

From: "James E. Tierney"
To: "Advisory Committee" advisorycommittee@ftc.gov
Date: Mon, Jan 3, 2000 8:54 AM
Subject: Nomination of James E. Tierney

To: Advisory Committee on Online Access and Security
From: James E. Tierney

Maine

Date: January 3, 2000

Re: Nomination, P004807

I am writing to indicate my willingness to serve on the Federal Trade Commission's proposed Advisory Committee on Online Access and Security the notice of which was posted in the Federal Register on December 21, 1999. If selected, I can assure you that I will participate fully in all Committee deliberations.

After serving as the Attorney General of Maine from 1980 until 1990, I have built a unique public/private consulting practice from my home in Maine. For the last nine years, I have worked as a consultant and special counsel for incumbent attorneys general in over half of the states.

I have lectured on the subject of state attorneys general in numerous law schools and served both as a Wasserstein Fellow at Harvard Law School and a Wells Fellow at Stanford Law School. I have also advised companies, trade associations and labor unions regarding state regulatory matters.

For more information about these activities (including a complete resume, published articles and profiles arising out of my work with attorneys general on the recently concluded tobacco litigation) please go to my web page at <http://www.clinic.net/users/jtierney>.

I have been interested in all matters arising from commercial activity on the internet. In 1993, I became the liaison between Counsel Connect and the state attorneys general at which time I was the earliest advocate of linking the various offices of the attorneys general via email. Since that time, I have advised many attorneys general on their on-going development of internet enforcement policies including those related to privacy. As a member of the original "Virtual Magistrate" project, I have likewise studied various proposals for self-government. I have carefully read both of the Commission's reports to Congress describing the status of domestic commercial Web sites' implementation of fair information practices and have discussed the implications of those reports with several attorneys general and their staffs. I also serve as a Fellow of the Cyberspace Law Institute.

In addition to advising attorneys general, I also advise several internet based companies regarding federal regulation and litigation. Among other matters, for the last three years I have advised several Silicon Valley companies regarding the Microsoft litigation. In that capacity, I have read widely and discussed internet policy issues with a wide variety of interested individuals. As a result, I have become quite knowledgeable about the practices

and the culture of internet based industries.

I strongly believe that I will be able to bring considerable experience and understanding to the Advisory Committee. While representing no one but myself and having an open mind on the primary issues that will be discussed, I nonetheless bring twenty years of state regulatory and policy experience to the Committee's deliberation. I also bring a substantial understanding of the primary regulatory and economic issues facing those companies concerned about the continued success of electronic commerce.

At the end of the process, the Advisory Committee must be able to share its best policy judgments with the Commission. I believe that I would make a contribution to those judgments if given the opportunity to serve on the Advisory Commission.