



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of Chairman Jon Leibowitz

TO: Don Clark
FROM: Chris Renner
DATE: December 3, 2012
RE: COPPA Rule: Comments to be placed on the public record

On November 8, 2012, representatives of Twitter, Inc., including Colin Crowell, Twitter's Head of Global Public Policy, met with FTC Chairman Leibowitz and other agency staff.¹ In the course of this meeting, Mr. Crowell reiterated comments made in Twitter's September 24, 2012, filing in the matter of 16 CFR Part 312, Children's Online Privacy Protection ("COPPA") Rule Supplemental Notice of Proposed Rulemaking, Project No. P104503.

Mr. Crowell reiterated Twitter's support for an exception from the definition of "operator" under COPPA for plugin providers that give third-party websites control over plugins' data collection features. According to Mr. Crowell, Twitter's plugins are available for download by website publishers on their own initiative and without the prior authorization or knowledge of Twitter, and thus Twitter is not well positioned to either meet the proposed "reason to know" standard that a site is child-oriented or to obtain parental consent. For these reasons, according to Mr. Crowell, Twitter should not be considered an "operator" under COPPA. According to Mr. Crowell, such an exception from the definition of "operator" would encourage plugin publishers to give more control to website publishers, who are better positioned to monitor the use by children of their sites.

¹ In attendance on behalf of Twitter were Mr. Crowell, Will Carty, Manager, Public Policy, and Ben Lee. The Commission staff members participating in the discussion of COPPA were Chairman Leibowitz and his attorney-advisor, Chris Renner.