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February 17, 2011

Via electronic filing

The Honorable Donald S. Clark
Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Comments on the Preliminary FTC Staff Report on Protecting Consumer Privacy in an Era of Rapid Change

Dear Secretary Clark:

I am pleased to offer the enclosed comments on behalf of Experian in response to the report referenced above and have summarized our key points below.

Experian is comprised of a family of companies that are tied together by two simple objectives:

1. Helping organizations better understand and serve their existing and prospective customers
2. Helping consumers make good choices and live smarter lives

We protect families from identity theft and provide expert education on credit (ConsumerInfo.com); help them find the best deal on everyday products (PriceGrabber.com); help consumers understand the history of the used car they are buying (AutoCheck.com); find better deals on insurance and mortgages (LowerMyBills.com); and identify competitive educational opportunities (Classes USA.com). The success of our business relies strongly on consumer trust and being good stewards of information.

Consumer privacy is central to Experian's corporate values, and we applaud the Commission's efforts to challenge organizations to be more transparent about the way they use data through evolving and improved self-regulation. With this background, our comments bring attention to these key points:

- The current system of sharing information among affiliated and third party entities is a critical component in the success and innovation of our economy. As consumer's privacy expectations evolve, new standards can be accommodated within our existing flexible and adaptive regulatory system – one comprised of firmly established sectoral laws and ensuing regulations, increased

reliance on robust and evolving self-regulation, and enforcement by multiple agencies and at multiple government levels against unfair and deceptive commercial practices.

- Consumer privacy is an important and essential lens from which to view commercial information sharing practices, but other important and legitimate perspectives include how consumers benefit from and are protected by information sharing, how businesses use information in a responsible manner to innovate and increase productivity, and how the economy in general benefits and can compete in a global marketplace. Each of these viewpoints must be balanced and reconciled when considering any new privacy framework.
- The Commission's final report should be accompanied by an economic analysis of the impact on any substantive recommendations it contains.
- The "privacy by design" framework, from our understanding of the staff report, could potentially evolve into a useful tool for companies to evaluate their privacy and data security policies. Experian welcomes the opportunity to work with the FTC to further define this framework.
- The collection and sharing of third-party consumer data, whether online or offline, provides a number of significant benefits to consumers. Public policy must carefully balance any restrictions on the collection and sharing of third-party information with consumers' best interests.

Experian appreciates the opportunity to comment on the Commission's staff report and we look forward to a continued dialogue on these important issues.

Sincerely,

Victor K. Nichols
Chief Executive Officer, North America
Experian

Enclosure