



{ center for digital democracy }
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Children’s Privacy Advocates Praise Federal Trade Commission on Proposed New Safeguards to Protect Children’s Privacy Online

Leaders of the Effort that Helped Pass COPPA in 1998 Say Parents Will Now Have Better Ways to Ensure Their Children’s Information is Safe in the Smart Phone and Social Networking Era

Washington, DC: Today, the FTC released a Notice of Proposed Rulemaking on its rules implementing the Children’s Online Privacy Protection Act (COPPA), the 1998 law designed to protect the privacy of children under 13. The Commission’s plan would help safeguard children’s data when they are on a mobile phone, playing an interactive game on the Internet, or participating in a virtual world.

Under the proposed new rules, children could not be tracked and profiled when online through the use of behavioral targeting and other techniques now regularly used to stealthily collect information on Internet and mobile phone users. Parents and children’s security and safety would be better protected, since the proposed COPPA rules would cover a child’s geo-location data, as well as photos they post online, and would impose new requirements to ensure against data breaches.

“Since its passage in 1998, COPPA has served as an important safeguard for young consumers under the age of 13 in the online marketing environment,” commented Kathryn Montgomery, PhD, Professor of Communication at American University, and one of the leaders of the campaign that led to passage of the law. “It established a level playing field by creating a law that applied to every commercial player—from the largest children’s media companies to the smallest start-ups. And it sent a strong signal to the online marketing industry: If you are going to do business with our nation’s children, you will have to follow some basic rules. COPPA was purposely designed to adapt to changes in both technology and business practices. The proposed rules announced by the FTC today reflect careful research and analysis, as well as widespread consultation with major stakeholders. We believe they will help address a number of concerns raised by consumer groups, privacy experts, and child advocates, while at the same time, balancing children’s ability to be active participants in digital culture with the need to protect them from unfair data

collection and marketing practices.” Montgomery concurred with the Commission’s recognition that teens also need some privacy protections online. “While some of the mechanisms for protecting younger children are not appropriate for older youth,” she noted, “adolescents are entitled to fair information practices in the digital marketplace. We urge the FTC to address this issue in its forthcoming new comprehensive privacy framework report.”

“The Center for Digital for Democracy is pleased that the FTC has finally brought protecting a child’s privacy into the 21st Century,” explained CDD’s executive director, Jeff Chester. “This proposal balances the need to protect the privacy of children, ensure parental involvement, and promotes the growth of kid-oriented online media. At a time when our children spend much of their daily lives online and are always connected to the Internet via games, cell phones and other devices, parents should thank the FTC for acting responsibly on behalf of children.”

Among the provisions highlighted by the advocates are:

- Extension of privacy protections to the expanding array of digital platforms and marketing venues used to reach and engage young people, including mobile phones and internet-enabled gaming.
- The rules’ acknowledgement of increasingly sophisticated technologies for identifying individuals, including IP addresses and geo-location.
- Closing of loopholes that made it possible for companies to engage in behavioral targeting and one-to-one marketing aimed at children.
- More user-friendly privacy notices to enable parents to make better decisions about their children’s use of online services.

“The Institute for Public Representation, which has served as counsel to children’s advocacy groups in efforts to protect children’s online privacy for over sixteen years, is pleased that the FTC is proposing to update its rules to cover new technologies and practices,” said IPR Co-Director and Georgetown University Law Professor, Angela Campbell.

The Institute for Public Representation, at Georgetown University Law Center, represented a broad coalition of groups in this FTC proceeding. They included the Center for Digital Democracy, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatrics, the Benton Foundation, Berkeley Media Studies Group, the Campaign for a Commercial-Free Childhood, the Center for Science in the Public Interest, Children Now, Consumer Action, Consumer Federation of America, Consumers Union, Consumer Watchdog, National Consumers League, Public Health Institute, U.S. PIRG, and World Privacy Forum.

The Children's Online Privacy Protection Act was passed in 1998 as bi-partisan legislation that had the support of children's advocates, public health, education, consumer, and privacy groups, as well as leading online marketing companies.