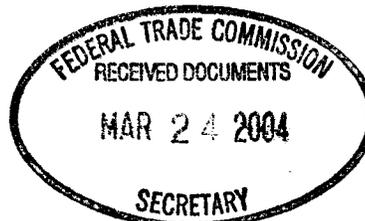




FIRST DATA CORPORATION
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March 23, 2004

ORIGINAL



Federal Trade Commission
Office of the Secretary
Room 159-H
600 Pennsylvania Ave., NW
Washington, DC 20580

Re: Alternative Forms of Privacy Notices, Project No. 034815

Dear Mr. Secretary:

I am writing on behalf of First Data Corporation (First Data) in response to your request for comments on possible amendments to the privacy rules issued under the GLB Act. We are concerned about possible standardization of privacy policies because First Data's financial services are generally very different than those associated with traditional banking financial institutions. For example, First Data's subsidiary Western Union Financial Services, Inc. (Western Union) offers money transfer services at over 160,000 agent locations in over 195 countries and territories. For the most part, these are single event transactions and Western Union does not maintain an ongoing relationship with the consumer. Similarly, other First Data subsidiaries offer official checks, money orders, mortgage acceleration services, stored value cards and gift cards; all of which are different than the traditional deposit and credit account activities offered by banking institutions. I will use our Western Union money transfer service to illustrate our comments, but our concerns similarly apply to any financial service where debit and credit account relationships are not present.

Comments regarding whether the agencies should develop a short form notice.

First Data believes that development of a short form notice and model language may be helpful for financial institutions and consumers in certain instances; provided the rule changes include sufficient flexibility for companies engaged in financial services that differ from traditional banking and mortgage activities to provide for meaningful and clear privacy policy disclosures.

Existing Short Form requirements

Currently, Western Union provides a short form notice on our Send Form pursuant to 313.6(d) of the current rules. We have found this to be an effective and efficient way to provide basic privacy information to consumers, along with a simple way for them to obtain Western Union's complete privacy policy. We strongly urge the regulators to maintain the current short form requirements for "consumers" as the rules are currently drafted. If additional short form options or requirements are adopted, they should only apply to instances where "customer relationships" are formed.

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New Short Form requirements

As previously noted, Western Union's financial services differ from the debit and credit accounts normally associated with banking institutions. Consequently, the standard line items that could be included in a standard form, if applied to money transmission services, will likely confuse consumers. For example references to "your accounts," "applications" and "credit reports" (contained on the examples in Appendixes A and B of the interagency proposal) will be confusing and may actually mislead consumers into thinking they have an account with Western Union, or that a credit report will be pulled, when that is not true. We urge the agencies to allow sufficient flexibility for companies delivering nontraditional financial services to accurately describe their information practices in ways that will not be confusing or mislead consumers. Companies should be allowed to omit any specific disclosures that do not apply to the financial product or service that the company offers.

Consequently, a "specific format and standardized language" approach as outlined in your first option will not work for financial services that do not fall within standard banking products unless the categories of information are sufficiently flexible to describe different financial products.

The timing of rule changes

Western Union has forms at over 50,000 agent locations within the United States. Any rule change would take at least one year to implement. Consequently, if any change is made in either the short form or complete privacy notice, we ask that at least one year be allowed for a conversion to the new disclosure forms.

Thank you for the opportunity to comment on proposed rule changes. Please feel free to call me at 720-332-5205 if you have questions or need additional information about our comments.

Sincerely,

First Data Corporation



Mark A. Thompson
Associate General Counsel