this letter as a comment on the questions addressed at the Public Workshop on Privacy Notices held December 4, 2001.

Yours sincerely,



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attachment: CDT press release

**CONSUMER GROUPS ANNOUNCE LAUNCH ConsumerPrivacyGuide.org,
A PRIVACY RESOURCE WEBSITE**

For Immediate Release

December 18, 2001 - Today, a group of leading consumer and citizens organizations released a new online privacy resource called the ConsumerPrivacyGuide at <http://www.consumerprivacyguide.org>

As co-sponsors of the site, the Center for Democracy and Technology, the Privacy Rights Clearinghouse, Consumer Action, National Consumers League, Common Cause and Call For Action announce the launch of ConsumerPrivacyGuide.org. While many of these organizations maintain that online privacy legislation is needed to protect consumers, they also believe that in addition to law consumers need information that empowers them to take control of their privacy. The new site presents information, how-to tips and resources in a consumer-friendly way.

The site responds to online privacy concerns expressed by consumers. The co-sponsors of the site see information as a critical tool for individuals who want to take control of the way their personal information is collected and used. Ken McEldowney of Consumer Action said, "Consumer Action welcomes the opportunity to co-sponsor the web site. It provides consumers with the essential privacy information they need to protect themselves when using the Internet."

The site targets Internet users of all levels of experience and age groups. Shirley Rooker, President of Call For Action, noted the site's straightforward, consumer-friendly approach. "ConsumerPrivacyGuide provides excellent privacy information in an easy-to-understand format," she said. "It should prove very valuable to both new and long-time web users who are concerned about privacy."

Paula Bruening, Staff Counsel of the Center for Democracy and Technology, emphasized that the site empowers computer users to take control of their privacy. "Legislation and technological tools are essential to strong privacy protection. But equally important is the well-informed consumer. ConsumerPrivacyGuide.org provides the information necessary to help consumers take charge of their privacy."

Common Cause President Scott Harshbarger echoed the importance of empowering citizens. "We're partnering in ConsumerPrivacyGuide.org because we want to put power back where it belongs - in the hands of citizens," he said. "This site lets citizens sit in the drivers seat, and gives them the information they need to make informed decisions about who gets access to their personal information."

Susan Grant, Vice President for Public Policy at the National Consumers League added, "This new Web site provides consumers with objective information about steps they can take - right now- to have at least some control of the way information about them is collected and used."

As Beth Givens, Director of the Privacy Rights Clearinghouse, put it, "Safe navigation of the web requires knowing the lay of the land. The ConsumerPrivacyGuide provides information to help consumers avoid the bumps in the road."

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