

FTC Google Twitter Chat Transcript

On August 9, 2012, FTC staff attorneys Megan Bartley and Megan Gray answered questions on the agency's settlement with Google during a Twitter Chat. The chat was scheduled from 1:00pm-2:00pm and participants used the hashtag #FTCpriv.

Tweets are posted in chronological order for ease of reading.

All tweets remain public on the agency's [@FTC Twitter account](#).

Hi all. Our Twitter chat will be starting soon. If you're joining us, please tweet Qs to #FTCpriv. [go.usa.gov/GFh](#) #privacy

Hi everyone! Megan Gray & Megan Bartley from FTC's Division of Enforcement. Please ask Qs using #FTCpriv.

Q1 MT [REDACTED] How can msg sent be "clear" when there's no admission of liability or explanation of violation or fine? #FTCpriv

A1 Is there any ambiguity that FTC acted vigorously 2 enforce its order? What's impt is actions not words; \$22.5M is loud. #FTCpriv

Q2 MT [REDACTED] As I understand it, prob stems fm quiet change by Apple&Google fixed when it got notice. How \$22.5m justified? #FTCpriv

A2 Q2 Google needs to know what privacy promises it makes, and make sure they are always accurate. #FTCpriv

Q3 MT [REDACTED] What impact do you hope the settlement will have on Web industry? #FTCpriv

A3 We want web industry to abide by the promises it makes to consumers. #FTCpriv

Q4 MT [REDACTED] Comm'r Rosch wrote "Condoning denial of liability in circumstances such as these is unprecedented." Is this true? #FTCpriv

A4 The record reflects that the FTC has accepted many settlements over many years with denials of liability. #FTCpriv

Q5 MT [REDACTED] Is Google settlement clear signal 2 all biz that lie to their users or just those already under a consent order? #FTCpriv

A5 Both - clear signal to all companies, not just those under Consent Orders -- the FTC will not condone privacy misreps. #FTCpriv

Q6 MT [REDACTED] But that would have required, you know, legal analysis! And the FTC doesn't seem interested in that #FTCpriv

A6 Legal basis is violating FTC Order, it's black letter. 4 sure a lot of analysis prior 2 today. Read complaint & case law. #FTCpriv

Q7 MT [REDACTED] How many Safari users affected by Google modifications, & how was that used to compute \$22.5M fine? #FTCpriv

A7 Hard to know exactly. Est 190M Safari users worldwide but not all saw Google's misreps. Penalty = many factors in case law. #FTCpriv

Q8 MT [REDACTED] FTC said Google got highest fine ever levied 4 violation of Comm consent order - what abt \$37.6M against Trudeau? #FTCpriv

A8 Google is penalty 4 violating FTC order; Trudeau is redress 2 be paid 2 consumers 4 contempt of court order. Diff legal basis. #FTCpriv

Q9 MT [REDACTED] Was there an analysis of how much Google profited from violation? #FTCpriv

A9 All relevant factors were considered; by law, we can't discuss specifics of investigation or analysis. #FTCpriv

Q10 MT [REDACTED] so leg basis is order violation. but earlier you said relevant for all. can't have it both ways. #FTCpriv

A10 Affects Google directly, everyone else indirectly. Ripple effect 4 all 2 underscore it is crucial 2 avoid misreps 2 consumers. #FTCpriv

Q11 MT [REDACTED] What troubles me is that record fine was 4 (unintentional) misrepresentation resulting in noncompliance w/ CO. #FTCpriv

A11 "Unintentional" is Google's story. FTC's cmplt doesn't adopt that perspective. Many considerations went into penalty amount. #FTCpriv

A11 All FTC needed 2 establish in complaint is that Google made privacy assurance that was false. Intent irrelevant 2 liability. #FTCpriv

Q12 MT [REDACTED] on what date did the FTC first learn about the Google cookies? #FTCpriv

A12 Specifics of investigation are non-public but investigation was underway prior to media coverage. #FTCpriv

That is it for our chat today. Thank you to everyone for participating in #FTCpriv.

All - if you have additional questions about Google, you can contact our press office: opa(at)ftc(dot)gov. #FTCpriv

Note: These final two tweets were posted after the chat in response to public & press questions about timing of the Google investigation.

BREAKING: In response to multiple inquiries regarding timing of FTC's Google investigation, staff has updated info. #FTCpriv #privacy

FTC Chief Technologist (@techFTC) says FTC's investigation of Google Safari was underway in Dec '11: <http://ow.ly/cR1pE> #FTCpriv #privacy