

National Association of Attorneys General to Undertake Year-Long Privacy Initiative

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The National Association of Attorneys General (“NAAG”), a nonpartisan organization of chief legal officers from each state, recently announced that Internet privacy will be a key area of its attention over the next year. Upon accepting his election as the 105th president of NAAG, Maryland Attorney General Douglas Gansler (D) stated his intention to examine “privacy in the digital age” as his year-long presidential initiative. In a statement, Attorney General Gansler said: “The Digital Age has transformed everything we do, from buying groceries to boarding an airplane, from treating an illness to socializing with friends and family. These changes have raised some unique and significant challenges to privacy. With this initiative, we will bring the energy and legal weight of this organization to investigate, educate, and take necessary steps to ensure that the Internet’s major players protect the privacy of online consumers while balancing their legitimate business interests.” NAAG initiatives generally involve a series of meetings and discussions among the group’s membership and culminate in a public report with recommendations; this privacy initiative should be the same. It is expected that the initiative will look at concerns such as social media privacy, data breaches, and consumer control over personal information. Given the close relationship between state AGs and the FTC, it is possible that further FTC investigations will spring from the NAAG’s initiative.

TIP: On the heels of NAAG’s announcement, companies can expect increased state law enforcement scrutiny of Internet privacy practices on issues ranging from data security breaches to behavioral advertising. Also, be on the lookout for not only state attorney general investigations, but coordinated actions between the states and the FTC. “Privacy sweeps” may indeed be a part of the law enforcement consumer protection agenda in the coming months.

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