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Lawmakers Seek Data On Targeted Online Ads

Panel Concerned About Privacy on Web

By [Ellen Nakashima](#)
Washington Post Staff Writer
Tuesday, August 5, 2008; Page D03

The House Energy and Commerce Committee is expanding its inquiry into potential privacy violations of online advertising that is targeted based on consumers' Web-surfing activities.

The lawmakers have written to 33 telecommunications businesses to learn whether, how and when Internet companies might have engaged in such practices. Their aim in part is to determine whether existing laws sufficiently protect consumers' privacy in online behavioral advertising or whether new legislation is needed.

"The Committee is interested in learning how pervasive this practice is among cable, phone, and Internet companies, what safeguards are in place to ensure that consumers are aware of the practice, and how best to preserve their privacy," committee Chairman John D. Dingell (D-Mich.), said in a letter Friday to firms including AOL, AT&T, Comcast, Cox, Google, Time Warner Cable, [Microsoft](#), Yahoo and Verizon.

A key issue for some of the lawmakers is whether consumers are given sufficiently clear notice about what information is collected, how it is used to target ads and whether consumers have control over the use of the data.

Some, like Rep. Edward J. Markey (D-Mass.), chairman of the panel's telecommunications subcommittee, said at a hearing on the subject last month that consumers "deserve one clear, conspicuous" notice about the data collection and should not be sent targeted ads unless they give their consent -- what he termed "meaningful opt-in consent."

At the same hearing, Rep. Cliff Stearns (R-Fla.) said, "It's imperative that there be some evidence of harm if we're going to regulate this practice, or we run the risk of prematurely restricting the latest technological advancements that are related to online



Rep. John D. Dingell's committee has asked 33 firms about targeted ads. (By Chip Somodevilla -- Getty Images)

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The Federal Trade Commission in December issued a set of proposed guidelines for industry self-regulation, including disclosure to consumers of the data gathering for behavioral advertising and an offer of a choice as to whether their data will be gathered for that purpose.

The lawmakers requested a response to their letters by Friday.

They also wrote to: Bresnan Communications, Bright House Networks, Cable One, [Cablevision](#), Cbeyond, [CenturyTel](#), [Charter](#)

[Communications](#), Citizen Communications, Covad Communications, [EarthLink](#), Insight, [Knology](#), [Level 3 Communications](#), Mediacom, Paetec, Qwest, [RCN](#), Suddenlink, TW Telecom, WideOpenWest, TDS Telecom, [United Online](#), Windstream Communications and [XO Communications](#).

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