



NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.TM

LAND SURVEYORS BUILDING | 146 WASHINGTON AVENUE | ALBANY, NEW YORK 12210-2203 | TELEPHONE: (518) 432-4046 | FAX: (518) 432-4055
EMAIL: CONTACTNYSAPLS@NYSAPLS.NET | WEBSITE: WWW.NYSAPLS.ORG

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OFFICE OF THE CHAIRMAN

PRESIDENT

Patricia P. Brooks, LS

March 18, 2011

EXECUTIVE VICE PRESIDENT

John S. Boddecker, LS

The Honorable Jonathan D. "Jon" Leibowitz, Chairman

Federal Trade Commission

VICE PRESIDENT

Joseph G. Malinowski, LS

600 Pennsylvania Avenue, NW

Washington, DC 20580

TREASURER

Gregory J. de Bruin, LS

RE: Public Comments on December 1, 2010 Preliminary FTC Staff Privacy Report

SECRETARY

Gary L. Thompson, LS

Dear Mr. Leibowitz:

EXECUTIVE DIRECTOR

Glennon J. Watson, LS

On behalf of the board of directors, we are deeply concerned that the Federal Trade Commission report, Protecting Consumer Privacy in an Era of Rapid Change, would result in a serious threat to the geospatial community. While we applaud the FTC for addressing concerns of internet-based cyber tracking of personal data, we believe there is a broader implication to the surveying profession.

MANAGING DIRECTOR

Jennifer Mauer, CAE

The regulations could thwart common, legitimate and emerging uses of geospatial data for emergency response/post disaster remediation, E-911 and other emergency services. Moreover, activities, technologies and applications development could be deemed illegal. For example, it would be impractical, if not impossible, for surveying firms to obtain prior approval or consent from individual citizens prior to acquiring or applying data such as satellite imagery, aerial photography, or parcel, address, or transportation data. The FTC regulation, as proposed, would effectively ban our member firms, or our clients, from important value-added, integration and application activities.

The FTC should provide the necessary and desirable privacy protections to individual citizens; however, it should not limit the geospatial community's ability to grow, prosper and bring to the market those technologies and applications that meet the economic demands of consumers and citizens. Therefore we urge the FTC to either remove any reference to "precise geolocation data", more specifically and exactly define the term, and/or include the exemption offered by the Management Association for Private Photogrammetric Surveyors Association in their letter of January 4, 2011. A copy is enclosed for your reference.

If you have any questions, or if we can be of any assistance, please do not hesitate to contact our office.

Sincerely yours,

Patricia Pauli Brooks, PLS

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING & MAPPING AND NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS

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