

**Center for Digital Democracy
Consumer Federation of America
Consumers Union
Consumer Watchdog
Electronic Frontier Foundation
Privacy Lives
Privacy Rights Clearinghouse
Privacy Times
U.S. Public Interest Research Group
The World Privacy Forum**

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Contact: Jeff Chester, 202-494-7100; John M. Simpson, 310-392-0522, ext 317, Cell: 310-292-1902; Amina Fazlullah, 202-546-9707, Cell: 650-814-8003 and Susan Grant, 202-387-6121, ext. 119

Consumer And Privacy Groups Urge Congress to Enact Consumer Privacy Guarantees

WASHINGTON -- A coalition of ten consumer and privacy advocacy organizations today called on Congress to enact legislation to protect consumer privacy in response to threats from the growing practices of online behavioral tracking and targeting.

“Developments in the digital age urgently require the application of Fair Information Practices to new business practices,” the groups said. “Today, electronic information from consumers is collected, compiled, and sold; all done without reasonable safeguards.”

The groups noted that for the past four decades the foundation of U.S. privacy policies has been based on Fair Information Practices: collection limitation, data quality, purpose specification, use limitation, security safeguards, openness, individual participation, and accountability. They called on Congress to apply those principles in legislation to protect consumer information and privacy.

Behavioral advertising, where a user’s online activity is tracked so that ads can be served based on the user’s behavior, was cited as a particular concern: “Tracking people’s every move online is an invasion of privacy. Online behavioral tracking is even more distressing when consumers aren’t aware who is tracking them, that it’s happening, or how the information will be used. Often consumers are not asked for their consent and have no meaningful control over the collection and use of their information, often by third parties with which they have no relationships.”

The coalition outlined its concerns and recommended principles for consumer information privacy legislation in letters sent to the House Energy and Commerce Committee, its Subcommittee on Commerce, Trade and Consumer Protection and Subcommittee on Communications, Technology and the Internet.

(To download, right-click and save link as.)

Read the Principles here: [Privacy Legislative Primer](#) (PDF)

Read a copy of the letters here:

[Waxman Letter](#) (PDF)

[Boucher Letter](#) (PDF)

[Rush Letter](#) (PDF)

[Read the two-page overview](#) (PDF)

“Consumers must have their privacy protected as they conduct business and personal matters online,” explained Jeff Chester, executive director of the Center for Digital Democracy. “Ensuring that our financial, health, and household transactions have adequate safeguards must be a top Congressional priority.”

Chairman Rick Boucher (D-Va.) has indicated that the Subcommittee on Communications, Technology and the Internet will consider consumer privacy legislation this fall. Hearings were held this summer.

“The rise of behavioral tracking has made it possible for consumer information to be almost invisibly tracked, compiled and potentially misused on or offline. It’s critical that government enact strong privacy regulations whose protections will remain with consumers as they interact on their home computer, cell phones, PDAs or even at the store down the street. Clear rules will help consumers understand how their information is used, obtained and tracked,” said Amina Fazlullah of U.S. Public Interest Research Group. “In the event of abuse of consumer information, this legislation could provide consumers a clear pathway for assistance from government agencies or redress in the courts.”

“Respect for human dignity is at the core of our concerns, but we are also worried that online behavioral tracking can be used to target vulnerable consumers for high-price loans, bogus health cures and other potentially harmful products and services,” said Susan Grant, director of Consumer Protection at Consumer Federation of America.

“Technological advances have made it far too easy to surreptitiously track individuals online,” said Melissa Ngo of Privacy Lives. “Congress needs to step in and enact legislation that will protect consumer privacy rights no matter what technology is used to collect their data.”

“When a consumer goes online, they expect that the information collected from the pages they visit will be kept private from companies trolling the Web looking for personal information,” said Joel Kelsey, of Consumers Union. “We are setting a very dangerous precedent for American families if we allow advertisers and Internet companies to monitor our every click and analyze our every Web stroke, just to sell our information off without our knowledge.”

“Limiting commercial tracking of our online activities may also help protect privacy against the government, which often gets information about us from private companies,” said Lee Tien, of the Electronic Frontier Foundation.

“Behavioral ad technology represents the cutting edge of insidious surveillance. It is essential that national policy puts privacy first so that consumers can fully participate online without fear of unfair data collection and use,” said Evan Hendricks, editor of Privacy Times.

So far the online industry has argued that self-regulation provides adequate consumer protection. The coalition said formal regulation is necessary.

“The record is clear: industry self-regulation doesn't work,” said Beth Givens, Director of the Privacy Rights Clearinghouse “It is time for Congress to step in and codify the principles into law.”

“We’ve seen in industry after industry what happens when the fox is left to guard the chicken coop -- consumers lose,” said John M. Simpson of Consumer Watchdog. “Regulations that can be enforced to hold the industry accountable are essential.”

Among the main points that the coalition said should be included in consumer privacy legislation:

- Sensitive information should not be collected or used for behavioral tracking or targeting.
- No behavioral data should be collected or used from anyone under age 18 to the extent that age can be inferred.
- Web sites and ad networks shouldn’t be able to collect or use behavioral data for more than 24 hours without getting the individual’s affirmative consent.
- Behavioral data shouldn’t be used to unfairly discriminate against people or in any way that would affect an individual's credit, education, employment, insurance, or access to government benefits.

About the members of the coalition:

Center for Digital Democracy: The Center for Digital Democracy (CDD) is dedicated to ensuring that the public interest is a fundamental part of the new digital communications landscape. URL: <http://www.democraticmedia.org>

Consumer Federation of America: Since 1968, the Consumer Federation of America (CFA) has provided consumers a well-reasoned and articulate voice in decisions that affect their lives. URL: <http://www.consumerfed.org>

Consumers Union: Consumers Union is a nonprofit membership organization chartered in 1936 to provide consumers with information, education and counsel about goods, services, health, and personal finance. URL: <http://www.consumersunion.org>

Consumer Watchdog: Consumer Watchdog (formerly The Foundation for Taxpayer and Consumer Rights) is a consumer group that has been fighting corrupt corporations and crooked politicians since 1985. URL: <http://www.consumerwatchdog.org>

Electronic Frontier Foundation: When freedoms in the networked world come under attack, the Electronic Frontier Foundation (EFF) is the first line of defense. URL: <http://www.eff.org>

Privacy Lives: Published by Melissa Ngo, the Website chronicles and analyzes attacks on privacy and various defenses against them to show that privacy lives on, despite the onslaught. URL: <http://www.privacylives.com>

Privacy Rights Clearinghouse: The Privacy Rights Clearinghouse is a consumer organization with a two-part mission: To raise consumer awareness about privacy and to advocate for privacy rights in policy proceedings. URL: <http://www.privacyrights.org>

Privacy Times: Since 1981, Privacy Times has provided its readers with accurate reporting, objective analysis and thoughtful insight into the events that shape the ongoing debate over privacy and Freedom of Information. URL: <http://www.privacytimes.com>

U.S. Public Interest Research Group: The federation of state Public Interest Research Groups (PIRGs) stands up to powerful special interests on behalf of the public, working to win concrete results for our health and our well-being. URL: <http://www.uspirg.org>

The World Privacy Forum: WPF is focused on conducting in-depth research, analysis, and consumer education in the area of privacy. Areas of focus include health care, technology, and the financial sector. URL: <http://www.worldprivacyforum.org>