

This memo compares the privacy policies from the following four entities:

1. Amazon.com
2. NASA
3. Harvard Law School Blogs
4. Akamai

Amazon is an online merchant, one of the biggest in the world. Its privacy statement is provided online with a randomized link, which is located at the bottom of its front page <http://www.amazon.com/>.

NASA (National Aeronautics and Space Administration) is a federal government agency responsible for space research and exploration, its privacy statement is online at http://www.nasa.gov/about/highlights/HP_Privacy.html.

Harvard Law School Blogs (<http://blogs.law.harvard.edu/>) is a weblog hosted by the Berkman Center for Internet & Society at Harvard Law School. Users can edit and maintain a thread of dialog/review over some specific topic using the web browser. Its privacy statement is at <http://blogs.law.harvard.edu/privacyPolicy>.

Akamai is one of the biggest CDN (Content Delivery Network) providers, through its high speed content delivery channels which distributes its customers' web content around the world, it provides fast web access from the end user to its customer's web sites. Being an intermediate service provider, privacy is one of the biggest concerns for Akamai, the company has set up its privacy principles to observe, which can be found at http://www.akamai.com/en/html/misc/privacy_policy.html. The privacy statement is at http://www.akamai.com/en/html/misc/detailed_privacy.html.

The privacy policy statements of the above four entities have many things in common, such as regarding to what information about the users is collected, how these information is used, and with whom else the stored information is shared.

1. In general, what information is collected?

The four entities collected anonymous and non-anonymous information from their users, in general, the information being collected include:

- the domain name and IP address of the user;
- the type of browser and OS;
- the day and time of access;
- the page that is being accessed, and also the hyperlink that jumps to the current page;
- the name and email address of the user;
- user review and anything submit through a web form;
- information about the product purchased;
- information received from other business;
- information that is needed to fulfill a credit card transaction;
- personal identifiable information required to do a business with a business customer.

Cookies are used as an assistant to let the web server to remember the state of a web browser, so that web pages can be presented at a more user friendly manner. In all cases, cookies are collected, and it's stated that the removal of cookies will likely disable some of the web page functionality.

In particular, Akamai is collecting anonymous information such as clickstream, and this is done by a third-party vendor. The company is vague about how this data will be used in the future, but clearly this data has a lot of business opportunity in it.

2. How are the collected information used?

It's generally stated that all personal (non-anonymous) information won't be shared with third-party who has no right with that information. And in all cases the general exception to this rule is that the information might be shared with law enforcement if pertinent to judicial or governmental investigations.

3. Who else has the right to touch on the collected information?

In general, all entities share the stored information with their administrative department and with their business partners as well. In the case when data is shared with business partners, it's stated that the business partners are expected to have a same level of privacy protection as the one specified in the sharer's statement.

At the same time, because these four entities, Amazon, NASA, Harvard Law School Blog and Akamai, are doing very different businesses, so inevitably there are difference in their privacy policy statement. Following are some areas where these four entities differ in the level of elaboration.

1. Am I subject to the privacy policy?

Of the four privacy statements, only Amazon.com's statement makes it explicit that by visiting the Amazon website, visitor shall abide by the privacy policy, i.e. they agree that their information, if submitted or collected, will be handled according to the privacy policy in the statement. The other three entities, while providing the privacy statement, make an implicit assumption that users of their websites will agree on the privacy statements. However, among the three, NASA did say that the government computer systems are under constant monitoring, so all users accessing the computers implicitly agree that they are under such monitoring.

2. What are the underlying laws supporting the privacy policy?

For Amazon, it's a participant in the **Safe Harbor** program, so its privacy policy adhere to the principles developed by the U.S. Department of Commerce and the European Union under the Safe Harbor program. As a government agency, at NASA, the user's personal data is protected according to the principles of the **Federal Records Act**, the **Privacy Act**, and as applicable, the **Freedom of Information Act**. For Harvard Law Blogs, no reference to any laws or principles is made. To the other extreme from this overly simplicity, the Akamai has an elaborate set of principles that forms the backbone of its privacy policy. In which it states:

'...Akamai is equally committed to abiding by *all* applicable domestic, national, and international privacy laws.'

In some sense, by using quantifiers such as "all applicable", "applicable", Akamai has maximized the underlying laws that it may use. Some of the explicitly stated laws include:

1995 EU Privacy Directive, Title V of the U.S. Financial Services Modernization Act in 1999, and Canada's Personal Information Protection Act (C-6).

3. What if a third-party breaks the privacy policy, say, a hacker incident?

Amazon as well as Harvard Law School Blogs haven't made any explicit comment on any possible break-in incident, it's not clear whether a legal pursuit will be followed for any of such incidents. NASA has made it clear that any unauthorized break-ins on NASA servers is subject to the laws such as the **Computer Fraud and Abuse Act of 1986** and the **National Information Infrastructure Protection Act of 1996**.

For Akamai, the story is a little bit more complex, first, the company states that it acts as an intermediate party between its business customers and their respective end users so no personal information of the end users is stored; second, the company will rely on any relevant law to protect the business customers and end users in the case if actual privacy violations is found.

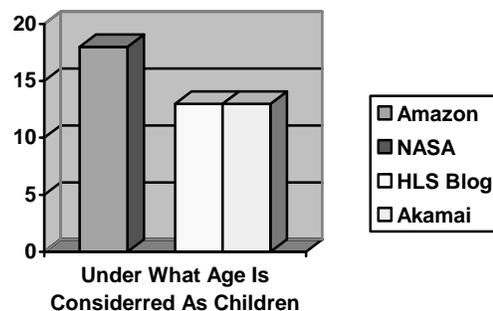
4. What happen to the stored information if the entity vanishes?

None except Akamai has touched on the possibility that the entity itself goes to bankruptcy or non-existence. Akamai states that if the company is liquidated, it will follow the FTC regulations to handle the personal data that it has acquired.

5. How will the privacy policy statement evolve?

Amazon.com is the only entity in its statement says that when any future revision will not weaken the protection of the personal privacy. While the other policy statement didn't touch on that.

6. About children.



As internet inevitably affects the young minds, to minimize such impacts, Amazon doesn't allow children under **18** to do business with Amazon website. And Harvard Law School Blogs and Akamai have stated clearly that they won't collect any information about any child under **13**. NASA doesn't talk about children issues in its privacy policy. As it has an education web site for children, and its privacy policy is applicable to all its underlying department.