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VIA ELECTRONIC FILING

Mr. Donald S. Clark
Secretary
Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW,
Washington, DC 20580.

RE: FTC Staff Preliminary Report on Protecting Consumer Privacy - File No. P095416

Dear Secretary Clark and Commissioners:

The Retail Industry Leaders Association ("RILA") appreciates the opportunity to participate in the public comments on the Preliminary FTC Staff Report entitled "Protecting Consumer Privacy in an Era of Rapid Change: A Proposed Framework for Businesses and Policymakers" (the "Report"). RILA commends the Commission Staff for its thoughtful and thought provoking proposed framework.

Summary of our Submission

RILA supports many of the basic principles in the Commission's Report. Businesses should promote consumer privacy throughout their organizations and at every stage of the development of their products and services; they should provide clear consumer choices; and they should adhere to transparency and privacy by design principles.

Through this letter, we draw on vast retailer knowledge and experience to address proposals in the Report. In particular, we focus on consumers' expectations of businesses; their customer experience; and their affinities for products and services.

Attached as Exhibit A are the RILA Privacy Principles. These principles are informed by the consumer's viewpoint, and they are the basis of the comments that follow.[1] They posit robust

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[1] See also http://www.rila.org/email/Retail%20Industry%20Privacy%20Principles%20-%20FINAL.pdf

and workable privacy solutions for consumers by applying the principles of *practicability* and *proportionality*: Privacy solutions that are practicable for consumers and proportional to their interests meet consumer expectations of business, preserve their rich customer experience, and satisfy their affinities for business offerings.

Viewed through the RILA Privacy Principles and a consumer lens, we:

a. Express concerns about the potential for an overbroad framework that will burden consumers and businesses without a corresponding increase in privacy protection;
b. Urge caution in enumerating "commonly accepted practices" as a choice model, especially in a world of increasingly transformative technologies and services;
c. Furnish alternatives for when choice is offered that meet consumers' expectations and accomplish the goals set forth in the Report; and
d. Emphasize the need for flexibility as an essential element of greater transparency and privacy by design.

About the Retail Industry Leaders Association

As background, RILA is the trade association of the world's largest and most innovative retail companies. RILA members include more than 200 retailers, product manufacturers, and service suppliers, which together account for more than $1.5 trillion in annual sales, millions of American jobs and more than 100,000 stores, manufacturing facilities and distribution centers domestically and abroad.

Our companies collect and use information about consumers in a variety of contexts and purposes. From brick and mortar stores, to online websites, to direct mail and email campaigns, to mobile and social media initiatives, retailers interact with consumers through multiple channels. Consumers have become fully accustomed to—in fact they fully expect—retailers to cater to them through multi-channel environments.

To meet ever higher expectations, many retailers are now converging brick-and-mortar outlets, eCommerce sites, social media sites, and mobile applications to deliver a single, unified marketplace. Further, retailers must deliver top-flight experiences with sophisticated programs. These experiences may include loyalty and rewards programs, discount cards, receipt messaging, personalized messaging (in offline, online and mobile contexts), receiptless returns, express checkout, no-line and no-wait purchases, events that cater to affinities, games, and novelties such as social gifting. Now, more than ever, consumers demand concierge-like services, which can require personalization.

A prime example of such services is the eValues program offered by Sam's Club. Last year, Sam's Club introduced the eValues program for its premium club members. eValues caters to individual needs because it delivers offers and discounts based on past purchases and predictions about what members want and need. By catering to the member, Sam's Club has seen a 43%

growth in premium memberships. The program is a hit among Sam's Club's members and exemplifies the ingenuity of U.S. retailers.2

In short, the retail industry is built on pleasing consumers and earning their business, over and over. RILA members have been serving consumer wants and needs for decades. And retailers have a long history of responding to consumer privacy concerns, including honoring consumers' marketing preferences. RILA members are thus uniquely positioned to offer privacy solutions as sought by the Commission. We hope the Commission takes this unique perspective into account as it considers these remarks.

Privacy Issues in the Context of the Consumer's Experience

As a fundamental matter, we urge the Commission to approach this complex issue from a practical standpoint. The Commission must not only ask, what is good privacy? The Commission must go further, and ask what is good privacy for the consumer, given what they want and how they function?

1. Consumers Power the Economy

The retail industry is vital to our nation's economy, representing one of the largest industry sectors in the United States with nearly 15 million jobs and $3.9 trillion in annual sales in 2010. The prominence of the retail sector in the U.S. economy cannot be overstated. Therefore, any new privacy framework must recognize and accommodate what customers value.

An improperly conceived privacy framework has the potential to unduly hamper the consumer experience, stifle innovation, and make business practices too inflexible for customers--with little additional privacy protection in return.

2. A Privacy Regime that Accommodates the Consumer is Pro-Consumer

Retail consumers want a good experience, one in which they can shop easily in a variety of channels, find what they are looking for efficiently, and transact quickly. Consumers also want to be made aware when products in which they are interested become available, or are offered through a competitor at a lower price. Every day, convergent technologies and services are improving the retail experience and empowering consumers. This is good news for all of us.

We thus urge the Commission to finalize its privacy framework with a balanced approach: with less emphasis on academic theories and more emphasis on what is practicable for consumers and proportional to consumer interests. This approach is, in fact, pro-consumer and it should be embraced.

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2 Some examples of positive consumer feedback to the program are: "I have just discovered eValues and as a mom of 5 I love them. Some are for items I often get and others are for items I would have never tried without having the eValue. Thank you so much for making me a happier Sam's Club shopper!" And, Sometimes I can get a dollar or two off a $16 item. It helps in the economy we have today."

The Scope of the Framework is Overly Broad and Should Be Adjusted for Clarity and Flexibility

The Commission seeks comment on whether the scope of the proposed framework is too broad - specifically, "whether applying the framework to data that can be 'reasonably linked to a specific consumer, computer, or other device,' is feasible, particularly with respect to data that, while not currently considered 'linkable' may become so in the future. . . ." Report at 43.

The question appears to answer itself. Data may always be linkable. The proposed scope will thus result in the blurriness that the Commission seeks to avoid. Clarity with respect to scope is essential so that everyone understands the rules and plays by the same rules.

1. The Scope of the Framework Must Not Exclusively Hinge on Possibilities

RILA fully agrees that appropriate privacy protections of varying degrees should apply when data is associated with a specific consumer or a computer or device that serves as a proxy for a consumer. However, the inquiry must not hinge exclusively on mere possibilities. Rather, it must hinge on actual behavior and intent: specifically, whether the data *actually is* linked to a specific consumer or his or her proxy. Automatic and far-ranging regulation of data simply because it has the potential of being linked to a consumer does not advance privacy interests.

Clarity is essential to ensure consistency and to avoid unintended consequences, such as nascent technologies and services that are stifled in the concept phase. We thus urge the Commission to adjust the scope of the framework for an ergonomic fit: to square it with actual conduct, and not hypothetical conduct under a host of variables.

The issue of linkage can best be addressed by privacy design. Privacy-by-design empowers businesses to devise solutions to ensure inadvertent linkage does not occur, or to mitigate any risks.

2. The Framework Must be Flexible to Account for Different Customer Relationships

The framework should provide companies with the flexibility to apply the framework appropriately to reflect the consumer relationships they have. We support the framework's distinction between personal information and sensitive information.[3] However, it is equally

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[3] In our experience, there are actually three layers of consumer data. One is data that serves as a proxy for a person like an IP address. We agree that this should be covered, but it may be subject to different privacy features; for instance, access procedures may not be appropriate. The second layer is personal data, which essentially covers all identifiable data that is not sensitive, and is subject to all privacy features appropriate to the sensitivity of this data. The third layer is sensitive data like health information subject to the highest privacy protections. It is critical that clear guidance is provided to define these layers, since the attendant privacy consequences differ, in order to create a level playing field for consumers and businesses alike.

important to account for the different consumer relationships that exist. To illustrate the spectrum, on one hand a consumer has a certain relationship when he or she browses a website or uses a search engine. On the other hand, a consumer has a different relationship and expectation when, for instance, he or she joins a membership club and pays for the benefits of membership. Flexibility is warranted to address deeper customer relationships to ensure that the privacy design is proportional to consumer interests. Thus, for deeper relationships such as loyalty programs, certain privacy features may need more prominence, such as security and access rights, while other features may include longer retention periods (to accommodate the long-lasting relationship), and integrating appropriate notice and choice models, with the goal and expectation of providing more personalized offerings.

The Framework Should Empower the Consumer with Some Choice Over Third Party Tracking for Online Behavioral Advertising Purposes

RILA supports the Commission's goal to empower consumers with choice over online behavioral advertising.[4] However, choice mechanisms must be simple, reliable and not have unintended consequences for businesses and consumers, or they will not work. The delivery chain for online display advertising is long and complex, with many parties and moving parts that power the advertising from the advertiser, through the publisher, to the consumer. An appropriate solution may involve browser manufacturers or ad networks that can provide the most user-friendly user experience and can best manage the display advertising infrastructure to provide simplicity, reliability, and universality for all stakeholders. As with other aspects of the framework, flexibility is needed to accommodate developing technology, business models, and privacy by design.

Challenges Associated with Crafting a Definition of "Commonly Accepted Practices"

The Report provides that to simplify choice for both consumers and businesses, businesses should not have to seek consent for certain "commonly accepted practices." Report at vii. It is "reasonable for companies to engage in certain practices – namely, product and service fulfillment, internal operations such as improving services offered, fraud prevention, legal compliance, and first-party marketing." Report at vi. "By clarifying those practices for which consumer consent is unnecessary, companies will be able to streamline their communications with consumers, reducing the burden and confusion on consumers and businesses alike." *Id.* at vi.

[4] We assume that, for the purposes of the Report, the term "online behavioral advertising" has the same meaning as set forth in the February 2009 FTC Staff Report: "Self-Regulatory Principles for Online Behavioral Advertising" (page 46).

Far from clarifying practices, however, the proposed framework creates uncertainty over when choice options must be provided for consumers and businesses alike.

1. The Standard is Ambiguous

Unlike other privacy principles, like privacy by design, choice is a black-and-white requirement. Specifically, consumers must be provided an opportunity to approve or disapprove a clearly-described business activity. As such, choice options must be clear to consumers, so they understand what the choices mean and how to exercise them, and also clear to businesses, so they know how and when to implement them. As a threshold matter, they must be relevant to consumer interests so choice options are meaningful.

In the Report, the FTC raises a few examples of practices, such as multi-channel marketing, and asks whether they are commonly accepted or not, i.e., whether choice options should apply. However, there are many more examples than the few posed in the Report, which underscore the far-ranging reach of the standard and its ambiguity.

Such practices, which may or may not be commonly accepted, potentially reach a wide range of issues, including data retention, data access procedures, first-party marketing with a third-party element, peer-to-peer communications, "in-app" messaging, policy changes, and grievance procedures. Add to the mix, regional differences and other "wild-cards" and the standard further unravels. Businesses and consumers alike will ask for which of these practices might the standard apply? And what is the standard for each practice?

The application of the standard would certainly not be uniform. In the end, consumers will have highly inconsistent and even incoherent experiences among the choice options presented to them by various companies. Indeed, we suspect this may create a gulf between companies that treat the rather ambiguous standard conservatively, and other companies that do not.

2. The Standard Appears Static

Another challenge with the standard is that it purports to be flexible (accommodating what is commonly accepted at the time), while it appears to be static. By definition, a standard based on commonly accepted practices seems frozen in time. The Commission provides a sample list of commonly accepted practices in 2010 for which no choice would be required. The list, however, does not appear to account for inevitable change, including those brought on by new technologies, attitudes, and generations.

As the pace of highly transformative technologies and services accelerates, what is novel now may become ubiquitous and part of the social fabric tomorrow. Even if what is commonly accepted could be clarified for 2011, the question remains how those practices—and new practices - will be regarded in 2012 and beyond. Thus, in the future, companies will presumably be able to stop requesting consent for a certain practice. How would companies know when this tipping point has been reached, and how would this be communicated across all businesses in the marketplace to enable consumers to have a consistent experience? Would the change in policy, from collecting consent to no longer doing so, be a material policy change (which, perversely,

would require affirmative consent)? From a practicality standpoint, consumers would certainly endure choice fatigue with the barrage of choice options that may await them.

3. The Commission Must Clarify or Abandon this Standard

In the event the Commission intends to consider certain practices as unfair or deceptive if consumer choice is *not* provided, the standard for determining whether companies are required to provide consumer choice must be clarified. To achieve that level of clarity, the Commission's inquiry should focus on the consumer's experience. We believe such practices seem to center around direct marketing, data sharing, or tracking capabilities. We encourage and welcome any conversation regarding these issues.

A Rigid Rule as to Timing for Practices Requiring Choice Is Not Beneficial to Consumers

The Commission suggests that, "[t]o be most effective, companies should provide the choice mechanism at a time and in a context in which the consumer is making a decision about his or her data." Report at p. 58. We understand the proposed framework requires the following:

a. For online interactions, choice would be presented where a consumer enters his or her personal information.[5]
b. For social media services where consumer information is shared with a third-party application developer, choice would be presented when a consumer is choosing to use the application and before the application obtains the information.
c. For offline transactions, choice would be presented at the point of sale.
d. For mobile applications, meaningful choice mechanisms would be presented to the consumer.

The Commission further elaborates, "[r]egardless of the specific context, [above], where the consumer elects not to have her information collected, used, or shared, that decision should be *durable* and not subject to repeated additional requests from a particular merchant."[6] [Emphasis added.] The Commission characterizes these proposals as a "simplified approach" that will "help consumers make decisions during particular transactions."

Unfortunately, the proposals would neither achieve simplicity nor aid consumers in making decisions.

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[5] For automated information sharing, e.g., presumably for online behavioral advertising, the Commission indicates notice should be presented clearly and prominently. To be consistent with its principles, however, choice would also have to be offered before information is collected. Perhaps the Report does not mandate this requirement due to its impracticability. As we point out below, such a choice mechanism is impracticable in other contexts as well. We propose a more flexible, practicable approach that would work in all channels and environments.

[6] Report, at 59.

1. Prior Notice and Choice Frustrates the Consumer Experience

With respect to offline point-of-sale transactions, retailers uniformly advise that in-store wait time and ease of transaction are two of the most significant consumer concerns. Retailers thus expend tremendous resources to study and improve these aspects of the customer experience.

Attached as Exhibit B is a representative statistical analysis of a RILA member concerning customer satisfaction. The results speak for themselves: consumer satisfaction correlates directly and palpably with checkout speed and ease of transaction. 7 Conversely, consumer dissatisfaction correlates directly and palpably with long check-out experiences, to the point that retail call centers typically maintain a distinct category for complaints about this experience.

In practice, cashiers are adept at helping customers with selection, purchases, and returns. However, they are typically not well-suited to communicate privacy practices and enforce compliance from a policy perspective. Combine the ingredients of holidays, seasonal workers, long lines, impatience, extended consumer notices and questions, and the outcome is predictable.8 First, the wait times for consumers will increase substantially and lead to enormous customer dissatisfaction, which is detrimental to customers and commerce generally. Second, the communication of notice and choice will be hurried and often times incomplete. Ultimately, notice and choice options would raise frustrations and not be meaningful.

Although these problems are more pronounced in a brick-and-mortar environment, the problems are similar in the online space, where customers likewise want a simple registration and checkout experience. A complicated and cluttered online user experience leads to abandoned registration, abandoned shopping carts, and customer complaints and dissatisfaction. In addition, it is not practicable to offer consent options before data collection where collections are automated, such as for online behavioral advertising.9

In addition, businesses already collect customer preferences for activities such as direct marketing through a multitude of channels. Mandating notice and choice prior to collection would result in businesses being faced with daunting information-management issues in managing all consents. Issues include whether to pose all consent questions at the same time before proceeding with the transaction-at-hand, determining how many questions are enough for one transaction, and attempting to present questions so they are clearly and conveniently presented in the context of a transaction.

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7 See "Correlation Between Satisfaction & Check Out Speed."

8 The difficulty in training seasonal employees employed during the Christmas holidays concerns the *mechanics* of the job, first and foremost. *Policy* obligations (e.g., notice and choice options) would complicate transactions tremendously, as employees are asked to read notice scripts over and over again; hundreds of times each day; and effectively capture consents or opt-outs.

9 We understand the FTC may be wrestling with how to accommodate user wishes not to be tracked across websites. The FTC may be looking at this issue as needing to align consents to data collection, since the use of the data may be too late to serve this goal. Another way to view this issue is that tracking users across websites is a sharing issue in consumer's minds, not a first party collection/use issue. If consumers can indicate they don't want information shared for this purpose, then it should not be collected by the recipient.

2. The Consent Framework is Not Necessary, Nor is it Practicable

A categorical rule that requires notice and choice prior to information collection is not necessary. Choice may instead be offered (1) before collection, (2) close in time to collection, or (3) at a time that is convenient to consumers, depending on the context, sensitivity of the information, and other factors.

In the retail context, data is almost never solely collected for a purpose for which there will be a choice. Thus, the customer must still provide the data in question for those primary purposes, such as to complete an online sales transaction.[10] By delivering choice after the transaction and nearer in time to the use in question, customers would retain the veto power for companies to use their data, and could more meaningfully exercise that power at or about the time of the practice in question. The timing of choice offered must be flexible and proportional, to ensure that it makes sense for the customer in that time, place, and circumstance.

Moreover, the requirement to provide durable choice options compounds these problems considerably. Durable choice would mean that businesses must build mechanisms so they could recognize that they are dealing with the same customer each and every time.[11] The Commission proposes, essentially, to require state-of-the-art choice: applicable instantly, associated with a specific person, and honored everywhere. Legacy-system issues aside, attainable technology simply does not exist to track preferences in real time with such exactitude. The development of such technologies may also require more intrusions on the consumer since additional personal information may need to be collected in order to deploy systems and networks that honor preferences ubiquitously, across all channels.

If choice must be made available at the point of collection, durable choice raises questions that businesses would be hard-pressed to answer, namely: (1) how can businesses recognize return customers; (2) how could businesses effectively and timely record and implement the choice(s) across all channels; and (3) would the consumer, and those standing in line behind the consumer, tolerate the delay caused by the time it takes to provide notice, to let the consumer read the notice, to let the consumer make a choice on data use, and to change their choice? Consumers will very likely suffer from choice fatigue. These problems precisely illustrate why flexibility is necessary: businesses must be able to offer choice in a way that works for the consumer which could be either before or after the sales transaction during which data is collected.

Finally, it is worth noting that the law in other contexts allows consumer-choice options to be provided after data is collected. In these cases, policymakers have been specific about when

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[10] If the theory is that a customer might choose not to provide data if he or she knew about the data practices in question, then notice, not choice, is the appropriate solution. However, note that in other contexts where choice is legally required, as discussed below, notice and choice are not required at the time when data is first collected.

[11] Currently retailers can build choice mechanisms, like do not call, do not mail, and do not email, that are tied to an email or address, not a person. But the choice mechanisms suggested by the Report, since they are tied to internal uses of data related to a specific person, would likewise require the choices to be tied to a specific person.

choice is presented. Examples include the CAN-SPAM Act, do-not-call legislation, and the Gramm Leach Bliley Act (GLBA), among others. In these regimes, consumer choices may be made *after* the collection of the information, and indeed often after the use of the information for the purpose over which the consumer has choice. Under the CAN-SPAM Act, a sender of a commercial e-mail has 10 business days to remove someone from an e-mail list after they have decided to unsubscribe12, and under do-not-call laws, a telemarketer has 30 days to update its calling lists to remove those who have requested removal.13 Under GLBA, consumers may make choices on secondary uses of their information for marketing to unaffiliated companies at any time, including after collection but before financial institution shares information for secondary uses. 14

There may be a misperception that businesses bury choice options in dense privacy policies. Retailers, however, routinely transcend pro-forma practice and minimum legal requirements. Depending on circumstances, they allow customers to exercise choice at their convenience before or after data collection or use. These choice mechanisms may include online check boxes, online preference centers, online chat, call centers, and mail or email communication (all in addition to the online privacy policy, which too is an appropriate place to provide all choice options).

There is no reason why such flexible timing arrangements could not be the basis for most, if not all, choice mechanisms. There is every reason to be concerned about the effects on the consumer's retail experience and on commerce if just-in-time requirements are rigidly imposed. Indeed, we question why these new choice questions merit more prominence than what the law requires in other contexts that reflect consumer desires. In sum, categorical prior notice and consent at or before the point of collection does not account for the way consumers really function, for the technologies that businesses have and can develop, for the laws that currently exist, and for the consumer interests at issue.

3. The Commission Should Focus on Empowering Consumers

Instead of categorically requiring prior notice and consent, the Commission should instead focus its efforts on empowering consumers to get information about privacy practices when they want it, to exercise choice options when they want to, and to specify those options through means that are convenient to them.

The emphasis should be placed on making information and choice options available and robust for the consumer - on his or her terms. As an example, clearer, more available privacy notices could direct consumers to online preference centers that set forth all consent options, with appropriate customer support to facilitate questions and feedback. This approach works for the

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12 15 U.S. C. §7704(a)(4)(A)

13 47 CFR 64.1200

14 15 USC §6801-6809

consumer, comports with existing law, and preserves the smooth running of a consumer-driven economy.

The Need for Clarity in Guidance Regarding Sensitive Information and Users

RILA agrees that higher standards should be used for sensitive data and users. These areas need further clarity and precision. At various points, the Staff uses the term "sensitive data" in the Report, but does not define the term. (E.g., Report at 15, 30). As with the term "commonly accepted practices," RILA believes that the term "sensitive data" must have clearer guidance, particularly with respect to such concepts as "health or medical information." For instance, does health information encompass healthy diets and pollen counts? We are again concerned with wide disparities of application and consumer experience. We welcome this dialogue as well.

The Need for Flexibility in Achieving Goals of Privacy by Design and Transparency

RILA supports privacy by design and transparency through the use of administrative, technical and physical safeguards that are proportional to risks. The goals expressed as privacy by design are the right ones on which to build effective privacy and security programs. The Report suggests companies establish programs or procedures to achieve the worthwhile privacy by design goals. We agree; it is the best approach. It reflects how companies operate and the flexibility they need given the complexities of privacy. Moreover, it provides a yardstick against which accountability models can measure compliance.

We, however, raise the following concerns with several prescriptive elements of the Commission's transparency framework, namely standardization of retention practices, standardization of privacy policies, and changes to privacy policies.[15]

1. **Prescriptive Retention Periods are not a Panacea**

On the issue of retention periods, we oppose a prescriptive requirement. There are just too many different types of business models and customer relationships for a one-size-fits-all regime. Compare the retention issues related to a consumer who uses an internet search engine on occasion, and a consumer who belongs to a loyalty program. Here, retention periods are related more to the type of customer relationship than to the sensitivity of data. Consumers and businesses alike would suffer under a requirement that treats all retention practices identically.

Businesses must be able to retain data to deliver a good experience for the consumer for potentially as long as the customer relationship exists. Businesses may thus address the concerns that retention implicates through privacy by design and sound information management—not standardization.

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15 We also question what is intended by the question about "whether or how to notify consumers when data has been used to deny them benefits." Report at 76. The FCRA addresses this area regarding benefits that impact consumers. What further obligation is intended?

2. One-Size-Fits-All Privacy Notices Fail to Account for Nuances

Standardization is something that RILA opposes with respect to privacy notices as well. Again, there are too many business models and customer needs to make standardization practical. If standardization is imposed, consumers would suffer as important details would be mischaracterized, underemphasized, overemphasized, or missing. The Commission should instead specify that privacy notices must be clear and in plain language. We agree wholeheartedly with white-space approaches, as well as layered notices or template notices, since they would improve transparency.

The Commission should further articulate that the information contained in a notice may be contextual, depending on the circumstances and transaction in question. Otherwise the notice of necessity would lose meaning for consumers.16 Privacy by design recognizes and endorses the kind of flexibility we are urging.

3. More Clarity is Needed as to What Constitutes a Material Change to a Privacy Policy

The Commission proposes that all entities must provide robust notice and obtain affirmative consent for material, retroactive changes to privacy and data policies. Report at 15. We believe that if the Commission requires specific consent in these circumstances, the Commission must be clear on what is "material," or the practice of seeking consent will again vary greatly from company to company. Furthermore, consistent with FTC Commissioner Rosch's concurrence, we believe that there is a reasonable question about this requirement, i.e., is it prudent or advisable to require express consent for practices for which there previously has been no legal requirement for consent? In these circumstances, robust notice and the freedom to opt-out would be more appropriate.

We appreciate the opportunity to provide this input in response to the Report, and look forward to a continuing dialogue with the Commission on these important issues. As stated at the outset, the members of RILA are committed to advances in consumer privacy, but urge the Commission

16 The FTC asks if its standardized notice for GLB practices could be a model. We note that GLB notices cover a much narrower range of topics than the typical privacy notices companies have chosen to adopt.

not to propose a framework that would impair the consumer experience. At the same time, the framework must embrace and accommodate innovation that benefits consumers and our economy. Should you have any additional questions or concerns, you may reach me by phone at (703) 600-2065, or by email at doug.thompson@rila.org.

Respectfully submitted,

Doug Thompson
Vice President, Government Affairs