

Updated COPPA Rule Twitter Chat

On December 19, 2012, FTC staff hosted a Twitter Chat to answer questions about the updated Children's Online Privacy Protection Rule. Staff Attorneys from the Division of Ad Practices, Mamie Kresses and Phyllis Marcus, along with Senior Policy Advisor Paul Ohm, worked with the Office of Public Affairs to answer questions.

Staff used both @FTC and @TechFTC to answer questions tweeted with the #COPPA hashtag. Tweets are posted in chronological order for ease of reading. They remain public on our Twitter accounts (without redactions) in the order they were originally posted.

@FTC: Hi all! Phyllis Marcus & Mamie Kresses, FTC's Division of Ad Practices, here. Send us your Qs now. #COPPA

@TechFTC: Paul Ohm here too, focusing more on the technical/business questions you may have. #COPPA

@FTC: Q1 RT [REDACTED] Question re: #COPPA changes - How do you see chat or messaging mechanisms on kids site? Are they automatically potential PII?

@FTC: @A1 If they are pre-screened & cleared of all, or virtually all PII, they are not personal. #COPPA

@FTC: Q2 RT [REDACTED] Re def of "website directed to kids" part (c), how can a website be "directed" to kids but not "target" kids? #COPPA

@FTC: A2 Part (c) directed 2 kids (i.e. targeted), but kids not primary audience so may age-screen. #COPPA

@TechFTC: Q3 RT [REDACTED] @FTC ques-Do you consider usernames PII, if they are used to buddy/gift/trade over multiple play sessions? #COPPA

@TechFTC: A3: If by "dictionary chat" you mean giving users a constrained list of things they can say on the chat . . . (cont.) #COPPA

@TechFTC: A3 (cont): . . . that's allowed so long as no personal info can be transmitted. #COPPA

@FTC: Q4 RT [REDACTED] Question on #COPPA changes for @FTC: Is there some where to streamline 312.12? Six months is an eternity for startups.

@FTC: A4 312.12 gives Commission 120 days to approve. #COPPA

@TechFTC: Q5: MT [REDACTED] 3rd party analytics 4 apps use own internal id system (not UDID) to track users over time. Is this problem? #COPPA

@TechFTC: A5 Any "persistent identifier" is covered, but collection for analytics is probably "support for internal ops" thus allowed. (cont) #COPPA

@TechFTC: A5 (cont): But, this internal id system cannot be used to behaviorally advertise to or amass a profile about a child. #COPPA

@FTC: Q6 RT [REDACTED] What 3rd party companies must do under #COPPA to show that they "capable" of keeping info "secure and confidential"?

@FTC: A6 Rule does not prescribe particular procedures. Sufficient due diligence to ensure level of security needed. #COPPA

@TechFTC: Q7 MT [REDACTED] IP addresses as persistent identifiers, is that just static IPs, or all? IPv4 vs. IPv6? Differences abound. #COPPA

@TechFTC: A7 Any IP addr that "can be used to recognize a user over time and across diff. websites" so v6/v4/static/dynamic all covered. #COPPA

@FTC: Note #COPPA chat participants. We missed Question 8 earlier, but posted answer. Will repost Q and A now.

@FTC: Q8 MT [REDACTED] 312(c) & sites not targeting children, must age query precede *all* other personal info requests 2 B compliant? #COPPA

@FTC: A8 Age screen 1st on 312(c) sites targeted 2 kids where primary audience not kids. For gen audience, no requirement 2 age screen. #COPPA

@TechFTC: Q9 MT [REDACTED] If ops strictly liable for lettingg 3rd parties collect info, won't cause some to block users from embedding code? #COPPA

@TechFTC: A9 We can't predict whether the market will respond in this way. #COPPA

@FTC: Q10 RT [REDACTED] app aimed at kids, you have screen for parents, that page contains email list signup or FB link, that break #COPPA rules?

@FTC: A10 Okay to have these links on page clearly targeted to parents. #COPPA

@TechFTC: Q11 [REDACTED] What are the FTC's COPPA enforcement plans between now and the new rules' effective date of July 1, 2013? #COPPA

@TechFTC: A11 Old rules are in effect until July 1st and will continue to be fully enforced.
#COPPA

@TechFTC: Q12 RT [REDACTED] ques-Do you consider usernames PII, if they are used to buddy/gift/trade over multiple play sessions? #COPPA

@TechFTC: A12 Usernames qualify if they "function in the same manner as online contact info" (e.g. IM, VoIP ID, email) #COPPA

@FTC: Q13: RT [REDACTED]: @FTC what about where a portion of a website is directed at kids on an otherwise general audience site? #COPPA

@FTC: Redo: A13: That portion of the website must comply with #COPPA.

@TechFTC: Q14 RT [REDACTED] is the exception for #COPPA style tell-a-friend still available for use with no notice and consent needed? #COPPA

@TechFTC: A14 Yes. Still in effect. But no attaching photos, videos, geolocation, etc. without consent. #COPPA

@TechFTC: Q15 RT [REDACTED] Can a social network deliver behavioral advertising to those under 13 based on "email plus" parental consent? #COPPA

@TechFTC: A15 Hard to answer your question without knowing more details about hypothetical. Lots of issues raised by your question. #COPPA

@FTC: We'll be here for 10 more mins. We'll take final questions from new participants first. Thanks to all who have submitted! #COPPA

@FTC: Q16 MT [REDACTED] Will #COPPA prevent foreign toy maker from tracking kids' online + offline behavior 2 determine whether kids can get toys?

@FTC: A16 See FAQs number 19: <http://go.usa.gov/gfy5> #COPPA

@FTC: Q17 MT [REDACTED] can u confirm child directed site can process parent consent for 3rd party plugins whose TOS do not allow U13? #COPPA

@FTC: A17 Yes. #COPPA

@TechFTC: Q18 RT [REDACTED] Would "internal uses" include targeting behavioral ads, and did the rule change on this point? #COPPA

@TechFTC: A18 New definition of "support for internal ops" expressly excludes behavioral advertising. #COPPA

@FTC: That's all the time we have. Thanks for your questions! Read Final Rule for more information: <http://go.usa.gov/gfTB> #COPPA

@TechFTC: That's all the time we have. Thanks for your participation. #COPPA