

From: Craig Bauer
Sent: Wednesday, April 16, 2008 1:30 PM
To: BehavioralMarketingPrinciples
Cc: Jean Camp
Subject: Behavioral Advertising Proposal

To whom it may concern:

The ideas of the FTC proposal regarding behavioral advertising that I support include requiring Web sites that collect data for behavioral advertising to obtain permission from consumers to collect their information for behavioral advertising. I would propose that companies should be required to obtain permission to collect data regardless of how they use the consumer's information. I also support the law that would require companies to obtain affirmative express consent from affected consumers before using data in a manner materially different from promises the company made when it collected the data.

Issues or potential problems I see with the proposal are requiring companies to provide reasonable security for data and how long they can retain it. What constitutes "reasonable security" can be debated and is not clearly defined. This provides companies with a loop hole to ignore this stipulation. Allowing companies to retain the information for only as long as necessary to fulfill a legitimate business or law enforcement need is also vague in its definition and companies can make up any "legitimate business need" in order to comply with this rule. This law would be very difficult to regulate.

I believe that companies should be prohibited from collecting and using "sensitive data". Medical information and children's online activities should not be monitored or used by any company. Medical information is private and should not be used for any advertising and collecting data regarding children's online activities can be used in malicious activities. Children are not adults and cannot give legal consent via the Internet and completely understand the consequences of allowing companies to collect their data. Collecting data over children's online activities is a form of child exploitation.

Consumers need better protection in regards to their information being collected for purposes other than behavioral advertising. All Web sites that collect data should require explicit permission to collect, retain, use and share the data that is collected.

Sincerely,

Craig Bauer
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