



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

August 31, 2009

Mindy A. Bockstein
Chairperson and Executive Director
New York Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, NY 12223

**Re: Sears Holdings Management Corporation
FTC Matter No. 0823099**

Dear Ms. Bockstein:

Thank you for your comment regarding the above-referenced matter. Your comment was placed on the public record pursuant to Section 2.34 of the Commission's Rules of Practice, 16 C.F.R. § 2.34, and was given serious consideration by the Commission.

Your comment supports the terms of the proposed consent order. It also encourages the Commission to examine and implement a policy that would require more prominent and understandable disclosures regarding online data collection in general.

Although the proposed consent order does not create a new standard of disclosure for Internet transactions, the Commission is concerned about the privacy implications of online tracking data, particularly in the context of online behavioral advertising.¹ The Commission continues to encourage industry to do a better job of disclosing information collection practices to consumers. The Commission will also continue to bring enforcement actions in appropriate circumstances.

Thank you again for your comment. It helps the Commission's analysis to hear from a variety of sources in its work, and we appreciate your interest in this matter. A copy of the final Decision and Order, and other relevant materials, are available on the Commission's website at <http://www.ftc.gov>.

By direction of the Commission.


Donald S. Clark
Secretary

¹ See *FTC Staff Report: Self-Regulatory Principles for Online Behavioral Advertising* (Feb. 2009), available at <http://www.ftc.gov/os/2009/02/P085400behavadreport.pdf>.