

Billing Code 6750-01P

FEDERAL TRADE COMMISSION

Public Workshop on Consumer Information Privacy

AGENCY: Federal Trade Commission

ACTION: Notice Requesting Public Comment and Announcing Public Workshop

SUMMARY: The Federal Trade Commission has determined to hold a public workshop devoted to consumer information privacy. The workshop will be divided into three sessions.

Session One is intended to gather information as part of a Commission study of the collection, compilation, sale, and use of computerized data bases that contain what consumers may perceive to be sensitive identifying information, often referred to as “look-up services.” These data bases typically are used to locate individuals or develop individual background information. Interested parties are encouraged to submit written comments concerning the subject of this study, which is described more fully in the Supplementary Information section of this Notice. Any person who wishes to apply for participation in Session One must file a written comment addressing one or more of the questions set forth below under the heading: “Session One: Computerized Data Bases Containing Sensitive Consumer Identifying Information.” However, the Commission will consider comments of all persons, including non-participants in Session One.

Sessions Two and Three follow upon the Bureau of Consumer Protection’s June 1996 public workshop on Consumer Privacy on the Global Information Infrastructure (“June 1996 Workshop”), which was held to provide an opportunity for public dialogue on the complex

privacy issues posed by the emerging online marketplace. Sessions Two and Three are intended to update the Commission on the current status of the collection, compilation, sale, and use of personal information online, and on self-regulatory efforts and technological developments since June 1996. Session Two will address recent developments in the collection, compilation, sale, and use of personal information online generally, including self-regulatory efforts, technological innovations, and unsolicited commercial e-mail. Session Three will address the same developments as they pertain to children's personal information.

Interested parties who wish to apply for participation in Session Two must file a written comment addressing one or more of the questions listed below under the heading "Session Two: Consumer Online Privacy." Interested parties who wish to apply for participation in Session Three must file a written comment addressing one or more of the questions listed below under the heading "Session Three: Children's Online Privacy." However, Commission staff will consider comments of all persons, including non-participants in Session Two or Session Three, in determining what further Commission action, if any, it will recommend in the area of online privacy protections.

DATES: Written comments and notifications of interest in participating in the workshop must be submitted on or before **April 15, 1997**. Parties may apply to participate in more than one workshop session. Notifications of interest must specify the session(s) in which participation is sought. Requesters will be notified as soon as possible after **May 15, 1997**, if they have been selected to participate. The workshop will be held on **June 10-13, 1997** in Room 432 of the Commission's headquarters building, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. The tentative schedule for workshop sessions is as follows: **Session One - June 10,**

1997 (9:00 am - 5:00 pm); Session Two - June 11, 1997 (9:00 am - 5:00 pm) and June 12, 1997 (9:00 am - noon); Session Three - June 12, 1997 (1:30 - 5:00 pm) and June 13, 1997 (9:00 am - 5:00 pm).

ADDRESSES: Six paper copies of each written comment and each request to participate in the workshop should be submitted to: Secretary, Federal Trade Commission, Room H-159, Sixth Street & Pennsylvania Ave., N.W., Washington, D.C., 20580. Comments for Session One should be captioned "Data Base Study -- Comment, P974806." Requests to participate in Session One should be identified as "Data Base Workshop -- Request to Participate, P974806." Comments for Sessions Two and Three should be captioned as "Consumer Privacy 1997 -- Comment, P954807." Requests to participate in Sessions Two and Three should be identified as "Consumer Privacy 1997 -- Request to Participate, P954807."

To enable prompt and efficient review and dissemination of the comments to the public, comments also should be submitted, if possible, in electronic form, on either a 5-1/4 or a 3-1/2 inch computer disk, with a disk label stating the name of the commenter and the name and version of the word processing program used to create the document. (Programs based on DOS or Windows are preferred. Files from other operating systems should be submitted in ASCII text format to be accepted.) Individuals filing comments in electronic form need submit only one computer disk.

FOR FURTHER INFORMATION CONTACT: For questions concerning Session One: Steven Silverman, Attorney, Division of Credit Practices, Bureau of Consumer Protection, Federal Trade Commission, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580, telephone 202-326-2460. For questions concerning Session Two: Martha Landesberg,

Attorney, Division of Credit Practices, Federal Trade Commission, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580, telephone 202-326-2825. For questions concerning Session Three: Toby Milgrom Levin, Attorney, Division of Advertising Practices, Federal Trade Commission, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580, telephone 202-326-3156.

To obtain a copy of the Commission Staff Report Consumer Privacy on the Global Information Infrastructure (1996), contact the Commission's Public Reference Section, Room H-130, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, (202) 326-2222, or visit the Commission's home page at <http://www.ftc.gov> for instructions on obtaining an electronic copy.

SUPPLEMENTARY INFORMATION:

SESSION ONE: COMPUTERIZED DATA BASES CONTAINING SENSITIVE CONSUMER IDENTIFYING INFORMATION

Background

In light of widespread concern and Congressional interest, the Commission has determined to conduct a study of the collection, compilation, sale, and use of computerized data bases that contain what consumers may perceive to be sensitive identifying information, often referred to as "look-up services." Examples of such sensitive identifying information may include some or all of the following: social security numbers, mothers' maiden names, prior addresses, and dates of birth. Some data bases provide significantly more information, such as information about physical characteristics, property holdings, and the subject individual's family members and neighbors. Session One is intended to gather information as part of this study.

The study will assess the types of information that consumers perceive to be sensitive, as well as their level of concern regarding the maintenance of and access to such information. In addition, the study will evaluate the risks associated with the lawful and unlawful use of data bases containing sensitive identifying information, and the benefits offered by such data bases. Finally, the data base study will explore consumers' privacy concerns regarding the collection, sale and use of their identifying information. The study will not address data bases used primarily for direct marketing purposes; medical and student records; or the use of consumer credit reports for employment purposes. The study will culminate in a report to Congress.

Invitation to Comment

Interested parties are requested to submit written comments on any issue of fact, law or policy that may inform the Commission's study of the collection, compilation, sale, and use of computerized data bases that provide sensitive consumer identifying information, often referred to as "look-up services." Please provide copies of any studies, surveys, research, or other empirical data referenced in responses. The Commission seeks comment on the following questions:

Information Collection and Use

- 1.1 What is the number and the identity of such data bases?
- 1.2 What information is contained in the data bases? Please provide specific examples.
- 1.3 What is the source of the information in the data bases?
- 1.4 What information is currently used to identify individuals? What types of information might be used to identify individuals in the future?

- 1.5 Do the data bases contain identifying information that consumers regard as sensitive? What identifying information is considered to be sensitive? Why is such information regarded as sensitive? Please provide specific examples.
- 1.6 Do the data bases contain identifying information that consumers regard as non-sensitive? What identifying information is considered to be non-sensitive? Why is such information regarded as non-sensitive? Please provide specific examples
- 1.7 Who has access to the information in the data bases?
- 1.8 How is the information in the data bases accessed? What are the charges for accessing the information?
- 1.9 What are the uses of the information in the data bases? Are there beneficial uses of the information in these data bases? If so, please describe. Are there risks associated with the compilation, sale, and use of this information? If so, please describe.
- 1.10 Do these data bases create an undue potential for theft of consumers' credit identities? How is such potential for theft created? Please provide specific examples. What is the extent to which these data bases (as opposed to other means) contribute to consumer identity theft? Is this likely to change in the future? If so, please describe.

- 1.11 How do the risks of the collection, compilation, sale, and use of this information compare with the benefits?
- 1.12 Are there means that are currently available to address the risks, if any, posed by these data bases? If so, please describe.
- 1.13 What means might be considered in the future to address any risks posed by these data bases? What impact will potential solutions have on the beneficial uses of these data bases?
- 1.14 What are consumers' perceptions of (1) the benefits and risks associated with the collection, compilation, sale, and use of this information and (2) appropriate uses of such information?
- 1.15 Are consumers' privacy interests implicated by the collection, compilation, sale, and use of information from these data bases? If so, please describe. Are other legal interests implicated? If so, please describe.
- 1.16 Are there means to address any privacy or other legal interests implicated by the collection, compilation, sale, and use of information from these data bases? If so, please describe.

- 1.17 How should the benefits of the collection, compilation, sale, and use of information from these data bases be balanced against privacy or other legal interests implicated by such practices? Are there other ways to obtain these benefits without implicating privacy or other legal interests? If so, please describe.
- 1.18 Is the ultimate use of the information disclosed to the subject individuals? At what point in time is the use of the information disclosed? What is the content of such disclosures? Is there any information that should be added to these disclosures? If so, please describe.
- 1.19 Do data base operators permit consumers to choose whether and how their personal identifying information will be collected and used? If so, please describe the choices provided to consumers.
- 1.20 Is there an effective mechanism for an individual to remove his or her name from a data base or otherwise control the use of their personal identifying information? If so, please describe.
- 1.21 Do subject individuals have access to their data and the ability to correct errors? If so, please describe.

- 1.22 Have data base operators instituted procedures to maintain the security of identifying information that they collect? What is the nature of such procedures? Are the procedures adequate? Please provide specific examples.
- 1.23 Are there additional procedures that are used or available to assure the accuracy of the data and to limit use of the data to its intended purpose? What is the nature of such procedures? Are the procedures adequate? Please provide specific examples.
- 1.24 Is the collection, compilation, sale, and use of this information subject to any federal laws or regulations? If so, please describe.
- 1.25 Is the collection, compilation, sale, and use of this information subject to any state laws or regulations? If so, please describe.
- 1.26 Should the collection, compilation, sale, and use of information from these data bases be subject to additional regulations or laws? If so, what regulatory or legal requirements are appropriate?

Self-Regulation

- 1.27 Have data base operators undertaken self-regulatory efforts to address concerns raised by the collection, compilation, sale, and use of sensitive consumer identifying information?

- 1.28 What is the content of principles, recommendations, or guidelines that have emerged? To the extent that industry associations have developed principles, recommendations, or guidelines, are they permissive or mandatory for association members? What sanctions are imposed for non-compliance? How many association members have implemented them? Please provide case studies, member surveys, or other quantitative data wherever possible.
- 1.29 Have such principles, recommendations or guidelines been effective in addressing concerns associated with the collection, compilation, sale, and use of sensitive consumer identifying information? How can the effectiveness of self-regulation in this area best be measured?

Technological Developments

- 1.30 Has technology evolved that could address concerns raised by the collection, compilation, sale, and use of sensitive consumer identifying information? Please describe any such developments.
- 1.31 What are the costs and benefits of employing such technology?
- 1.32 What are consumers' perceptions, knowledge and expectations regarding the risks and benefits of using such technology?

Consumer and Business Education

- 1.33 What efforts are underway to educate consumers about data bases containing sensitive consumer identifying information?
- 1.34 What are or should be the principle messages of such efforts?
- 1.35 How can education efforts best be implemented?

WORKSHOP SESSIONS TWO AND THREE:

Background

The June 1996 Workshop identified key issues raised by information practices of commercial sites on the World Wide Web (the “Web”), privacy concerns raised by those practices, and interactive technology’s potential for addressing information privacy online. Participants in the June 1996 Workshop discussed a wide array of subjects, including the collection and use of personal information online; the necessary elements of self-regulatory efforts to enhance consumer privacy online; developments in interactive technology that could enhance online information privacy; consumer and business education efforts; the role of government in protecting online information privacy; and the special issues raised by the online collection and use

of information from and about children. On January 6, 1997, the Commission published the staff report Consumer Privacy on the Global Information Infrastructure (1996), which summarized the workshop testimony. The report recommended that the Commission hold a follow-up workshop.

Unlike the June 1996 Workshop, which was convened primarily to provide a forum for the expression of views on online privacy issues, Workshop Sessions Two and Three are designed to collect empirical data relevant to those issues. Specifically, staff now seeks written commentary to document developments in four areas: (1) Web sites' current actual practices in the collection, compilation, sale, and use of consumers' personal information; (2) current implementation of self-regulatory efforts to address online privacy, including industry proposals presented at the June 1996 Workshop; (3) current design and implementation of technologies intended to enhance online information privacy; and (4) unsolicited commercial e-mail. Interested parties are requested to submit written comments on any issue of fact, law or policy that may inform the Commission on these subjects.

SESSION TWO: CONSUMER ONLINE PRIVACY

Invitation to Comment

To supplement and update the record developed at the June 1996 Workshop, the Commission seeks new evidence and additional comment on the following questions, a number of which were discussed generally at that Workshop. Responses should provide specific examples, models, case studies, surveys or other research, and quantitative and empirical data wherever possible. Please provide copies of any studies, surveys, research, or other empirical data referenced in responses.

Information Collection and Use

- 2.1 What kinds of personal information are collected by commercial Web sites from users who visit those sites and how is such information subsequently used? Among other things, is clickstream data being collected and tied to personally identifying information?
- 2.2 To what extent is the collection, compilation, sale or use of personally identifying, as opposed to aggregate, personal information important for marketing online and for market research? What privacy concerns, if any, are raised by the collection or use of aggregate personal information in this context?
- 2.3 What are the risks, costs, and benefits of collection, compilation, sale, and use of personal consumer information in this context?
- 2.4 What surveys, other research, or quantitative or empirical data exist about consumers' perceptions, knowledge and expectations regarding (1) whether their personal information is being or should be collected by Web site operators and the extent of such collection; (2) the benefits and risks associated with the collection and subsequent use of this information; (3) appropriate uses of such information; and (4) whether certain categories of information should never be collected or disclosed to others?
- 2.5 How many commercial Web sites collect, compile, sell or use personal information? Of these, how many give consumers notice of their practices regarding the collection and

subsequent use of personal information? With respect to these Web sites, describe (1) how and when such notice is given, (2) the content of such notice, and (3) the costs and benefits, for both consumers and commercial Web sites, of providing such notice.

2.6 Of the commercial Web sites that collect, compile, sell or use personal information, how many provide consumers choice with respect to whether and how their personal information is to be collected and subsequently used by those sites? With respect to such Web sites, describe (1) what choices are provided to consumers and how such choices are exercised; and (2) the costs and benefits, for both consumers and commercial Web sites, of providing such choices.

2.7 Of the commercial Web sites that collect, compile, sell or use personal information, how many provide consumers access to, and an opportunity to review and correct, personal information about them that is collected and retained by those sites?

2.8 Of the commercial Web sites that collect, compile, sell or use personal information, how many have procedures to maintain the security of personal information collected from consumers online, and what are those procedures?

Self-regulation

- 2.9 What industry principles, recommendations or guidelines have emerged since the June 1996 Workshop? Please discuss whether they are permissive or mandatory, whether they include sanctions for non-compliance, and the extent to which they have been implemented within the industry.
- 2.10 What steps have individual commercial Web sites taken since June 1996 to address online privacy issues? How many have employed the procedures for notice and choice set forth in the Joint Statement on Online Notice and Opt-Out presented at the June 1996 Workshop by the Direct Marketing Association and the Interactive Services Association?
- 2.11 How many online services have implemented the procedures set forth in the Interactive Services Association's Guidelines for Online Services: The Renting of Subscriber Mailing Lists submitted for inclusion in the June 1996 Workshop record?
- 2.12 How many marketers have implemented the provisions of the Coalition for Advertising Supported Information and Entertainment's (CASIE) Goals for Privacy in Marketing on Interactive Media presented at the June 1996 Workshop?
- 2.13 What privacy concerns, if any, are not adequately addressed by existing guidelines?

Technological Developments

- 2.14 Has interactive technology evolved since June 1996 in ways that could address online privacy issues? To what extent is it currently available and being used by consumers and commercial Web sites?
- 2.15 What are the risks and benefits, to both consumers and commercial Web sites, of employing such technology? What are consumers' perceptions about the risks and benefits of using such technology to address online privacy issues?

Unsolicited Commercial E-mail

- 2.16 How widespread is the practice of sending unsolicited commercial e-mail? Are privacy or other consumer interests implicated by this practice? What are the sources of e-mail addresses used for this purpose?
- 2.17 What are the risks and benefits, to both consumers and commercial entities, of unsolicited commercial e-mail? What are consumers' perceptions, knowledge, and expectations regarding the risks and benefits of unsolicited commercial e-mail?
- 2.18 What costs does unsolicited commercial e-mail impose on consumers or others? Are there available means of avoiding or limiting such costs? If so, what are they?

- 2.19 Are there technological developments that might serve the interests of consumers who prefer not to receive unsolicited commercial e-mail? If so, please describe.
- 2.20 How many commercial entities have implemented the Principles for Unsolicited Marketing E-mail presented at the June 1996 Workshop by the Direct Marketing Association and the Interactive Services Association?

Documents referenced in the above questions may be found in Appendix C to the Commission staff report Consumer Privacy on the Global Information Infrastructure (1996).

SESSION THREE: CHILDREN'S ONLINE PRIVACY

Invitation to Comment

The June 1996 Workshop identified key issues raised by information practices of commercial Web sites that are directed to children (“children’s commercial Web sites”), privacy concerns raised by those practices, and interactive technology’s potential for addressing children’s information privacy online. To supplement and update the record developed at the June 1996 Workshop, the Commission seeks new evidence and additional comment on the following questions, a number of which were discussed generally at that Workshop. Responses should provide specific examples, models, case studies, surveys or other research, and quantitative and empirical data wherever possible. Please provide copies of any studies, surveys, research, or other empirical data referenced in responses.

Information Collection and Use

- 3.1 What kinds of personal information are collected by children's commercial Web sites from children who visit those sites and how is such information subsequently used? Among other things, is clickstream data being collected and tied to personally identifying information about children; is information being collected from children to create lists for sending unsolicited e-mail?
- 3.2 To what extent is the collection, compilation, sale or use of personally identifying, as opposed to aggregate, children's personal information important for marketing online or for marketing research? What privacy concerns, if any, are raised by the collection or use of aggregate children's personal information in this context?
- 3.3 What are the risks, costs and benefits of the collection, compilation, sale, and use of children's information in this context?
- 3.4 What surveys, other research, or quantitative or empirical data exist about parents' perceptions, knowledge and expectations regarding (1) whether their children's personal information is being or should be collected by Web site operators and the extent of such collection; (2) the benefits and risks associated with the collection and subsequent use of such information; (3) appropriate uses of such information; and (4) whether certain categories of children's information should never be collected or disclosed to others?

- 3.5 How many children's commercial Web sites collect, compile, sell or use children's personal information? Of these, how many give parents notice of their practices regarding the collection and subsequent use of personal information? With respect to these Web sites, describe (1) how and when such notice is given; (2) the content of such notice; and (3) the costs and benefits, for both parents and children's commercial Web sites, of providing such notice.
- 3.6 Of the children's commercial Web sites that collect, compile, sell or use children's personal information, how many provide parents choice with respect to whether and how their children's personal information is collected and subsequently used by those sites? With respect to such Web sites, describe: (1) what choices are provided to parents and how such choices are exercised; and (2) the costs and benefits, for both parents and children's commercial Web sites, of providing such choices.
- 3.7 Of the children's commercial Web sites that collect, compile, sell or use children's personal information, how many provide parents access to, and an opportunity to review and correct, personal information about their children that is collected and retained by those sites?
- 3.8 Of the children's commercial Web sites that collect, compile, sell or use children's personal information, how many have procedures to maintain the security of personal information collected from children online, and what are those procedures?

- 3.9 Do children's information practices in the online context differ from those implemented in other contexts? If so, describe the differences. Do the risks, costs, and benefits of these practices differ depending on the context? If so, describe the differences.
- 3.10 Do schools, libraries, and other settings in which children may have access to the Web, have a role to play in protecting children's privacy? What role do they currently play, and what role could they play in the future?

Self-regulation

- 3.11 What industry principles, recommendations or guidelines have emerged since the June 1996 Workshop? Please discuss whether they are permissive or mandatory, whether they include sanctions for non-compliance, and the extent to which they have been implemented within the industry.
- 3.12 What steps have children's commercial Web site operators taken since June 1996 to address children's online privacy issues? To what extent have they adopted the principles outlined in the following documents submitted at the June 1996 Workshop: (1) the Joint Statement on Children's Marketing Issues presented by the Direct Marketing Association and Interactive Services Association; (2) Self-Regulation Proposal for the Children's Internet Industry presented by Ingenius, Yahoo and Internet Profiles Corporation; and (3)

Proposed Guidelines presented by the Center for Media Education and Consumer Federation of America?

3.13 What privacy concerns, if any, are not adequately addressed by existing guidelines?

Technological Developments

3.14 Has interactive technology evolved since June 1996 in ways that could address children's online privacy issues? To what extent is it (a) readily available; (b) currently in use; (c) easy to use; and (d) effective in preventing children from disclosing personally identifiable information?

3.15 What are the costs and benefits, to both parents and children's commercial Web sites, of employing such technology? What are parents' perceptions, knowledge and expectations of the risks and benefits of using such technology?

Unsolicited Commercial E-mail

3.16 How widespread is the practice of sending children unsolicited commercial e-mail? Are privacy or other consumer interests implicated by this practice? What are the sources of e-mail addresses used for this purpose?

- 3.17 What are the risks and benefits, to children, parents and commercial entities, of unsolicited e-mail directed to children? What are parents' perceptions, knowledge and expectations of the risks and benefits?
- 3.18 What costs does unsolicited commercial e-mail directed to children impose on children, parents, or others? Are there available means of avoiding or limiting such costs? If so, what are they?
- 3.19 Are there technological developments that might serve the interests of parents who prefer that their children not receive unsolicited commercial e-mail?
- 3.20 How many children's commercial Web sites have implemented the Principles for Unsolicited Marketing E-mail presented at the June 1996 Workshop by the Direct Marketing Association and the Interactive Services Association?

Documents referenced in the above questions may be found in Appendix C to the Commission staff report Consumer Privacy on the Global Information Infrastructure (1996).

FORM AND AVAILABILITY OF COMMENTS:

Comments should indicate the number(s) of the specific question(s) being answered, provide responses to questions in numerical order, and use a new page for each question answered.

Written comments will be available for public inspection in accordance with the Freedom of Information Act, 5 U.S.C. 552, and Commission regulations, 16 C.F.R. Part 4.9, on normal business days between the hours of 8:30 a.m. and 5:00 p.m. at the Public Reference Room 130, Federal Trade Commission, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. The Commission will make this notice and, to the extent technically possible, all comments received in response to this notice available to the public through the Internet at the following address: <http://www.ftc.gov>. The Commission cannot currently receive comments responding to this notice over the Internet.

WORKSHOP SESSIONS:

The workshop will be held on **June 10-13, 1997** in Room 432 of the Commission's headquarters building, Sixth Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. The tentative schedule for workshop sessions is as follows: **Session One- June 10, 1997 (9:00 am - 5:00 pm); Session Two - June 11, 1997 (9:00 am - 5:00 pm) and June 12, 1997 (9:00 am - noon); Session Three - June 12, 1997 (1:30 - 5:00 pm) and June 13, 1997 (9:00 am -5:00 pm)**. Those parties who wish to participate in the workshop must file written comments and notify the Commission's Secretary, in writing, of their interest in participating in Sessions One, Two, and/or Three on or before **April 15, 1997**. Parties may participate in more

than one workshop session; notifications of interest must specify the session(s) in which participation is sought. All workshop sessions are open to the public.

The purpose of the workshop will not be to achieve a consensus of opinion among participants, or between participants and Commission staff, with respect to any issue raised in Sessions One, Two, or Three. The purpose of Session One will be to explore the issues raised by the Commission's study and discussed in the comments responding to this notice. The Commission will consider the views and suggestions made during Session One, as well as any written comments, as part of its study.

The purpose of Sessions Two and Three will be to update the Commission on the current collection and use of personal information online, and on self-regulatory efforts and technological developments since June 1996. Commission staff will consider the views and suggestions made during these sessions, as well as any written comments, in determining what further Commission action, if any, it will recommend in the area of online privacy protections.

If the number of parties who request to participate in Session One, Two, or Three is so large that including all requesters would inhibit effective discussion among the participants, then Commission staff will select a limited number of parties, from among those who submit written comments, to represent the significant interests affected by the study. These parties will participate in an open discussion of the issues. It is contemplated that the selected parties will ask and answer questions based on their respective comments, including questions posed by Commission staff. The discussion will be transcribed and the transcription placed on the public record.

To the extent possible, Commission staff will select parties to represent the following affected interests. For Session One: data base operators and their customers; suppliers of data to data bases; federal, state and local law enforcement and regulatory authorities; consumer and privacy advocacy groups; and any other interests that Commission staff may identify and deem appropriate for representation. For Sessions Two and Three: consumer and privacy advocacy groups; industry groups, online service providers, Web site owners; online marketers; consumers who are active on the World Wide Web; interactive technology developers; and any other interests that Commission staff may identify and deem appropriate for representation.

Parties to represent the above-referenced interests will be selected on the basis of the following criteria:

1. The party submits a written comment (in the prescribed form) for one or more sessions and notifies Commission staff of its interest in participating in those sessions on or before **April 15, 1997**.
2. The party's participation would promote a balance of interests being represented at the conference.
3. The party's participation would promote the consideration and discussion of a variety of issues raised by the study.
4. The party has expertise in or knowledge of the issues that are the focus of the study.

5. The party adequately reflects the views of the affected interest(s) which it purports to represent, not simply a single entity or firm within that interest.

6. The party has been designated by one or more interested parties (who timely file written comments and requests to participate) as a party who shares group interests with the designator(s).

7. The number of parties selected will not be so large as to inhibit effective discussion among them.

If it is necessary to limit the number of participants, those not selected to participate, but who submit both written comments and requests to participate, may be afforded an opportunity at the end of the session to present their views during a limited time period. The time allotted for these statements will be determined on the basis of the time necessary for discussion of the issues by the selected parties, as well as by the number of persons who wish to make statements.

Requesters will be notified as soon as possible after **May 15, 1997**, if they have been selected to participate in workshop sessions. To assist Commission staff in making this notification, parties are asked to include in their request to participate a telephone number and facsimile number if available.

Authority: 15 U.S.C. 41 et seq.

By direction of the Commission.

Donald S. Clark
Secretary