

AMERICAN COUNCIL OF LIFE INSURERS

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AMERICAN INSURANCE ASSOCIATION

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January 5, 2000

VIA MESSENGER

Mr. Donald S. Clark
Secretary of the Commission
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Re: Advisory Committee on Online Access and Security –
Nomination, P004807

Dear Mr. Clark:

The American Insurance Association and the American Council of Life Insurers hereby nominate Thomas Fox for the FTC Advisory Committee on Online Access and Security (the “Advisory Committee”). Mr. Fox is a partner in the Washington, D.C. law firm of Schwartz & Ballen, which represents the American Council of Life Insurers and the American Insurance Association on federal and state privacy and technology-related matters.

Mr. Fox is thoroughly familiar with privacy issues as they uniquely relate to property/casualty and life insurance company activities, as well as with the Internet and other technology-related issues. He and his law firm were extensively involved in the drafting of Title V of the Gramm-Leach-Bliley Act, and are now working with the property/casualty and life insurance industry on the implementation of that Act as well as on various state privacy initiatives. Mr. Fox also is expert on existing privacy law as it relates to the insurance industry, including the Fair Credit Reporting Act and the National Association of Insurance Commissioners Privacy Protection Model Act that has been enacted in nineteen states. Through his work with us and several of his other technology company clients, Mr. Fox also has considerable expertise in the technology, business practices and legal issues of a wide variety of commercial Web site companies ranging from the very largest technology companies to dot.com start ups. Additional background information about Mr. Fox is attached.

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Mr. Fox has committed that he would personally attend each of the Advisory Committee meetings, as well as be actively involved in all facets of the work of the Advisory Committee. We believe he would be of invaluable assistance to the Advisory Committee and the FTC as it considers the important issues relating to implementation of fair information practices by commercial Web sites generally and those issues in the context of the insurance industry specifically.

The American Insurance Association is a trade association representing more than 370 major insurance companies which provide all lines of property and casualty insurance and write more than \$60 billion in annual premium.

The American Council of Life Insurers is the principal trade association for the nation's life insurance companies. Its 442 member companies account for approximately 75% of the life insurance in force in the United States and 80% of the insured pension business.

If you have any questions concerning this nomination or we can otherwise be of further assistance, please do not hesitate to contact Mr. Fox directly, at (202) 776-0706, or us.

Very truly yours,

American Council of Life Insurers

American Insurance Association

Gary E. Hughes
Senior Vice President
and General Counsel

Debra T. Ballen
Executive Vice President –
Public Policy Management

Enclosure

cc: Thomas Fox, Esq.

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THOMAS A. FOX

Thomas Fox is a partner in the Washington, D.C. law firm of Schwartz & Ballen. At Schwartz & Ballen, Mr. Fox works primarily on federal and state legal matters for domestic and foreign insurance companies, banks, securities firms and other financial services providers. Particular specialties of Mr. Fox are the legal issues related to privacy, and electronic commerce.

Mr. Fox was a member of the American Bar Association's Task Force on Stored Value Cards and Computer Network Payment Products which addressed the potential application of state and federal law to emerging e-commerce products and applications. Mr. Fox also participated with the Drafting Committee of the National Conference of Commissioners on Uniform State Laws in the development of the Uniform Electronic Transactions Act, which governs electronic signatures and electronic records. Mr. Fox also is working with various financial services clients on various federal and state legislative and regulatory initiatives relating to electronic commerce.

Mr. Fox received his J.D., *magna cum laude*, from Georgetown University Law Center in 1991 where he was an editorial staff member of the *Journal of Law and Policy In International Business*. He earned his B.A., *cum laude*, from Duke University in 1988.

Mr. Fox is a member of the bars of the District of Columbia and Maryland.