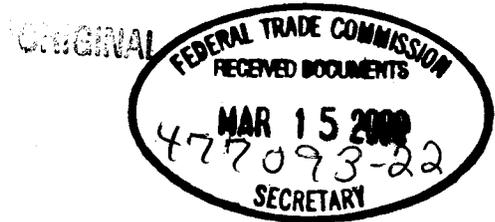


**PHILIP D. SMITH**  
And ASSOCIATES

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March 13, 2000



*Federal Trade Commission  
Room H-159  
600 Pennsylvania Ave., N.W.  
Washington, DC 20580*

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

**To Whom It May Concern:**

*I want to express my concern with the proposed regulations to implement Title V of the Gramm-Leach-Bliley Act of 1999. As a licensed private investigator and small business person, I worry we would lose a valuable and very necessary source of locating witnesses and suspects if "non-public personal information" is defined to include simple names and addresses of customers of financial institutions.*

*It was my impression that the clear intent of Congress was to provide an opportunity for customers of financial institutions not to share their personal financial information with non-affiliates of the institutions. The Statute provides protection for financial information, not just names and addresses. If all information available to a financial institution is defined as "non-public personal information," then what is "public"? Congress seemed to be offering a distinction by describing financial information. I believe the Act provides opt-out of information regarding credit history, employment and financial assets. But name, address and phone number should not be classified as "non public".*

*Private investigators are an important role in our civil and criminal justice systems which is not understood by many. The information we obtain regarding addresses and phone numbers is essential to our conduct of business and fulfilling our obligations to consumers. We use this information to investigate embezzlement, insurance fraud, locate delinquent child support debtors and serve process among other things. Stalkers and scam artists seldom reside where their vehicles are registered so current address information is essential and law enforcement seldom has the manpower to develop these cases for prosecution.*

*If this information is deemed "non-public personal," only wrongdoers and criminals will benefit and the law-abiding consumer will be the loser. I urge you to define non-public personal information in the manner that Congress intended.*

*Sincerely,*

A handwritten signature in black ink that reads "Jeff Smith/kz". The signature is written in a cursive style with a large initial "J" and a clear "Smith" followed by a slash and the initials "kz".

*Jeff Smith  
Vice President  
Philip D. Smith & Associates, Inc.*

*JJS/kz*