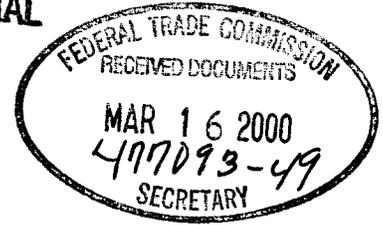


# THE NEW HAMPSHIRE LEAGUE OF INVESTIGATORS, INC.

PO BOX 108 CONCORD, NH 03302-0108



ORIGINAL



Secretary  
Federal Trade Commission  
Room H-159, 600 Pennsylvania Ave, N.W.  
Washington, D.C. 20580

RE: Gramm-Leach-Bliley Act Privacy Rule, 16 CFR Part 313-Comment

I am writing to express my concern with the proposed regulations to implement Title V of the Gramm Leach-Bliley Act of 1999. These comments are submitted on behalf of the New Hampshire League of Investigators. Ours is a state organization of licensed private investigators that stands to lose a valuable tool if "non-public personal information" is defined to include simple names and addresses of customers of financial institutions.

This act may actually have the opposite effect intended, in that it will facilitate the perpetration of fraud and illegal activity.

Nothing in the consideration of privacy during congressional debate reflected concern about name and address information. Rather, the clear intent of Congress was to provide an opportunity for customers of financial institutions to "opt-out" of sharing their personal *financial* information with non-affiliates of the institutions. The statute provides protection for financial information--*not mere names and addresses*.

Indeed, if all information available to a financial institution is defined as "non-public personal information" then what is "public"? Clearly, Congress was offering a distinction by describing *financial* information. We would agree, that the Act provides opt-out of information regarding credit history, employment and financial assets. By what standard are name, address, and telephone number "non-public"?

**This is merely the same information that we put in the white pages of the telephone directory and on every check that we write.**

Private investigators are an important, integral, part of the American system of jurisprudence, and a highly regulated profession. It is not widely understood that investigators are a critical cog in the legal machinery. The information we obtain regarding addresses and telephone numbers is essential to our conduct of business and fulfilling our obligations to consumers.

Please consider the fact that the media portrayal on investigators is total fiction, and the reality is that of a highly regulated profession working to serve the legal, business, and insurance communities.

We utilize this information to assist in finding witnesses, for the service of process, to confirm addresses given on applications, to prevent fraud, particularly insurance fraud, and to conduct child welfare investigations and assist clients in judgement and asset recovery. A high percentage of crime investigations are worked up by private investigators before being turned over to law enforcement for prosecution, because law enforcement lacks the resources. The service of process, which is primarily done by civilian servers, would be crippled by this interpretation.

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Often it is the only practical way to locate someone attempting to flee from legal obligations for child support, debt collection, or testimony as a material witness. . Perpetrators of crimes such as stalking or defrauding the elderly often do not reside at the address where their vehicles are registered. This information is essential to locating the registered owners of vehicles used in these acts.

If we lose the ability to access this information, then we will be relegated to searching by using the white pages of the phone book. *Only the criminals and irresponsible will benefit.* We urge you to define non-public personal information in the manner that Congress intended.

Respectfully

  
John M. Healy  
President  
NHLI