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EPIC Urges Congress to Extend Children's Privacy Law to Teenagers and Social Network Services, Says Current Law Has Failed to Keep Up with New Business Practices

Hearing to Review COPPA in Light of New Technologies

WASHINGTON, DC – The Senate Commerce Committee held a hearing at 10:00 a.m. today exploring children’s privacy issues and the inadequacy of the Children’s Online Privacy Protection Act (COPPA) to meet new challenges and technological developments. COPPA was passed in 2000. The law has not been amended in a decade, despite increasingly intrusive online data collection practices, the rise of social networks, and the emergence of the mobile web.

“It is clear that the single biggest change impacting the privacy of children since the adoption of COPPA has been the emergence of social network services, such as Facebook, MySpace, and Twitter,” said Marc Rotenberg, Electronic Privacy Information Center (EPIC) Executive Director. “These web-based platforms provide new opportunities for kids to interact online and also for companies to gather up information.”

EPIC also criticized the Federal Trade Commission’s (FTC’s) failure to enforce children’s privacy rights despite clear-cut violations of federal law. Rotenberg pointed to EPIC’s FTC complaint against Echometrix, a company selling “parental control” software that secretly monitored children’s online activity for marketing purposes. The FTC ignored EPIC’s complaint, but the Department of Defense shut down sales of the product.

EPIC recommended updates that would expand COPPA protections to teens and clarify the law’s application to mobile and social network services. “The emergence of social networks and the powerful commercial forces that are seeking to extract personal data on all users of these services, but particularly children, raise new challenges that the original COPPA simply did not contemplate,” said Mr. Rotenberg. “Today, I recommend that Congress raise the age requirement in COPPA to 18.”

Also testifying at the hearing were Jessica Rich, Deputy Director of the FTC Bureau of Consumer Protection, Tim Sparapani, Director of Public Policy at Facebook, Mike Hintze, Associate General Counsel at Microsoft, Kathryn Montgomery Ph.D, Professor at American University's School of Communication, and Berin Szoka, Senior Fellow and Director of the Center for Internet Freedom at the Progress & Freedom Foundation.

Children's online privacy is an issue of growing concern since social networks have transformed online data collection practices. There is growing concern that companies are manipulating privacy policies and privacy settings of users to confuse and frustrate users so more personal information is revealed. This is especially evident in Facebook's most recent changes, which disclose users' personal information to third parties without consent.

EPIC raised concerns about user privacy and social network companies in a complaint filed with the FTC last December concerning the business practices of Facebook. Additionally, Senators Schumer, Bennet, Begich, and Franken called for the social network to roll back recent policy changes. Senator Schumer specifically asked the FTC to develop guidelines for these services.

EPIC is a public interest research center based in Washington, D.C. EPIC focuses public attention on emerging privacy and civil liberties issues. EPIC has previously testified before lawmakers in support of strong privacy safeguards for children, and has filed complaints with the FTC detailing unfair and deceptive trade practices that put children's privacy at risk.

More information is available at:

EPIC's Prepared Testimony

http://epic.org/privacy/kids/EPIC_COPPA_Testimony_042910.pdf

Senate Commerce Committee: "Examining Children's Privacy: New Technologies and the Children's Online Privacy Protection Act"

http://commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=938c8dd3-4912-4ff9-9286-a4805710fb2d&ContentType_id=14f995b9-dfa5-407a-9d35-56cc7152a7ed&Group_id=02096e14-bdcc-424b-842c-d6809f3f69c9

EPIC: Children's Online Privacy Protection Act (COPPA)

<http://epic.org/privacy/kids/default.html>

EPIC: in re Echometrix

<http://epic.org/privacy/echometrix/>

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