

CHIEF PRIVACY OFFICER
CONSUMER AFFAIRS



March 25, 2004

Federal Trade Commission
Office of the Secretary
Room 159 H
600 Pennsylvania Avenue, NW
Washington, DC 20580-0001



Sent electronically to GLBnotices@ftc.gov and by mail

RE: Alternatives Forms of Privacy Notices, Project # P034815

Dear Sirs and Madams:

Thank you for the opportunity to comment on the advanced notice of proposed rulemaking "ANPR" relating to the Interagency Proposal to Consider Alternative Forms of Privacy Notices under the Gramm-Leach-Bliley Act (GLB).

Background

Based on our two hundred year history and trusted brand, the Postal Service is keenly interested in privacy practices that serve the public. Given its unique status, the Postal Service evaluates and follows the best business models and practices of both the public and private sectors. Our privacy policy on usps.com reflects that approach – it adheres to the FTC Fair Information Principles, as well as the OMB Guidelines for agency websites.

Privacy Notices

For the last year, USPS has been an active participant in the layered notices program led by the Center of Information Policy Leadership (CIPL). We consider privacy notices to be one of the key issues for a quality privacy program. Besides legal compliance, it is the method by which an organization communicates to its customers and the public what its privacy and data practices are. We believe that consumer-focused notices are critical in this area. Organizations can thus effectively provide readers the vital information they need so that they feel comfortable interacting with the organization, be it to conduct transactions or foster other relationships.

Layered notices are a significant aid to consumer-focused notices. They can achieve two goals. First, a layered notice gives the reader a tool so that he or she can see the key elements of an organization's privacy policy, and, if desired, compare them to notices of other organizations. According to our experience and understanding, there are a few main items that consumers focus on regarding privacy. These tend to reflect the FTC's Fair Information Principles. Layered notices give readers a quick and standardized way to understand the basics, and a method for reading more detail if they are interested. In order for this to work, of course, layered notices will need some standardization across organizations, so that the reader can have the desired comfort level that he or she is in fact seeing the key elements of interest.

Second, layered notices can serve to provide an integrated view of the organization itself, if it has multiple notice obligations. The above serves to standardize across organizations; this serves to integrate down or within an organization. For instance, the Postal Service provides notices, either as a matter of law or voluntarily as part of good industry practice, under the Privacy Act, under GLB, and for its online customers. Presenting multiple notices, with different messages, may confuse consumers. A layered notice can provide the key elements of all such notices, again with a method to learn more.

Consumer Testing

Over the last year, the Postal Service has developed and tested its own layered notice against its longer, more detailed privacy policy on usps.com. The purpose of the survey was to gain an understanding of how customers feel about the concept, content, and effectiveness of the short notice. Our latest survey was recently completed, and we are in the process of analyzing results.

According to our preliminary results, the layered notice has value. Our preliminary findings are that respondents rate the layered notice more highly overall than the longer notice. The layered notice appears to rate more highly on numerous specific issues as well. Some of these issues are central to the value of a notice, such as its clarity and ease of use.

Conclusion

The Postal Service supports the effort regarding layered notices. We only request that, as regulators evaluate this proposal, they keep in mind that any template developed should be able to accommodate other industries besides the financial industry. In this manner, layered notices can achieve the desired goal of serving as a standard template that consumers can understand and have confidence in.

Thank you for consideration of our comments. Please feel free to contact me with questions at (202) 268-3040.



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