

# #FTCpriv Twitter Chat: Facebook

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On November 29, 2011, the FTC hosted its fifth Twitter Chat to answer questions from the public regarding the settlement with Facebook. A copy of the transcript is below, with Twitter handles redacted. All tweets are visible to the public on our Twitter account:

[www.twitter.com/FTC](http://www.twitter.com/FTC). Note: Tweets appear here in chronological order for ease of reading.

## **Tuesday, November 29, 2011 (Settlement and Chat Promotion)**

Media Advisory: FTC to announce #privacy settlement. <http://go.usa.gov/51M> #FTCpriv

Join us TODAY at 2:00pm ET to discuss our latest #privacy settlement w/ FTC staff. Ask questions using #FTCpriv. <http://go.usa.gov/lh0>

Phone-in press conference for media only at 1pm to discuss Facebook settlement. FTC Twitter Chat for everyone at 2pm. Use #FTCpriv.

Facebook settles FTC charges it deceived consumers by making #privacy promises it did not keep: (link to release) #FTCpriv

We'll tweet highlights of Chairman Jon Leibowitz's remarks for the press & the complaint against Facebook now. #FTCpriv

Chairman Leibowitz says consumers can be assured that Facebook must seek their consent before overriding their privacy settings. #FTCpriv

Leibowitz told businesses to be mindful to design privacy protections into every phase of product development. #FTCpriv

Leibowitz highlights complaint. Alleges numerous violations of FTC Act, which prohibits deceptive or unfair acts or practices. #FTCpriv

In '09, Facebook allegedly made info users designated as private – such as friend list – public w/o obtaining users' consent. #FTCpriv

Facebook allegedly told users apps would only have access 2 info “needed to operate” when apps could actually view nearly all info. #FTCpriv

Facebook made users' personal info available to apps their friends used. Facebook did not allegedly make that clear to users. #FTCpriv

Facebook promised users it wouldn't share their personal info w/advertisers. It allegedly did. #FTCpriv

Facebook had a “Verified Apps” program & allegedly claimed it certified the security of participating apps. It didn’t. #FTCpriv

Facebook promised users their info would be inaccessible when account deleted. Access 2 photos & videos allegedly still allowed. #FTCpriv

Facebook claimed that it complied w/ U.S. – EU Safe Harbor Framework that governs data transfer between two. It allegedly didn’t. #FTCpriv

Like Google Buzz, Facebook required to establish & maintain comprehensive privacy program under proposed FTC settlement. #FTCpriv

Facebook is required to obtain 3rd-party privacy audits that meet FTC requirements every 2 years for next 20 years. #FTCpriv

Facebook further prohibited from misrepresenting privacy & security settings it provides to consumers. #FTCpriv

Facebook required 2 obtain “affirmative express consent” before sharing users’ info in way that exceeds their privacy settings. #FTCpriv

This approach allows Facebook 2 continue 2 create new products/services in way that generates users' trust & confidence. -Leibowitz #FTCpriv

Leibowitz: Settlement strong & balanced. Protects consumers’ choices 2 maintain privacy & ensures full & truthful info about data. #FTCpriv

Nothing in order restricts Facebook’s ability to innovate, says Leibowitz. Innovation doesn't have to come at expense of privacy. #FTCpriv

Interested in knowing more about Facebook settlement? Ask us Qs at 2:00pm ET using #FTCpriv. <http://go.usa.gov/lh0>

Our Facebook settlement Twitter Chat is starting in 5 minutes! See our earlier tweets for background. #FTCpriv

### **FTC Twitter Chat**

Hi! Attorney Laura Berger from FTC’s Division of Privacy & Identity Protection answering Qs on Facebook settlement -worked on case. #FTCpriv

Please send us your questions now about Facebook settlement. #FTCpriv

Q1. RT [REDACTED] Privacy audits for next 20 yrs ensure compliance w/ current FTC order, but not w/evolving privacy/security needs. Why? #FTCpriv

A1. Not true. The comprehensive privacy program must encompass current circumstances, including evolving privacy/security needs. #FTCpriv

Q2. RT [REDACTED] Why no restoration of users' previous privacy settings? Re: profile pic, friends list, etc. #FTCpriv

A2 Current site no longer maps 2 Dec.09 status quo. But many prior controls restored. E.g. setting 2 block apps & hide friend list. #FTCpriv

Q3 RT [REDACTED] If FB says, "We don't check on any app's privacy or security," that would meet conditions of Order 1, correct? #FTCpriv

A3 Clear & accurate disclosures wouldnt B deceptive, but comprehensive pvcy program wd still req affirmative steps 2 address risks. #FTCpriv

Q4 RT [REDACTED] What's the biggest lesson from today's Facebook privacy settlement? #FTCpriv

A4 Honor your promises, do privacy by design & no material retroactive privacy changes w/o user consent. #FTCpriv

Q5 RT [REDACTED] What are the implications/punishment for Facebook if it violates the settlement? #FTCpriv

A5 \$16,000 per violation per day. #FTCpriv

Q6 RT [REDACTED] Do you have jurisdiction to watch Facebook's use of #biometrics? What constrains re-use of photo tag data? #FTCpriv

A6 Yes. Comprehensive privacy program covers risks for all products, so does the privacy audit. Photos & videos are covered info. #FTCpriv

Q7 RT [REDACTED] Are FB & Google settlements indicative of greater FTC enforcement of online privacy, or were they egregious offenders? #FTCpriv

A7 Both cases show online privacy is a high priority. But note: Facebook case alleges wide range of law violations. #FTCpriv

Q8 RT [REDACTED] Is FB now required 2 actively nvestigate/verify privsec of 3rd parties who aren't service providers? #FTCpriv

A8 No specific mention of 3rd parties, but comprehensive privacy program must address all risks. #FTCpriv

Q9 RT [REDACTED] Does the FB focus on regulations with teeth over fines (were there fines?) indicate a new core strategy for the FTC? #FTCpriv

A9 Current law does not provide for fines. No new strategy here, just strong injunctive relief for consumers. #FTCpriv

We're still answering questions about our settlement with Facebook for 15 more minutes. Ask us now using #FTCpriv!

Q10 RT [REDACTED] Any measure been taken against FB's monitoring of nonusers or users not logged in by storing MAC etc. in cookies? #FTCpriv

A10 Order wd apply 2 any info from or about consumer incl persistent identifier. Comp privacy program & deception ban wd apply here #FTCpriv

Less than 5 minutes to go! Does anyone have any more questions for our staff about the settlement w/ Facebook? #privacy #FTCpriv

That's all the time we have for our Twitter Chat today. Thank you all for participating! #FTCpriv