

**From:** Beringer, Ashlie  
**Sent:** 2 Nov 2011 23:50:32 +0000  
**To:** Berger, Laura  
**Cc:** Han, Cora Tung; Mohapatra, Manas; Li, Daniel Y.  
**Subject:** Signature pages  
**Attachments:** [Untitled].pdf

Hi Laura –

I'm forwarding Facebook's signatures on the final consent order, and I will forward the original signatures to you by mail once I have them. As we discussed, I would be grateful if someone could notify us once the Commission has approved the order and before this becomes part of the public record.

Thanks again for your patience and professionalism throughout this process. We are pleased that we were able to conclude an agreement with Staff and look forward to a productive relationship in the years ahead.

Best,  
Ashlie

**Ashlie Beringer**

GIBSON DUNN

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This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

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UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

*In the Matter of*

**FACEBOOK, INC.,  
a corporation.**

**FILE NO:**

**AGREEMENT CONTAINING  
CONSENT ORDER**

The Federal Trade Commission has conducted an investigation of certain acts and practices of Facebook, Inc. ("Facebook"). Proposed Respondent, having been represented by counsel, is willing to enter into an agreement containing a consent order resolving the allegations contained in the attached draft complaint. Therefore,

**IT IS HEREBY AGREED** by and between Facebook, its duly authorized officers, and counsel for the Federal Trade Commission that:

1. Proposed Respondent is a Delaware corporation with its principal office or place of business at 1601 S. California Avenue, Palo Alto, California, 94304.
2. Proposed Respondent admits all the jurisdictional facts set forth in the draft complaint.
4. Proposed Respondent waives:
  - A. any further procedural steps;
  - B. the requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and
  - C. all rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.
5. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft complaint, will be placed on the public record for a period of thirty (30) days and information about it publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify proposed Respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision in disposition of the proceeding.

6. This agreement is for settlement purposes only and does not constitute an admission by proposed Respondent that the law has been violated as alleged in the draft complaint, or that the facts as alleged in the draft complaint, other than the jurisdictional facts, are true. Proposed Respondent expressly denies the allegations set forth in the complaint, except for the jurisdictional facts.
7. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Section 2.34 of the Commission's Rules, the Commission may, without further notice to proposed Respondent, (1) issue its complaint corresponding in form and substance with the attached draft complaint and its decision containing the following order in disposition of the proceeding, and (2) make information about it public. When so entered, the order shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery of the complaint and the decision and order to proposed Respondent's address as stated in this agreement by any means specified in Section 4.4(a) of the Commission's Rules shall constitute service. Proposed Respondent waives any right it may have to any other means of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.
8. Proposed Respondent has read the draft complaint and consent order. Proposed Respondent understands that it may be liable for civil penalties in the amount provided by law and other appropriate relief for each violation of the order after it becomes final.

### ORDER

#### DEFINITIONS

For purposes of this order, the following definitions shall apply:

1. Unless otherwise specified, "Respondent" shall mean Facebook, its successors and assigns. For purposes of Parts I, II, and III of this order, "Respondent" shall also mean Facebook acting directly, or through any corporation, subsidiary, division, website, or other device.
2. "Commerce" shall be defined as it is defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.
3. "Clear(ly) and prominent(ly)" shall mean:
  - A. in textual communications (e.g., printed publications or words displayed on the screen of a computer or mobile device), the required disclosures are of a type, size, and location sufficiently noticeable for an ordinary consumer to read and

comprehend them, in print that contrasts highly with the background on which they appear;

- B. in communications disseminated orally or through audible means (*e.g.*, radio or streaming audio), the required disclosures are delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend them;
  - C. in communications disseminated through video means (*e.g.*, television or streaming video), the required disclosures are in writing in a form consistent with subpart (A) of this definition and shall appear on the screen for a duration sufficient for an ordinary consumer to read and comprehend them, and in the same language as the predominant language that is used in the communication; and
  - D. in all instances, the required disclosures: (1) are presented in an understandable language and syntax; and (2) include nothing contrary to, inconsistent with, or in mitigation of any statement contained within the disclosure or within any document linked to or referenced therein.
- 4. "Covered information" shall mean information from or about an individual consumer including, but not limited to: (a) a first or last name; (b) a home or other physical address, including street name and name of city or town; (c) an email address or other online contact information, such as an instant messaging user identifier or a screen name; (d) a mobile or other telephone number; (e) photos and videos; (f) Internet Protocol ("IP") address, User ID or other persistent identifier; (g) physical location; or (h) any information combined with any of (a) through (g) above.
  - 5. "Nonpublic user information" shall mean covered information that is restricted by one or more privacy setting(s).
  - 6. "Privacy setting" shall include any control or setting provided by Respondent that allows a user to restrict which individuals or entities can access or view covered information.
  - 7. "Representatives" shall mean Respondent's officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise.
  - 8. "Third party" shall mean any individual or entity that uses or receives covered information obtained by or on behalf of Respondent, other than: (1) a service provider of Respondent that (i) uses the covered information for and at the direction of Respondent and no other individual or entity and for no other purpose; and (ii) does not disclose the covered information, or any individually identifiable information derived from such covered information, except for, and at the direction of, Respondent, for the purpose of providing services requested by a user and for no other purpose; or (2) any entity that uses the covered information only as reasonably necessary: (i) to comply with applicable law, regulation, or legal process, (ii) to enforce Respondent's terms of use, or (iii) to

detect, prevent, or mitigate fraud or security vulnerabilities.

9. "User" shall mean an identified individual from whom Respondent has obtained information for the purpose of providing access to Respondent's products and services.

**I.**

**IT IS ORDERED** that Respondent and its representatives, in connection with any product or service, in or affecting commerce, shall not misrepresent in any manner, expressly or by implication, the extent to which it maintains the privacy or security of covered information, including, but not limited to:

- A. its collection or disclosure of any covered information;
- B. the extent to which a consumer can control the privacy of any covered information maintained by Respondent and the steps a consumer must take to implement such controls;
- C. the extent to which Respondent makes or has made covered information accessible to third parties;
- D. the steps Respondent takes or has taken to verify the privacy or security protections that any third party provides;
- E. the extent to which Respondent makes or has made covered information accessible to any third party following deletion or termination of a user's account with Respondent or during such time as a user's account is deactivated or suspended; and
- F. the extent to which Respondent is a member of, adheres to, complies with, is certified by, is endorsed by, or otherwise participates in any privacy, security, or any other compliance program sponsored by the government or any third party, including, but not limited to, the U.S.-EU Safe Harbor Framework.

**II.**

**IT IS FURTHER ORDERED** that Respondent and its representatives, in connection with any product or service, in or affecting commerce, prior to any sharing of a user's nonpublic user information by Respondent with any third party, which materially exceeds the restrictions imposed by a user's privacy setting(s), shall:

- A. clearly and prominently disclose to the user, separate and apart from any "privacy policy," "data use policy," "statement of rights and responsibilities" page, or other similar document: (1) the categories of nonpublic user information that will be disclosed to such third parties, (2) the identity or specific categories of such third parties, and (3) that such sharing exceeds the restrictions imposed by the privacy

setting(s) in effect for the user; and

- B. obtain the user's affirmative express consent.

Nothing in Part II will (1) limit the applicability of Part I of this order; or (2) require Respondent to obtain affirmative express consent for sharing of a user's nonpublic user information initiated by another user authorized to access such information, provided that such sharing does not materially exceed the restrictions imposed by a user's privacy setting(s). Respondent may seek modification of this Part pursuant to 15 U.S.C. §45(b) and 16 C.F.R. 2.51(b) to address relevant developments that affect compliance with this Part, including, but not limited to, technological changes and changes in methods of obtaining affirmative express consent.

### III.

**IT IS FURTHER ORDERED** that Respondent and its representatives, in connection with any product or service, in or affecting commerce, shall, no later than sixty (60) days after the date of service of this order, implement procedures reasonably designed to ensure that covered information cannot be accessed by any third party from servers under Respondent's control after a reasonable period of time, not to exceed thirty (30) days, from the time that the user has deleted such information or deleted or terminated his or her account, except as required by law or where necessary to protect the Facebook website or its users from fraud or illegal activity. Nothing in this paragraph shall be construed to require Respondent to restrict access to any copy of a user's covered information that has been posted to Respondent's websites or services by a user other than the user who deleted such information or deleted or terminated such account.

### IV.

**IT IS FURTHER ORDERED** that Respondent shall, no later than the date of service of this order, establish and implement, and thereafter maintain, a comprehensive privacy program that is reasonably designed to (1) address privacy risks related to the development and management of new and existing products and services for consumers, and (2) protect the privacy and confidentiality of covered information. Such program, the content and implementation of which must be documented in writing, shall contain controls and procedures appropriate to Respondent's size and complexity, the nature and scope of Respondent's activities, and the sensitivity of the covered information, including:

- A. the designation of an employee or employees to coordinate and be responsible for the privacy program.
- B. the identification of reasonably foreseeable, material risks, both internal and external, that could result in Respondent's unauthorized collection, use, or disclosure of covered information and an assessment of the sufficiency of any safeguards in place to control these risks. At a minimum, this privacy risk assessment should include consideration of risks in each area of relevant operation, including, but not limited to: (1) employee training and management,

including training on the requirements of this order, and (2) product design, development, and research.

- C. the design and implementation of reasonable controls and procedures to address the risks identified through the privacy risk assessment, and regular testing or monitoring of the effectiveness of those controls and procedures.
- D. the development and use of reasonable steps to select and retain service providers capable of appropriately protecting the privacy of covered information they receive from Respondent and requiring service providers, by contract, to implement and maintain appropriate privacy protections for such covered information.
- E. the evaluation and adjustment of Respondent's privacy program in light of the results of the testing and monitoring required by subpart C, any material changes to Respondent's operations or business arrangements, or any other circumstances that Respondent knows or has reason to know may have a material impact on the effectiveness of its privacy program.

#### V.

**IT IS FURTHER ORDERED** that, in connection with its compliance with Part IV of this order, Respondent shall obtain initial and biennial assessments and reports ("Assessments") from a qualified, objective, independent third-party professional, who uses procedures and standards generally accepted in the profession. A person qualified to prepare such Assessments shall have a minimum of three (3) years of experience in the field of privacy and data protection. All persons selected to conduct such Assessments and prepare such reports shall be approved by the Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580, in his or her sole discretion. Any decision not to approve a person selected to conduct such Assessments shall be accompanied by a writing setting forth in detail the reasons for denying such approval. The reporting period for the Assessments shall cover: (1) the first one hundred and eighty (180) days after service of the order for the initial Assessment, and (2) each two (2) year period thereafter for twenty (20) years after service of the order for the biennial Assessments. Each Assessment shall:

- A. set forth the specific privacy controls that Respondent has implemented and maintained during the reporting period;
- B. explain how such privacy controls are appropriate to Respondent's size and complexity, the nature and scope of Respondent's activities, and the sensitivity of the covered information;
- C. explain how the privacy controls that have been implemented meet or exceed the protections required by Part IV of this order; and
- D. certify that the privacy controls are operating with sufficient effectiveness to

provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the reporting period.

Each Assessment shall be prepared and completed within sixty (60) days after the end of the reporting period to which the Assessment applies. Respondent shall provide the initial Assessment to the Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580, within ten (10) days after the Assessment has been prepared. All subsequent biennial Assessments shall be retained by Respondent until the order is terminated and provided to the Associate Director of Enforcement within ten (10) days of request.

## VI.

**IT IS FURTHER ORDERED** that Respondent shall maintain and upon request make available to the Federal Trade Commission for inspection and copying, a print or electronic copy of:

- A. for a period of three (3) years from the date of preparation or dissemination, whichever is later, all widely disseminated statements by Respondent or its representatives that describe the extent to which Respondent maintains and protects the privacy, security, and confidentiality of any covered information, including, but not limited to, any statement related to a change in any website or service controlled by Respondent that relates to the privacy of such information, along with all materials relied upon in making such statements, and a copy of each materially different privacy setting made available to users;
- B. for a period of six (6) months from the date received, all consumer complaints directed at Respondent or forwarded to Respondent by a third party, that relate to the conduct prohibited by this order and any responses to such complaints;
- C. for a period of five (5) years from the date received, any documents, prepared by or on behalf of Respondent, that contradict, qualify, or call into question Respondent's compliance with this order;
- D. for a period of three (3) years from the date of preparation or dissemination, whichever is later, each materially different document relating to Respondent's attempt to obtain the consent of users referred to in Part II above, along with documents and information sufficient to show each user's consent; and documents sufficient to demonstrate, on an aggregate basis, the number of users for whom each such privacy setting was in effect at any time Respondent has attempted to obtain and/or been required to obtain such consent; and
- E. for a period of three (3) years after the date of preparation of each Assessment required under Part V of this order, all materials relied upon to prepare the Assessment, whether prepared by or on behalf of Respondent, including but not limited to all plans, reports, studies, reviews, audits, audit trails, policies, training



materials, and assessments, for the compliance period covered by such Assessment.

#### VII.

**IT IS FURTHER ORDERED** that Respondent shall deliver a copy of this order to (1) all current and future principals, officers, directors, and managers; (2) all current and future employees, agents, and representatives having supervisory responsibilities relating to the subject matter of this order, and (3) any business entity resulting from any change in structure set forth in Part VIII. Respondent shall deliver this order to such current personnel within thirty (30) days after service of this order, and to such future personnel within thirty (30) days after the person assumes such position or responsibilities. For any business entity resulting from any change in structure set forth in Part VIII, delivery shall be at least ten (10) days prior to the change in structure.

#### VIII.

**IT IS FURTHER ORDERED** that Respondent shall notify the Commission within fourteen (14) days of any change in Respondent that may affect compliance obligations arising under this order, including, but not limited to, a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor corporation; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this order; the proposed filing of a bankruptcy petition; or a change in either corporate name or address. Unless otherwise directed by a representative of the Commission, all notices required by this Part shall be sent by overnight courier (not the U.S. Postal Service) to the Associate Director of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, D.C. 20580, with the subject line *In the Matter of Facebook, Inc.*, FTC File No.[ ]. *Provided, however*, that in lieu of overnight courier, notices may be sent by first-class mail, but only if an electronic version of any such notice is contemporaneously sent to the Commission at [Debrief@ftc.gov](mailto:Debrief@ftc.gov).

#### IX.

**IT IS FURTHER ORDERED** that Respondent, within ninety (90) days after the date of service of this order, shall file with the Commission a true and accurate report, in writing, setting forth in detail the manner and form of their own compliance with this order. Within ten (10) days of receipt of written notice from a representative of the Commission, Respondent shall submit additional true and accurate written reports.

#### X.

This order will terminate twenty (20) years from the date of its issuance, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

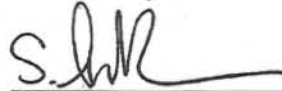
- A. any Part of this order that terminates in fewer than twenty (20) years; and
- B. this order if such complaint is filed after the order has terminated pursuant to this Part.

*Provided, further, that if such complaint is dismissed or a federal court rules that Respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that this order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.*

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**FACEBOOK, INC.**

By:



S. ASHLIE BERINGER  
Gibson, Dunn & Crutcher LLP  
Counsel for Facebook, Inc.



THEODORE W. ULLYOT  
General Counsel  
Facebook, Inc.



M. SEAN ROYALL  
Gibson, Dunn & Crutcher LLP  
Counsel for Facebook, Inc.

**FEDERAL TRADE COMMISSION**

\_\_\_\_\_  
LAURA D. BERGER  
Counsel for the Federal Trade Commission

\_\_\_\_\_  
CORA TUNG HAN  
Counsel for the Federal Trade Commission

\_\_\_\_\_  
MANAS MOHAPATRA  
Counsel for the Federal Trade Commission

**APPROVED:**

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**MANEESHA MITHAL**  
Associate Director  
Division of Privacy and Identity Protection

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**CHRISTOPHER N. OLSEN**  
Assistant Director  
Division of Privacy and Identity Protection

---

**DAVID C. VLADECK**  
Director  
Bureau of Consumer Protection

# facebook

April 22, 2013

CONFIDENTIAL

VIA EMAIL AND FEDERAL EXPRESS

James A. Kohm Esq.  
Associate Director for the Division of Enforcement  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, DC 20850



Re: *In re Facebook, Inc.*, FTC Docket No. C-4365

Dear Mr. Kohm:

In accordance with Part V of the Decision and Order entered in *In re Facebook*, Docket No. C-4365 (July 27, 2012) ("FTC Order"), enclosed please find a copy of the assessment and report ("Assessment"), prepared by a qualified, objective, independent third-party professional ("Independent Assessor"), examining the sufficiency of the privacy controls that Facebook maintained during the period from August 15, 2012 to February 11, 2013. We are pleased that the Assessment concludes that our Privacy Program was operating effectively throughout the reporting period. This conclusion is based on an exhaustive examination of our program, conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants ("AICPA").

### **The Facebook Privacy Program**

Privacy is central to everything we do at Facebook. Since our founding less than a decade ago, we have worked to develop practices and procedures that ensure that people's personal information is safe, secure, and used in accordance with their sharing settings and choices. Our privacy efforts received a substantial boost in 2011 and 2012, when the Data Protection Commissioner ("DPC") in Ireland, where Facebook's international headquarters is located, undertook the first major governmental review of an internet company's compliance with European data protection law. That review resulted in two comprehensive audit reports that documented Facebook's controls, addressed and rejected a number of misperceptions about how Facebook approaches privacy, and identified areas where we can continue to improve. Facebook Ireland, Ltd., continues to work closely with the DPC to ensure ongoing compliance with EU privacy and data protection law.

The Privacy Program reflected in the attached Assessment built upon our work with the Irish DPC. In developing our program, we went beyond the general requirements set out in Section IV of the FTC Order and leveraged the Generally Accepted Privacy Principles

1601 Willow Road, Menlo Park, California 94025  
650.543.4800 - tel 650.543.4801 - fax

# facebook

("GAPP"), a comprehensive framework created by the AICPA and Canadian Institute of Chartered Accountants. The GAPP framework is the most comprehensive standard for privacy programs, derived from ten internationally-recognized information principles, including notice, choice and consent, access obligations, and limitations on the use, retention, disposal, and disclosure of personal information. We used the GAPP principles and criteria as a guide in developing our own company-specific privacy assertions and controls. Key features of our program include: (a) the designation of responsible employees, including an experienced Privacy Governance Team, (b) comprehensive awareness and training for all employees, appropriate to their job functions, (c) consideration of privacy issues throughout the development process (i.e., "privacy by design"), (d) robust security for privacy controls, (e) safeguards for Platform developers, (f) screening and contractual obligations for service providers, and (g) assessment and integration of acquisitions.

We also have invested in building innovative tools that provide people with control over the sharing of their information. Our Per-Object Privacy controls and Granular Data Permissions model, for example, enable users to choose, at the time of sharing, the specific audience for each piece of content they share and to have direct visibility into the information available to applications they use. Likewise, our Data Use Policy presents layered content, practical headings and screenshots to help users understand how the information they provide is used and shared. We have strengthened existing controls, like Activity Log, which allows people to sort, review, delete or hide the things they post on Facebook. In addition, we continue to launch new controls, such as our privacy shortcuts, which are located at the top of most pages on Facebook and allow users to quickly access key settings and easily visit their main settings page. We believe these tools demonstrate our commitment to achieving the balance users want between sharing information quickly and easily while maintaining appropriate privacy and control.

## Independent Assessment

The attached report is a comprehensive assessment of our Privacy Program. It documents our assertions and controls and, for each, describes the testing procedures used to gauge whether the control was operating effectively. The Assessment also identifies areas where control design and/or operating effectiveness can continue to improve. This report follows (b)(4):

(b)(4); (b)(3):6(f)



(b)(4); (b)(3):6(f)

At Facebook, we put privacy at the core of our mission. The attached Assessment reaffirms our commitment to implementing meaningful and effective privacy and security controls. While the Assessment reflects our years of privacy and security innovation and expertise, we view this commitment as ongoing. We will continue to work to meet the changing and evolving needs of our users and to put user privacy and security at the center of everything we do. The Privacy Program – and the Assessment – provide a clear, positive framework for Facebook to move forward in this pursuit.

\* \* \*

#### Request for Confidentiality

Pursuant to 16 C.F.R. § 4.10(a)(2), we have enclosed two versions of the Assessment – a confidential version that contains highly confidential Facebook and Independent Assessor commercial and trade secret information, and a non-confidential version that redacts such information.

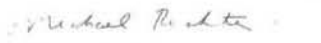
The redacted text contains detailed trade secret information regarding the design and testing of the Facebook Privacy Program. We believe that release of the redacted information would place user information at risk, as it would reveal detailed information regarding the specific strengths and possible limitations of the Facebook Privacy Program to hackers and other third parties that may attempt to infiltrate our system in the future. Furthermore, public disclosure of this information would place both Facebook and the Independent Assessor at a competitive disadvantage vis-à-vis competitors, who could use the information to mimic Facebook's industry-leading development processes or the Independent Assessor's proprietary testing protocols.

For these reasons, we respectfully request that the Commission treat the redacted information as confidential and not subject to the Freedom of Information Act, pursuant to 5 U.S.C. § 552(b)(4).

\* \* \*

We hope that you find the information above and the enclosed Assessment informative. Please do not hesitate to contact us should you have any questions.

Sincerely,

  
Michael Richter  
Chief Privacy Officer, Product

  
Erin Egan  
Chief Privacy Officer, Policy

1601 Willow Road, Menlo Park, California 94025  
650.543.4800 - tel 650.543.4801 - fax

# facebook

CONFIDENTIAL

April 22, 2013

VIA EMAIL AND FEDERAL EXPRESS

James A. Kohm Esq.  
Associate Director for the Division of Enforcement  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, DC 20850



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Pursuant to 16 C.F.R. § 4.10(a)(2), we have enclosed two versions of the Assessment – a confidential version that contains highly confidential Facebook and Independent Assessor commercial and trade secret information, and a non-confidential version that redacts such information.

The redacted text contains detailed trade secret information regarding the design and testing of the Facebook Privacy Program. We believe that release of the redacted information would place user information at risk, as it would reveal detailed information regarding the specific strengths and possible limitations of the Facebook Privacy Program to hackers and other third parties that may attempt to infiltrate our system in the future. Furthermore, public disclosure of this information would place both Facebook and the Independent Assessor at a competitive disadvantage vis-à-vis competitors, who could use the information to mimic Facebook's industry-leading development processes or the Independent Assessor's proprietary testing protocols.

For these reasons, we respectfully request that the Commission treat the redacted information as confidential and not subject to the Freedom of Information Act, pursuant to 5 U.S.C. § 552(b)(4).

\* \* \*

We hope that you find the information above and the enclosed Assessment informative. Please do not hesitate to contact us should you have any questions.

Sincerely,

Michael Richter  
Chief Privacy Officer, Product

Erin Egan  
Chief Privacy Officer, Policy

1601 Willow Road, Menlo Park, California 94025  
650.543.4800 - tel 650.543.4801 - fax

**From:** DEbrief  
**Sent:** 24 Apr 2013 15:09:46 -0400  
**To:** Koss, Laura; Kim, Reenah  
**Subject:** FW: In the Matter of Facebook, Inc., FTC Docket No. C-4365  
**Attachments:** Facebook Assessment and Report.pdf, Facebook Assessment and Report [Redacted].pdf

I will place this into the database.

Leslie

---

**From:** Edward Palmieri [mailto:(b)(6)]  
**Sent:** Monday, April 22, 2013 10:15 PM  
**To:** DEbrief  
**Cc:** Colin Stretch; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

On behalf of Facebook, Inc., we are submitting the attached assessment and report, prepared by a qualified, objective, independent third-party professional pursuant to Part V of the Decision and Order, served on Facebook on August 15, 2012.

Please do not hesitate to contact me should you have any questions.

Regards,  
Edward Palmieri  
Associate General Counsel, Privacy

edward palmieri | associate general counsel, privacy | facebook legal (b)(6)

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April 22, 2013

VIA EMAIL AND FEDERAL EXPRESS

James A. Kohm Esq.  
Associate Director for the Division of Enforcement  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, DC 20850

Re: *In re Facebook, Inc.*, FTC Docket No. C-4365

Dear Mr. Kohm:

In accordance with Part V of the Decision and Order entered in *In re Facebook*, Docket No. C-4365 (July 27, 2012) (“FTC Order”), enclosed please find a copy of the assessment and report (“Assessment”), prepared by a qualified, objective, independent third-party professional (“Independent Assessor”), examining the sufficiency of the privacy controls that Facebook maintained during the period from August 15, 2012 to February 11, 2013. We are pleased that the Assessment concludes that our Privacy Program was operating effectively throughout the reporting period. This conclusion is based on an exhaustive examination of our program, conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants (“AICPA”).

### **The Facebook Privacy Program**

Privacy is central to everything we do at Facebook. Since our founding less than a decade ago, we have worked to develop practices and procedures that ensure that people’s personal information is safe, secure, and used in accordance with their sharing settings and choices. Our privacy efforts received a substantial boost in 2011 and 2012, when the Data Protection Commissioner (“DPC”) in Ireland, where Facebook’s international headquarters is located, undertook the first major governmental review of an internet company’s compliance with European data protection law. That review resulted in two comprehensive audit reports that documented Facebook’s controls, addressed and rejected a number of misperceptions about how Facebook approaches privacy, and identified areas where we can continue to improve. Facebook Ireland, Ltd., continues to work closely with the DPC to ensure ongoing compliance with EU privacy and data protection law.

The Privacy Program reflected in the attached Assessment built upon our work with the Irish DPC. In developing our program, we went beyond the general requirements set out in Section IV of the FTC Order and leveraged the Generally Accepted Privacy Principles



(“GAPP”), a comprehensive framework created by the AICPA and Canadian Institute of Chartered Accountants. The GAPP framework is the most comprehensive standard for privacy programs, derived from ten internationally-recognized information principles, including notice, choice and consent, access obligations, and limitations on the use, retention, disposal, and disclosure of personal information. We used the GAPP principles and criteria as a guide in developing our own company-specific privacy assertions and controls. Key features of our program include: (a) the designation of responsible employees, including an experienced Privacy Governance Team, (b) comprehensive awareness and training for all employees, appropriate to their job functions, (c) consideration of privacy issues throughout the development process (i.e., “privacy by design”), (d) robust security for privacy controls, (e) safeguards for Platform developers, (f) screening and contractual obligations for service providers, and (g) assessment and integration of acquisitions.

We also have invested in building innovative tools that provide people with control over the sharing of their information. Our Per-Object Privacy controls and Granular Data Permissions model, for example, enable users to choose, at the time of sharing, the specific audience for each piece of content they share and to have direct visibility into the information available to applications they use. Likewise, our Data Use Policy presents layered content, practical headings and screenshots to help users understand how the information they provide is used and shared. We have strengthened existing controls, like Activity Log, which allows people to sort, review, delete or hide the things they post on Facebook. In addition, we continue to launch new controls, such as our privacy shortcuts, which are located at the top of most pages on Facebook and allow users to quickly access key settings and easily visit their main settings page. We believe these tools demonstrate our commitment to achieving the balance users want between sharing information quickly and easily while maintaining appropriate privacy and control.

### Independent Assessment

The attached report is a comprehensive assessment of our Privacy Program. It documents our assertions and controls and, for each, describes the testing procedures used to gauge whether the control was operating effectively. The Assessment also identifies areas where control design and/or operating effectiveness can continue to improve. This report follows (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)



(b)(4); (b)(3):6(f)

At Facebook, we put privacy at the core of our mission. The attached Assessment reaffirms our commitment to implementing meaningful and effective privacy and security controls. While the Assessment reflects our years of privacy and security innovation and expertise, we view this commitment as ongoing. We will continue to work to meet the changing and evolving needs of our users and to put user privacy and security at the center of everything we do. The Privacy Program – and the Assessment – provide a clear, positive framework for Facebook to move forward in this pursuit.

\* \* \*

### Request for Confidentiality

Pursuant to 16 C.F.R. § 4.10(a)(2), we have enclosed two versions of the Assessment – a confidential version that contains highly confidential Facebook and Independent Assessor commercial and trade secret information, and a non-confidential version that redacts such information.

The redacted text contains detailed trade secret information regarding the design and testing of the Facebook Privacy Program. We believe that release of the redacted information would place user information at risk, as it would reveal detailed information regarding the specific strengths and possible limitations of the Facebook Privacy Program to hackers and other third parties that may attempt to infiltrate our system in the future. Furthermore, public disclosure of this information would place both Facebook and the Independent Assessor at a competitive disadvantage vis-à-vis competitors, who could use the information to mimic Facebook’s industry-leading development processes or the Independent Assessor’s proprietary testing protocols.

For these reasons, we respectfully request that the Commission treat the redacted information as confidential and not subject to the Freedom of Information Act, pursuant to 5 U.S.C. § 552(b)(4).

\* \* \*

We hope that you find the information above and the enclosed Assessment informative. Please do not hesitate to contact us should you have any questions.

Sincerely,

Michael Richter  
Chief Privacy Officer, Product

Erin Egan  
Chief Privacy Officer, Policy



# *Independent Assessor's Report on Facebook's Privacy Program*

## Initial Assessment Report

For the period August 15, 2012 to  
February 11, 2013

The contents of this document, including the Report of Independent Accountants, contain [REDACTED] proprietary information that shall be protected from disclosure outside of the U.S. Government in accordance with the U.S. Trade Secrets Act and Exemption 4 of the U.S. Freedom of Information Act (FOIA). The document constitutes and reflects work performed or information obtained by [REDACTED], in our capacity as independent assessor for Facebook, Inc. for the purpose of the Facebook, Inc.'s Order. The document contains proprietary information, trade secrets and confidential commercial information of our firm and Facebook, Inc. that is privileged and confidential, and we expressly reserve all rights with respect to disclosures to third parties. Accordingly, we request confidential treatment under FOIA, the U.S. Trade Secrets Act or similar laws and regulations when requests are made for the report or information contained therein or any documents created by the FTC containing information derived from the report. We further request that written notice be given to [REDACTED] and Facebook, Inc. before distribution of the information in the report (or copies thereof) to others, including other governmental agencies, to afford our firm and Facebook, Inc. with the right to assert objections and defenses to the release of the information as permitted under FOIA or other similar applicable law or regulation, except when such distribution is already required by law or regulation. This report is intended solely for the information and use of the management of Facebook, Inc. and the U.S. Federal Trade Commission and is not intended to be and should not be used by anyone other than these specified parties.

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


## Introduction

Facebook, Inc. and the Federal Trade Commission (FTC) entered into Agreement Containing Consent Order File No: 0923184 (“the Order”), which was served on August 15, 2012.

Part IV of the Order requires Facebook to establish and implement, and thereafter maintain, a comprehensive privacy program that is reasonably designed to (1) address privacy risks related to the development and management of new and existing products and services for consumers, and (2) protect the privacy and confidentiality of covered information.

Part V of the Order requires Facebook to obtain initial and biennial assessments and reports (“Assessments”) from a qualified, objective, independent third-party professional, who uses procedures and standards generally accepted in the profession. Facebook engaged  to perform the initial assessment.

As described on pages 6-13, Facebook established its privacy program by implementing privacy controls to meet or exceed the protections required by Part IV of the Order. As described on pages 14-17,  performed inquiry, observation, and inspection/examination procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Part IV of the Order during the first 180 day period ended February 11, 2013, and our conclusions are on pages 4-5.

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## Report of Independent Accountants

To the Management of Facebook, Inc.:


We have examined Management's Assertion, that as of and for the 180 days ended February 11, 2013 (the "Reporting Period"), in accordance with Parts IV and V of the Agreement Containing Consent Order (the "Order") with an effective date of service of August 15, 2012, between Facebook, Inc. ("Facebook" or "the Company") and the United States of America, acting upon notification and authorization by the Federal Trade Commission ("FTC"), the Company had established and implemented a comprehensive Privacy Program, as described in Management's Assertion ("the Facebook Privacy Program"), based on Company-specific criteria, and the privacy controls were operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the Reporting Period.

The Company's management is responsible for the assertion. Our responsibility is to express an opinion based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and accordingly, included examining, on a test basis, evidence supporting the effectiveness of the Facebook Privacy Program as described above and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

We are not responsible for Facebook's interpretation of, or compliance with, information security or privacy-related laws, statutes, and regulations applicable to Facebook in the jurisdictions within which Facebook operates. We are also not responsible for Facebook's interpretation of, or compliance with, information security or privacy-related self-regulatory frameworks. Therefore, our examination did not extend to the evaluation of Facebook's interpretation of or compliance with information security or privacy-related laws, statutes, regulations, and privacy-related self-regulatory frameworks with which Facebook has committed to comply.

In our opinion, Facebook's privacy controls were operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the Reporting Period, in all material respects as of and for the 180 days ended February 11, 2013, based upon the Facebook Privacy Program set forth in Management's Assertion.



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This report is intended solely for the information and use of the management of Facebook and the United States Federal Trade Commission and is not intended to be and should not be used by anyone other than these specified parties.



San Jose

April 16, 2013

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## Facebook's Privacy Program Overview

### Company Overview

Founded in 2004, Facebook's mission is to give people the power to share and make the world more open and connected. Facebook has been working on privacy since its inception and consistently strives to enhance various elements of its internal privacy programs. For example, Facebook now has a Privacy Cross-Functional ("XFN") internal team (comprised of experts with a range of privacy expertise) that vets and reviews products during the development cycle and before launch. Facebook also created two new corporate officer roles— Chief Privacy Officer, Product and Chief Privacy Officer, Policy—who are charged with ensuring that Facebook's commitments are reflected in all of its activities.

Facebook supports its mission by developing useful and engaging tools that enable people to connect, share, discover, and communicate with each other on mobile devices and computers. Facebook's products include News Feed, Timeline, Platform, Graph Search, Messages, Photos and Video, Groups, Events, and Pages. These products are available through Facebook's website, Facebook.com. They are also accessible through certain Facebook mobile applications or "apps", including Facebook, Camera, Messenger, Pages, and Poke. Versions of Facebook's mobile apps are available for multiple operating systems, such as iOS and Android operating systems. These products and services allow people all over the world to share, and communicate with each other in new and innovate ways, connecting people in ways not possible before these tools were offered.

Facebook Platform ("Platform") is a set of development tools and application programming interfaces ("APIs") that enable developers to build their own social apps, websites, and devices that integrate with Facebook. The Facebook's Developer Operations team is focused on supporting successful applications, driving platform adoption, and maintaining the user experience through developer education and policy enforcement. The Platform Principles that Facebook imposes on all developers are: (1) Create a great user experience (Build social and engaging applications; Give users choice and control; and Help users share expressive and relevant content); and (2) Be trustworthy (Respect privacy; Don't mislead, confuse, defraud, or surprise users; and Don't spam - encourage authentic communications). Additionally, Facebook's Statement of Rights and Responsibilities and Platform Policies outline a variety of developer obligations, including those around privacy, such as providing notice and obtaining consent for certain data uses and restrictions on sharing user information.

Most products and services Facebook offers are free. Facebook is able to do this by providing value for marketers, including brand marketers, small and medium-sized businesses, and developers. Facebook offers a unique combination of reach, relevance, social context, and engagement. Marketers can also use Facebook's analytics platform, Facebook Ad Analytics, to understand and optimize the performance of their campaigns.

In addition to Facebook created products and services, Facebook acquired Instagram on August 31, 2012. Instagram is a photo sharing service that enables users to take photos, apply digital filters to the photos, share them with others, and comment on photos posted by themselves or by others. At the time of acquisition, Instagram had approximately 13 employees. During the reporting period subsequent to the acquisition, Instagram was

available on the web at Instagram.com and as an app on the iOS and Android operating systems.

## Facebook Privacy Program Scope

Facebook designed the Privacy Program to accomplish two primary objectives: (a) to address privacy risks related to the development, management, and use of new and existing products; and (b) to protect the privacy and confidentiality of the information Facebook receives from or about consumers. Facebook leveraged the Generally Accepted Privacy Principles (“GAPP”) framework, set forth by the American Institute of Certified Public Accountants (“AICPA”) and Canadian Institute of Chartered Accountants (“CICA”), to define company-specific criteria for the foundation of the Facebook Privacy Program. The GAPP framework is globally recognized as a leading and comprehensive standard for privacy programs.

The ten GAPP principles, which are derived from internationally recognized information practices, are as follows:

1. **Management.** The entity defines, documents, communicates, and assigns accountability for its privacy policies and procedures.
2. **Notice.** The entity provides notice about its privacy policies and procedures and identifies the purposes for which personal information is collected, used, retained, and disclosed.
3. **Choice and consent.** The entity describes the choices available to the individual and obtains implicit or explicit consent with respect to the collection, use, and disclosure of personal information.
4. **Collection.** The entity collects personal information only for the purposes identified in the notice.
5. **Use, retention, and disposal.** The entity limits the use of personal information to the purposes identified in the notice and for which the individual has provided implicit or explicit consent. The entity retains personal information for only as long as necessary to fulfill the stated purposes or as required by law or regulations and thereafter appropriately disposes of such information.
6. **Access.** The entity provides individuals with access to their personal information for review and update.
7. **Disclosure to third parties.** The entity discloses personal information to third parties only for the purposes identified in the notice and with the implicit or explicit consent of the individual.
8. **Security for privacy.** The entity protects personal information against unauthorized access (both physical and logical).
9. **Quality.** The entity maintains accurate, complete, and relevant personal information for the purposes identified in the notice.
10. **Monitoring and enforcement.** The entity monitors compliance with its privacy policies and procedures and has procedures to address privacy related complaints and disputes.

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The following is a brief description of the Facebook Privacy Program.

Facebook has designated a team of employees who are directly responsible for the Facebook Privacy Program (the "Privacy Governance Team"). Facebook's Chief Privacy Officer, Product leads the Privacy Governance Team. Other team members include the Chief Privacy Officer, Policy; Chief Security Officer, Associate General Counsel, Privacy; Associate General Counsel, Privacy and Product; Associate General Counsel, Advertising and Product; and Associate General Counsel, Regulatory. While the Chief Privacy Officer, Product provides leadership responsibility for coordinating the Privacy Program, the entire Privacy Governance Team and many employees (including engineers, product managers, etc.) are responsible for various aspects of the Privacy Program and play a crucial role driving and implementing decisions made by the Privacy Governance Team. Of particular note are the Privacy Program Managers who work directly under Chief Privacy Officer, Product. This team is embedded in the product organization and is responsible for: (1) engaging closely with legal, policy, and other members of the Privacy XFN Team to drive privacy decisions; (2) coordinating and presenting privacy issues to the Privacy XFN Team; and (3) maintaining records of privacy decisions and reviews.

A central aspect of Facebook's Privacy Program is a continuous assessment of privacy risks. As part of this risk assessment process, members of the Privacy Governance Team work with relevant Facebook stakeholders, including representatives of Facebook's Privacy, Engineering, Security, Internal Audit, Marketing, Legal, Public Policy, Communications, Finance, Platform Operations, and User Operations teams, to identify reasonably foreseeable, material risks, both internal and external, that could result in the unauthorized collection, use or disclosure of covered information. This process is enriched by input from the Chief Privacy Officer, Policy and her team, which engage with industry stakeholders and regulators and integrate external feedback into Facebook's program.

The team considers risks in each relevant area of operation, including governance, product design, and engineering (including product development and research), user operations (including third-party developers), advertising, service providers, employee awareness and training, employee management, and security for privacy. The team also considers the sufficiency of the safeguards in place to control the identified risks. Through this process, Facebook has documented reasonably foreseeable material risks to user privacy and has put in place reasonable privacy processes and controls to address those risks.

As part of Facebook's on-going privacy risk assessment process, Facebook holds an annual "Privacy Summit" of relevant stakeholders, including key representatives from the Privacy XFN Team. The Privacy XFN Team includes representatives from each major segment of Facebook, including Facebook's Privacy, Public Policy, Legal, Marketing, Product, Engineering, Security, and Communications teams. Attendees of the annual Privacy Summit review and update the privacy risk assessment, focusing on significant material risks identified by the Privacy Governance Team. Attendees evaluate those privacy risks in light of changing internal and external threats, changes in operations, and changes in laws and regulations. Attendees also examine the sufficiency of existing privacy controls in mitigating those risks, as well as new potential risks. Finally, attendees engage in discussion around ways to improve the work performed by the Privacy XFN Team. The last Privacy Summit occurred on [REDACTED]



As indicated above, Facebook's Privacy Governance Team, led by the Chief Privacy Officer, Product is responsible for the design, implementation, and maintenance of the Privacy Program, which is documented in written policies and procedures. Highlights of the program are detailed below.

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## Privacy and Security Awareness Activities

Facebook communicates Privacy and Security awareness matters to new and existing employees and tailors such communications according to role and responsibility. For example, as part of its regular training for new project managers, Facebook trains project managers about the privacy program and key privacy considerations during the product development cycle. This training involves representatives from the Privacy XFN Team presenting to the project managers (the Privacy XFN process covers those directly involved in the development and management of new products, enhancements to existing products and services for consumers, as described below under “Product Design, Development and Research Activities”). As a further example, engineers at Facebook spend their first six weeks in bootcamp, an immersive, cross-functional orientation program. During bootcamp, engineers are instructed on the importance of privacy and security at Facebook, along with their obligations to protect user information as it relates to their roles and responsibilities. Similar group-specific trainings are held for other constituents in the Company (e.g., user operations).

Facebook also holds “Hacktober” annually in October. Hacktober is a month-long event intended to increase employee privacy and security awareness. A series of simulated security threats (e.g., phishing scams) are presented to employees to determine how the employees would respond. If employees report the security threat, they receive a reward, such as Facebook-branded merchandise. If the security threat goes unreported, or if vulnerability is exploited, the employees undergo further education and awareness.

To further promote recognition and understanding of privacy issues and obligations among all Facebook employees, Facebook recently deployed, in addition to initiatives described above, a computer-based privacy training program to all employees. This training provides an overview of applicable privacy laws and Facebook’s privacy commitments. All new employees are now required to complete the privacy training within 30 days of employment, while all existing employees are required to complete the privacy training annually. Facebook employees are quizzed on their understanding of Facebook’s privacy practices during the training.

## Product Design, Development, and Research Activities

The Privacy XFN Team considers privacy from the earliest stages in the product development process (i.e., “privacy by design”). The Chief Privacy Officer, Product and his team spearhead this review and lead a number of key functions and responsibilities. First, as described above, employees, including engineers, product managers, content strategists, and product marketing managers, are educated on Facebook’s privacy framework. This education includes an overview of Facebook’s processes and corresponding legal obligations, and may involve other members of the Privacy XFN team, such as Privacy and Product Counsel.

Second, the Chief Privacy Officer, Product and his team host weekly reviews of key product-related decisions and material changes to Facebook’s privacy framework, which are attended by members of the Privacy XFN Team. The Chief Privacy Officer, Product and his team also review all new product proposals and any material changes to existing products from a privacy perspective and involve the Privacy XFN Team for broader review and feedback. The impact of privacy principles such as notice, choice, consent, access, security,

retention, deletion, and disclosure are considered as part of this review. Product launches are added to the Privacy Launch Calendar to ensure on-going review and consideration of privacy issues by the Privacy XFN Team throughout the development process. Members of the Privacy XFN Team also communicate back to their respective teams on issues covered in the weekly reviews. This review process helps ensure that privacy is considered throughout the product development process, and maintains consistency on privacy issues across all Facebook products and services.

The following products, available on the platforms and devices indicated, are included in the scope of Facebook's Privacy Program and the Order:

- Facebook: Facebook.com (internet/web), m.facebook.com, iOS, Android, Facebook for Every Phone, Facebook for Blackberry, Facebook for Windows;
- Messenger: iOS, Android;
- Camera: iOS;
- Pages Manager: iOS, Android;
- Poke: iOS; and
- Instagram: Instagram.com (internet/web), iOS, Android.

### Facebook Platform

Platform applications and developers are required to comply with, and are subject to, Facebook's Statement of Rights and Responsibilities, Platform Principles, and Platform Policies. These terms and policies outline a variety of privacy obligations and restrictions, such as limits on an application's use of data received through Facebook, requirements that an application obtain consent for certain data uses, and restrictions on sharing user data. Facebook's Platform privacy setting and Granular Data Permissions ("GDP") process allows users to authorize the transfer of Facebook user information to third-party applications. Monitoring controls are in place to detect material misuse of the Platform (e.g., user complaints, third-party applications that do not have active privacy policy links).

### Security for Privacy

Facebook has implemented technical, physical, and administrative security controls designed to protect user data from unauthorized access, as well as to prevent, detect, and respond to security threats and vulnerabilities. Facebook's security program is led by the Chief Security Officer ("CSO") and supported by a dedicated Security Team. As mentioned above, the CSO is a key and active member of the Privacy Governance team. Facebook's security and privacy employees work closely on an on-going basis to protect user data and Facebook's systems.

### Monitoring Activities

In order to ensure that the effectiveness of its controls and procedures are regularly monitored, Facebook has designated an "owner" for each of the controls included in the Privacy Program. Facebook utilizes the annual Privacy Summit to monitor the effectiveness of controls and procedures in light of changing internal and external risks. In addition, members of Facebook's Legal team periodically review the Privacy Program to ensure it, including the controls and procedures contained therein, remains effective. These Legal team members also will serve as point of contacts for control owners and will update the Privacy Program to reflect any changes or updates surfaced.



## Service Providers

Facebook has implemented controls with respect to third-party service providers, including implementing policies to select and retain service providers capable of appropriately protecting the privacy of covered information received from Facebook.

Facebook's Security team has a process for conducting due diligence on service providers who may receive covered information in order to evaluate whether their data security standards are aligned with Facebook's commitments to protect covered information. As part of the due diligence process, Facebook asks prospective service providers to complete a security architecture questionnaire or vendor security questionnaire to assess whether the provider meets Facebook's functional security requirements to protect the privacy of user data. Based upon the service provider's responses to the vendor security questionnaire and other data points, Facebook's Security team determines whether further security auditing is required. Facebook partners with an outside security consulting firm to conduct security audits, which may include testing of the service provider's controls, a vulnerability scanning program, a web application penetration test, and/or a code review for security defects. The security consulting firm reports its findings to Facebook, and Facebook requires that the prospective service provider fix critical issues before being on-boarded. Depending on the sensitivity of Facebook data shared with the service provider and other factors, Facebook may require that the service provider undergo a periodic or random security and/or privacy audit.

Facebook also has a contract policy (the "Contract Policy"), which governs the review, approval, and execution of contracts for Facebook. Facebook's pre-approved contract templates require service providers to implement and maintain appropriate protections for covered information. Facebook reviews contracts that deviate from the pre-approved templates to help ensure that contracts with applicable service providers contain the required privacy protections. Facebook Legal documents review of any such contracts through formal approval prior to contract execution.

## Monitoring

Facebook's Privacy Program is designed with procedures for evaluating and adjusting the Privacy Program in light of the results of testing and monitoring of the program as well as other relevant circumstances. As mentioned above, Facebook's annual Privacy Summit is designed to identify, discuss, and assess compliance with privacy policies and procedures, and applicable laws and regulations, as well as identify new or changed risks and recommend responsive controls. The Privacy XFN Team assesses risks and controls on an on-going basis through weekly meetings and review processes. Members of Facebook's Legal team support the Privacy Program and serve as points of contact for all relevant control owners to communicate recommended adjustments to the Privacy Program based on regular monitoring of the controls for which they are responsible, as well as any internal or external changes that affect those controls. Additionally, the Privacy Governance Team regularly discusses the Privacy Program in the context of various product and operational discussions. During these discussions, the effectiveness and efficiency of the Privacy Program are considered and reviewed and, when appropriate, adjustments are made to maintain a strong program.



Facebook also continuously evaluates acquisitions for inclusion in the Privacy Program, based on the nature of the acquisition (e.g., talent or people, intellectual property, product or infrastructure). Specifically, Facebook takes steps, as appropriate, to integrate acquisitions into the Privacy Program and reviews products and features developed by acquisitions with the same level of rigor applied to Facebook's products and services. The acquisitions in the current Reporting Period were primarily talent acquisitions, except for Instagram. Instagram's people, product, and supporting infrastructure were acquired on August 31, 2012.

Facebook assessed the privacy risks associated with Instagram's people, process, and technology upon acquisition. In comparison to Facebook, Instagram has significantly fewer users, employees, and products. As described in the Company Overview above, Instagram's products focus on photo taking, filtering, and sharing. From a privacy perspective, Instagram users have one binary choice - to make all photos private or all photos public by setting the "Photos are Private" on/off slider. Once private, the user approves any "follower" requests. After obtaining approval, the follower can access posted photos and related comments. The Privacy XFN Team also was involved in reviewing Instagram's January 19, 2013 privacy policy update.

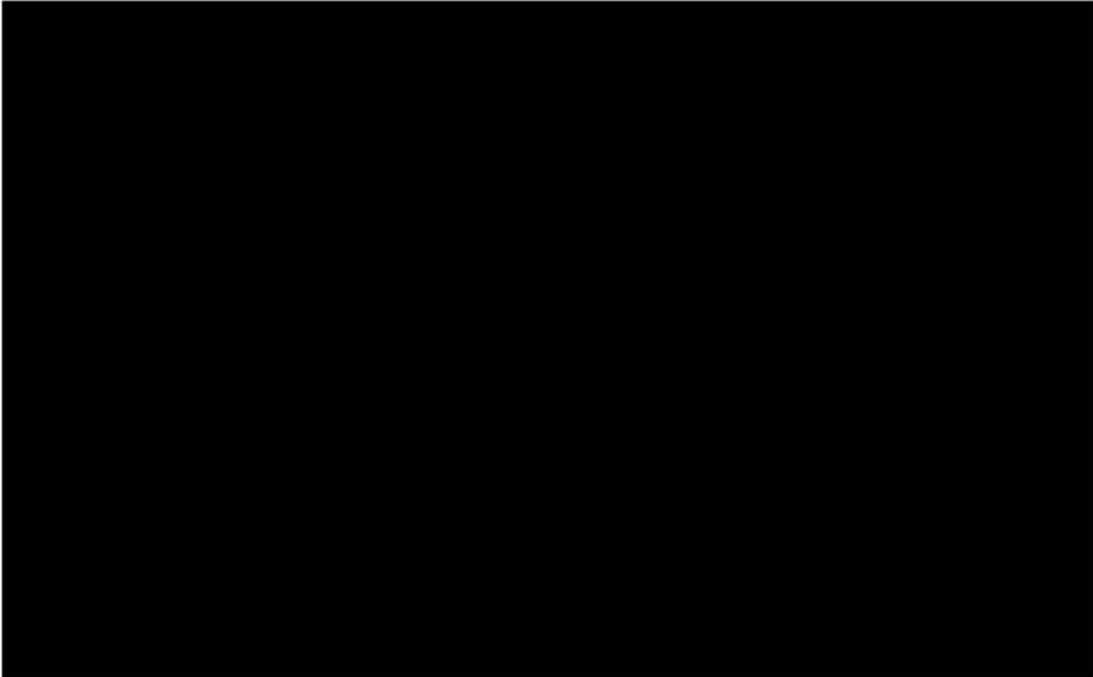


## Privacy Assessment Approach

### Assessment Standards

Part V of the Order requires that the Assessments be performed by a qualified, objective, independent third-party professional, who uses procedures and standards generally accepted in the profession. This report was issued by [REDACTED] under professional standards which meet these requirements.

As a public accounting firm, [REDACTED] must comply with the public accounting profession's technical and ethical standards, which are enforced through various mechanisms created by the American Institute of Certified Public Accountants ("AICPA"). Membership in the AICPA requires adherence to the Institute's Code of Professional Conduct. The AICPA's Code of Professional Conduct and its enforcement are designed to ensure that CPAs who are members of the AICPA accept and achieve a high level of responsibility to the public, clients, and colleagues.

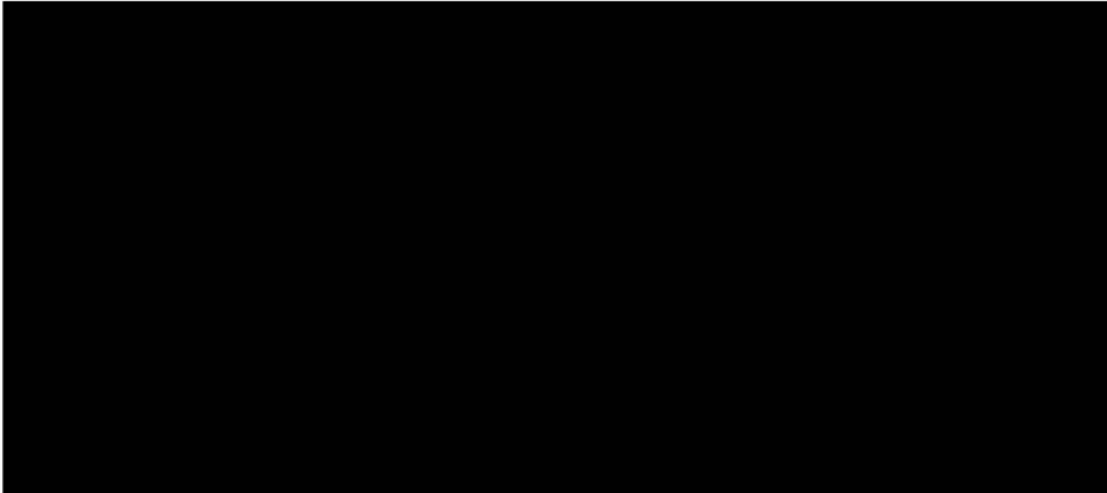


In performing this assessment, [REDACTED] complied with all of these Standards.

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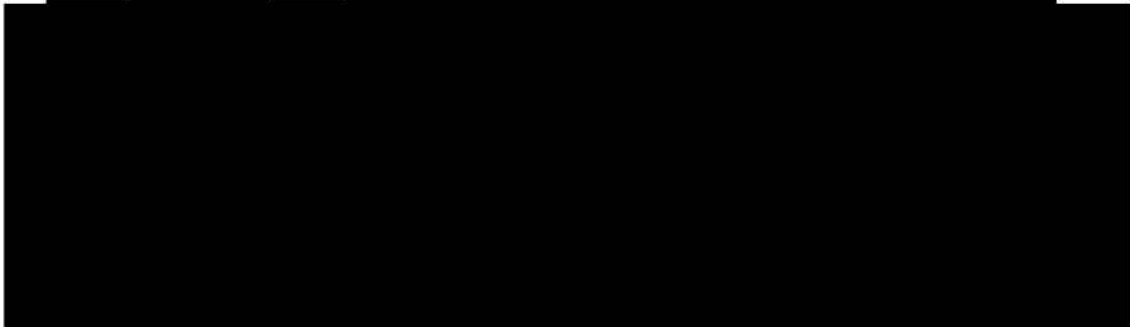
## Independence



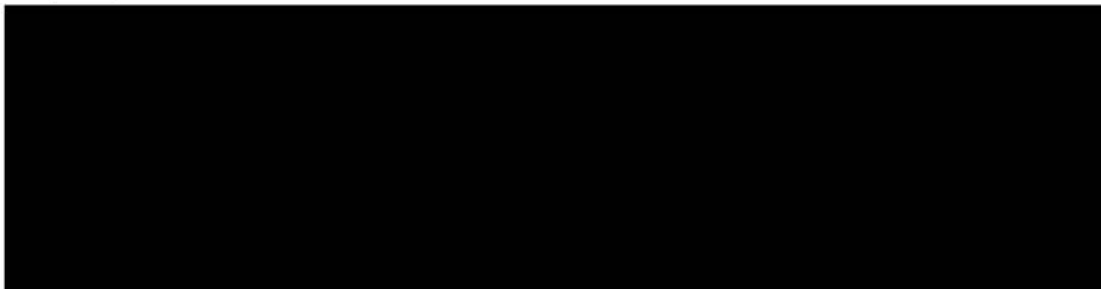
█ is independent with respect to the Standards required for this engagement.

## █ Assessor Qualifications

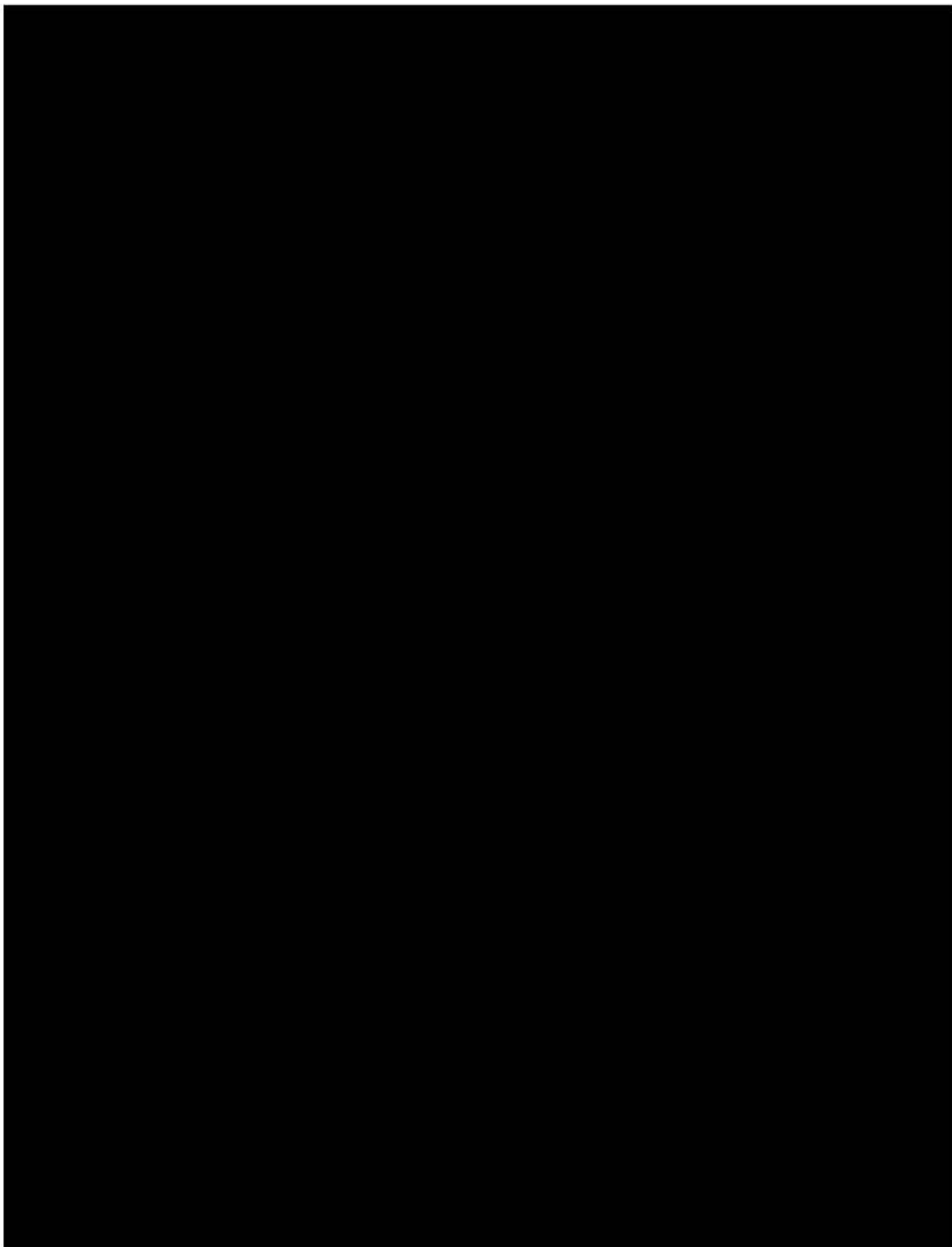
█ assembled an experienced, cross-disciplinary team of █ team members with privacy, assessment, and technology industry expertise to perform the Assessor role for the Order. █



## █ Assessment Process Overview



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**Assessment of Part IV A, B, C, D and E, of the Order**

The tables in section “Facebook’s Privacy Program: Assertions, Control Activities and Tests Performed and Results” of this report describe the scope of Facebook’s Privacy Program referenced in the Management Assertion on pages 77-78. Facebook established its privacy program by implementing privacy controls to meet or exceed the protections required by Part IV of the Order. The table also includes inquiry, observation, and inspection/examination test procedures to assess the effectiveness of Facebook’s program and test results. final conclusions are detailed on pages 4-5 of this document.

**A. Set forth the specific privacy controls that respondent has implemented and maintained during the reporting period.**

As depicted within the table on pages 21-76, Facebook has listed the privacy controls that were implemented and maintained during the reporting period.

**B. Explain how such privacy controls are appropriate to respondent’s size and complexity, the nature and scope of respondent’s activities, and the sensitivity of the covered information.**

Based on the size and complexity of the organization, the nature and scope of Facebook’s activities, and the sensitivity of the covered information (as defined in by the order), Facebook management developed the company-specific criteria (assertions) detailed on pages 77-78 as the basis for its Privacy Program. The management assertions and the related control activities are intended to be implemented to address the risks identified by Facebook’s privacy risk assessment.

**C. Explain how the privacy controls that have been implemented meet or exceed the protections required by Part IV of the Order.**

As summarized in the Facebook’s Privacy Program on pages 6-13, Facebook has implemented the following protections:

**A. Designation of an employee or employees to coordinate and be responsible for the privacy program.**

As described above, Facebook has designated a team of employees to coordinate and be responsible for the Privacy Program as required by Part IV of the Order. As described on pages 21-23 (Management’s Assertion A), performed test procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Part IV of the Order.

**B. The identification of reasonably foreseeable, material risks, both internal and external, that could result in Respondent’s unauthorized collection, use, or disclosure of covered information and an assessment of the sufficiency of any safeguards in place to control these risks. At a minimum, this privacy risk assessment should include consideration of risks in each area of relevant operation.**

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including, but not limited to: (1) employee training and management, including training on the requirements of this order, and (2) product design, development, and research.

As described above, Facebook has identified reasonably foreseeable, material risks, both internal and external, that could result in Facebook's unauthorized collection, use, or disclosure of covered information, and assessed the sufficiency of any safeguards in place to control these risks as required by Part IV of the Order. As described on page 24 (Management's Assertion B), [REDACTED] performed test procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Part IV of the Order.

C. The design and implementation of reasonable controls and procedures to address the risks identified through the privacy risk assessment, and regular testing or monitoring of the effectiveness of those controls and procedures.

As described above, Facebook has designed and implemented reasonable controls and procedures to address the risks identified through the privacy risk assessment, and regular testing or monitoring of the effectiveness of those controls and procedures as required by Part IV of the Order. As described on pages 25-65 (Management's Assertions C, D, E, F, and G), [REDACTED] performed test procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Part IV of the Order.

D. The development and use of reasonable steps to select and retain service providers capable of appropriately protecting the privacy of covered information they receive from Respondent and requiring service providers, by contract, to implement and maintain appropriate privacy protections for such covered information.

As described above, Facebook has developed and implemented reasonable steps to select and retain service providers capable of appropriately protecting the privacy of covered information they receive from Facebook as required by Part IV of the Order. Facebook also includes terms in contracts with service providers requiring that such service providers implement and maintain appropriate privacy protections. As described on pages 66-70 (Management's Assertion H), [REDACTED] performed test procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Part IV of the Order.

E. The evaluation and adjustment of Respondent's privacy program in light of the results of the testing and monitoring required by subpart C, any material changes to Respondent's operations or business arrangements, or any other circumstances that Respondent knows or has reason to know may have a material impact on the effectiveness of its privacy program.

As described above, Facebook has evaluated and adjusted its Privacy Program in light of the results of the testing and monitoring required by subpart C within Part IV of the Order, any material changes to Facebook's operations or business arrangements, or any other circumstances that Facebook knows or has reason to



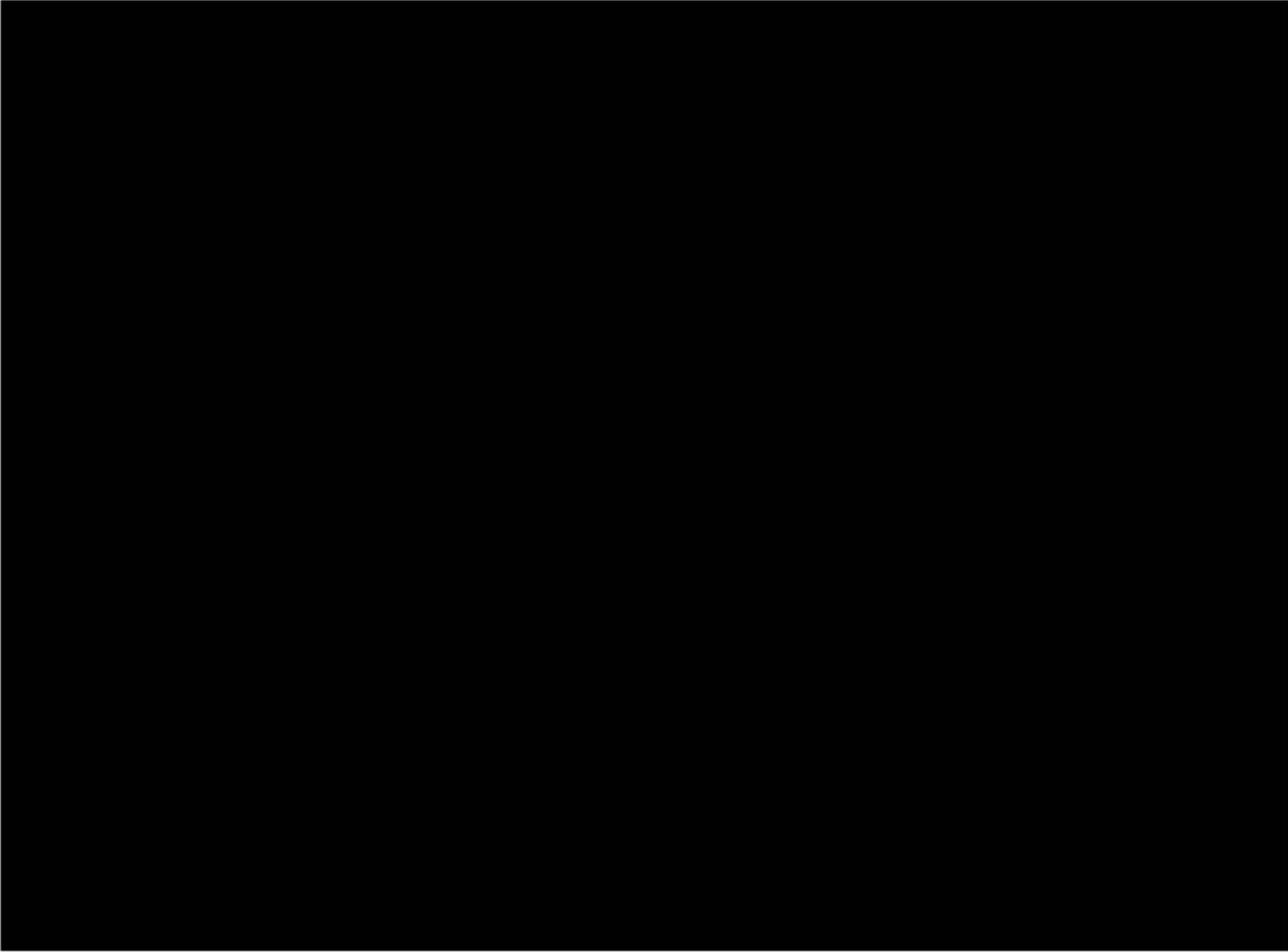


know may have a material impact on the effectiveness of its privacy program as required by Part IV of the Order. As described on pages 71-76 (Management's Assertion I), [REDACTED] performed test procedures to assess the effectiveness of the Facebook privacy controls implemented to meet or exceed the protections required by Paragraph IV of the Order.

**D. Certify that the privacy controls are operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the reporting period.**

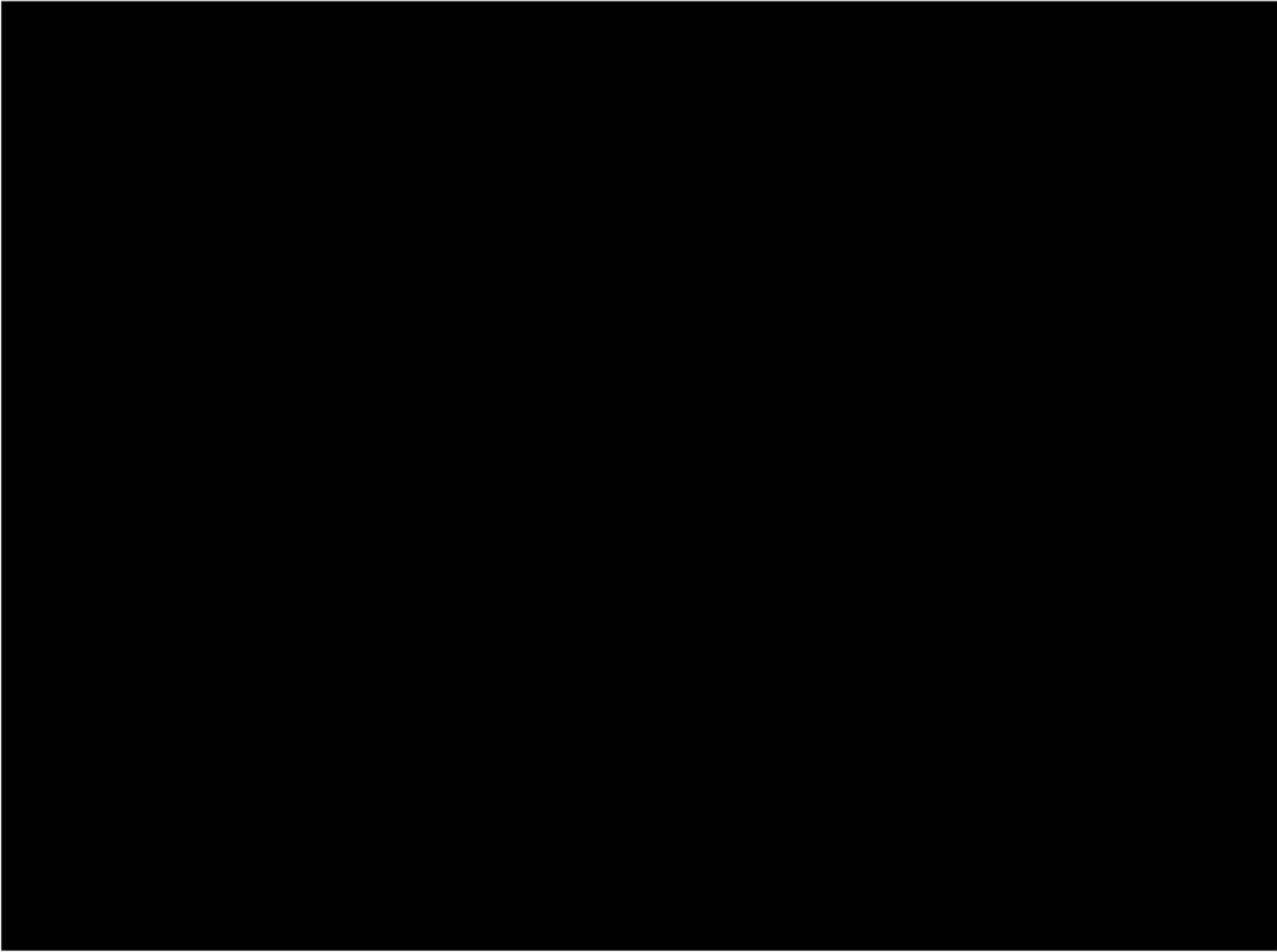
As described in the [REDACTED] Assessment Process Overview section above, [REDACTED] performed its assessment of Facebook's Privacy Program in accordance with AICPA Attestation Standards. Refer to pages 4-5 of this document for [REDACTED] conclusions.

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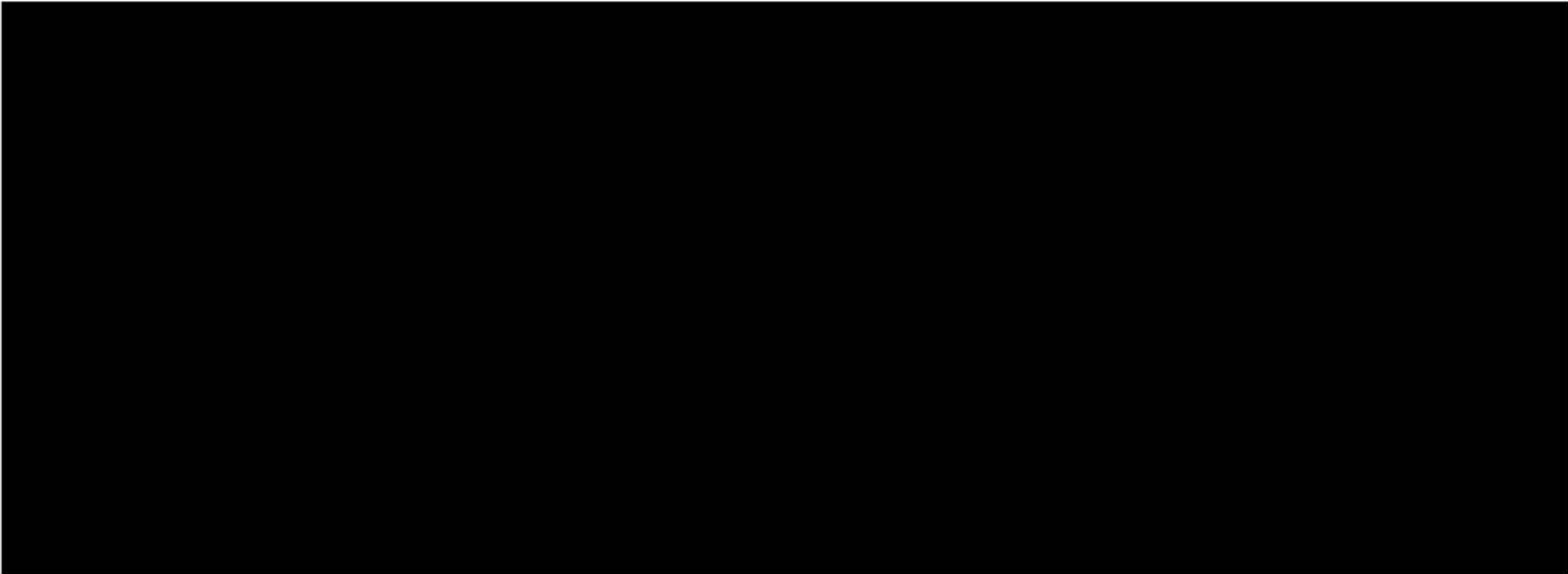
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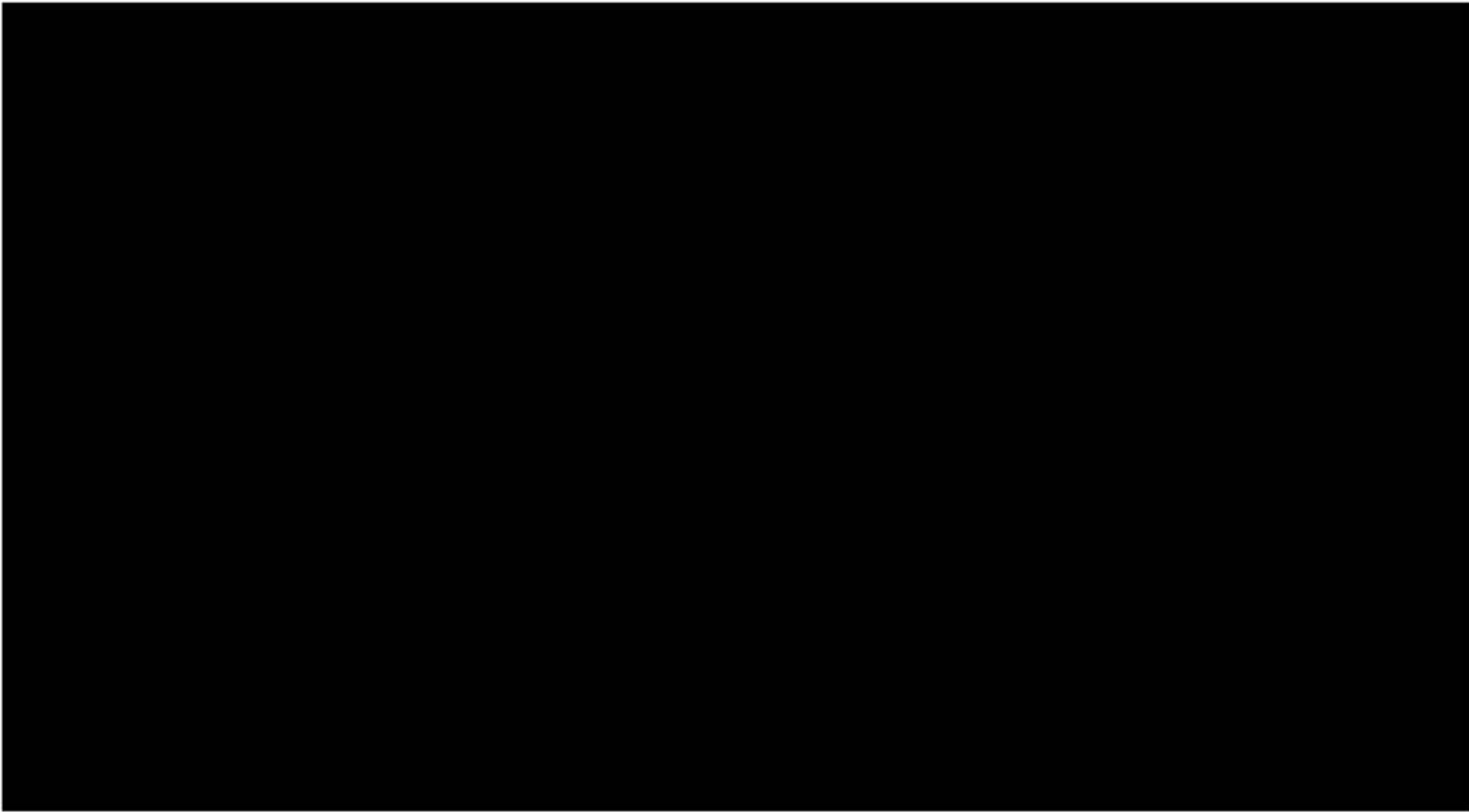
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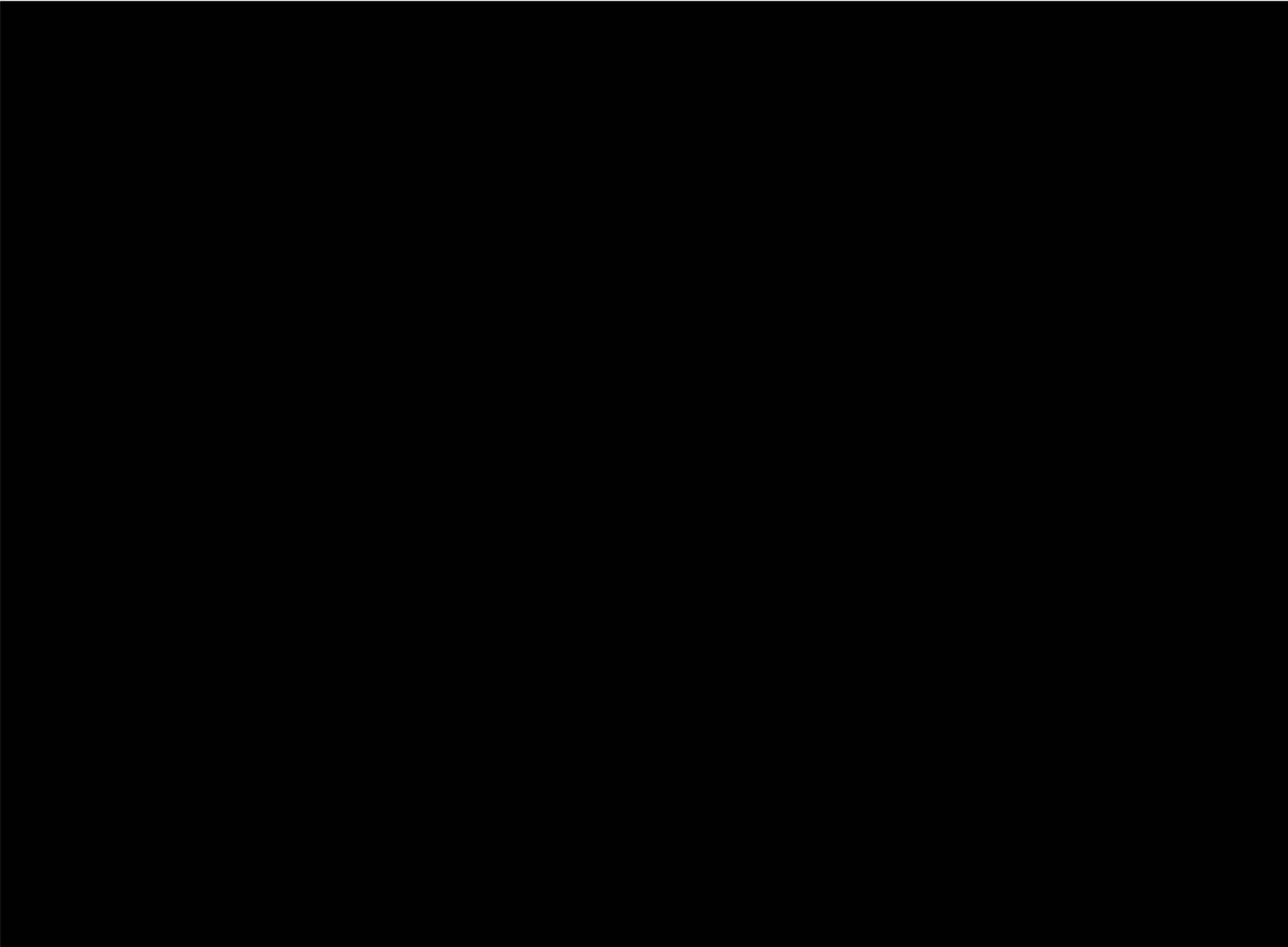
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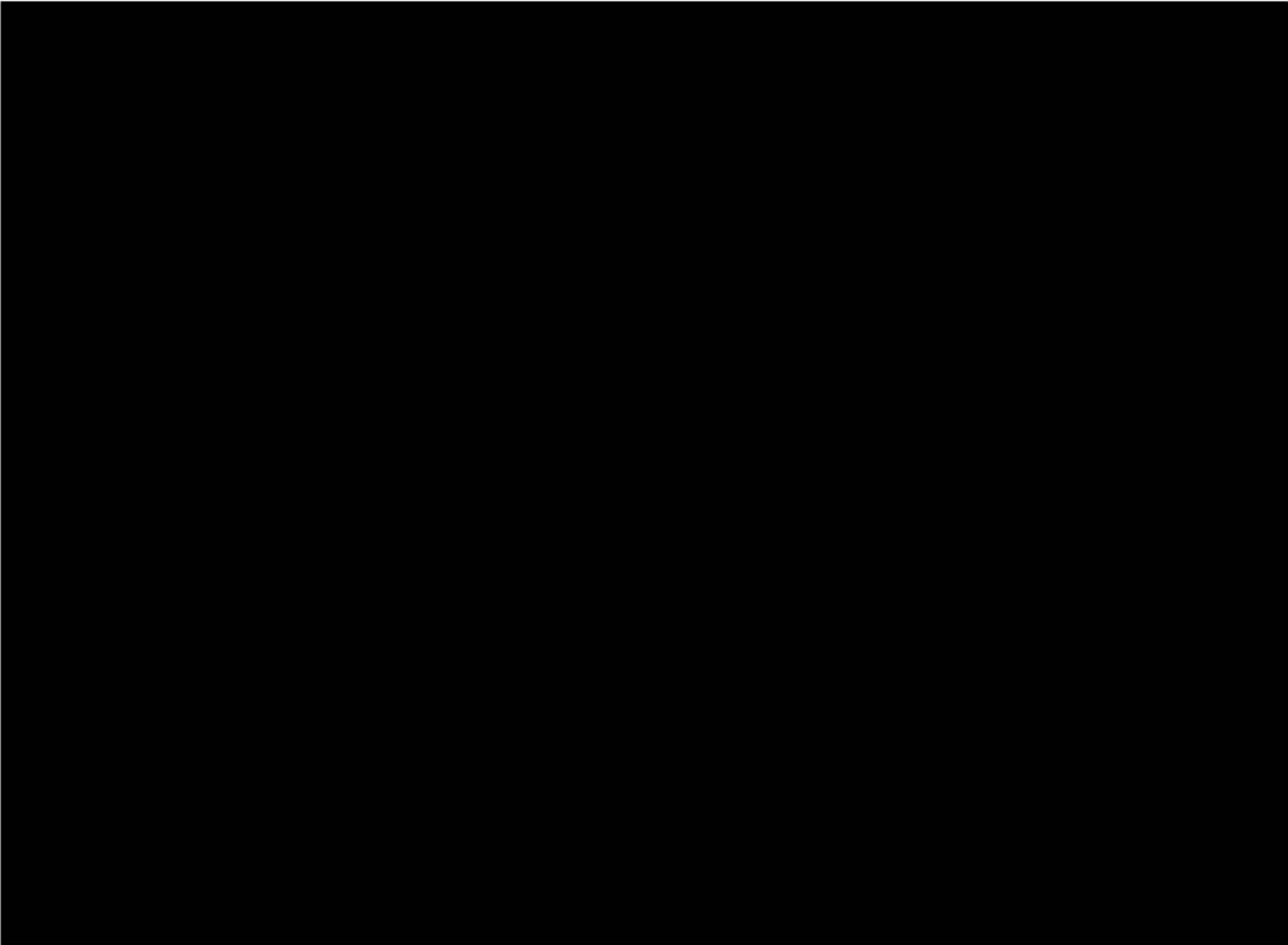
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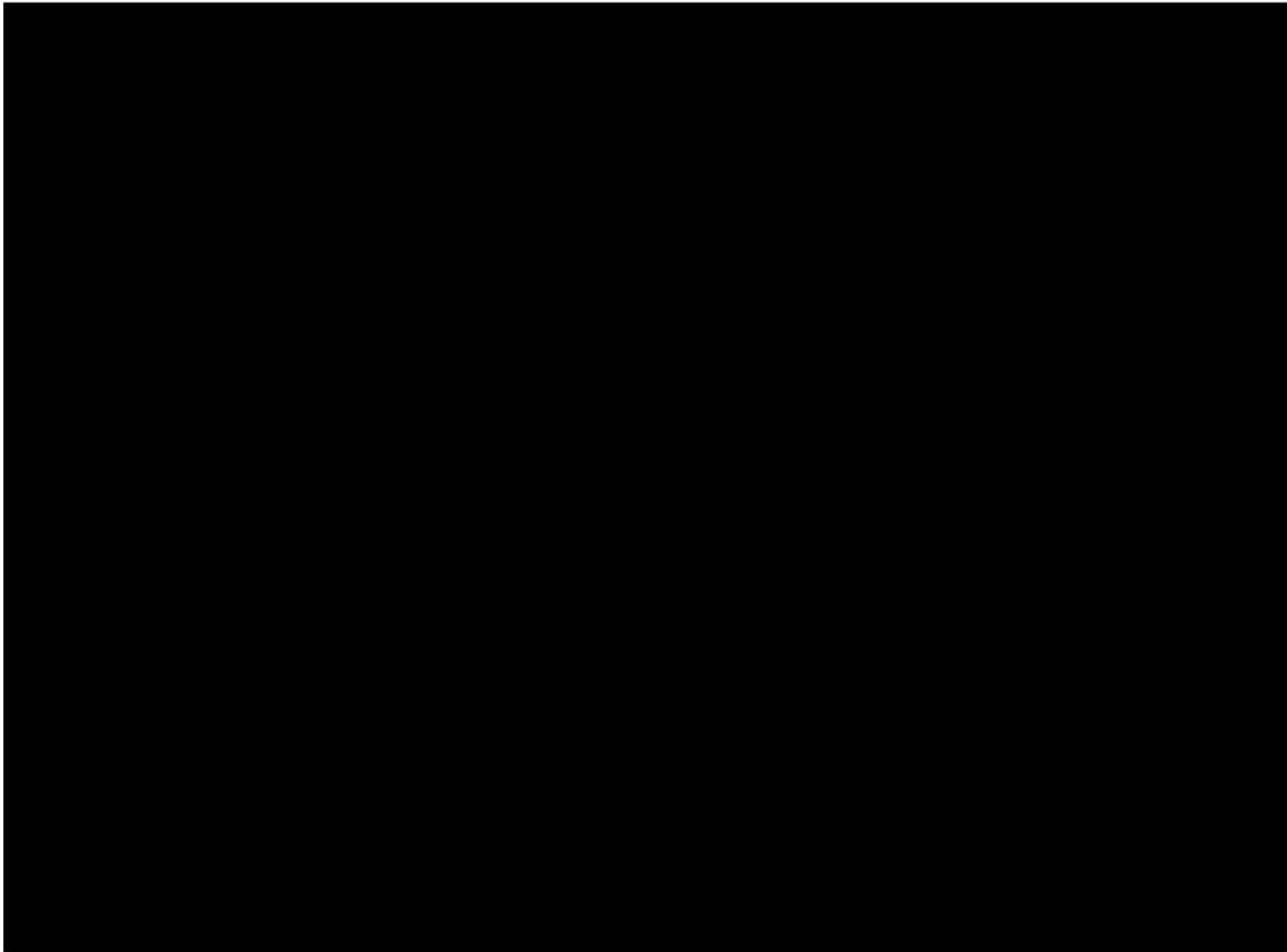
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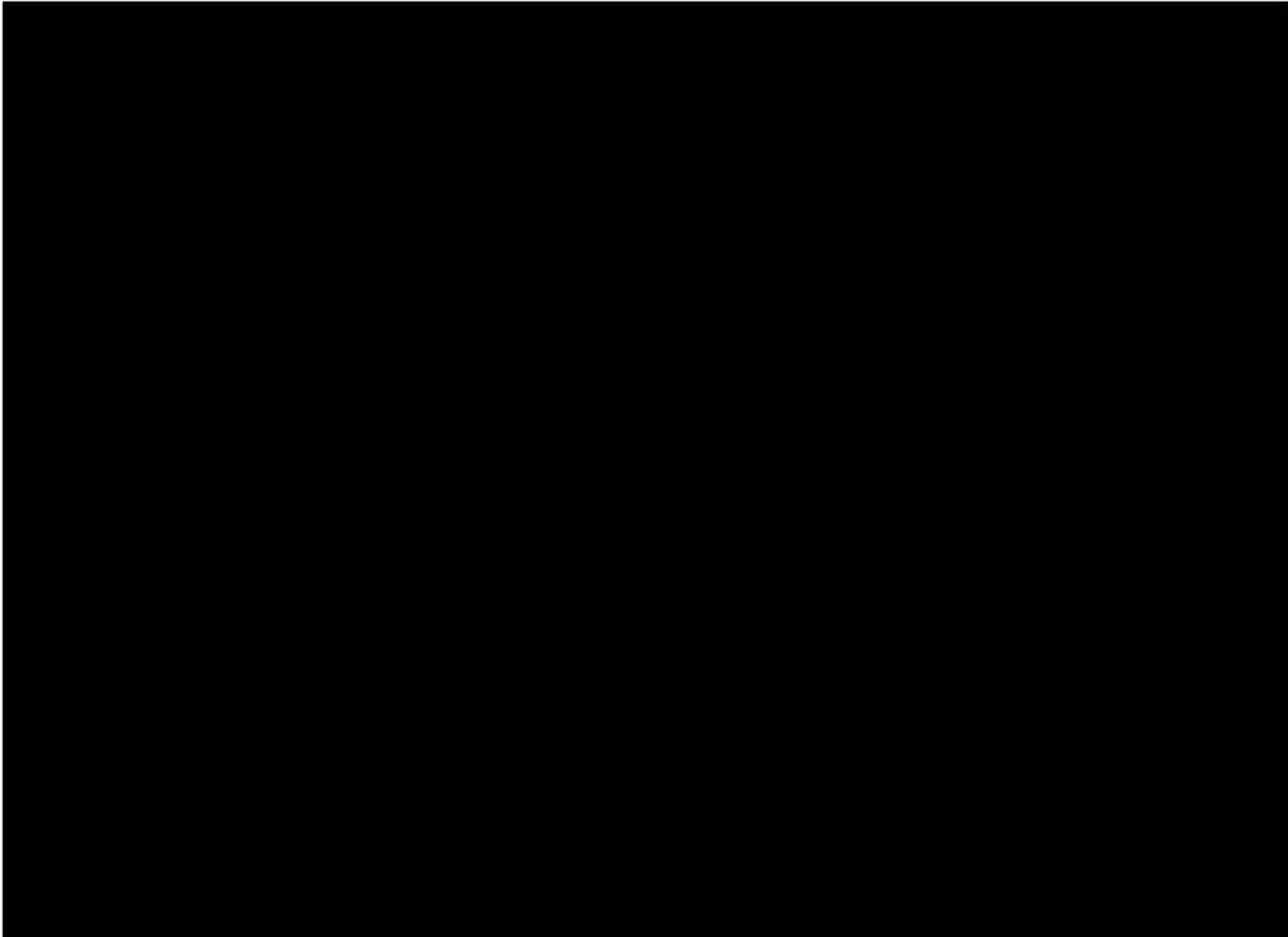
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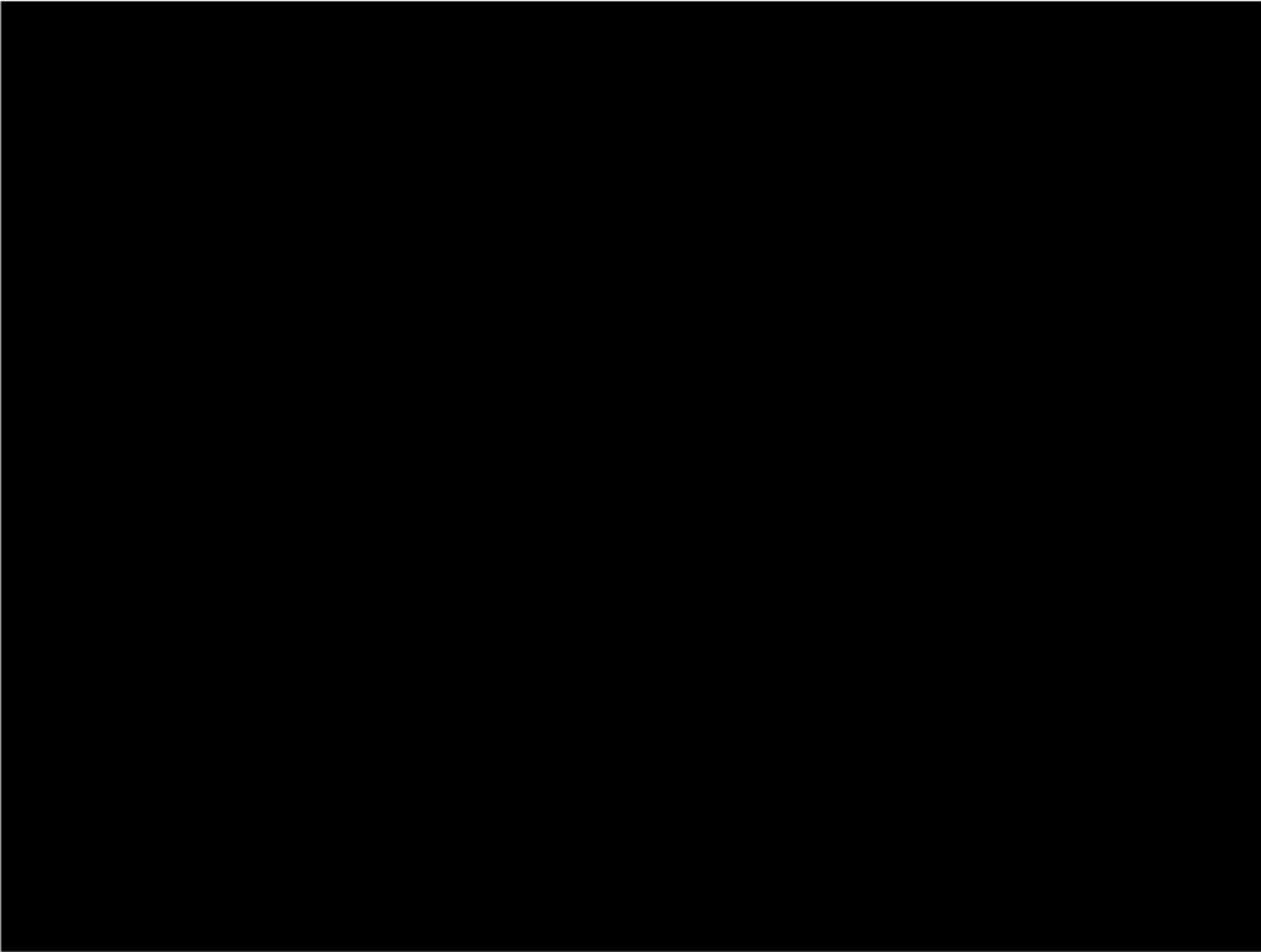
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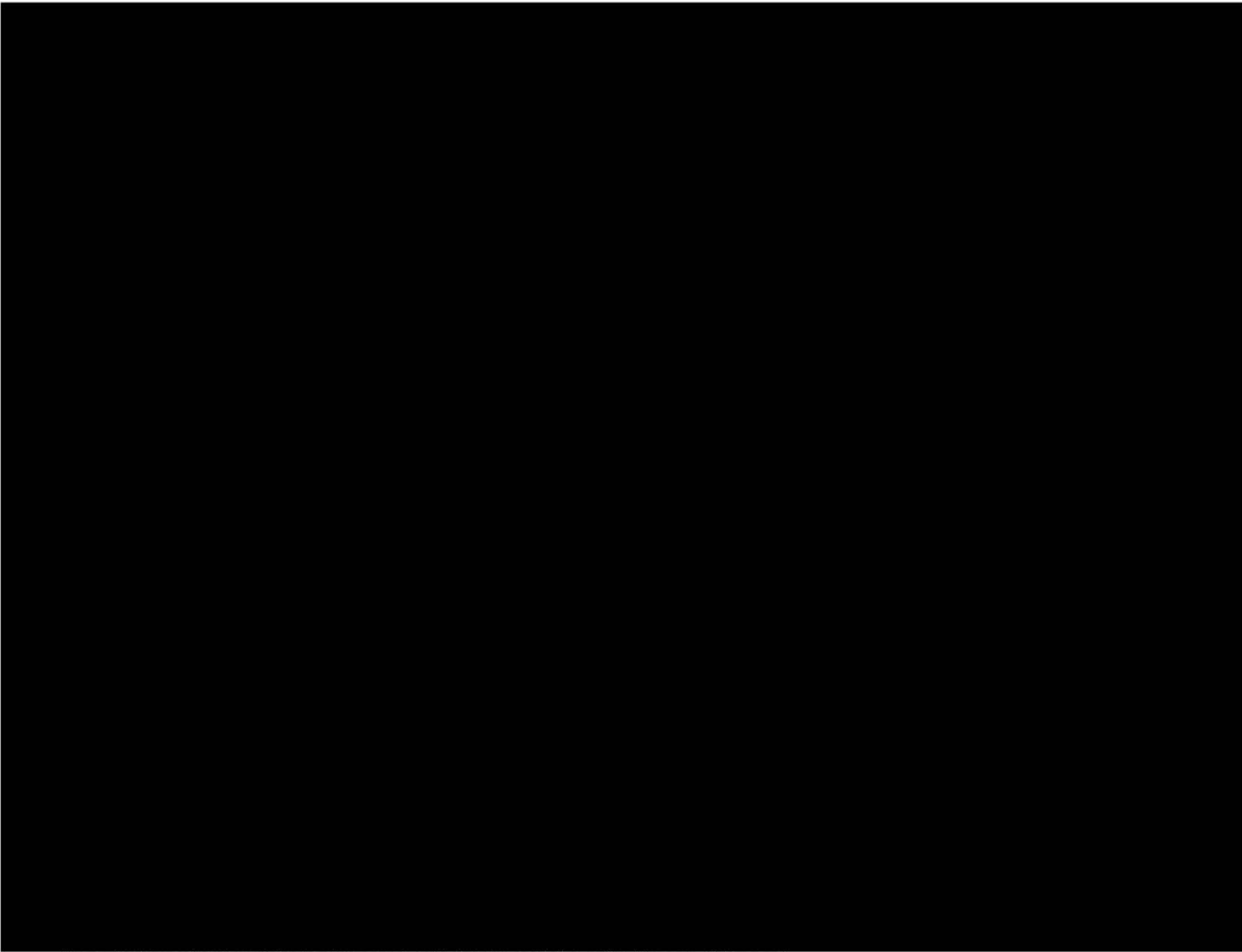
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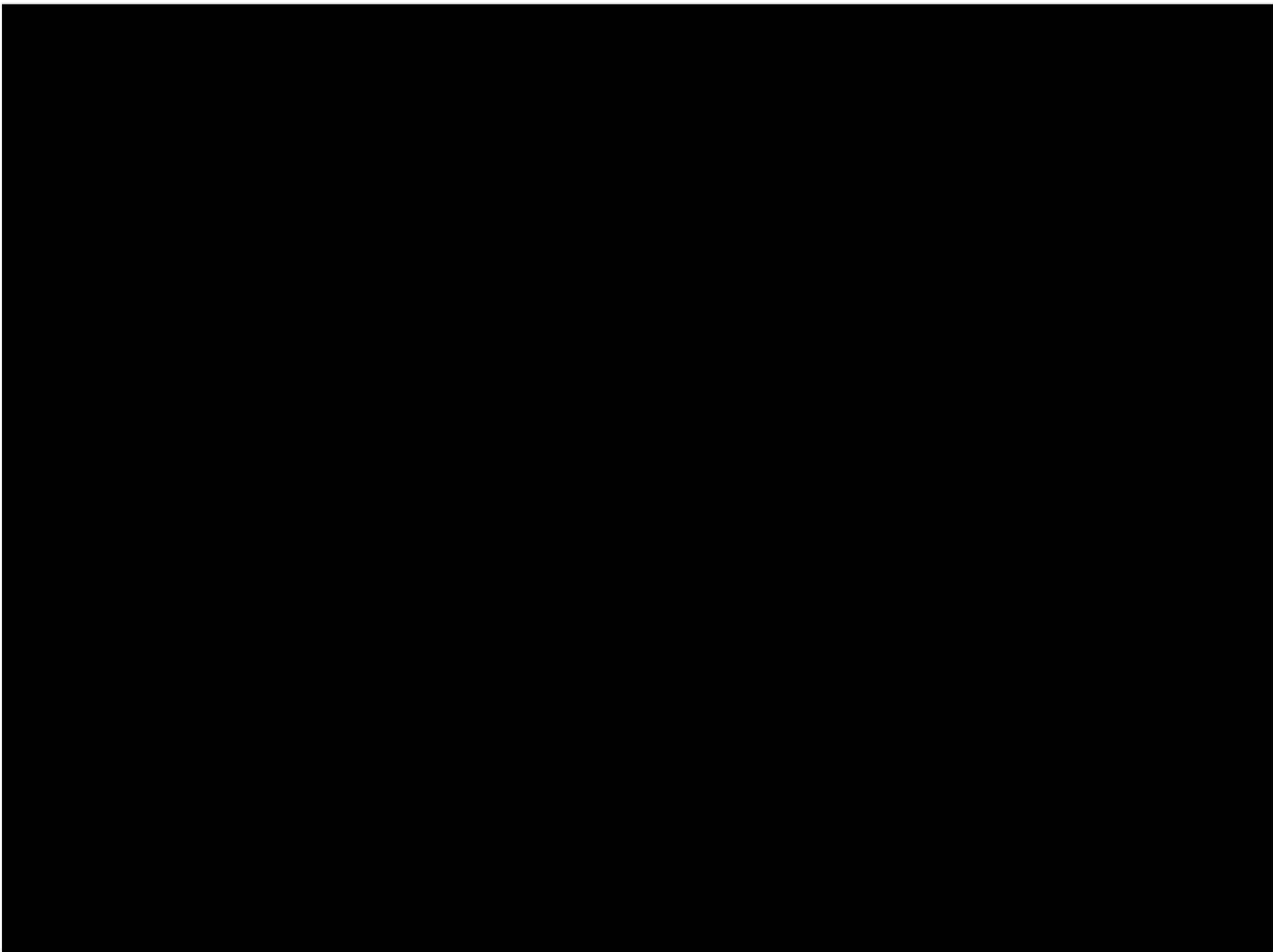
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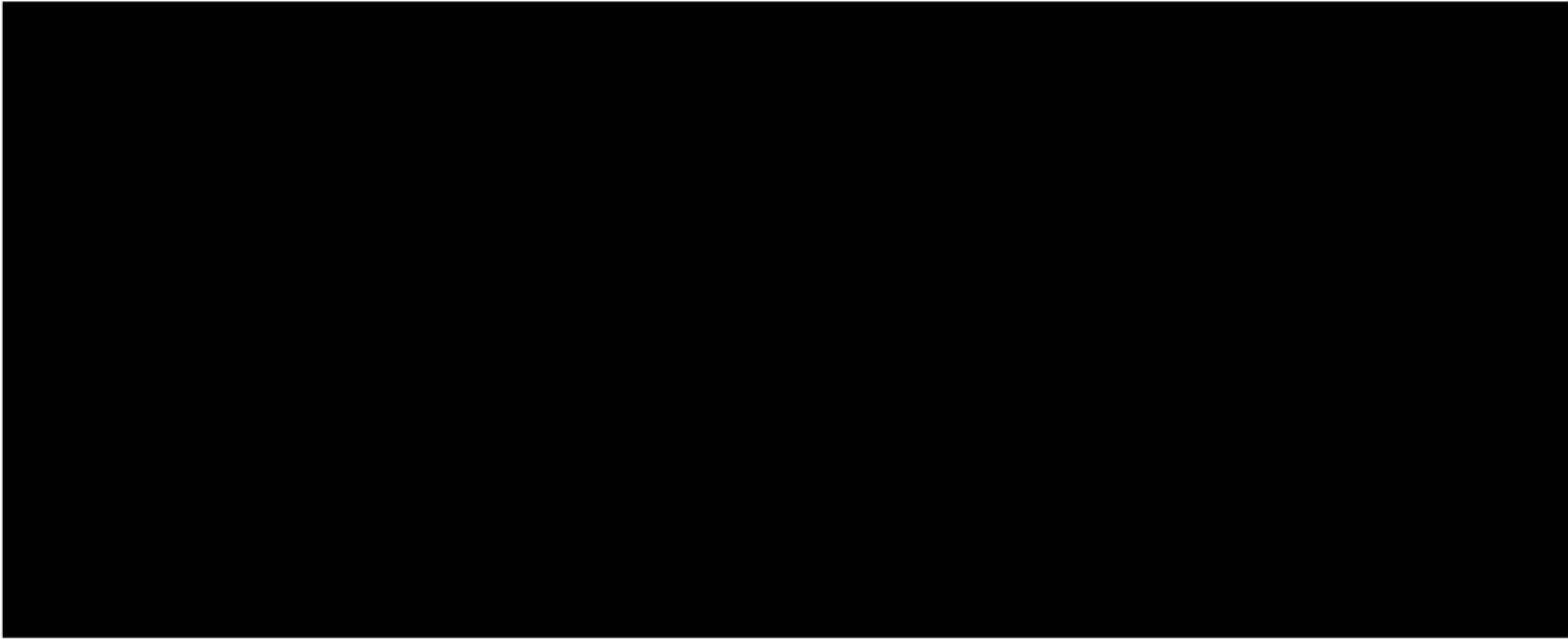
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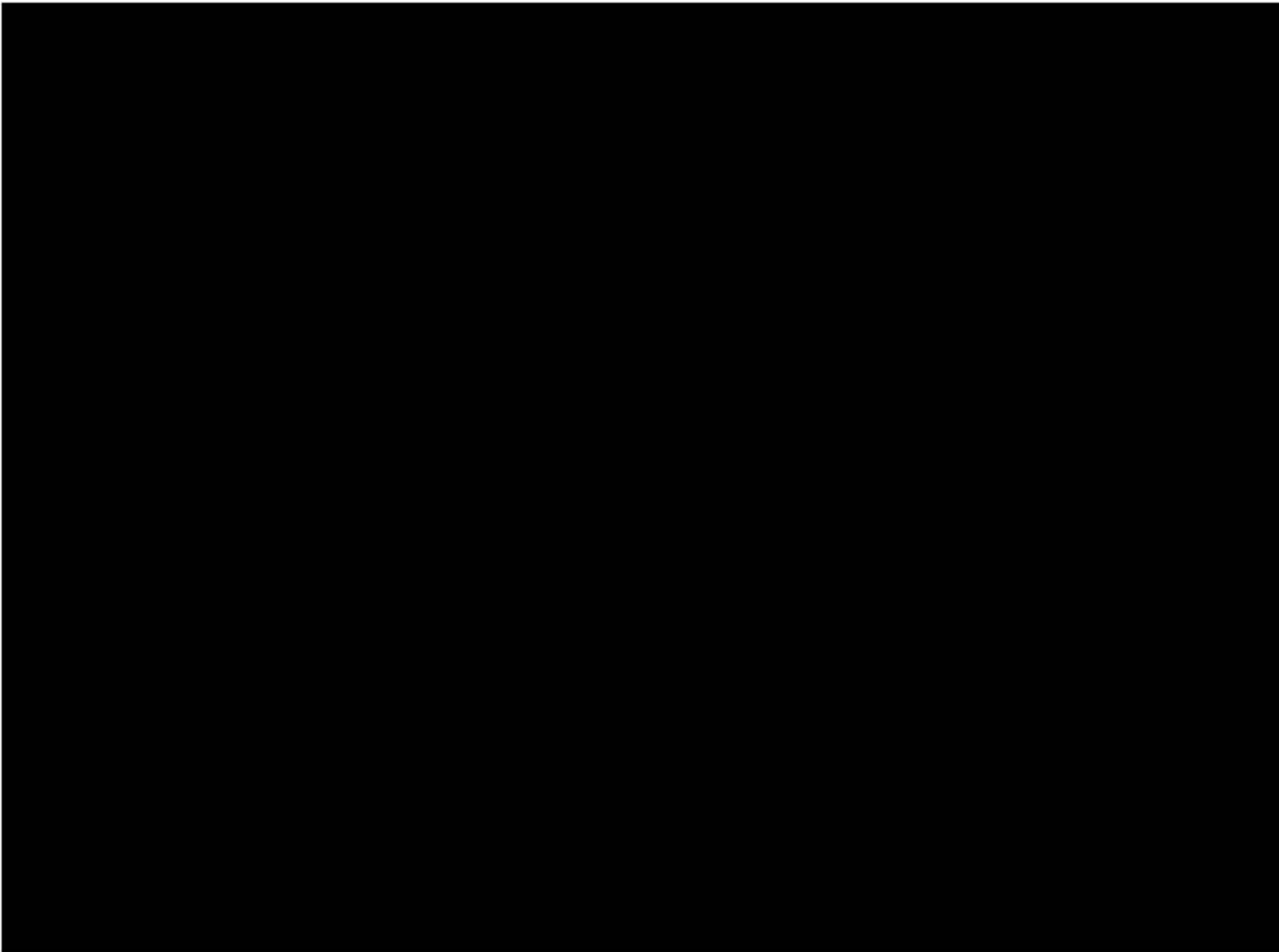
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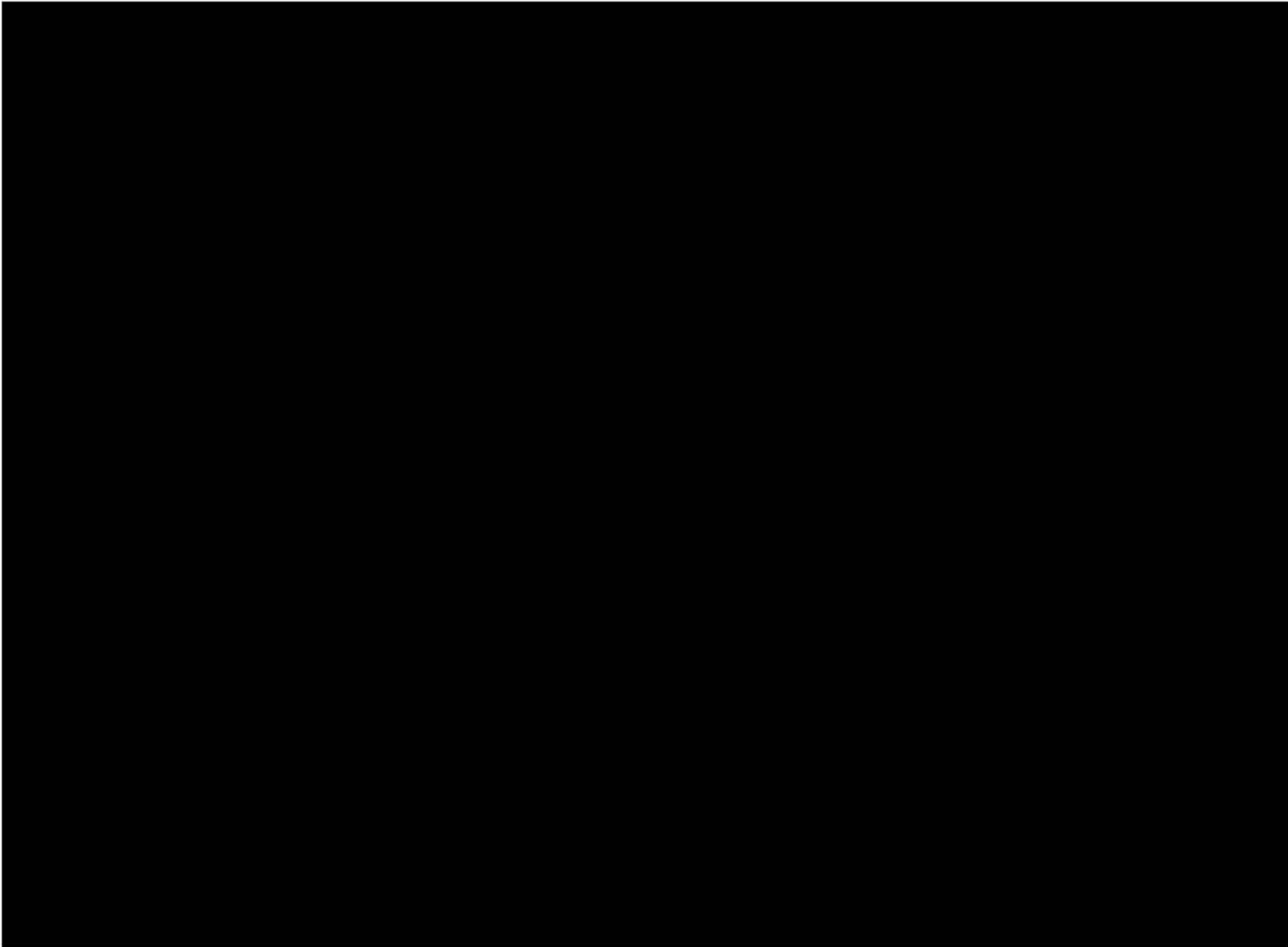
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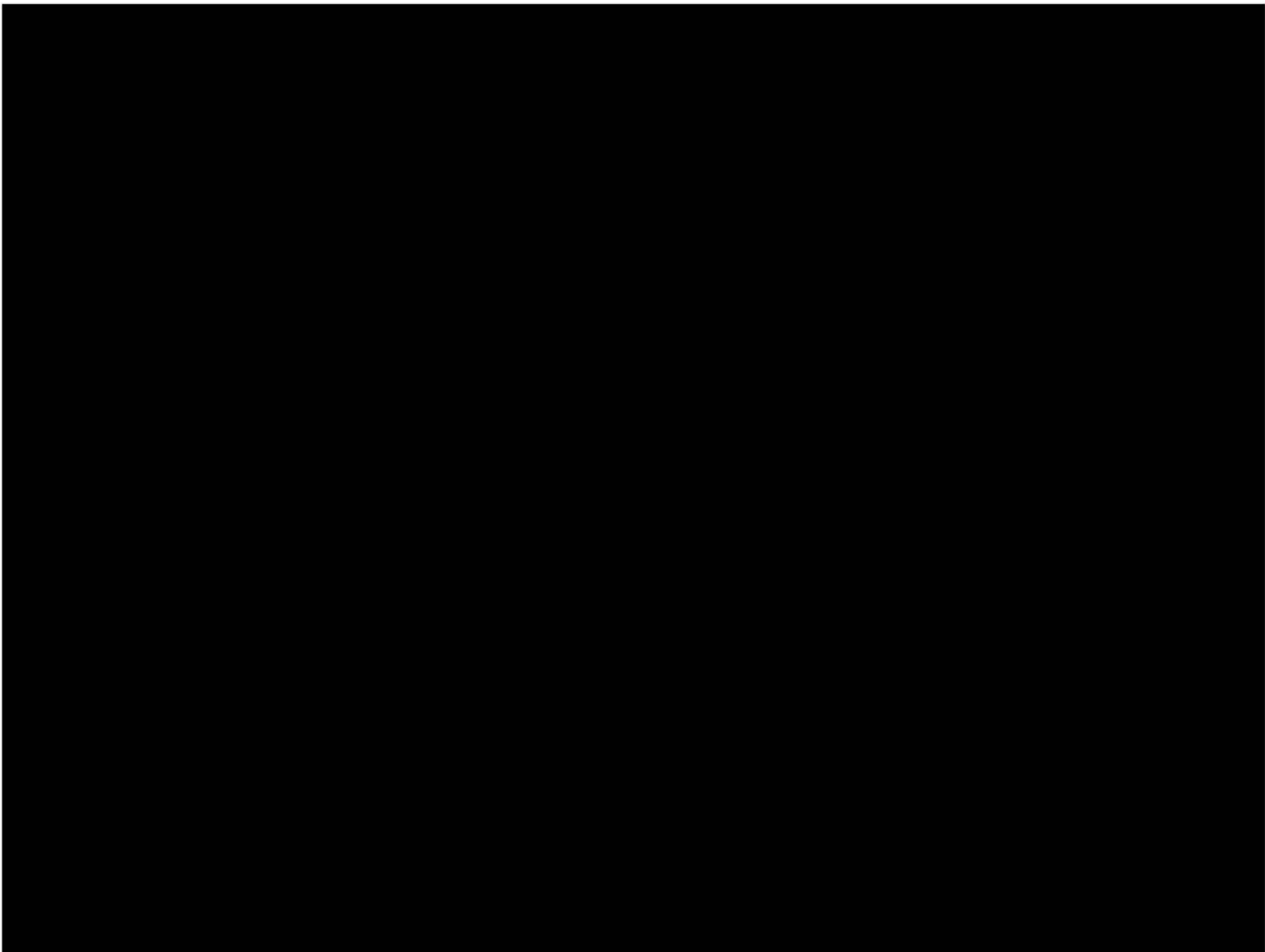
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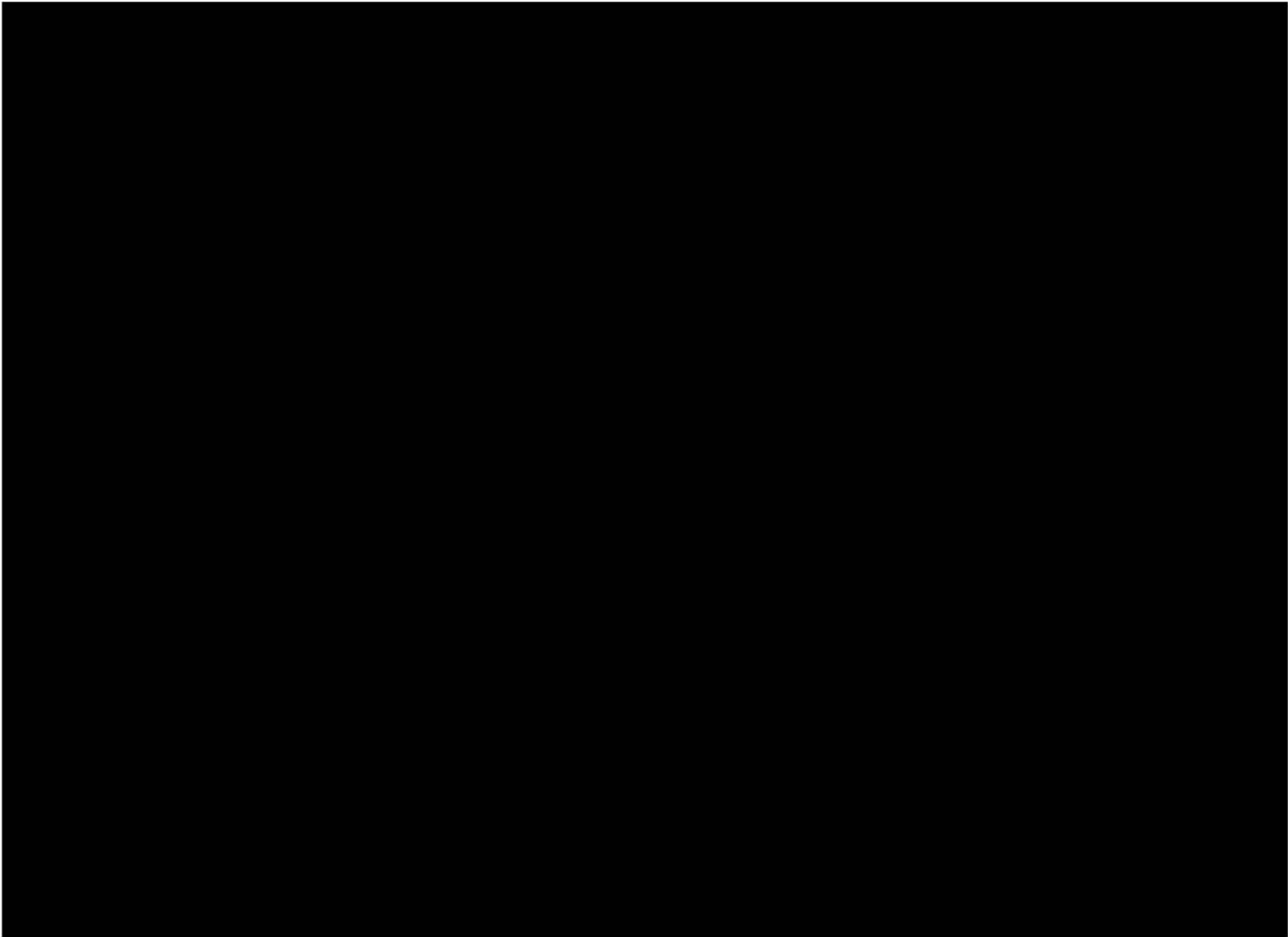
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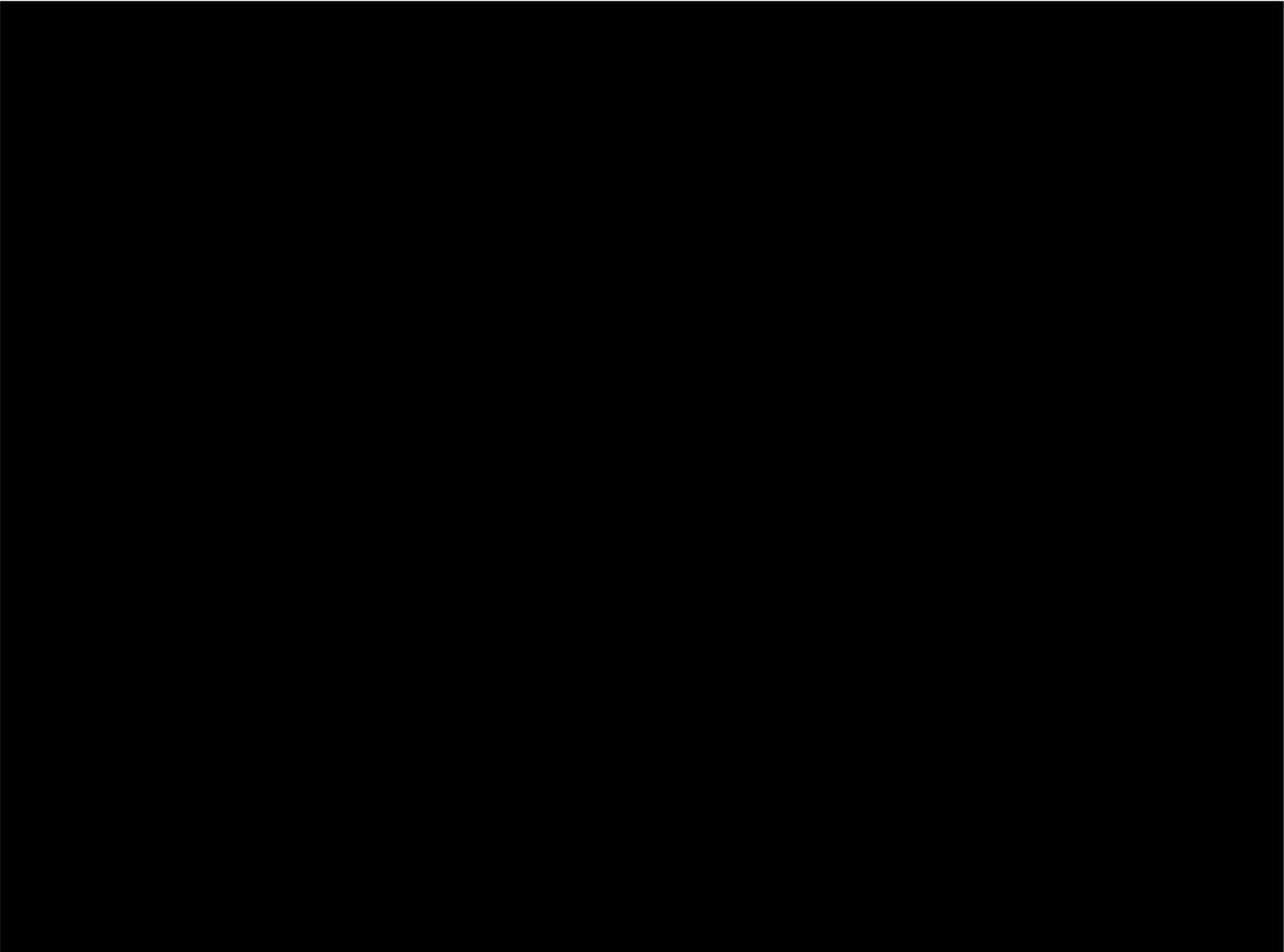
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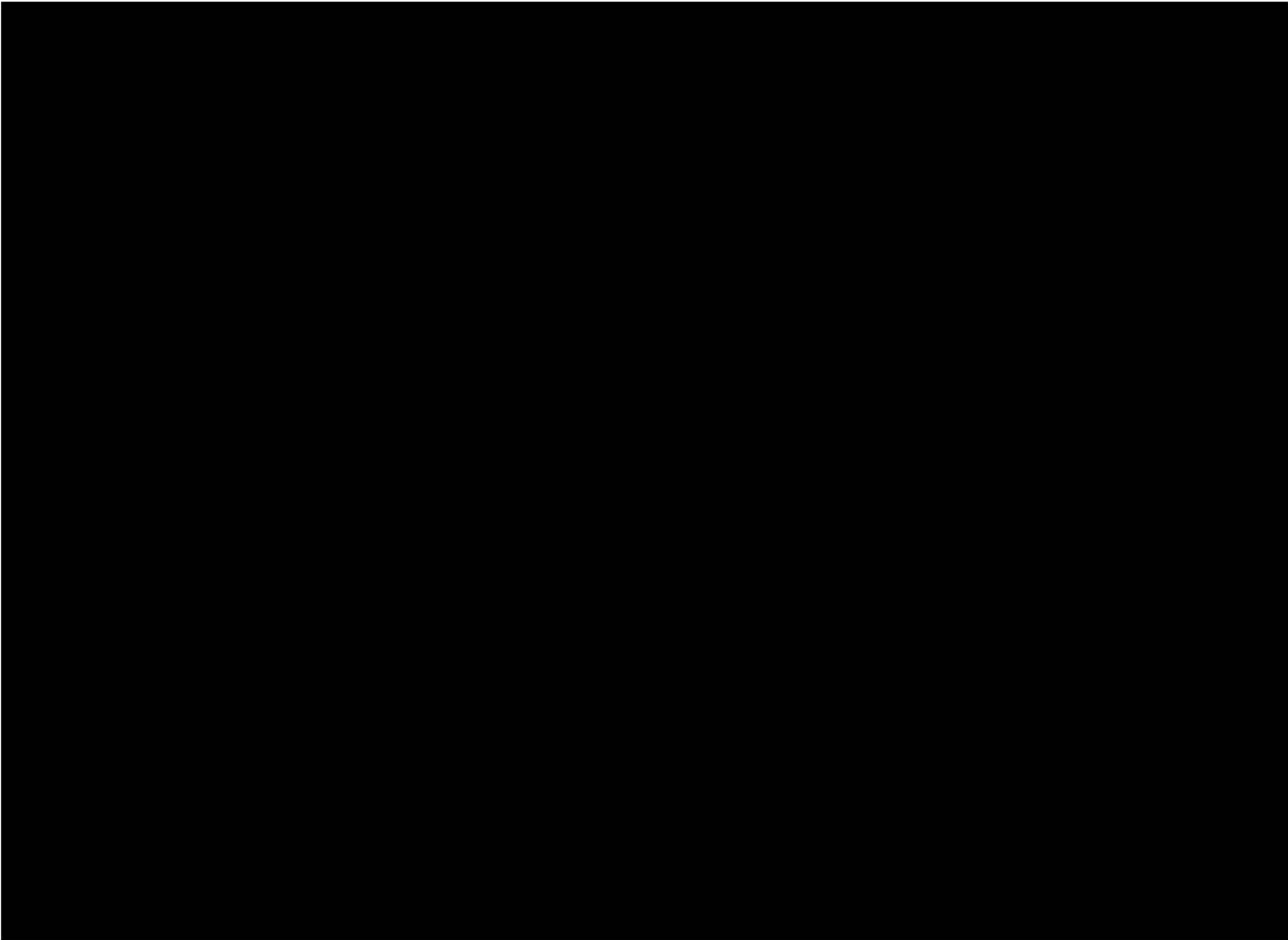
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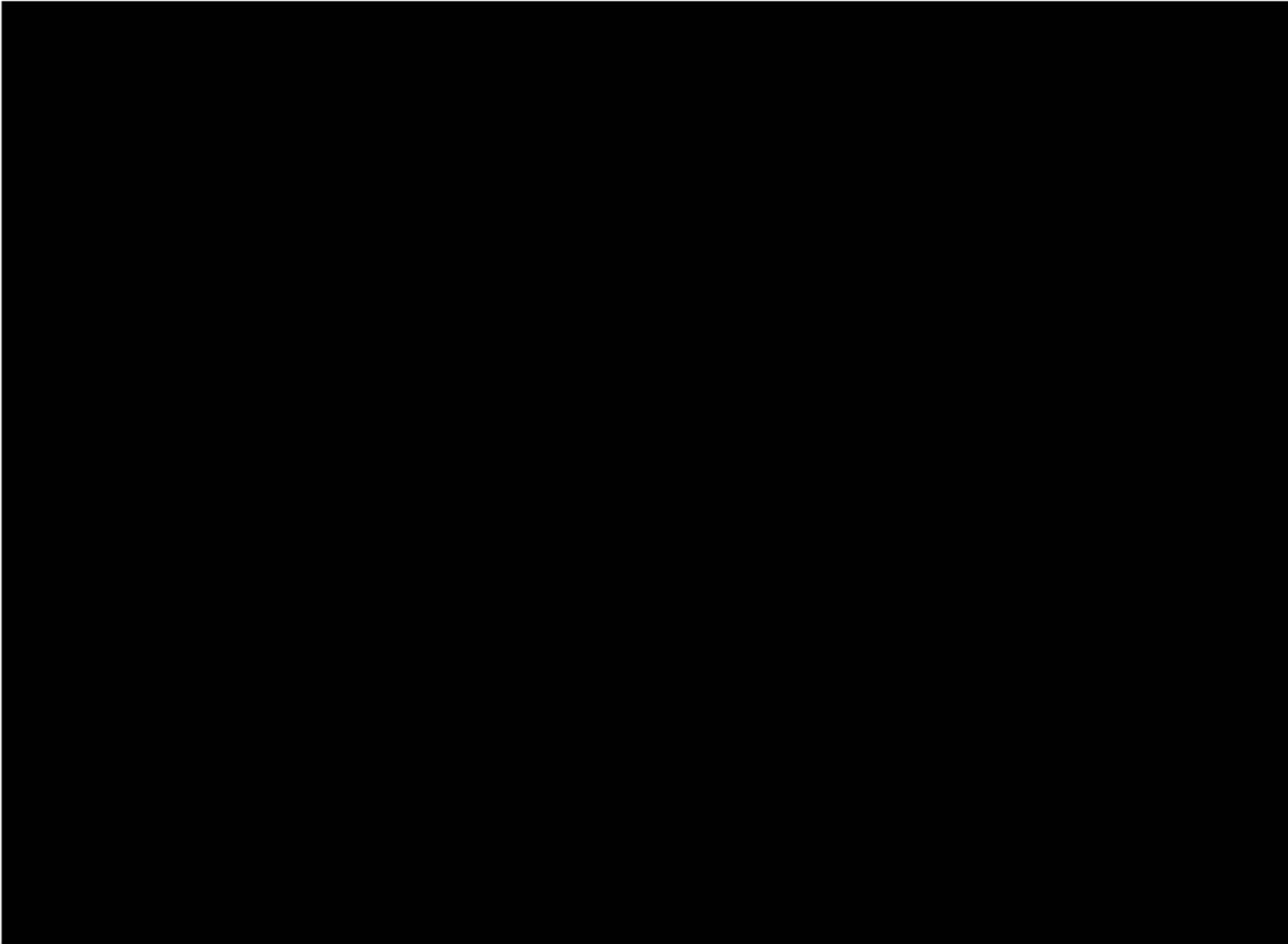
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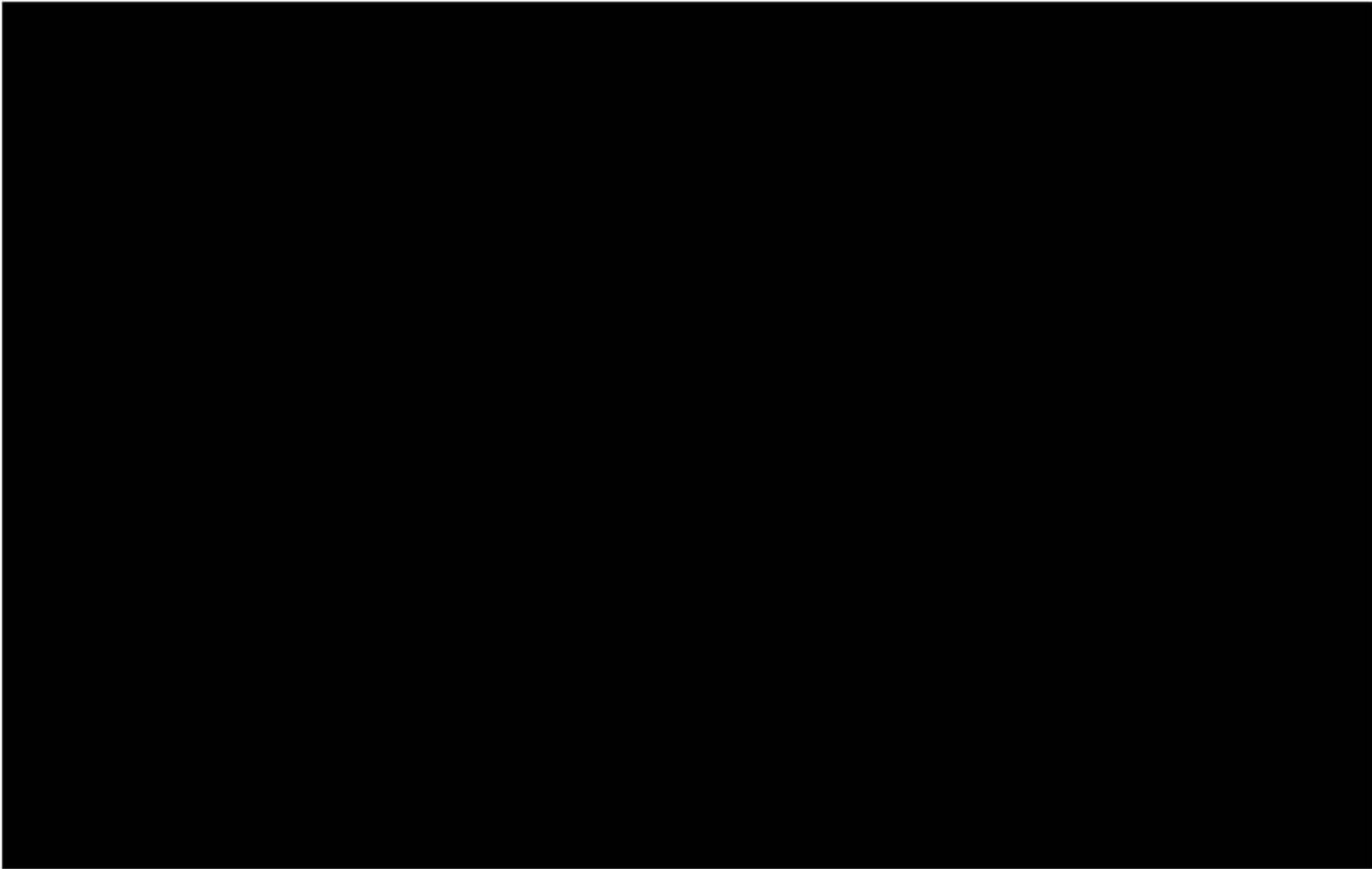
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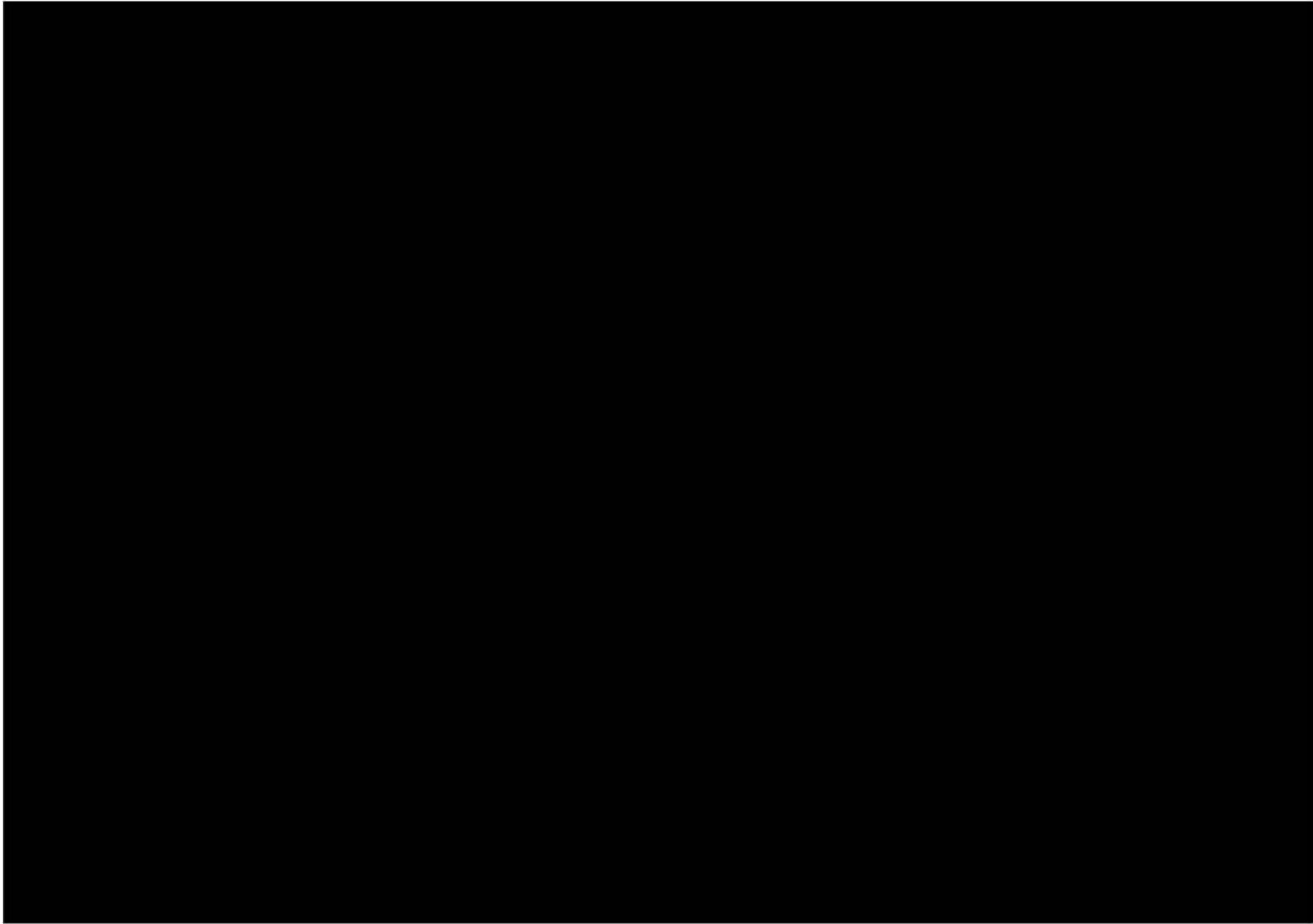
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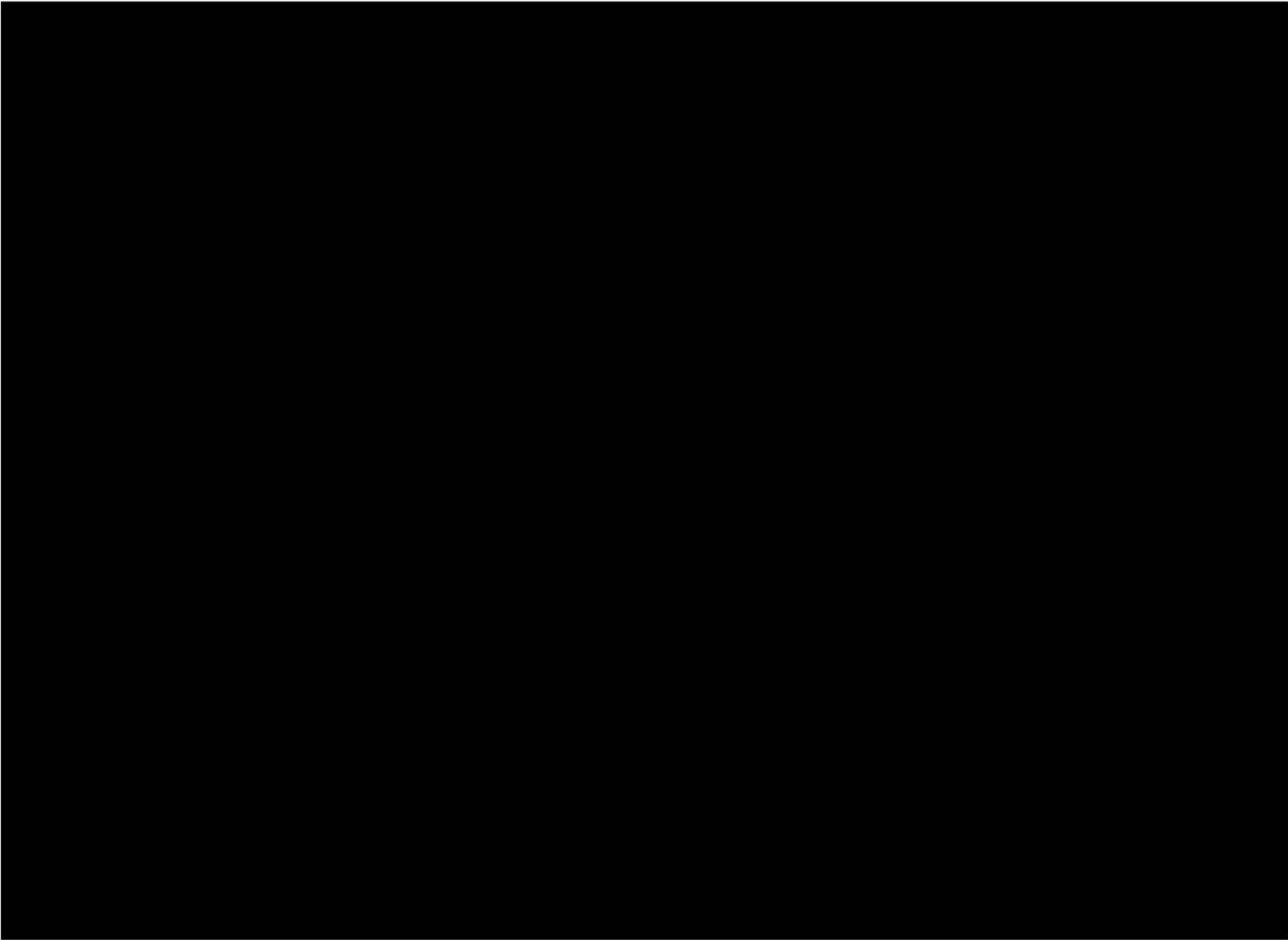
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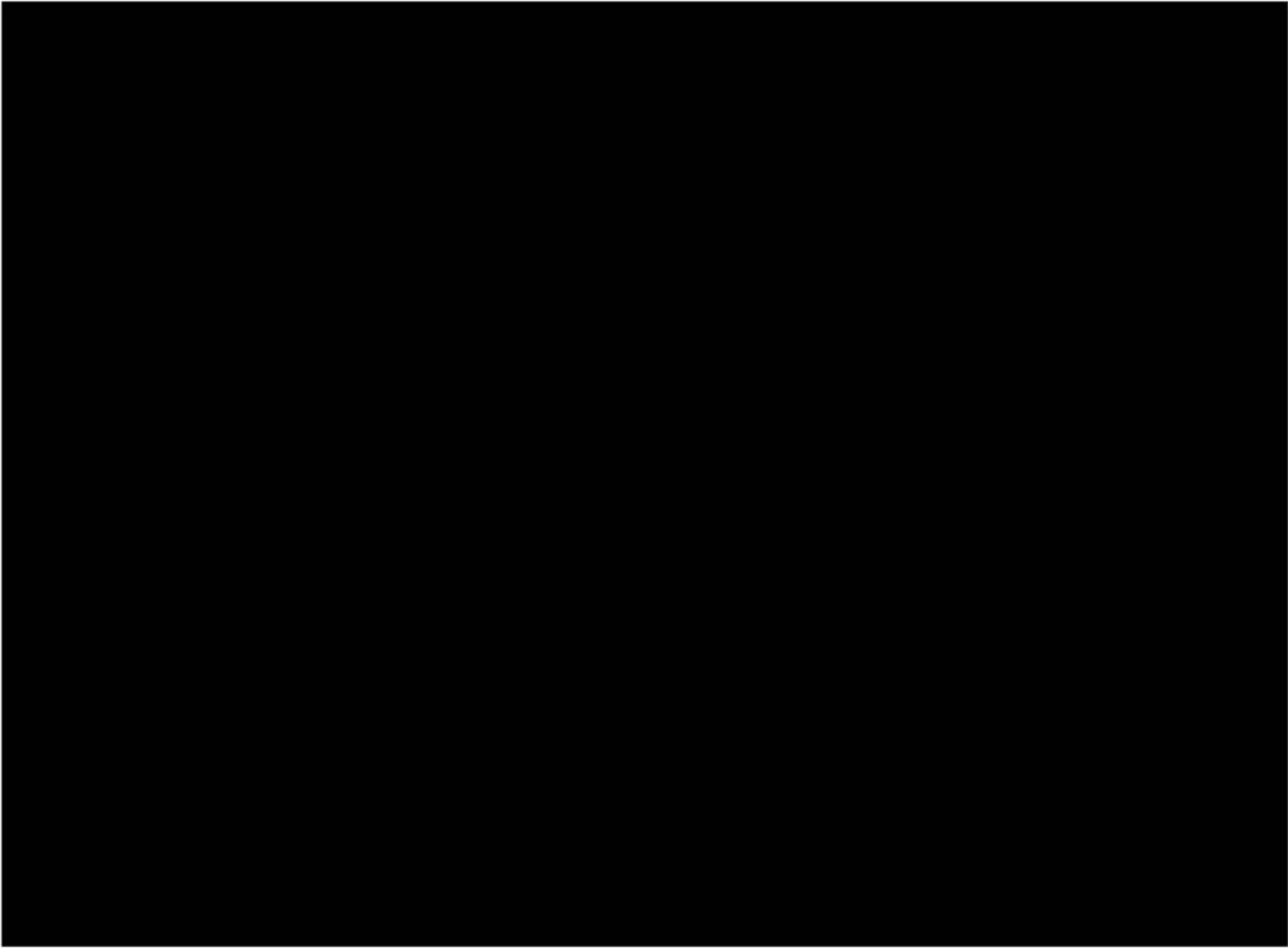
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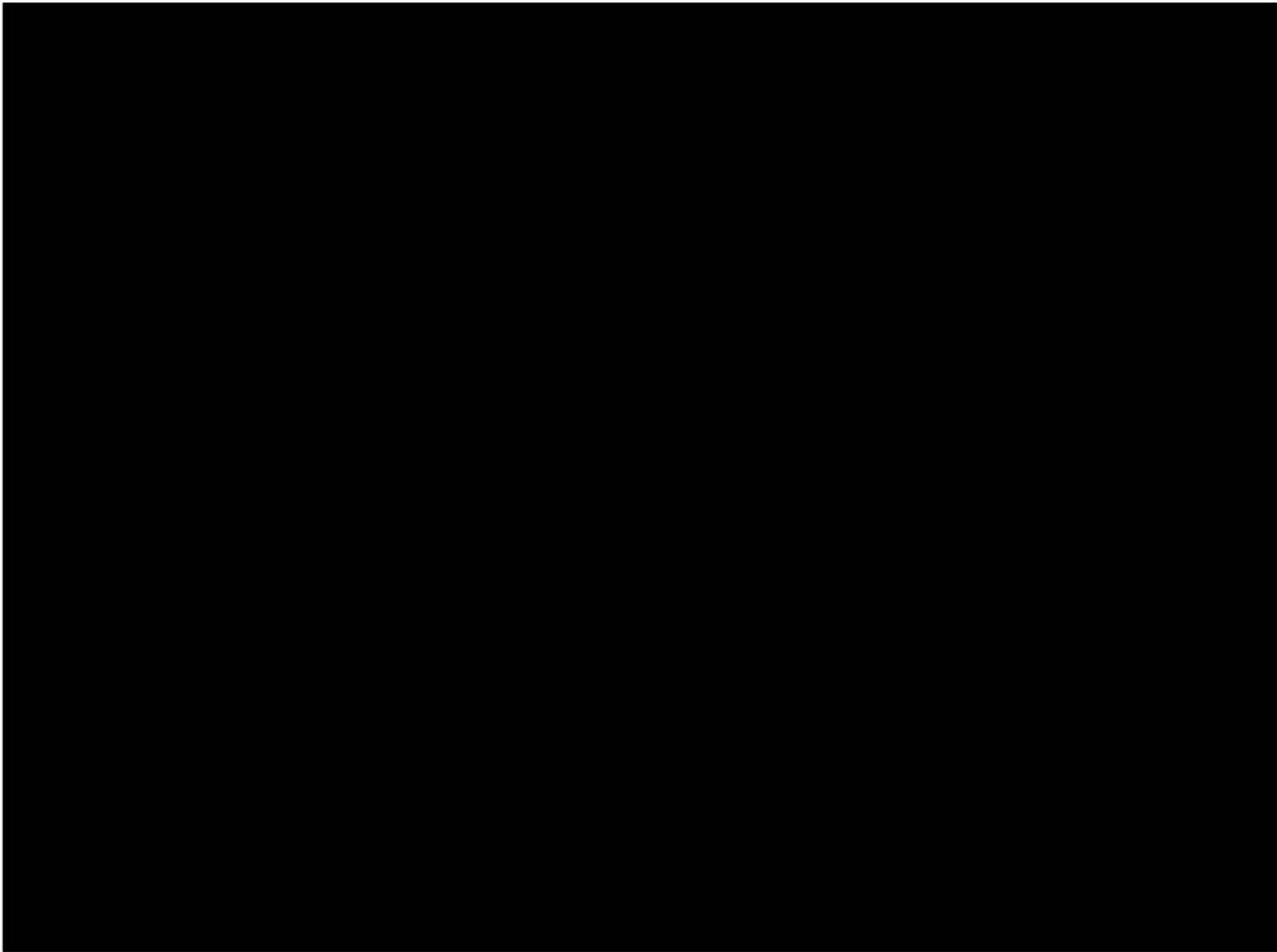
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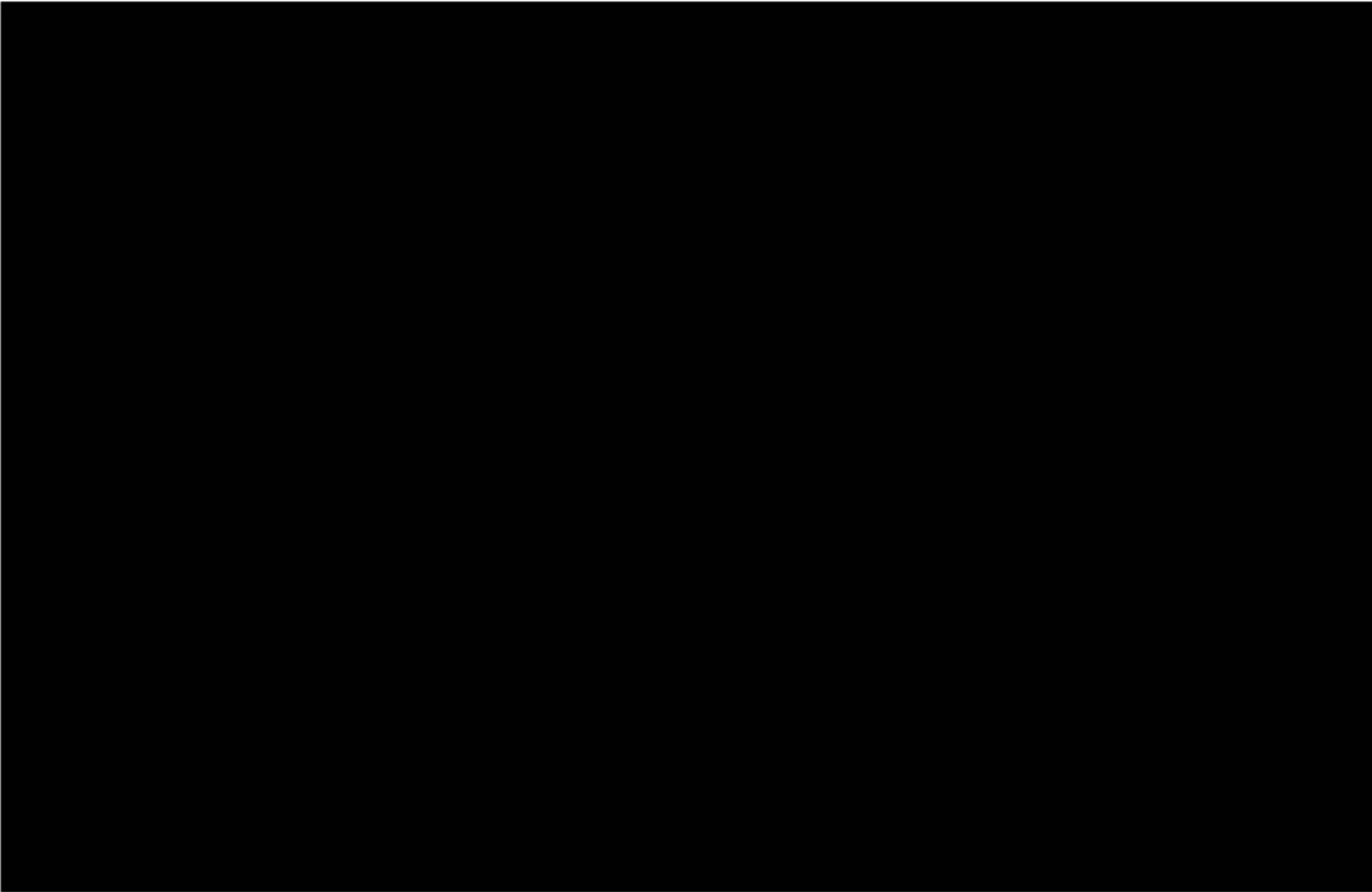
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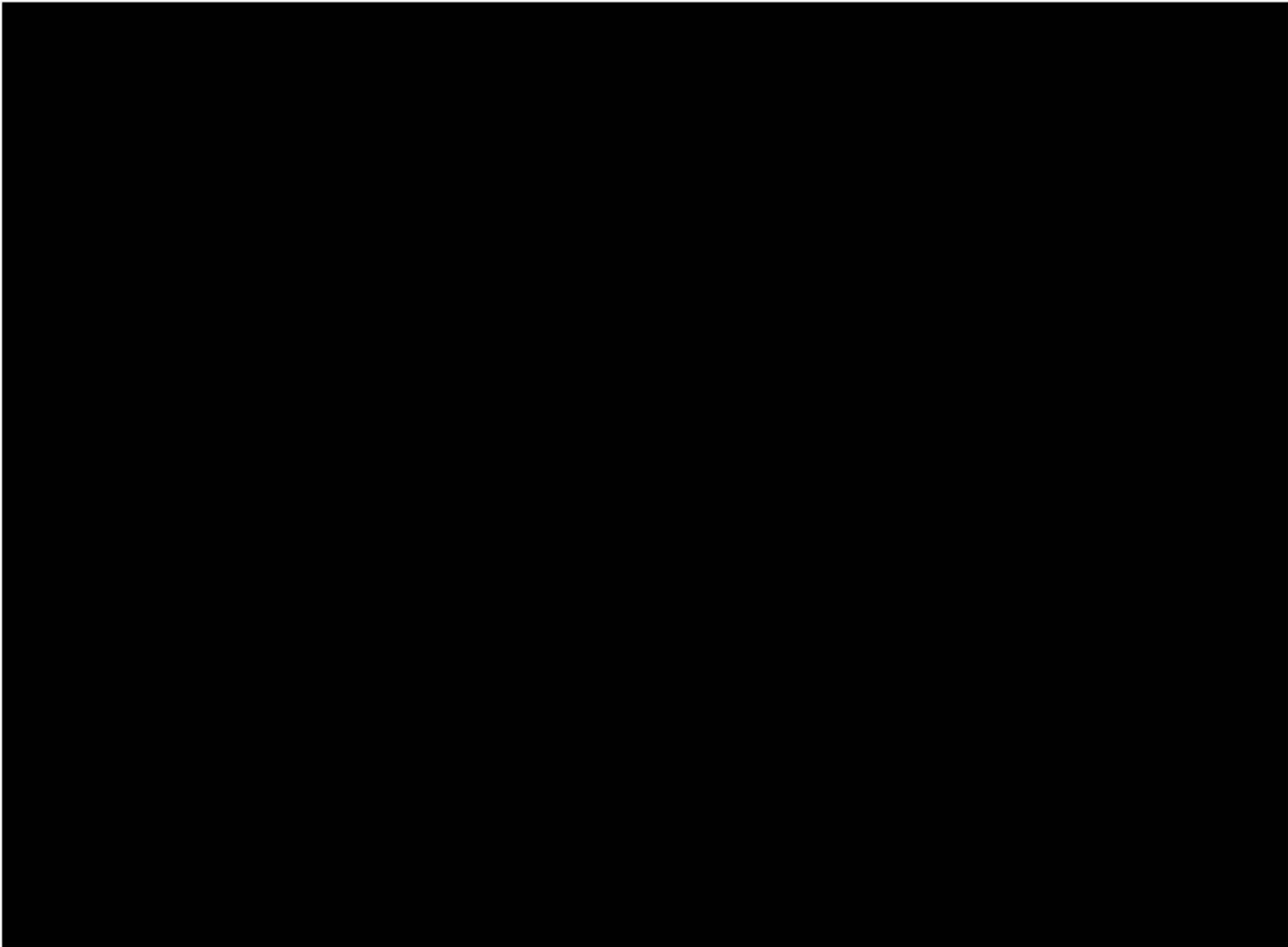
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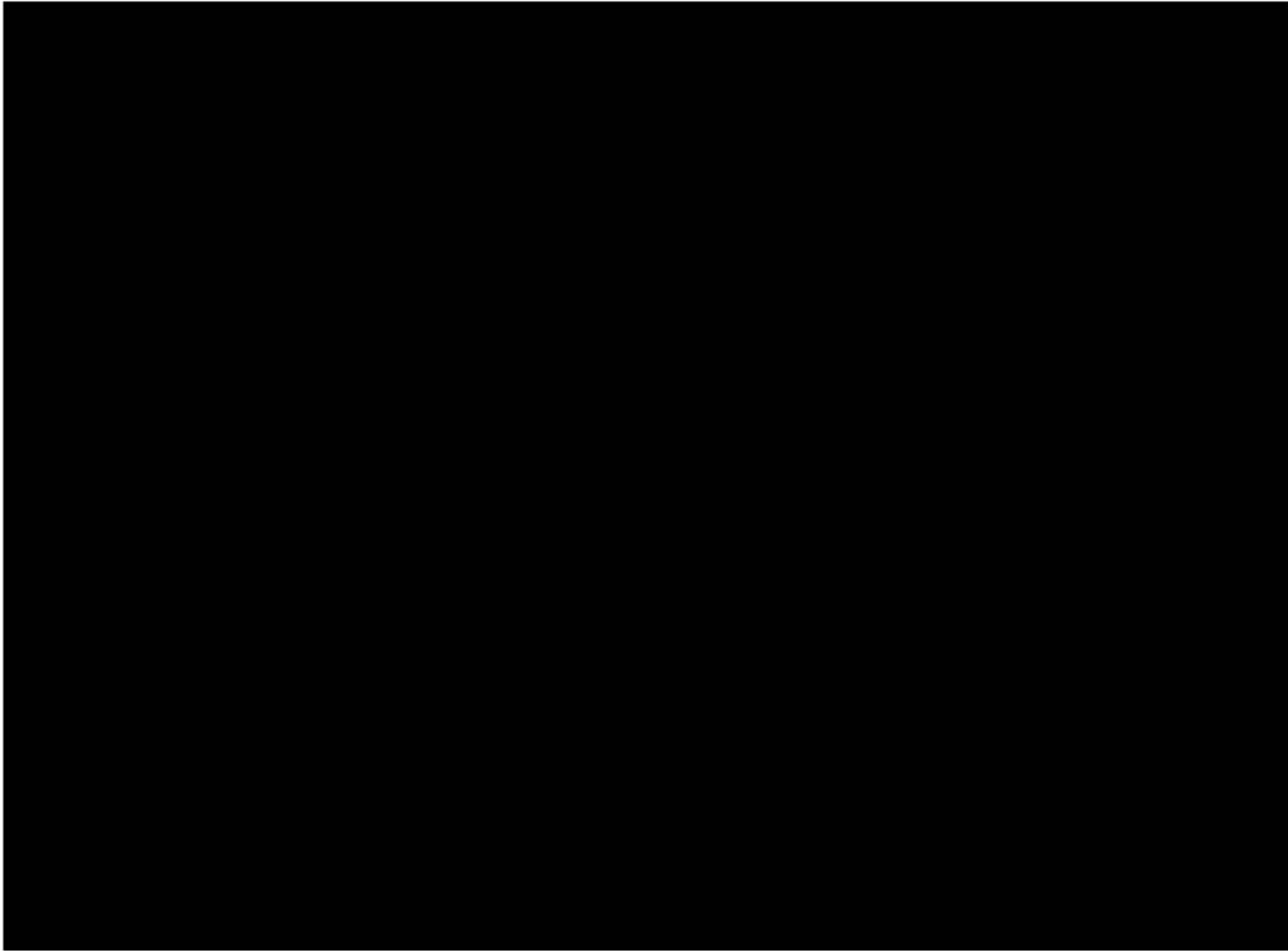
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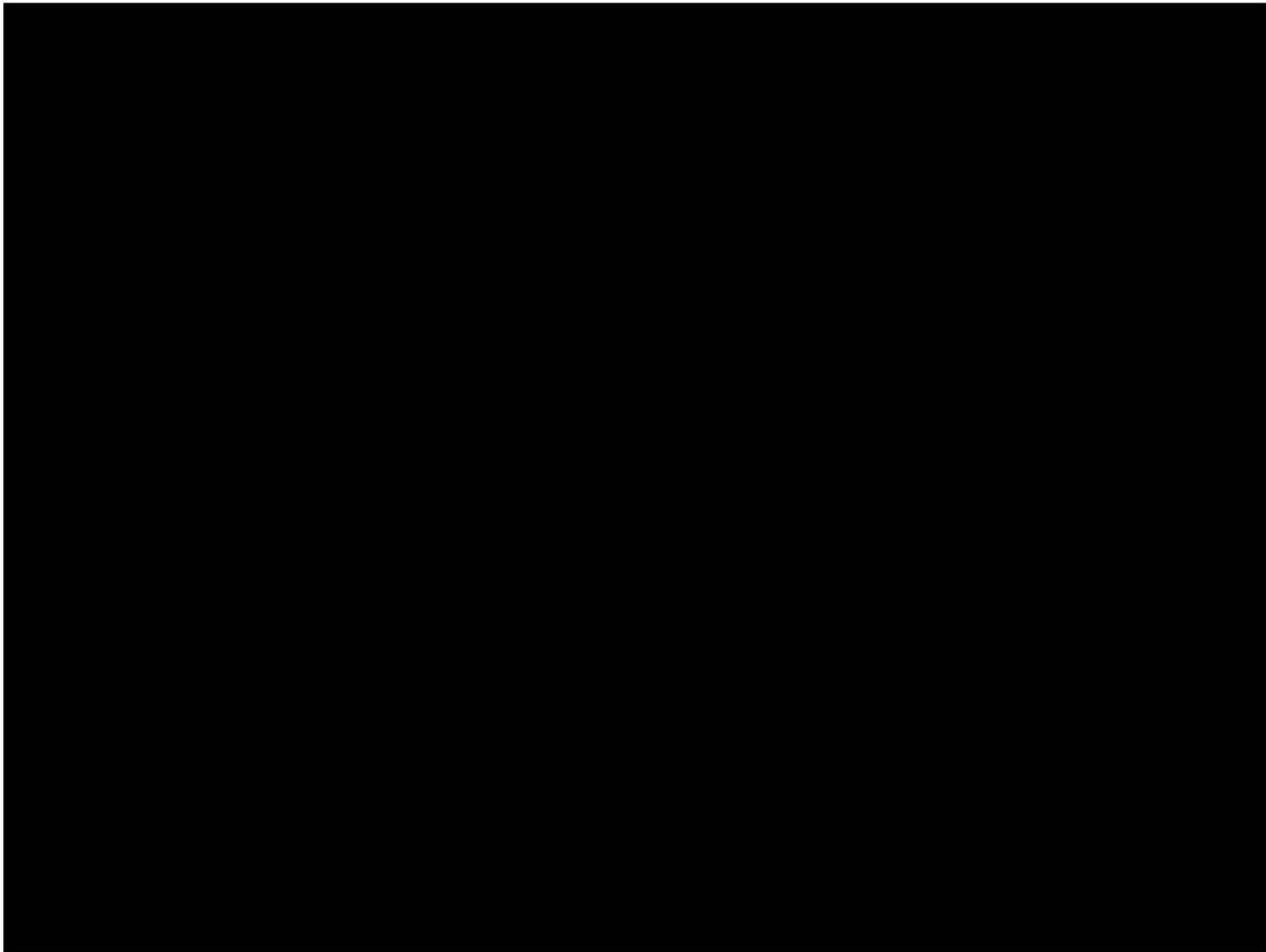
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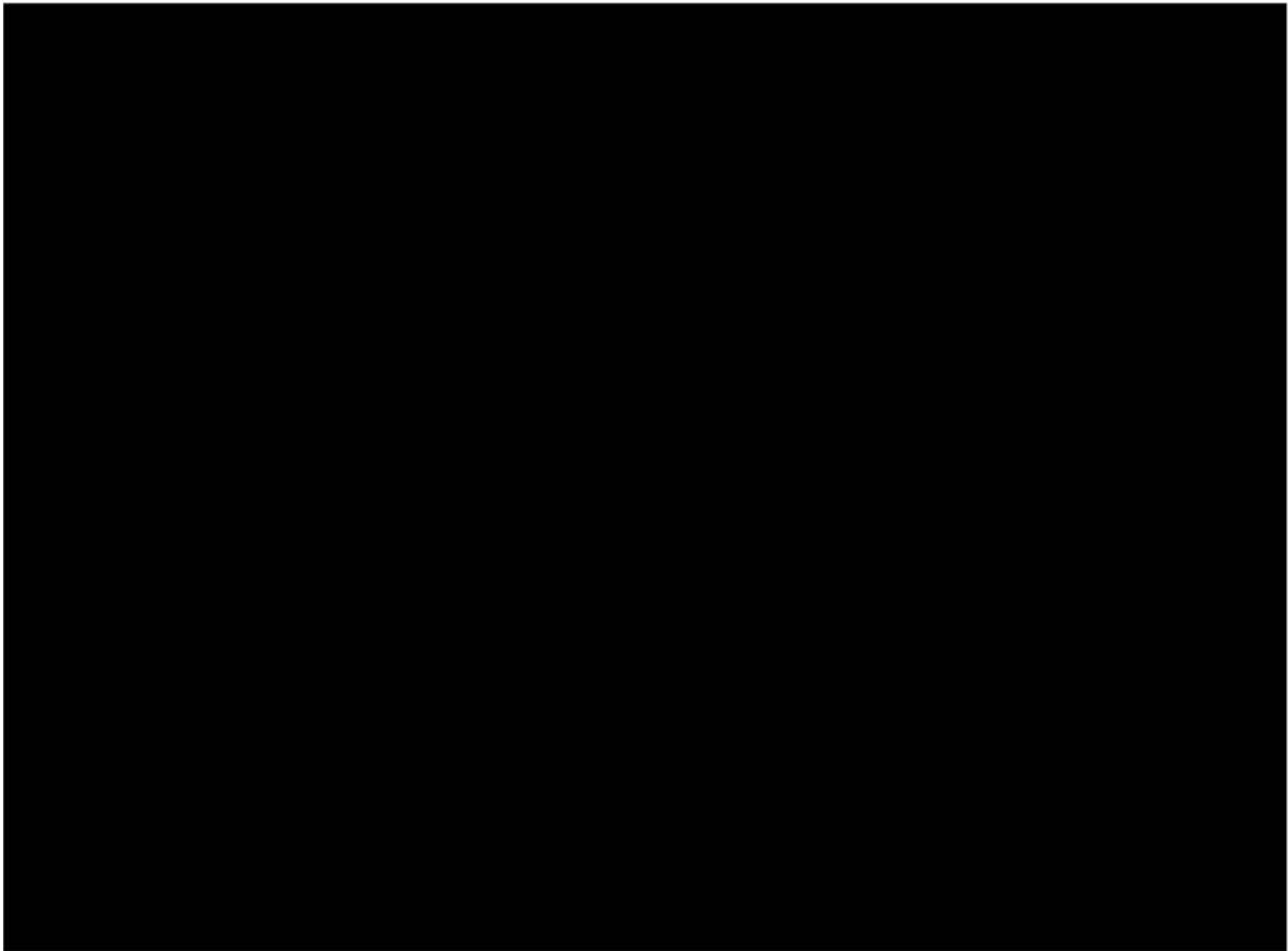
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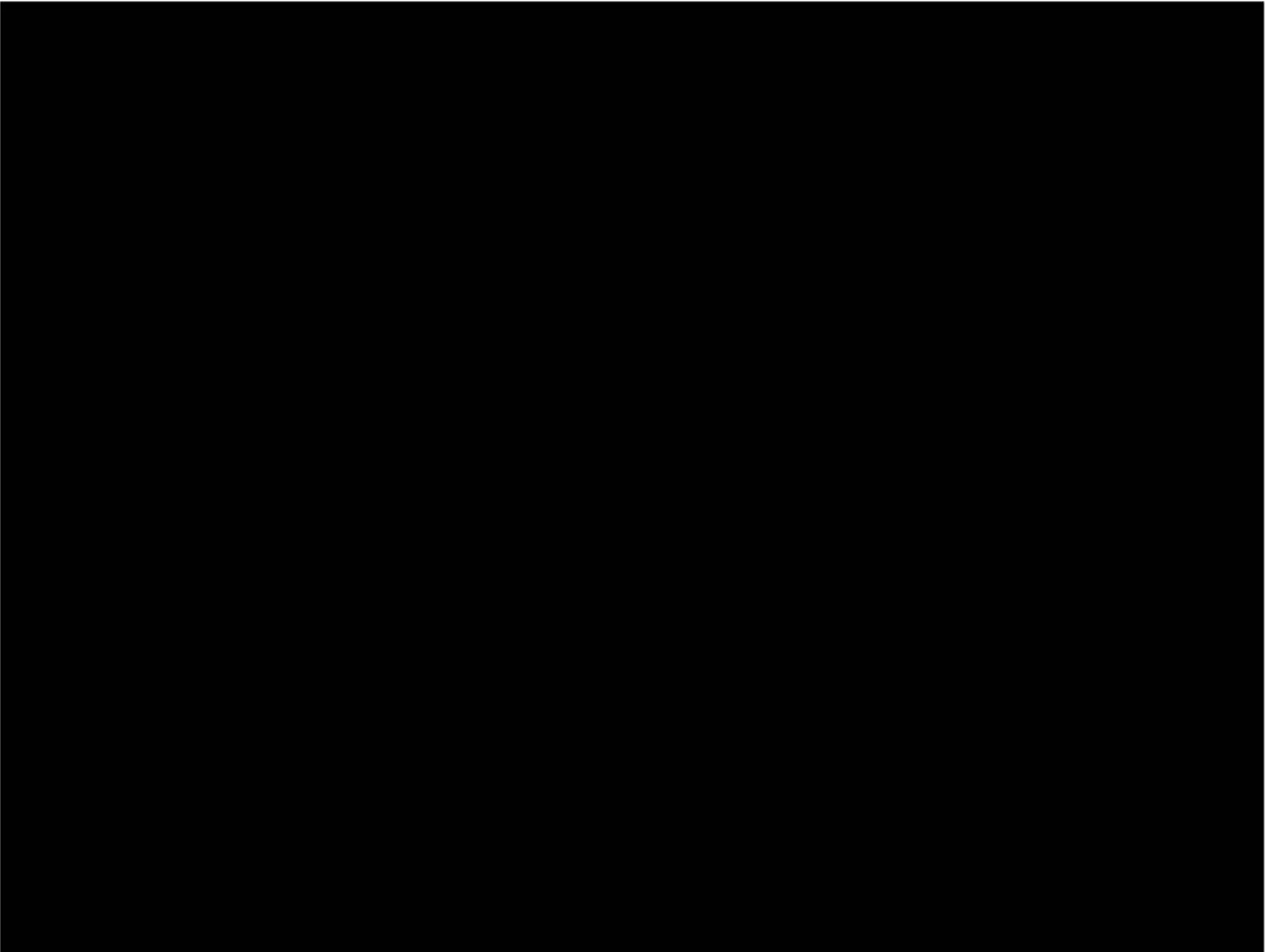
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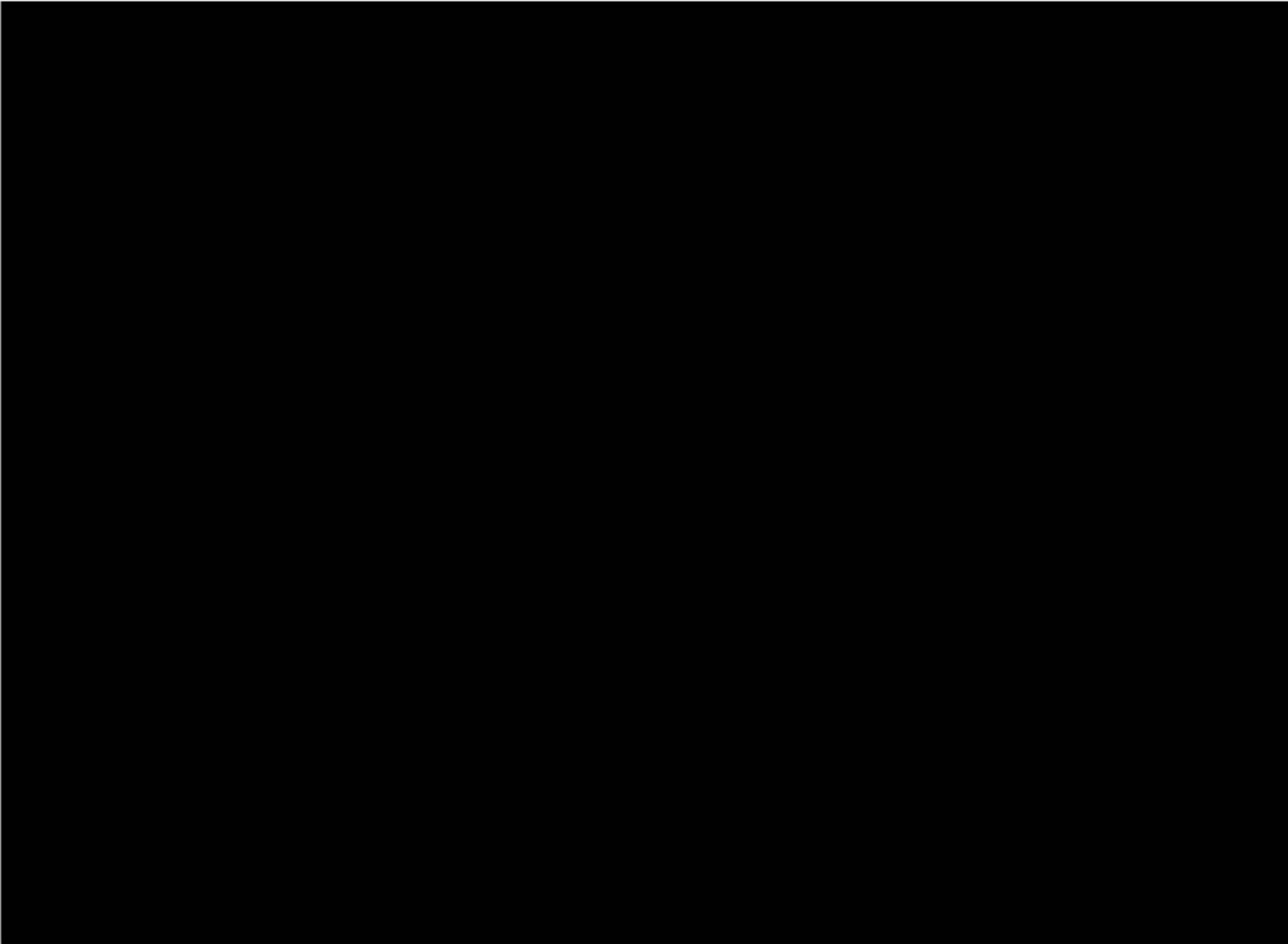
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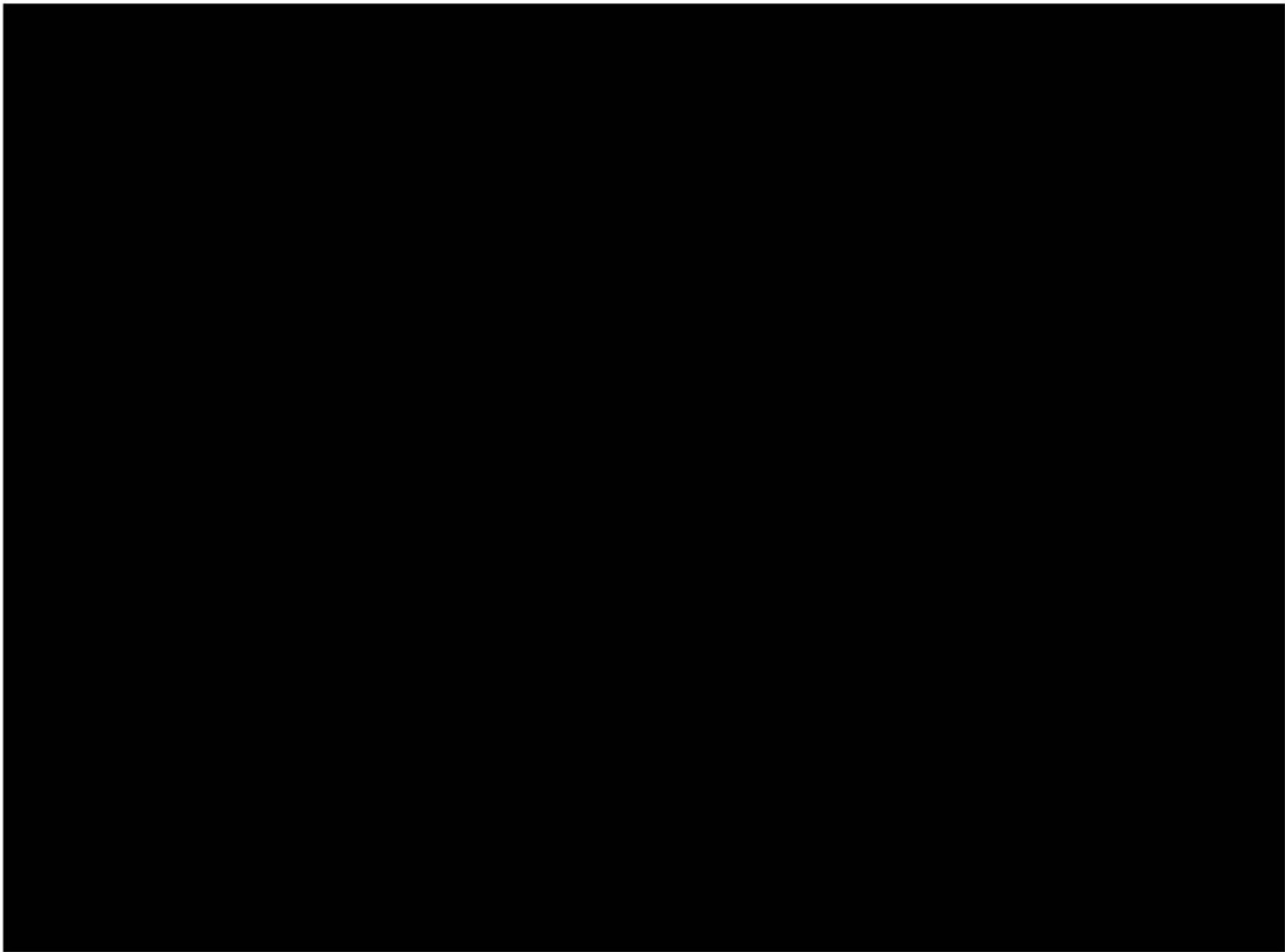
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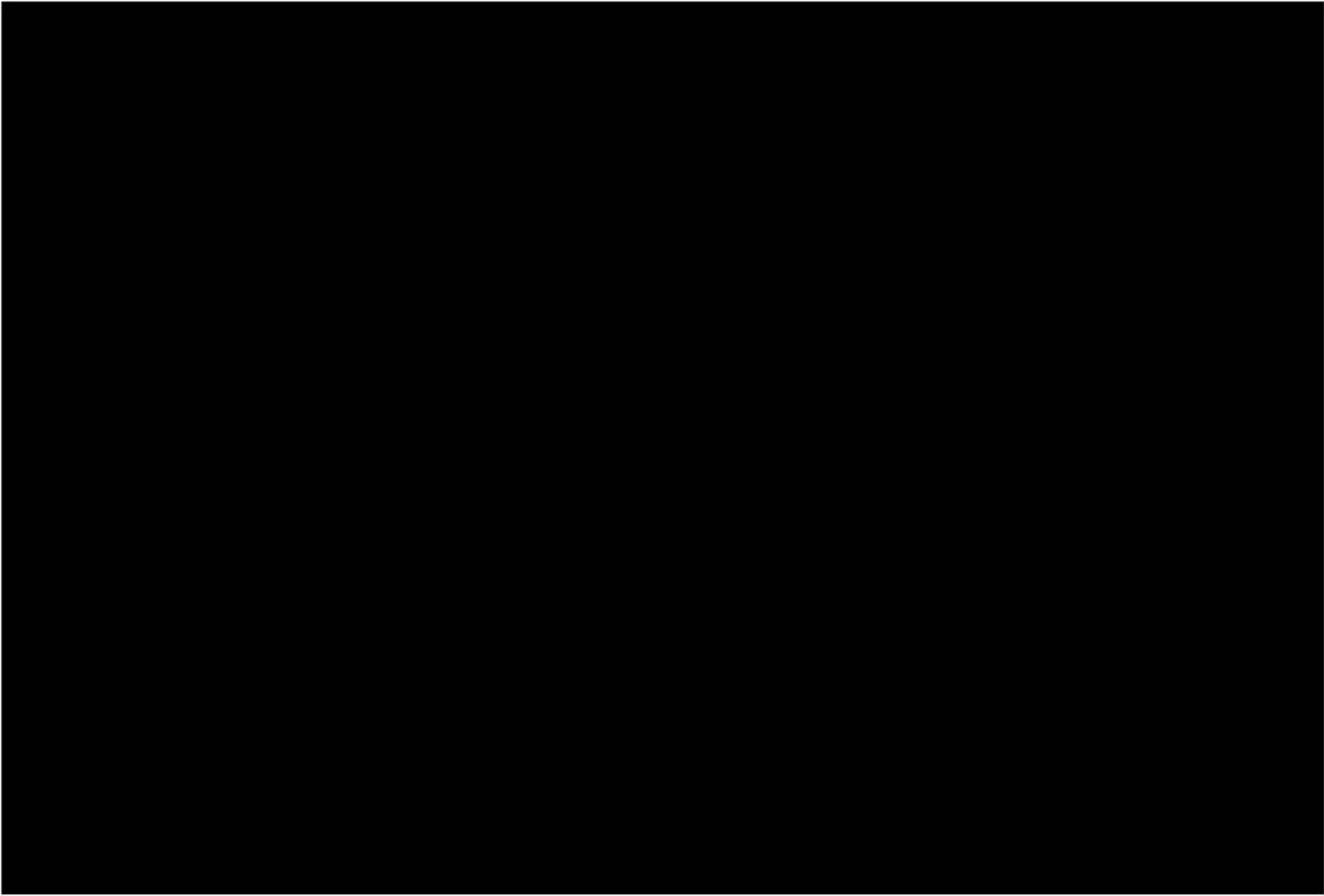
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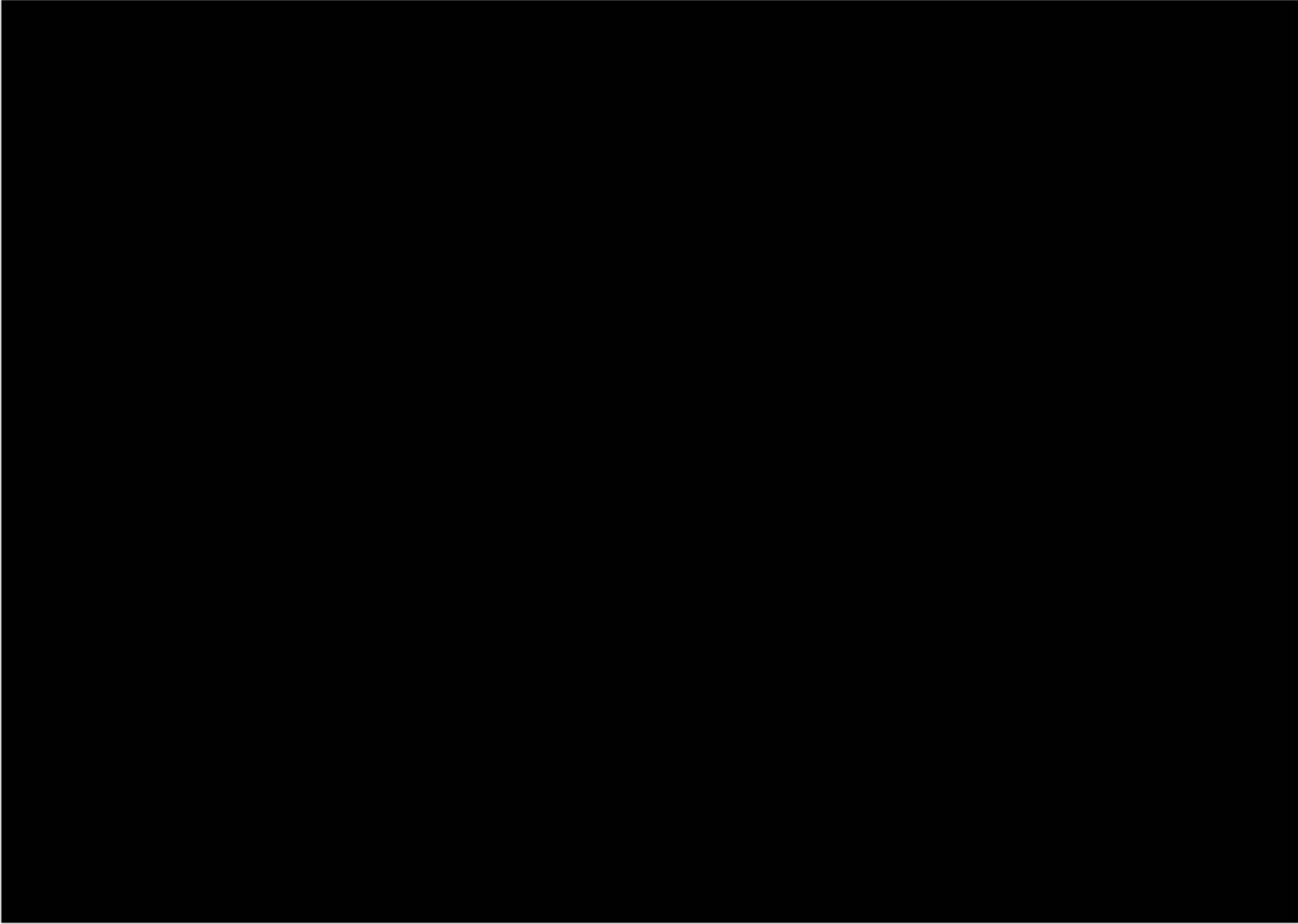
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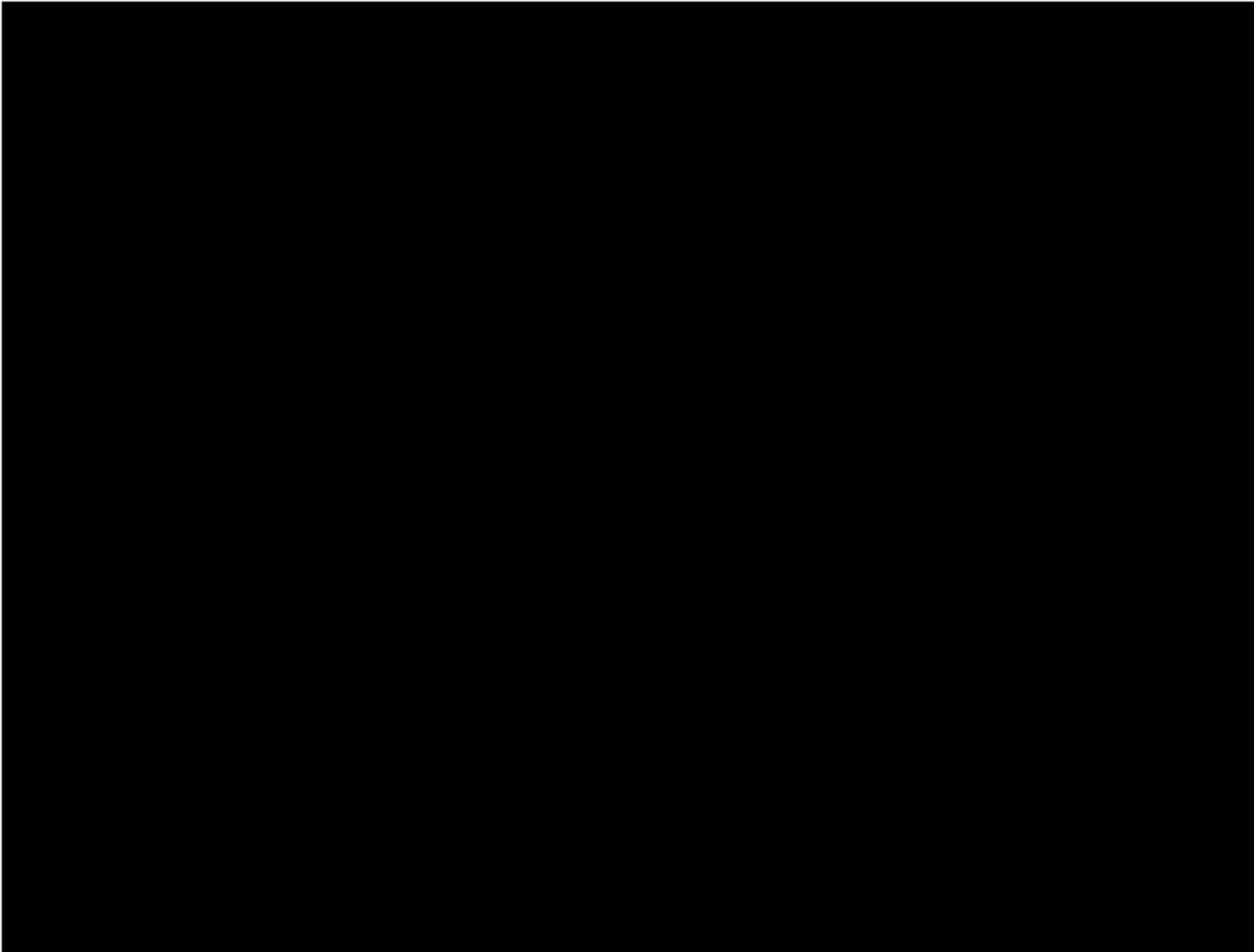
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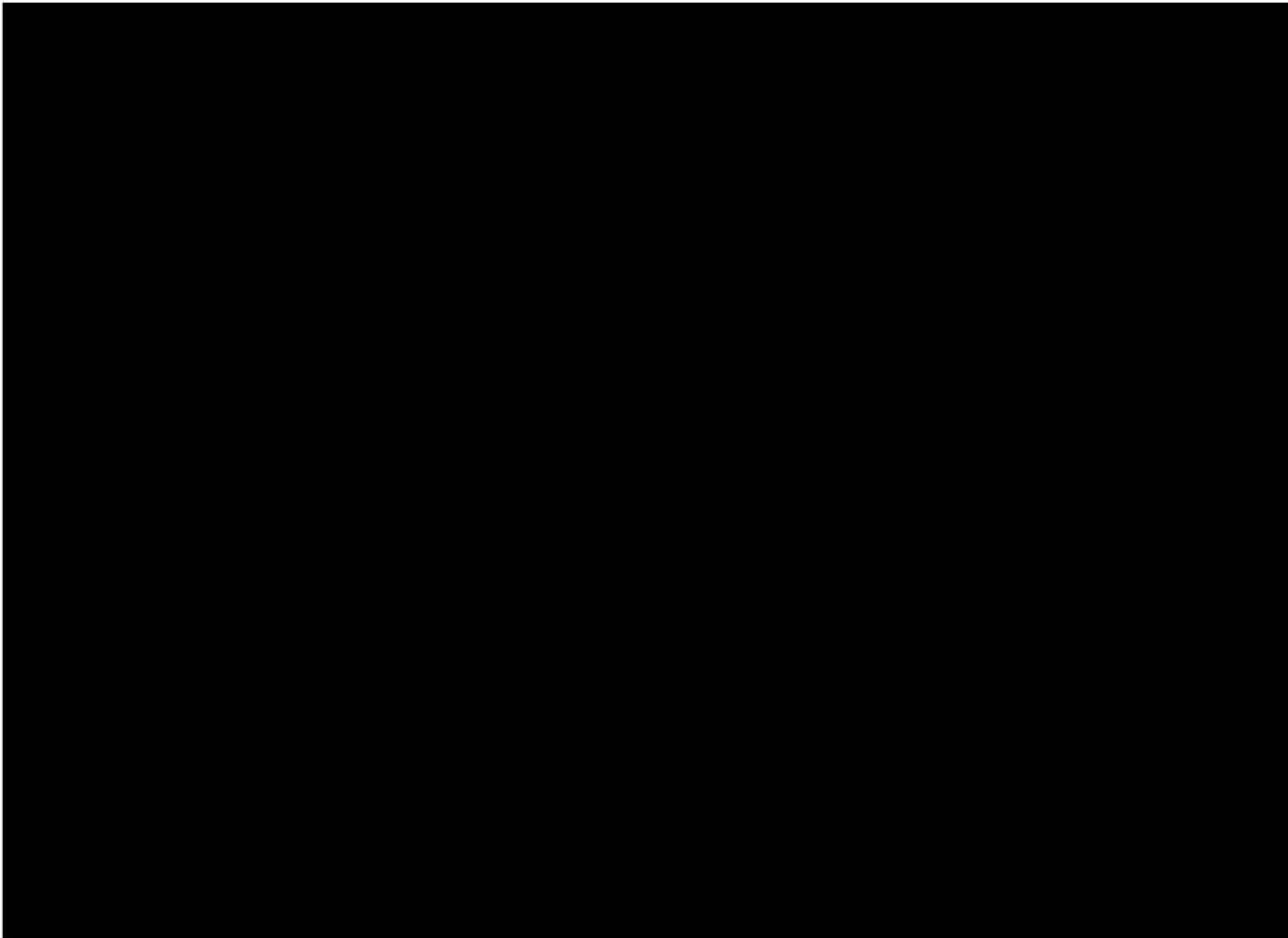
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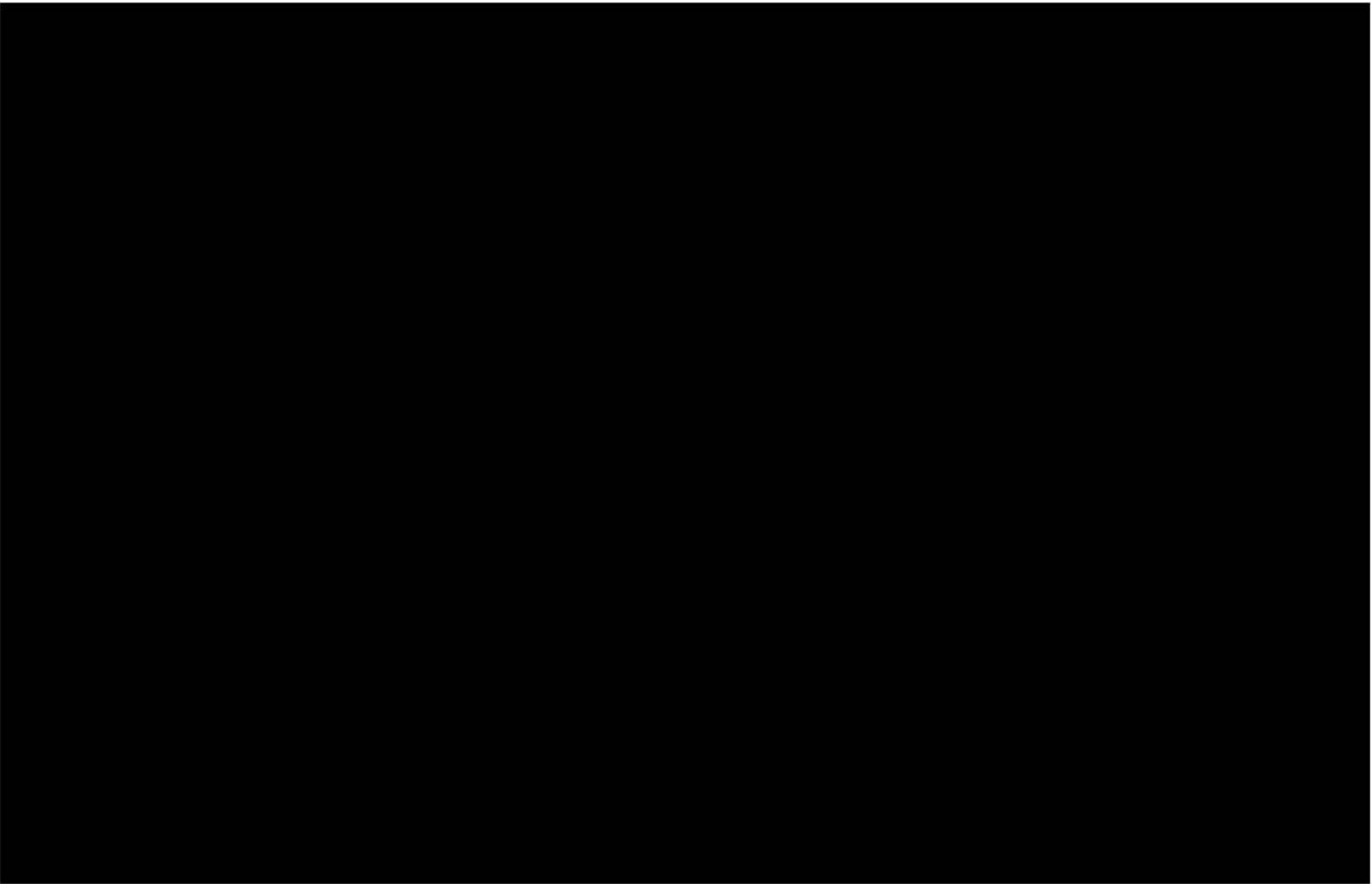
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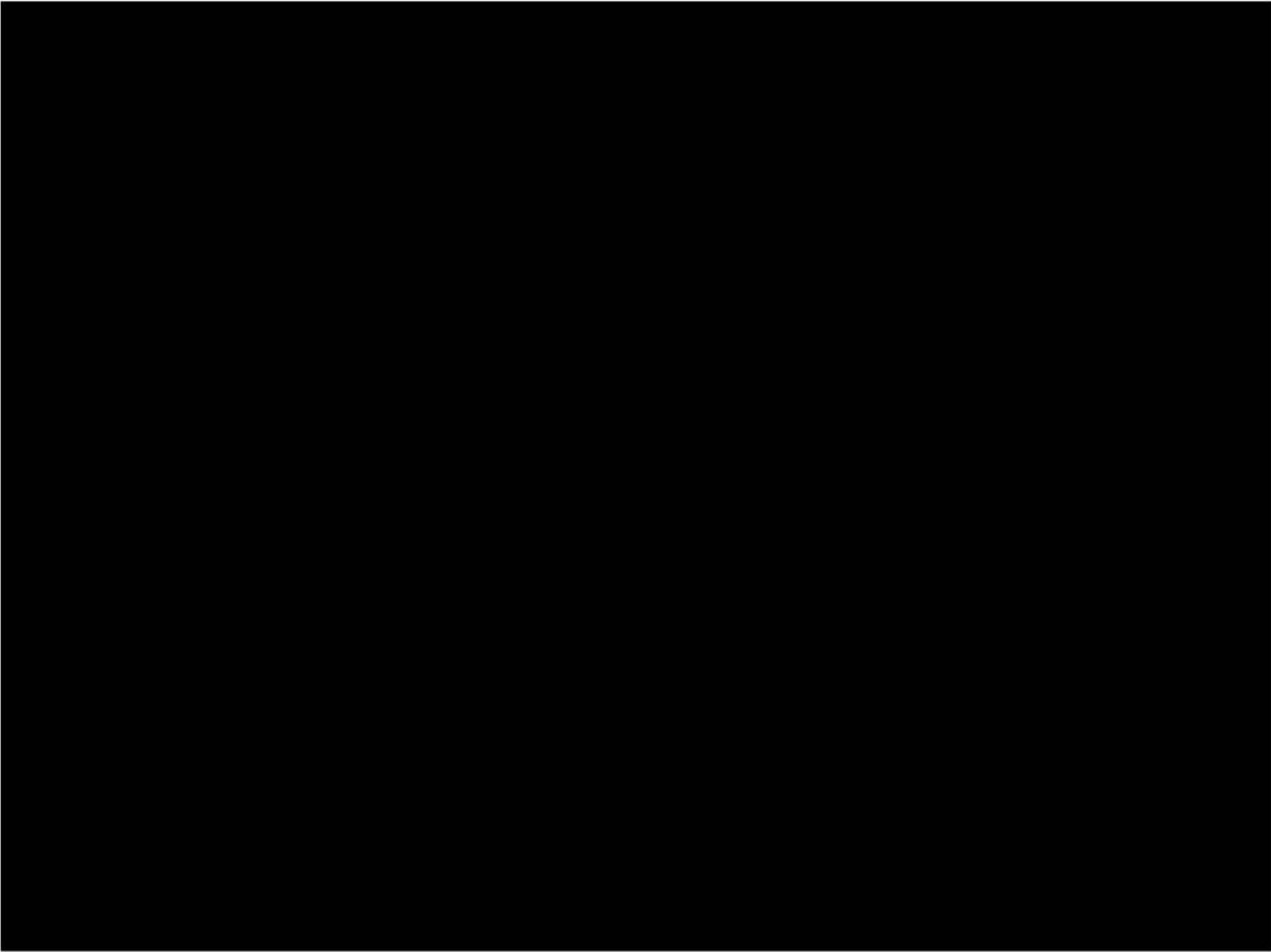
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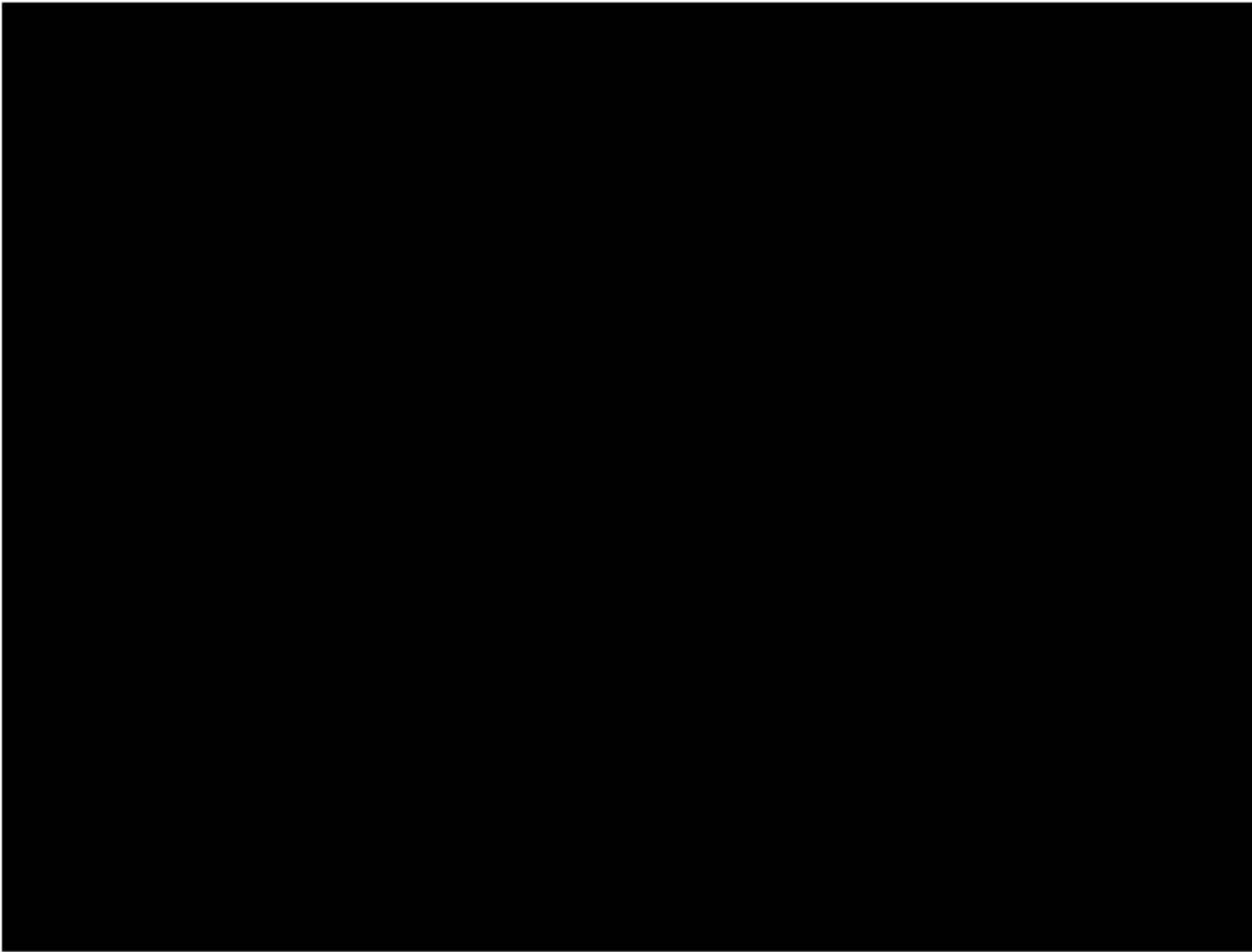
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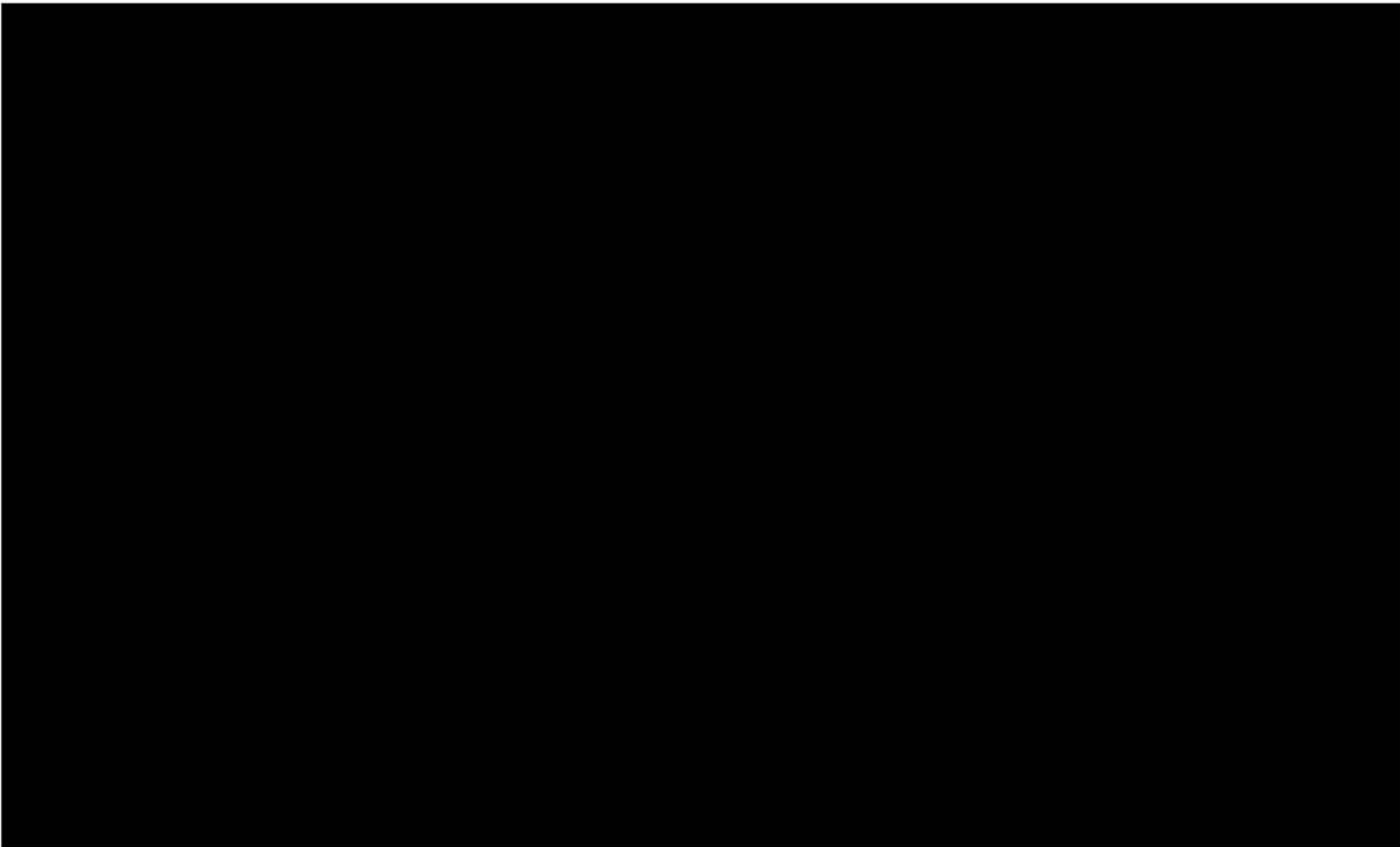
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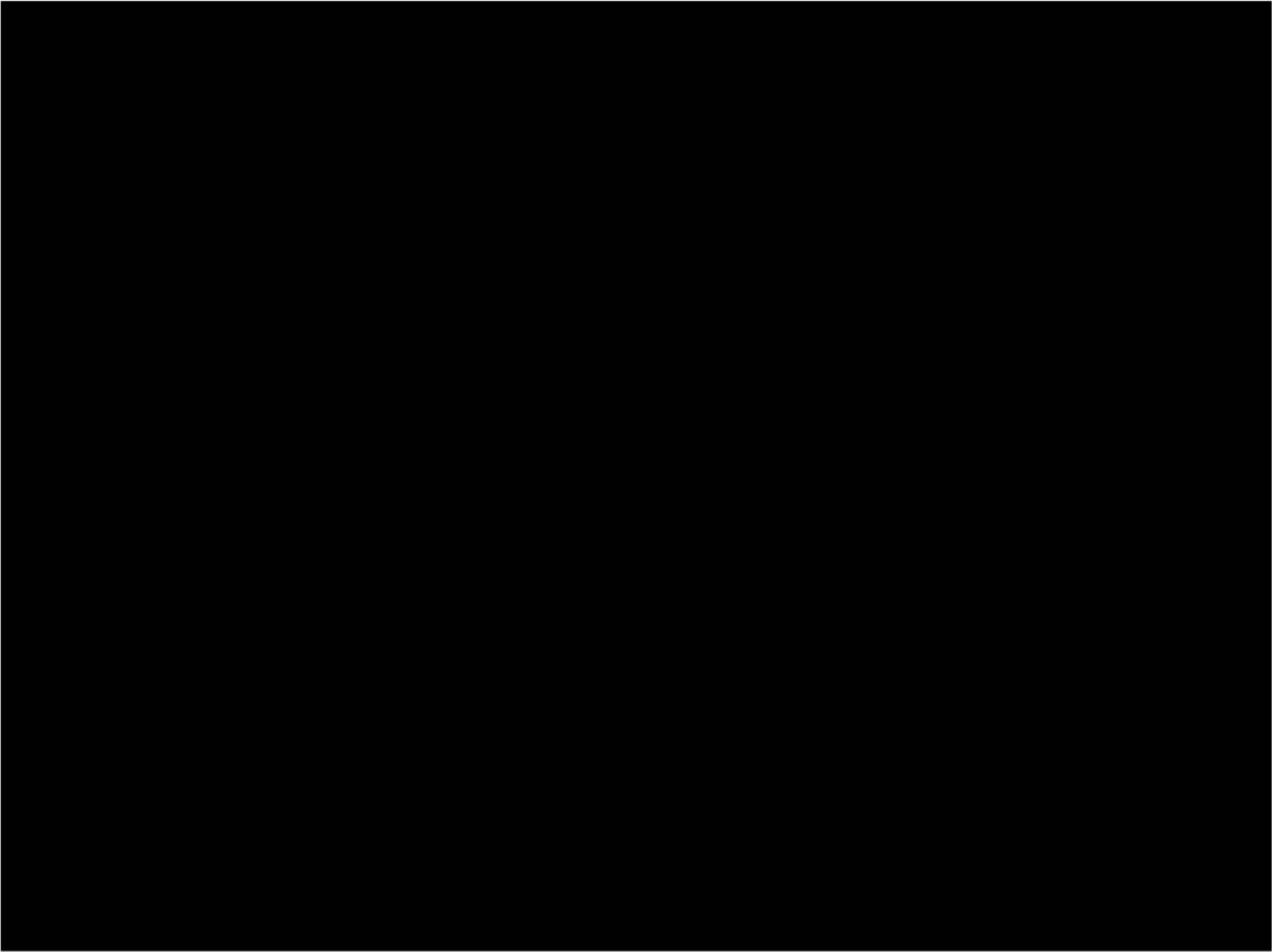
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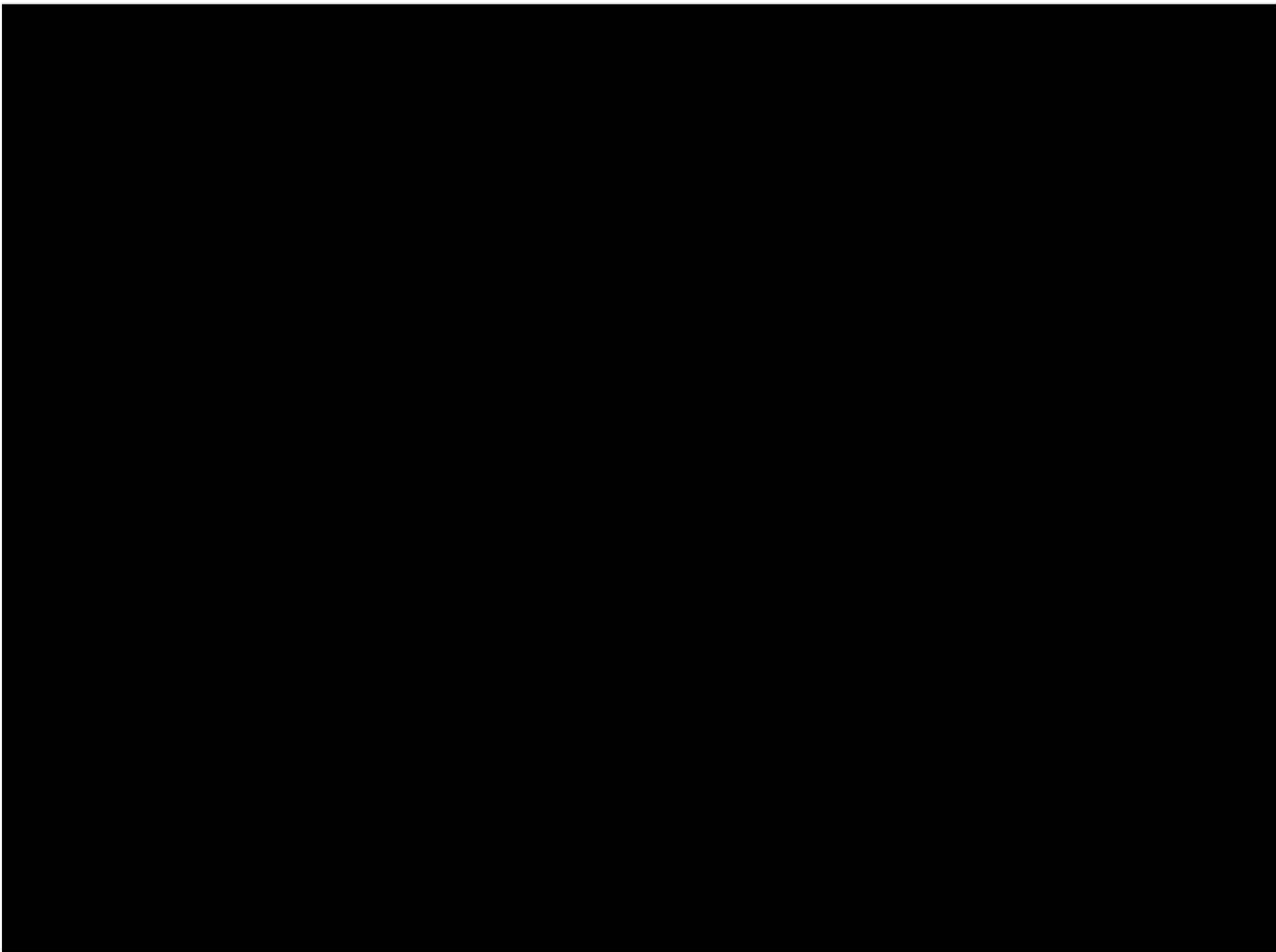
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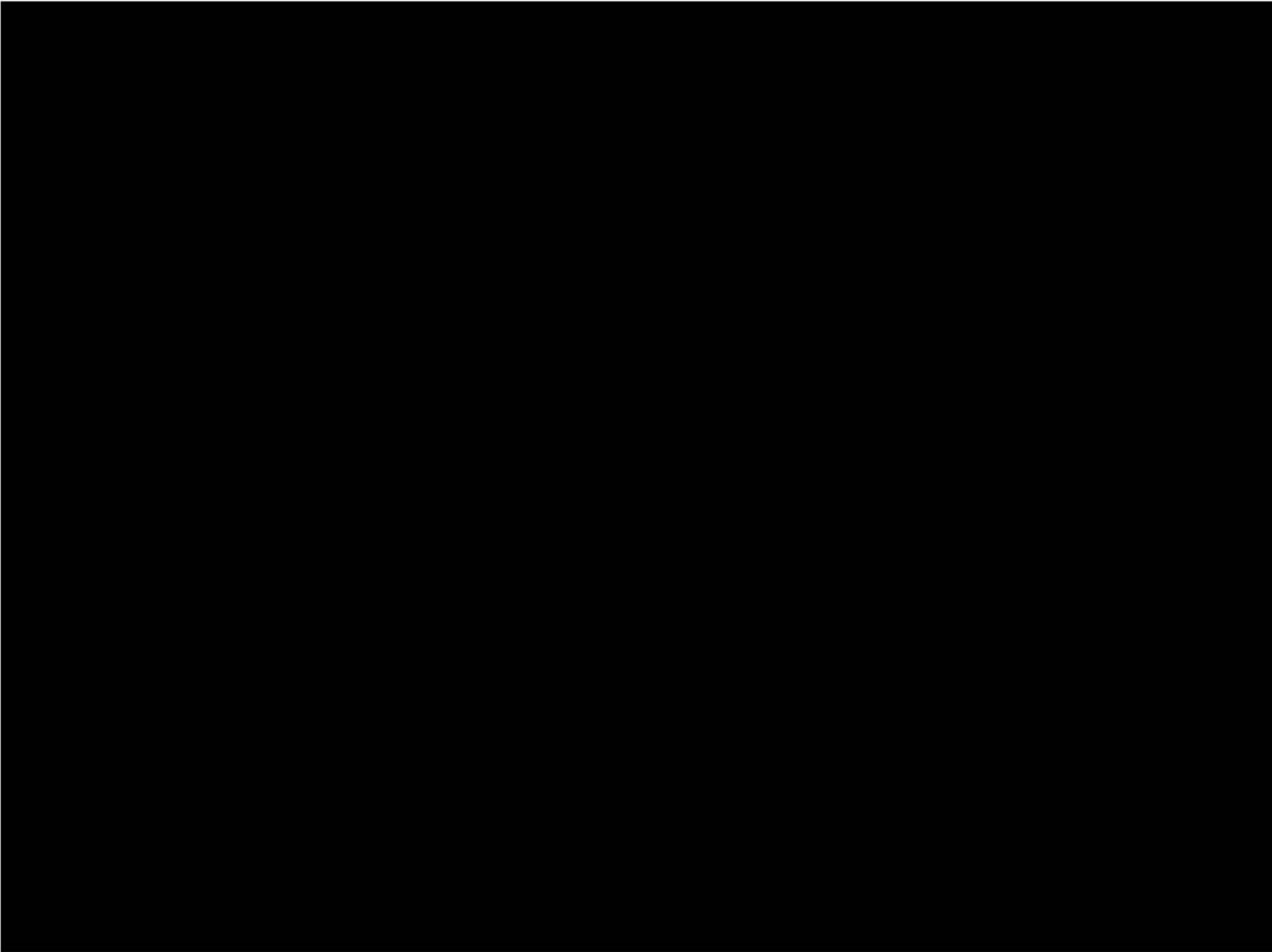
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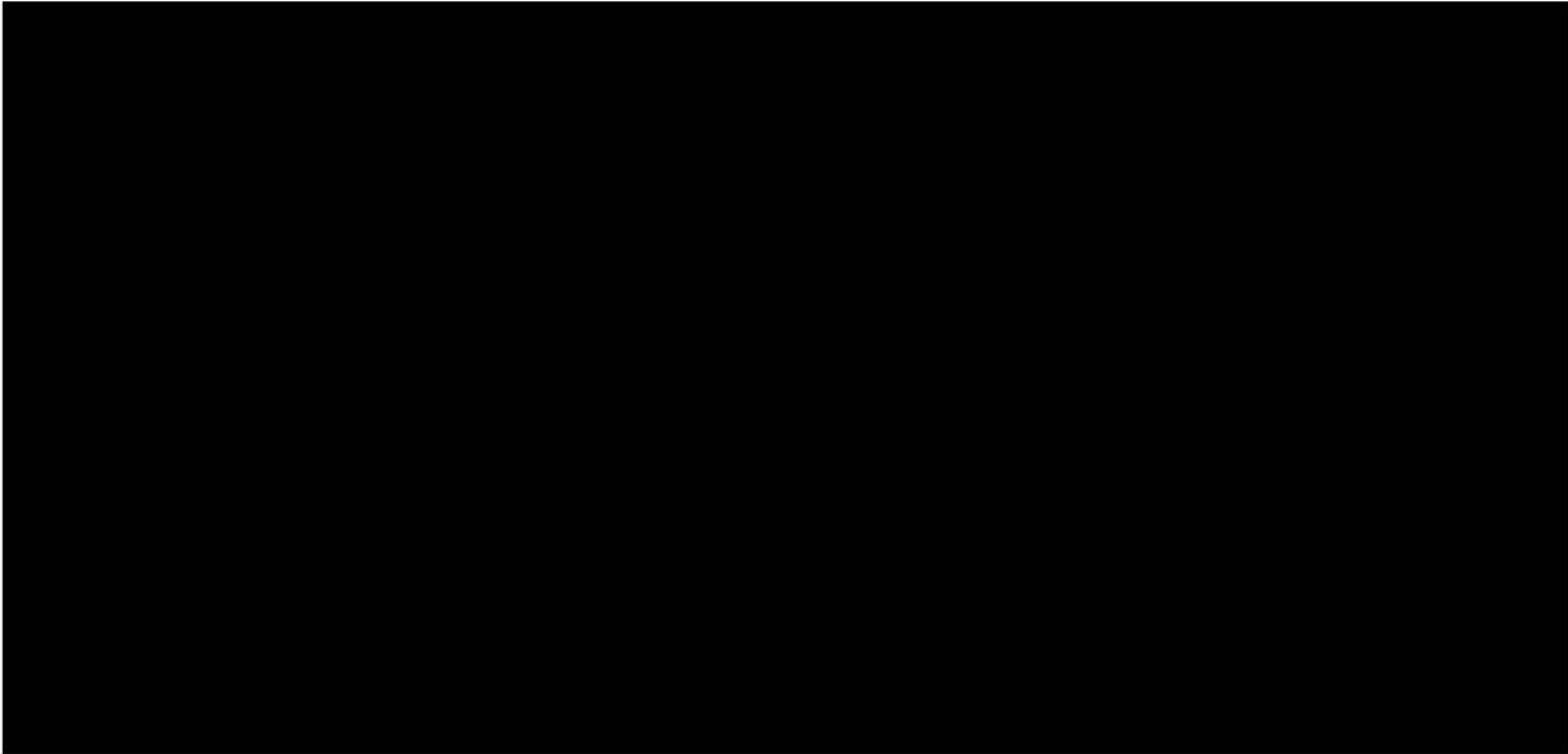
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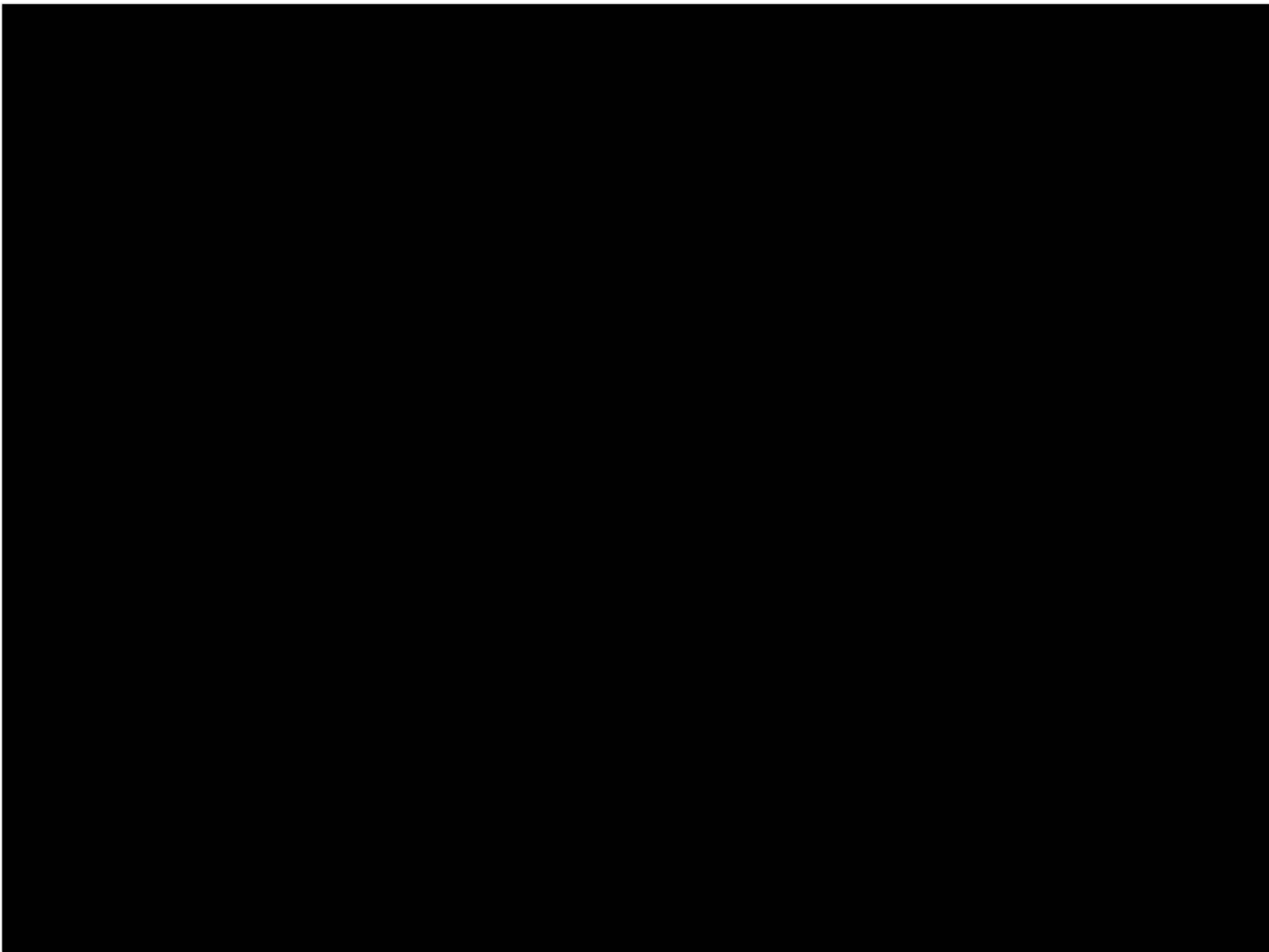
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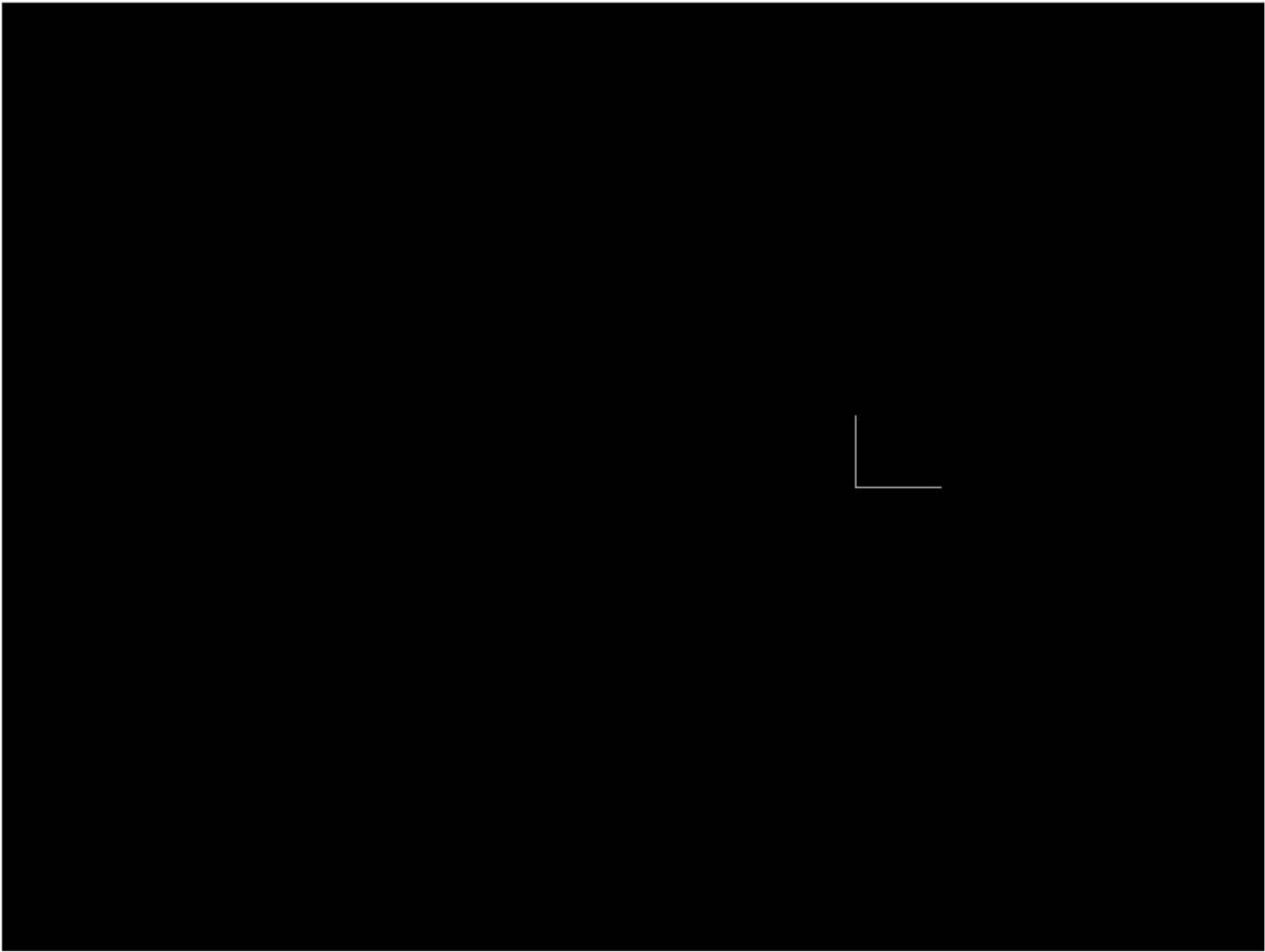
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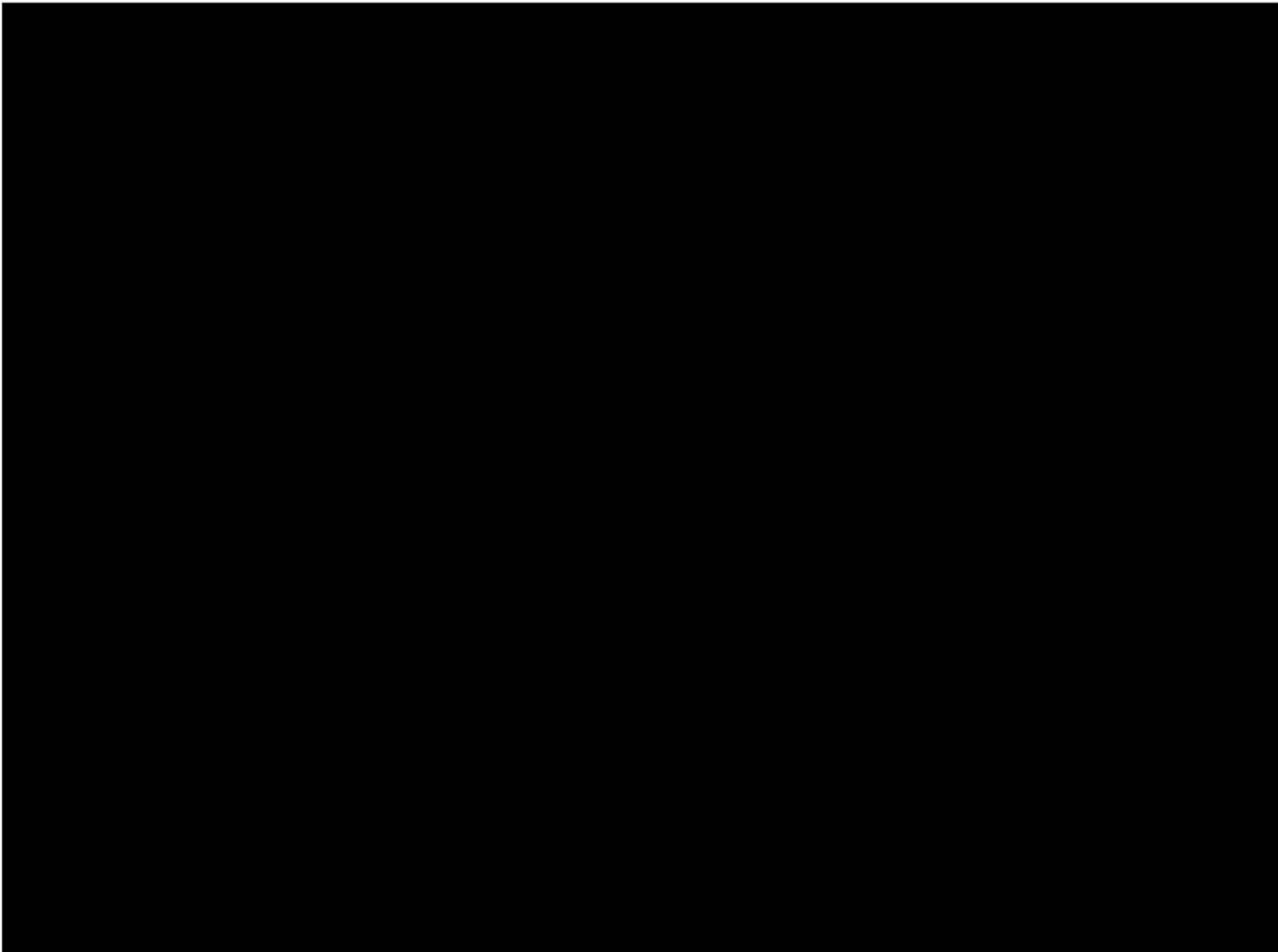
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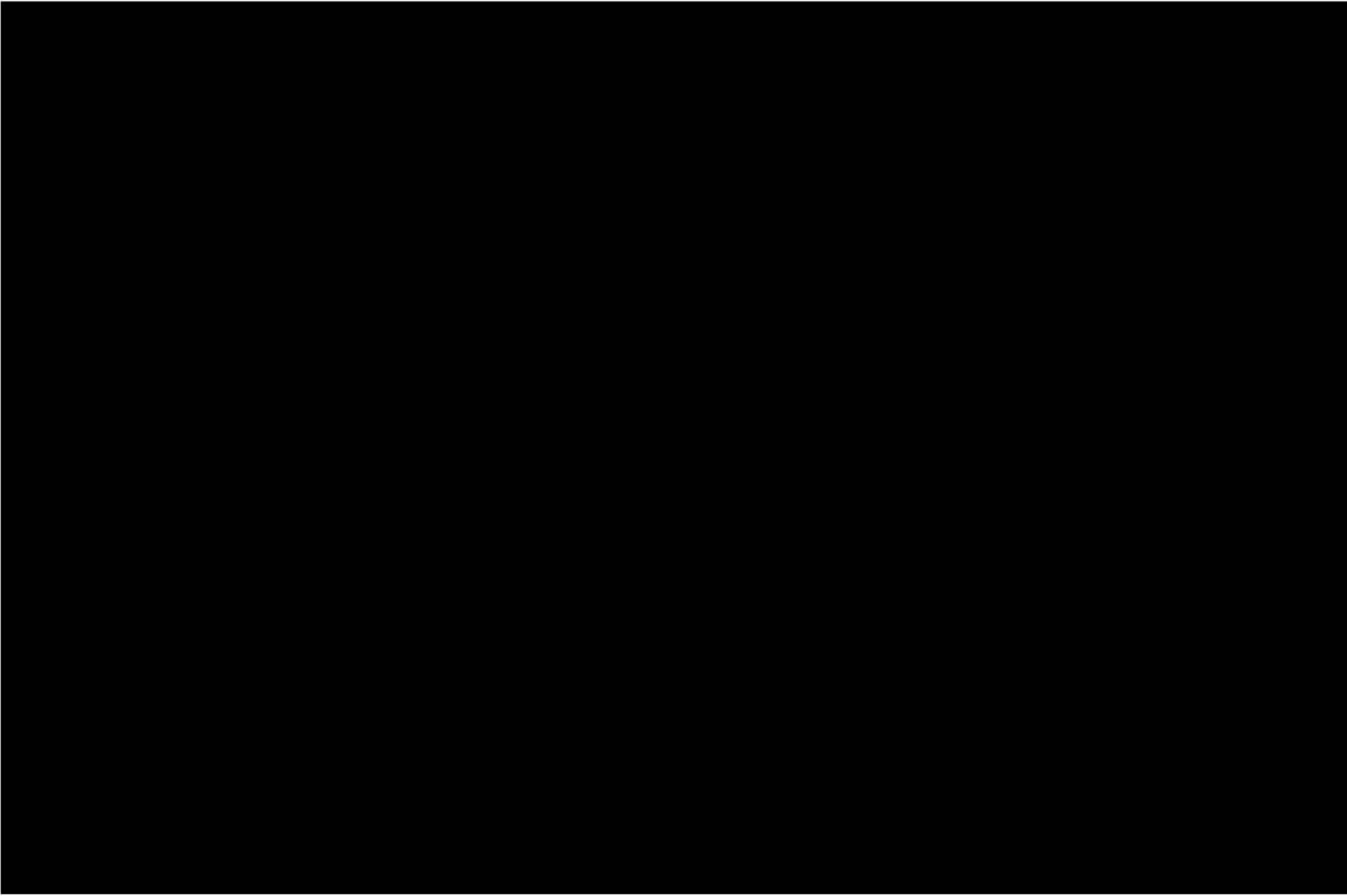
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**HIGHLY CONFIDENTIAL**

## Management's Assertion

The management of Facebook represents that as of and for the 180 days ended February 11, 2013 ("the Reporting Period"), in accordance with Parts IV and V of the Agreement Containing Consent Order ("The Order"), with a service date of August 15, 2012, between Facebook, Inc. ("the Company") and the United States of America, acting upon notification and authorization by the Federal Trade Commission ("FTC"), the Company had established and implemented a comprehensive Privacy Program, ("the Facebook Privacy Program"), based on Company specific criteria (described in paragraph two of this assertion); and the privacy controls were operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the Reporting Period.

The company specific criteria ("assertions") used as the basis for Facebook's Privacy Program are described below. The below assertions have corresponding controls on pages 21-76.

**Assertion A - Responsibility for the Facebook Privacy Program**, which is "Facebook has designated an employee or employees to coordinate and be responsible for the privacy program."

**Assertion B - Privacy Risk Assessment**, which is "Facebook has identified reasonably foreseeable, material risks, both internal and external, that could result in Facebook's unauthorized collection, use, or disclosure of covered information and an assessment of the sufficiency of any safeguards in place to control these risks. This privacy risk assessment includes consideration of risks in areas of relevant operations, including, but not limited to: (1) employee training and management, including training on the requirements of this order, and (2) product design, development, and research."

**Assertion C - Privacy and Security Awareness**, which is "Facebook has a privacy and security for privacy awareness program in place which is defined and documented in privacy and security for privacy policies. The extent of communications to employees is based on their role and responsibility and may include internal communications through various channels, training, and the Privacy Cross-Functional ("XFN") team process."

**Assertion D - Notice, Choice, Consent, Collection and Access**, which is "Facebook provides notice about its privacy policies and procedures and terms of service to users which identifies the purposes for which personal information is collected and used, describes the choices available to users, obtains implicit or explicit consent, collects personal information only for the purposes identified in the notices and provides users with access to their personal information for review and update."

**Assertion E - Use, Retention, Deletion and Quality**, which is "Facebook limits the use of personal information to the purposes identified in the notice and for which the individual has provided implicit or explicit consent. Facebook retains personal information for as long as necessary to provide services or fulfil the stated purposes or as required by law or regulations and thereafter appropriately disposes of such information. Facebook maintains accurate, complete, and relevant personal information for the purposes identified in the notice."

1601 Willow Road, Menlo Park, California 94025  
650.543.4800 – tel 650.543.4801 – fax

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**Assertion F - Security for Privacy**, which is “Facebook protects personal information of users against unauthorized access.”

**Assertion G - Third-party developers**, which is “Facebook discloses personal information to third-party developers only for the purposes identified in the notice and with the implicit or explicit consent of the individual.”

**Assertion H - Service Providers**, which is “Facebook has developed and used reasonable steps to select and retain service providers capable of appropriately protecting the privacy of covered information they receive from the Company and requiring service providers, by contract, to implement and maintain appropriate privacy protections for such covered information.”

**Assertion I - On-going Monitoring of the Privacy Program**, which is “Facebook evaluates and adjusts the Company’s privacy program in light of the results of monitoring activities, any material changes to the Company’s operations or business arrangements, or any other circumstances that the Company knows or has reason to know may have a material impact on the effectiveness of its privacy program.”

Facebook, Inc.



By: \_\_\_\_\_

Edward Palmieri

Associate General Counsel, Privacy

Facebook, Inc.



By: \_\_\_\_\_

Daniel Li

Product Counsel

Facebook, Inc.

1601 Willow Road, Menlo Park, California 94025  
650.543.4800 – tel 650.543.4801 – fax

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## Appendix A – Assessment Interviews Summary

The primary Facebook individuals interviewed by [REDACTED] as a part of the above Assessment procedures, include, but are not limited to, those individuals listed in the table below.

Title	Team
Chief Privacy Officer, Product	Privacy
Chief Privacy Officer, Policy	Public Policy
VP & Deputy General Counsel	Legal
Associate General Counsel, Privacy	Legal
Privacy & Product Counsel	Legal
Lead Contracts Manager	Legal
Compliance Associate	Legal
Privacy Program Manager	Identity
Specialist, User Operations	User Operations
Engineering Manager	Engineering
Software Engineer	Engineering
Developer Policy Enforcement Manager	Developer Operations
Platform Operations Analyst	Developer Operations
Chief Security Officer	Security
Manager, Information Security	Security
Policy and Operations Analyst	Security
Security Manager, Incident Response	Security
Mobile Program Manager	Mobile Partner Management
Recruiting Process Manager	Human Resources
US Data Center Operations Director	Infrastructure
Group Technical Program Manager	Infrastructure
Engineering Manager (formerly Instagram Chief Technology Officer)	Instagram - Engineering
User Operations Manager	Instagram - User Operations
Product Manager	Instagram - Product Management

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**HIGHLY CONFIDENTIAL**

**From:** Edward Palmieri  
**Sent:** 26 Jul 2013 22:02:53 +0000  
**To:** Koss, Laura; Kim, Reenah  
**Cc:** Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365  
**Attachments:** FB FTC Assessment Letter + Exhibits.pdf

Dear Laura and Reenah:

As discussed, we have prepared some additional information and materials to assist in your review of our Assessment.

Please do not hesitate to contact me should you have any questions.

Regards,  
Edward Palmieri

edward palmieri | associate general counsel, privacy | facebook legal (b)(6)

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## Kim, Reenah

---

**From:** Koss, Laura  
**Sent:** Monday, September 09, 2013 8:47 AM  
**To:** Kim, Reenah  
**Subject:** FW: Facebook Compliance

Laura Koss  
Senior Attorney  
Federal Trade Commission | Division of Enforcement  
600 Pennsylvania Ave., N.W. | Mail Drop M-8102B | Washington DC 20580  
t: 202.326.2890 | f: 202.326.2558 | [lkoss@ftc.gov](mailto:lkoss@ftc.gov)

---

**From:** Beringer, S. Ashlie [<mailto:ABeringer@gibsondunn.com>]  
**Sent:** Friday, September 06, 2013 2:20 PM  
**To:** Kohm, James A.  
**Cc:** Koss, Laura  
**Subject:** RE: Facebook Compliance

Jim-

I had planned to write to Laura today following her voicemail to me to confirm that Facebook does not object to staff contacting Facebook directly regarding the consent order, but requests that I be copied on all communications.

With respect to your questions, I would like to set up time early next week to discuss these issues and to ensure that staff has complete and accurate information on these points. Please note that Facebook is not rolling out the new policy today, as you suggested.

I am available to speak on Tuesday between 1-4 ET, so let me know if there is some time in that window that works for you.

Best regards,  
Ashlie  
Ashlie Beringer

## GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
1881 Page Mill Road, Palo Alto, CA 94304-1211  
Tel +1 650.849.5219 • Fax +1 650.849.5019  
[ABeringer@gibsondunn.com](mailto:ABeringer@gibsondunn.com) • [www.gibsondunn.com](http://www.gibsondunn.com)

---

**From:** Kohm, James A. [<mailto:JKOHM@ftc.gov>]  
**Sent:** Friday, September 06, 2013 6:11 AM  
**To:** Beringer, S. Ashlie  
**Cc:** Koss, Laura  
**Subject:** Facebook Compliance

Pursuant to the Facebook Order please provide the following information.

1. Under the old Data Use Policy Statement (as of September 5, 2013) Facebook users can use a setting that allows them to "pair social actions with ads" for "No one" or "Only my friends." If a user has chosen the "No one" setting, will the user have to do anything to maintain this setting after the changes to the Data Use Policy Statement and the Statement of Rights and Responsibilities go into effect? (b)(5)

2. Under the proposed changes, will users be required to reset any privacy settings to ensure that settings they selected for sharing of their name/profile picture/and other user content information is not shared beyond their current settings? (b)(5)

3. The old Data Use Policy Statement, Facebook states "We do not share any of your information with advertisers (unless, of course, you give us permission). As described in this policy, we may share your information **when we have removed from it anything that personally identifies you** or combined it with other information so that it no longer personally identifies you. The proposed policy states (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f); (b)(5)

The highlighted portion of the proposed policy appears to be a change on its face. In other words, Facebook

(b)(4); (b)(3):6(f); (b)(5); Duplicate

(b)(4); If so, the change appears to implicate Paragraph II of the Order. If you contend that the change does not implicate the Order please explain why. (b)(5)

If you would prefer that we communicate directly with Facebook, please let us know in writing. It appears that Facebook intends to roll out the new policy today, thus it is imperative that we clarify the answer to question 3 immediately or your client may be in violation of the order.

James Kohm  
Associate Director Enforcement  
Federal Trade Commission

(b)(5)

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Monday, October 07, 2013 8:09 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Mobile Technologies, Inc., and will continue to operate Mobile Technologies Inc. as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Mobile Technologies Inc. is 2595 Interstate Drive, Suite 103, Harrisburg, County of Dauphin, PA 17110.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Friday, November 08, 2013 6:13 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Onavo Mobile Ltd., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Onavo Mobile Ltd. is Abba Hillel Silver 16, Ramat Gan, 52506, Israel.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Megan Alvarez (b)(6)  
**Sent:** Friday, January 03, 2014 3:55 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired SportStream Inc., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for SportStream Inc. is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Megan Alvarez (b)(6)  
**Sent:** Sunday, March 09, 2014 3:23 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Little Eye Labs. The company will continue to operate as a wholly-owned subsidiary of Facebook, Inc. under the corporate name Liberty Acquisition Sub II, LLC, with the corporate address of 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Friday, April 25, 2014 9:06 AM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Daniel Li  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired ProtoGeo Oy, and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for ProtoGeo Oy is Salomonkatu 17 A, Helsinki, 00100 Finland.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Wednesday, July 02, 2014 8:45 AM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Jenny Hall  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Pryte OY, and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Pryte OY is Erottajankatu 11A20, 00130 Helsinki Finland.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Jenny Hall (b)(6)  
**Sent:** Thursday, July 31, 2014 8:32 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Megan Alvarez  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Oculus VR, Inc. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Oculus is 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

Regards,

Jenny Hall | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Megan Alvarez (b)(6)  
**Sent:** Thursday, August 28, 2014 4:18 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Jenny Hall  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired LiveRail, Inc. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for LiveRail, Inc. is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Megan Alvarez (b)(6)  
**Sent:** Monday, October 20, 2014 9:10 AM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Jenny Hall  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired WhatsApp Inc. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for WhatsApp Inc. is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Privacy Counsel | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Jenny Hall (b)(6)  
**Sent:** Monday, April 06, 2015 12:34 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Megan Alvarez  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired TheFind, Inc. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for TheFind, Inc. is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Jenny Hall | facebook | Lead Privacy Counsel

(b)(6)

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UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
600 Pennsylvania Avenue NW  
WASHINGTON, D.C. 20580

Laura D. Koss  
Bureau of Consumer Protection  
Division of Enforcement, Mailstop CC-9528  
Direct Dial: (202) 326-2890

April 21, 2015

via U.S. and electronic mail ((b)(6))

Mr. Edward Palmieri  
Associate General Counsel, Privacy  
Facebook, Inc.  
1299 Pennsylvania Avenue N.W.  
Suite 800  
Washington, DC 20004

Re: *In the Matter of Facebook, Inc., Docket No. C-4365*

Dear Mr. Palmieri:

Thank you for the information Facebook provided in an April 16, 2015 call regarding the  
(b)(4);

(b)(4); (b)(3):6(f)

As you know Part I of the Order addresses misrepresentations regarding the extent to which Facebook maintains the privacy and security of covered information, including, but not limited to, its collection of any covered information. The above language does not appear to be deceptive under Part I so long as (b)(4); (b)(3):6(f)

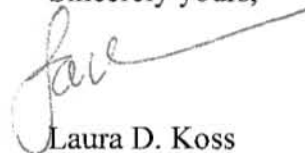
(b)(4); (b)(3):6(f)

We appreciate your communicating proactively with us regarding Facebook's new products and services and wanted to share these concerns in light of Facebook's Order.

April 21, 2015  
page 2

If you have any questions, please do not hesitate to contact me at (202) 326-2890 or Reenah Kim at (202) 326-2272.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Laura D. Koss', with a long horizontal flourish extending to the right.

Laura D. Koss  
Reenah L. Kim  
Attorneys

**From:** Koss, Laura  
**Sent:** 4 Jun 2015 16:34:40 -0400  
**To:** Edward Palmieri  
**Cc:** (b)(6) Kim, Reenah  
**Subject:** Letter to Facebook, June 4, 2015  
**Attachments:** Ltr to FB re Assessment (4june2015).pdf

Dear Ed,

Please see the enclosed letter. Please contact us with any questions.

Regards,

Laura

Laura Koss  
Senior Attorney  
Federal Trade Commission | Division of Enforcement  
600 Pennsylvania Ave., N.W. | Mail Drop CC-9528 | Washington DC 20580  
t: 202.326.2890 | f: 202.326.2558 | lkoss@ftc.gov



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
600 Pennsylvania Avenue NW  
WASHINGTON, D.C. 20580

Laura D. Koss  
Bureau of Consumer Protection  
Division of Enforcement, Mailstop CC-9528  
Direct Dial: (202) 326-2890

June 4, 2015

via electronic mail (b)(6)

Mr. Edward Palmieri  
Associate General Counsel, Privacy  
Facebook Legal  
1155 F. Street, NW Suite 475  
Washington, DC 20004

Re: *In the Matter of Facebook, Inc.*, Docket No. C-4365

Dear Mr. Palmieri:

Thank you for the Assessment dated April 13, 2015 (“April 2015 Assessment” or “Assessment”). We write seeking clarification regarding the scope of this Assessment with respect to Facebook’s acquired entities and affiliates.

As you know, Part IV of the Order requires Facebook to establish, implement, and maintain a comprehensive privacy program that is reasonably designed to (1) address privacy risks related to the development and management of new and existing products and services, and (2) protect the privacy and confidentiality of covered information. Part V requires Facebook to obtain third-party Assessments which, among other things, explain how Facebook’s specific privacy controls are appropriate to its size and complexity, the nature and scope of its activities, and the sensitivity of covered information, as well as explain how the implemented privacy controls meet or exceed Part IV’s required protections.

As Facebook acknowledges in its “Privacy Program Overview” prefacing the Assessment, “achieving the objectives of the Privacy Program involves taking a hard look at the privacy practices of any entities acquired by Facebook.” (p. 8 of the Assessment). Facebook states that it “assesses whether its integration of acquired companies effects any material change to Facebook’s operations or business arrangements or has a material impact on the effectiveness of Facebook’s Privacy Program.” It notes that where an acquisition effects a change to Facebook operations or impacts the effectiveness of its Privacy Program, Facebook makes adjustments to ensure the program achieves its objectives: “(1) to address privacy risks related to the development and management of new and existing products and services for Facebook consumers and (2) to protect the privacy and confidentiality of information from or about an individual Facebook consumer.” (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

Though PricewaterhouseCoopers LLP's ("PwC") cover letter to the Assessment notes that Facebook made acquisitions during the Reporting Period (February 12, 2013 to February 11, 2015), it states it excluded "any independently operated affiliates" from the Assessment. Despite Facebook's assertions, PwC's report does not demonstrate whether and how Facebook addressed the impact of acquisitions on its Privacy Program. For example, the report does not mention any of the entities acquired during the reporting period such as Atlas and WhatsApp – much less indicate whether and how Facebook assessed the acquisition's effect on Facebook's operations and Privacy Program, made adjustments to address any associated privacy risks, or subjected any aspect of the acquisition to its privacy controls. Furthermore, PwC's April 22, 2013 Assessment for Facebook explicitly addressed Instagram<sup>1</sup> (which Facebook had acquired during the August 15, 2012 to February 11, 2013 reporting period<sup>2</sup>) – whereas the 2015 Assessment does not mention Instagram at all.

To ensure the completeness of the Assessment, we request that PwC verify in detail the extent to which its 2015 Assessment covered, for each entity Facebook acquired during the reporting period, whether and how Facebook addressed the acquisition's impact on its Privacy Program.

If you have any questions, please do not hesitate to contact me at (202) 326-2890 or Reenah Kim at (202) 326-2272.

Sincerely yours,

s/Laura D. Koss  
Reenah L. Kim  
Attorneys

cc: Carolyn C. Holcomb  
Pricewaterhouse Coopers LLP

(b)(6)

---

<sup>1</sup> See, e.g., 2013 PwC Assessment at pp. 25, 27, 32, 34-41, 43-44, 46, 50-52, 59-60, 64, 66, 73-75.

<sup>2</sup> In its December 18, 2012 letter to FTC staff, Facebook stated that although it "operates Instagram as a separate brand with distinct product and services," Facebook and Instagram have "integrated business operations (which will continue to be further integrated over time)." It also stated that Facebook has "direct control over Instagram's business operations."

**From:** Kim, Reenah  
**Sent:** 8 Jul 2015 17:43:10 +0000  
**To:** Edward Palmieri;Koss, Laura  
**Cc:** (b)(6)  
**Subject:** RE: Letter to Facebook, June 4, 2015

Ed – Just following up. When can we expect to see a response to our June 4 letter?

Thanks,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272| f:202.326.3197 | rkim1@ftc.gov

---

**From:** Edward Palmieri  
**Sent:** Monday, June 15, 2015 9:46 AM  
**To:** Koss, Laura; Kim, Reenah  
**Cc:** (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015

Dear Laura and Reenah:

I wanted to send you a quick note to let you know that Joe and I (and our teams) met last week to pull together a plan for reviewing our materials and responding to your letter. I'll be in touch and please don't hesitate to contact me if you have any questions.

Best,  
EP

---

**From:** e p <(b)(6)>  
**Date:** Thursday, June 4, 2015 at 8:26 PM  
**To:** "LKOSS@ftc.gov" <LKOSS@ftc.gov>  
**Cc:** "Kim, Reenah" <rkim1@ftc.gov>, (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015

Thank you. We will review with PwC.

On Jun 4, 2015, at 4:45 PM, (b)(6) wrote:

Laura,

Please note that Joe DiVito (not me), copied above, is the PwC Partner on the Facebook FTC Assessment.

Thank you.

Carolyn

**Carolyn C. Holcomb**

PwC | Partner

(b)(6)

PricewaterhouseCoopers LLP  
1075 Peachtree Street, Atlanta, Georgia 30309  
<http://www.pwc.com/us>

From: "Koss, Laura" <[LKOSS@ftc.gov](mailto:LKOSS@ftc.gov)>  
To: Edward Palmieri (b)(6)  
Cc: Carolyn C. Holcomb/US/ABAS/PwC@Americas-US, "Kim, Reenah" <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
Date: 06/04/2015 04:34 PM  
Subject: Letter to Facebook, June 4, 2015

---

Dear Ed,

Please see the enclosed letter. Please contact us with any questions.

Regards,

Laura

Laura Koss  
Senior Attorney  
Federal Trade Commission | Division of Enforcement  
600 Pennsylvania Ave., N.W. | Mail Drop CC-9528 | Washington DC 20580  
t: 202.326.2890 | f: 202.326.2558 | [lkoss@ftc.gov](mailto:lkoss@ftc.gov)

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<Ltr to FB re Assessment (4june2015).pdf>



**From:** Edward Palmieri  
**Sent:** 9 Jul 2015 16:01:22 +0000  
**To:** Kim, Reenah; Koss, Laura  
**Cc:** (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015

Reenah,

Thank you very much for your patience.

We have been working with PwC to determine the most appropriate format for the response, which we expect will encompass separate letters coming from both PwC and Facebook. We will send you the response very soon.

Best,  
Edward

edward palmieri | director, associate general counsel – privacy & regulatory | facebook legal (b)(6)

---

**From:** <Kim>, Reenah <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
**Date:** Wednesday, July 8, 2015 at 1:43 PM  
**To:** e p (b)(6) "Koss, Laura" <[LKOSS@ftc.gov](mailto:LKOSS@ftc.gov)>  
**Cc:** (b)(6)  
**Subject:** RE: Letter to Facebook, June 4, 2015

Ed – Just following up. When can we expect to see a response to our June 4 letter?

Thanks,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

---

**From:** Edward Palmieri  
**Sent:** Monday, June 15, 2015 9:46 AM  
**To:** Koss, Laura; Kim, Reenah  
**Cc:** (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015

Dear Laura and Reenah:

I wanted to send you a quick note to let you know that Joe and I (and our teams) met last week to pull together a plan for reviewing our materials and responding to your letter. I'll be in touch and please don't hesitate to contact me if you have any questions.

Best,  
EP

---

**From:** e p (b)(6)  
**Date:** Thursday, June 4, 2015 at 8:26 PM  
**To:** "LKOSS@ftc.gov" <LKOSS@ftc.gov>  
**Cc:** "Kim, Reenah" <rkim1@ftc.gov>, (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015

Thank you. We will review with PwC.

On Jun 4, 2015, at 4:45 PM, (b)(6) wrote:

Laura,

Please note that Joe DiVito (not me), copied above, is the PwC Partner on the Facebook FTC Assessment.

Thank you.

Carolyn

**Carolyn C. Holcomb**

PwC | Partner

(b)(6)  
PricewaterhouseCoopers LLP  
1075 Peachtree Street, Atlanta, Georgia 30309  
<http://www.pwc.com/us>

---

From: "Koss, Laura" <LKOSS@ftc.gov>  
To: Edward Palmieri (b)(6)  
Cc: Carolyn C. Holcomb (b)(6); Kim, Reenah" <rkim1@ftc.gov>  
Date: 06/04/2015 04:34 PM  
Subject: Letter to Facebook, June 4, 2015

Dear Ed,

Please see the enclosed letter. Please contact us with any questions.

Regards,

Laura

Laura Koss  
Senior Attorney  
Federal Trade Commission | Division of Enforcement  
600 Pennsylvania Ave., N.W. | Mail Drop CC-9528 | Washington DC 20580  
t: 202.326.2890 | f: 202.326.2558 | [lkoss@ftc.gov](mailto:lkoss@ftc.gov)

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<Ltr to FB re Assessment (4june2015).pdf>

**From:** Edward Palmieri  
**Sent:** 14 Jul 2015 19:20:19 +0000  
**To:** Koss, Laura; Kim, Reenah  
**Cc:** (b)(6)  
**Subject:** Re: Letter to Facebook, June 4, 2015  
**Attachments:** FB Letter plus PwC to FTC 07142015.pdf

**CONFIDENTIAL**

Dear Laura and Reenah:

Please see our response letter (which includes PwC's reply).

Please let us know if you have any questions.

Best,  
Edward

edward palmieri | director, associate general counsel – privacy & regulatory | facebook legal (b)(6)

---

**From:** <Koss>, Laura <LKOSS@ftc.gov>  
**Date:** Thursday, June 4, 2015 at 4:34 PM  
**To:** e p (b)(6)  
**Cc:** (b)(6) "Kim, Reenah"  
<rkim1@ftc.gov>  
**Subject:** Letter to Facebook, June 4, 2015

Dear Ed,

Please see the enclosed letter. Please contact us with any questions.

Regards,

Laura

Laura Koss  
Senior Attorney  
Federal Trade Commission | Division of Enforcement  
600 Pennsylvania Ave., N.W. | Mail Drop CC-9528 | Washington DC 20580  
t: 202.326.2890 | f: 202.326.2558 | [lkoss@ftc.gov](mailto:lkoss@ftc.gov)

**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Sunday, April 17, 2016 7:03 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Jenny Hall  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Masquerade Technologies, Inc. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Masquerade Technologies, Inc. is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Associate General Counsel, Privacy | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Gabe Ledeen (b)(6)  
**Sent:** Friday, June 03, 2016 7:39 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri; Megan Alvarez  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Two Big Ears Ltd. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Two Big Ears Ltd. sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Gabe Ledeen | Privacy Counsel | Facebook Legal

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**DEbrief**

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**From:** Megan Alvarez <(b)(6)>  
**Sent:** Wednesday, October 12, 2016 12:26 PM  
**To:** DEbrief  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Nascent Objects and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Nascent Objects may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Associate General Counsel, Privacy | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Wednesday, October 12, 2016 12:26 PM  
**To:** DEbrief  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired mLed, Ltd. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for mLed, Ltd. may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Megan Alvarez | Associate General Counsel, Privacy | Facebook Legal

(b)(6)

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**DEbrief**

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**From:** Jenny Hall (b)(6)  
**Sent:** Wednesday, December 07, 2016 2:39 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Faciometrics LLC. and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for Faciometrics LLC is 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Jenny Hall | facebook | Associate General Counsel, Privacy

(b)(6)

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**DEbrief**

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**From:** Megan Alvarez (b)(6)  
**Sent:** Tuesday, December 27, 2016 1:12 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired The Eye Tribe ApS and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for The Eye Tribe ApS is Amagerfaelledvej 56, 34, 2300 Kobenhavn S, Denmark.

Regards,

Megan Alvarez | Associate General Counsel, Privacy | Facebook Legal

(b)(6)

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**DEbrief**

---

**From:** Megan Alvarez (b)(6)  
**Sent:** Tuesday, December 27, 2016 1:12 PM  
**To:** DEbrief  
**Cc:** Edward Palmieri  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired The Eye Tribe ApS and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. The corporate address for The Eye Tribe ApS is Amagerfaelledvej 56, 34, 2300 Kobenhavn S, Denmark.

Regards,

Megan Alvarez | Associate General Counsel, Privacy | Facebook Legal

(b)(6)

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**From:** Edward Palmieri  
**Sent:** 1 Jun 2017 20:57:16 +0000  
**To:** Kim, Reenah  
**Cc:** (b)(6)  
**Subject:** Re: FTC-Facebook - Letter re 2017 Assessment

Reenah,

Thank you for your email/letter. We will review and be in touch.

Best,  
Edward

edward palmieri | director and associate general counsel, privacy | facebook legal | ep@fb.com

---

**From:** "Kim, Reenah" <rkim1@ftc.gov>  
**Date:** Thursday, June 1, 2017 at 4:09 PM  
**To:** Edward Palmieri (b)(6)  
(b)(6)  
**Subject:** FTC-Facebook - Letter re 2017 Assessment

Please see enclosed.

Best regards,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

**From:** Kim, Reenah  
**Sent:** 1 Jun 2017 20:09:43 +0000  
**To:** Edward Palmieri (b)(6)  
**Subject:** FTC-Facebook - Letter re 2017 Assessment  
**Attachments:** 2017-06-01 Ltr to FB re 2017 Assessment & acquisitions.pdf

Please see enclosed.

Best regards,  
-Reenah



Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)



United States of America  
FEDERAL TRADE COMMISSION  
WASHINGTON, DC 20580

Reenah L. Kim  
Bureau Of Consumer Protection  
Division Of Enforcement  
600 Pennsylvania Avenue NW, CC-9528  
Washington, DC 20580  
(202) 326-2272 (phone)  
rkim1@ftc.gov (email)

June 1, 2017

**VIA ELECTRONIC AND U.S. MAIL**

Mr. Edward Palmieri (b)(6)  
Director and Associate General Counsel, Privacy  
Facebook, Inc.  
1155 F Street NW, Suite 475  
Washington DC 20004

RE: *In the Matter of Facebook, Inc., Docket No. C-4365*

Dear Mr. Palmieri:

Thank you for the Assessment dated April 12, 2017 (“April 2017 Assessment” or “Assessment”). We write seeking clarification regarding the scope of this Assessment with respect to Facebook’s acquired entities and affiliates.

Part IV of the Order requires Facebook to establish, implement, and maintain a comprehensive privacy program that is reasonably designed to (1) address privacy risks related to the development and management of new and existing products and services, and (2) protect the privacy and confidentiality of covered information. Part V requires Facebook to obtain third-party assessments which, among other things, explain how Facebook’s specific privacy controls are appropriate to its size and complexity, the nature and scope of its activities, and the sensitivity of covered information, as well as explain how the implemented privacy controls meet or exceed Part IV’s required protections.

The cover letter to the 2017 Assessment by PricewaterhouseCoopers LLP (“PwC”) notes that Facebook made acquisitions during the Reporting Period, and states that it excluded “any independently operated affiliates” from the Assessment. As you may recall, when PwC made a similar statement in its cover letter to the assessment dated April 13, 2015 (“2015 Assessment”), we sent a letter seeking clarification on the extent to which the 2015 Assessment covered whether and how Facebook addressed the impact of acquisitions on its Privacy Program. Based on the responses we received from you and PwC in separate letters dated July 14, 2015, we understand that, as part of its Assessment, PwC nonetheless considered the impacts of acquisitions on Facebook’s Privacy Program, and that when an acquisition was integrated into a Privacy Program process or control, it became subject to testing by PwC.

Based on Facebook's previous submissions, we understand that during the two-year Reporting Period covered by the 2017 Assessment (February 12, 2015 through February 11, 2017), Facebook made the following acquisitions: (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f) We write to confirm that, as part of the 2017 Assessment, PwC likewise evaluated whether and how Facebook's acquisitions during this Reporting Period impacted its Privacy Program.

In the "Privacy Program Overview" which prefaces the 2017 Assessment, Facebook asserts that it designed its Privacy Program to accomplish two primary objectives: (1) to address privacy risks related to the development, management, and use of new and existing products, and (2) to protect the information Facebook receives from or about users. Facebook states that it has implemented numerous procedures ("controls") to effectuate these objectives which include "assessing impact on the Privacy Program from acquisitions." For example, Facebook's Privacy Governance Team convenes to discuss the privacy risks associated with newly acquired companies. Moreover, Facebook's Privacy Cross-Functional ("XFN") team routinely reviews new products or features that incorporate newly acquired technology, and assesses the associated risks and controls. As part of the Privacy XFN process and annual privacy summit, Facebook addresses key privacy issues relevant to acquired and affiliate entities, such as data sharing and integration.

We understand that, as part of its assessment, PwC (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

Please let us know promptly if our understanding of how PwC's 2017 Assessment addressed and evaluated the impact of acquisitions on Facebook's Privacy Program (as described above) is in any way incorrect or incomplete. Additionally, please notify us if Facebook acquired any entities during the Reporting Period that are not referenced above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Reenah L. Kim".

Reenah L. Kim

cc: Joseph V. DiVito, Jr.  
PricewaterhouseCoopers LLP  
(b)(6)



**From:** Edward Palmieri  
**Sent:** 15 Jun 2017 16:32:43 +0000  
**To:** Kim, Reenah;Berger, Laura  
**Cc:** Rob Sherman;Jack Yang  
**Subject:** Confidential Facebook Update

**CONFIDENTIAL**

Dear Laura and Reenah:

Rob and I wanted to see if you are free to meet sometime on June 29<sup>th</sup> or 30<sup>th</sup>. We would like to discuss a few updates and also introduce you to Jack Yang (cc-ed here). Jack just joined us and will be based in our Menlo Park office. Jack is taking over for me (on the legal side; Rob will continue to represent the Policy team) as I am transitioning to a new role at FB (more to come on that in our meeting). We can also provide an update on the letter we are preparing in response to your inquiry regarding our 2017 Assessment by PwC.

As always, thank you for your time and just let us know what works for you.

Best,  
Edward

edward palmieri | director and associate general counsel, privacy | facebook legal (b)(6)

**From:** Jack Yang  
**Sent:** 24 Jul 2017 19:45:52 +0000  
**To:** Kim, Reenah  
**Cc:** Rob Sherman;Edward Palmieri  
**Subject:** Re: FTC - 2017 Assessment by PwC

Reenah:

Thanks for reaching out. Coordinating reviews with PwC have taken a little longer than expected. We should be getting you a response by the end of this week. If there's anything which impacts that timing, I'll let you know ASAP.

Jack Yang  
AGC & Head of Privacy  
Facebook

(b)(6)

---

**From:** "Kim, Reenah" <rkim1@ftc.gov>  
**Date:** Monday, July 24, 2017 at 1:51 PM  
**To:** Jack Yang (b)(6)  
**Cc:** Rob Sherman (b)(6) Edward Palmieri (b)(6)  
**Subject:** FTC - 2017 Assessment by PwC

Jack – Following up on Ed's email last month (below), when can we expect to receive a written response to our letter regarding the 2017 assessment by PwC? Please give me an update when you can.

Thanks,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

---

**From:** Edward Palmieri  
**Sent:** Thursday, June 15, 2017 12:33 PM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman; Jack Yang  
**Subject:** Confidential Facebook Update

**CONFIDENTIAL**

Dear Laura and Reenah:

Rob and I wanted to see if you are free to meet sometime on June 29<sup>th</sup> or 30<sup>th</sup>. We would like to discuss a few updates and also introduce you to Jack Yang (cc-ed here). Jack just joined us and will be based in our Menlo Park office. Jack is taking over for me (on the legal side; Rob will continue to represent the Policy team) as I am transitioning to a new role at FB (more to come on that in our meeting). We can also provide an update on the letter we are preparing in response to your inquiry regarding our 2017 Assessment by PwC.

As always, thank you for your time and just let us know what works for you.

Best,  
Edward

edward palmieri | director and associate general counsel, privacy | facebook legal (b)(6)

**From:** Jack Yang  
**Sent:** 28 Jul 2017 18:53:48 +0000  
**To:** Kim, Reenah  
**Cc:** Joe DiVito  
**Subject:** Response FTC-Facebook - Letter re: 2017 Assessment  
**Attachments:** 2459\_001.pdf, Facebook - PwC Response to FTC Inquiry Letter FINAL July 28 2017.pdf

Reenah:

As we discussed, please find attached Facebook's written response to your letter dated June 1, 2017 regarding Facebook's April 2017 assessment. We have further attached a supporting letter prepared by PwC on this matter.

Please feel free to contact me if you have any questions regarding the foregoing.

Thank you very much.

Jack Yang  
AGC & Head of Privacy  
Facebook  
(650) 304-7526

(b)(6)

**DEbrief**

---

**From:** Gabe Ledeen (b)(6)  
**Sent:** Tuesday, August 01, 2017 2:59 AM  
**To:** DEbrief  
**Cc:** Jack Yang; Ly Tran  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Fayteq AG, and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Fayteq AG sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Gabe Ledeen | Privacy Counsel | Facebook Legal

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**DEbrief**

---

**From:** Gabe Ledeen (b)(6)  
**Sent:** Monday, August 21, 2017 7:39 PM  
**To:** DEbrief  
**Cc:** Jack Yang; Ly Tran  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Jack Mobile, Inc., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Jack Mobile, Inc. sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,

Gabe Ledeen | Privacy Counsel | Facebook Legal

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**From:** Charles Proctor  
**Sent:** 8 Nov 2017 14:02:00 -0800  
**To:** DEbrief  
**Cc:** Jack Yang;Gabe Ledeen;Ly Tran  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Five Industries, Inc., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Five Industries, Inc. sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,  
Charles

Charles Proctor | Privacy Counsel | **Facebook**

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**DEbrief**

---

**From:** Charles Proctor (b)(6)  
**Sent:** Wednesday, November 08, 2017 5:02 PM  
**To:** DEbrief  
**Cc:** Jack Yang; Gabe Ledeen; Ly Tran  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Five Industries, Inc., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Five Industries, Inc. sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,  
Charles

Charles Proctor | Privacy Counsel | Facebook

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**From:** Jack Yang  
**Sent:** 18 Jan 2018 16:16:08 +0000  
**To:** Kim, Reenah;Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah:

Thanks for the quick response on your commitments and schedule. We're really sorry for the short notice. Internal approvals and last-minute changes to the notice made the timing of this less than ideal.

Would it make sense for us to set a time to chat about this at your convenience next week? We can always cancel that call if you decide it's not needed.

Also wondering if you and Laura would have time to meet in the month of February? If so, is there a week that work better for you and Laura?

Thanks much in advance.

Jack

---

**From:** "Kim, Reenah" <rkim1@ftc.gov>  
**Date:** Thursday, January 18, 2018 at 6:37 AM  
**To:** Jack Yang <yangj@fb.com>, "Berger, Laura" <LBERGER@ftc.gov>  
**Cc:** Rob Sherman (b)(6)  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Jack – This is very short notice. We will need time to review, and I don't know that we'll be able to align schedules for a call as soon as today (we're not available tomorrow).

-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

---

**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Thursday, January 18, 2018 9:23 AM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Update of TBH Terms and Conditions/Privacy Policy

Reenah and Laura:

As you may recall, in late October, 2017, Facebook acquired Five Industries, Inc., the maker of the TBH (a messaging app directed at high school age students), described <https://tbhtime.com/>. We've attached our notice to the FTC regarding this acquisition. TBH is available only to persons in the United States.

(b)(4); (b)(3):6(f)

Please let us know if you'd like to find time for a call to answer any questions you may have. If you'd like to discuss this, it would be ideal to find time today or

Friday since the team would like to move ahead with this update either this week or next week.

Jack & Rob

**From:** Jack Yang  
**Sent:** 18 Jan 2018 14:22:31 +0000  
**To:** Kim, Reenah;Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Update of TBH Terms and Conditions/Privacy Policy  
**Attachments:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

Reenah and Laura:

As you may recall, in late October, 2017, Facebook acquired Five Industries, Inc., the maker of the TBH (a messaging app directed at high school age students), described <https://tbhtime.com/>. We've attached our notice to the FTC regarding this acquisition. TBH is available only to persons in the United States.

(b)(4); (b)(3):6(f)

Please let us know if you'd like to find time for a call to answer any questions you may have. If you'd like to discuss this, it would be ideal to find time today or

Friday since the team would like to move ahead with this update either this week or next week.

Jack & Rob

**From:** Kim, Reenah  
**Sent:** 22 Jan 2018 13:03:28 +0000  
**To:** 'Jack Yang'; Rob Sherman  
**Cc:** Berger, Laura  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Jack and Rob – I have a number of questions for you about this, and I think that Laura may have questions as well. However, as you're probably aware, due to the recent government shutdown, we are prohibited from working until Congress restores appropriations to the FTC. I will contact you to follow up once normal government operations resume.

Regards,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

---

**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Thursday, January 18, 2018 11:16 AM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah:

Thanks for the quick response on your commitments and schedule. We're really sorry for the short notice. Internal approvals and last-minute changes to the notice made the timing of this less than ideal.

Would it make sense for us to set a time to chat about this at your convenience next week? We can always cancel that call if you decide it's not needed.

Also wondering if you and Laura would have time to meet in the month of February? If so, is there a week that work better for you and Laura?

Thanks much in advance.

Jack

---

**From:** "Kim, Reenah" <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
**Date:** Thursday, January 18, 2018 at 6:37 AM  
**To:** Jack Yang [(b)(6)] "Berger, Laura" <[LBERGER@ftc.gov](mailto:LBERGER@ftc.gov)>  
**Cc:** Rob Sherman [(b)(6)]  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Jack – This is very short notice. We will need time to review, and I don't know that we'll be able to align schedules for a call as soon as today (we're not available tomorrow).

-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

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**From:** Jack Yang [<mailto:>[(b)(6)]]  
**Sent:** Thursday, January 18, 2018 9:23 AM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Update of TBH Terms and Conditions/Privacy Policy

Reenah and Laura:

As you may recall, in late October, 2017, Facebook acquired Five Industries, Inc., the maker of the TBH (a messaging app directed at high school age students), described <https://tbhtime.com/>. We've attached our notice to the FTC regarding this acquisition. TBH is available only to persons in the United States.

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

Please let us know if you'd like to find time for a call to answer any questions you may have. If you'd like to discuss this, it would be ideal to find time today or Friday since the team would like to move ahead with this update either this week or next week.

Jack & Rob



**From:** Jack Yang  
**Sent:** 31 Jan 2018 21:00:36 +0000  
**To:** Kim, Reenah  
**Cc:** Berger, Laura; Rob Sherman  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy  
**Attachments:** TBH Terms Update.pdf

Facebook Confidential

Reenah:

In anticipation of our meeting tomorrow, please find attached the slides. Look forward to chatting with you tomorrow.

Jack Yang  
AGC & Head of Privacy  
Facebook, Inc.

(b)(6)

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**From:** "Kim, Reenah" <rkim1@ftc.gov>  
**Date:** Monday, January 29, 2018 at 5:20 AM  
**To:** Jack Yang (b)(6) Rob Sherman (b)(6)  
**Cc:** "Berger, Laura" <LBERGER@ftc.gov>  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Yes 1030 this Thursday (Feb 1) works for me.

Thanks,  
-Reenah

Reenah L. Kim  
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t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

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**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Friday, January 26, 2018 4:06 PM  
**To:** Kim, Reenah; Rob Sherman  
**Cc:** Berger, Laura  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah:

Was able to coordinate with Rob on availability. Would 10:30AM-11:00AM next Thursday work for you?

Jack Yang  
AGC & Head of Privacy  
Facebook, Inc.

(b)(6)

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**From:** "Kim, Reenah" <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
**Date:** Thursday, January 25, 2018 at 8:10 AM  
**To:** Jack Yang (b)(6) Rob Sherman (b)(6)  
**Cc:** "Berger, Laura" <[LBERGER@ftc.gov](mailto:LBERGER@ftc.gov)>  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

I'm generally available for a call on Thursday or Friday of next week (Feb 1-2) before 5p Eastern.

Thanks,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
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600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

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**From:** Jack Yang [[\(b\)\(6\)](mailto:(b)(6))]  
**Sent:** Wednesday, January 24, 2018 4:57 PM  
**To:** Kim, Reenah; Rob Sherman  
**Cc:** Berger, Laura  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah:

Thanks for your voicemail. If possible, it would be great to have a call next week while Laura is travelling. If you'd like to suggest some times for next week, Rob and I will arrange our schedules accordingly.

We'll ensure we get you the materials you requested below in advance of the call.

Thanks much in advance.

Jack Yang  
AGC & Head of Privacy  
Facebook, Inc.

(b)(6)

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**From:** "Kim, Reenah" <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
**Date:** Wednesday, January 24, 2018 at 11:19 AM  
**To:** Jack Yang (b)(6), Rob Sherman (b)(6)  
**Cc:** "Berger, Laura" <[LBERGER@ftc.gov](mailto:LBERGER@ftc.gov)>  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Thanks for your message. We're not available on Friday, so I'm trying to confirm whether tomorrow would work instead.

In the meantime, a few points:

(b)(4); (b)(3):6(f)

4. I've seen the October 16, 2017 post on the tbh website ([tbh.com/news](http://tbh.com/news)) regarding the acquisition. Were any other representations made to tbh users regarding the acquisition and, if so, in what format?

-Reenah

Reenah L. Kim  
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600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

---

**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Tuesday, January 23, 2018 7:03 PM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah & Laura:

Thanks for your e-mail. We hope this week's events didn't cause too much disruption. We were wondering whether you might have time on Thursday or Friday to speak on tbh? We're happy to adjust our schedules to meet at your convenience. However, I do know that we are definitely available during the following times:

Thursday 3-3:30PM EST; and  
Friday 11-11:30AM EST.

Thanks very much in advance. Look forward to speaking with you.

Jack Yang  
AGC & Head of Privacy  
Facebook, Inc.

(b)(6)

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**From:** "Kim, Reenah" <rkim1@ftc.gov>  
**Date:** Monday, January 22, 2018 at 5:04 AM  
**To:** Jack Yang (b)(6), Rob Sherman (b)(6)  
**Cc:** "Berger, Laura" <LBERGER@ftc.gov>  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

Jack and Rob – I have a number of questions for you about this, and I think that Laura may have questions as well. However, as you're probably aware, due to the recent government shutdown, we are prohibited from working until Congress restores appropriations to the FTC. I will contact you to follow up once normal government operations resume.

Regards,  
-Reenah

Reenah L. Kim  
Federal Trade Commission  
Bureau of Consumer Protection | Division of Enforcement  
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580  
t:202.326.2272 | f:202.326.3197 | [rkim1@ftc.gov](mailto:rkim1@ftc.gov)

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**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Thursday, January 18, 2018 11:16 AM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Re: Update of TBH Terms and Conditions/Privacy Policy

Reenah:

Thanks for the quick response on your commitments and schedule. We're really sorry for the short notice. Internal approvals and last-minute changes to the notice made the timing of this less than ideal.

Would it make sense for us to set a time to chat about this at your convenience next week? We can always cancel that call if you decide it's not needed.

Also wondering if you and Laura would have time to meet in the month of February? If so, is there a week that work better for you and Laura?

Thanks much in advance.

Jack

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**From:** "Kim, Reenah" <[rkim1@ftc.gov](mailto:rkim1@ftc.gov)>  
**Date:** Thursday, January 18, 2018 at 6:37 AM  
**To:** Jack Yang (b)(6) "Berger, Laura" <[LBERGER@ftc.gov](mailto:LBERGER@ftc.gov)>  
**Cc:** Rob Sherman (b)(6)  
**Subject:** RE: Update of TBH Terms and Conditions/Privacy Policy

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**From:** Jack Yang [mailto:(b)(6)]  
**Sent:** Thursday, January 18, 2018 9:23 AM  
**To:** Kim, Reenah; Berger, Laura  
**Cc:** Rob Sherman  
**Subject:** Update of TBH Terms and Conditions/Privacy Policy

Reenah and Laura:

As you may recall, in late October, 2017, Facebook acquired Five Industries, Inc., the maker of the TBH (a messaging app directed at high school age students), described <https://tbhtime.com/>. We've attached our notice to the FTC regarding this acquisition. TBH is available only to persons in the United States.

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

Please let us know if you'd like to find time for a call to answer any questions you may have. If you'd like to discuss this, it would be ideal to find time today or Friday since the team would like to move ahead with this update either this week or next week.

Jack & Rob

**DEbrief**

---

**From:** Charles Proctor (b)(6)  
**Sent:** Monday, March 05, 2018 3:50 PM  
**To:** DEbrief  
**Cc:** Jack Yang; Ly Tran  
**Subject:** In the Matter of Facebook, Inc., FTC Docket No. C-4365

To the Associate Director of Enforcement:

Pursuant to Part VIII of the Decision and Order, served on August 15, 2012, Facebook, Inc. hereby notifies the Commission that it has acquired Confirm Inc., and will continue to operate it as a wholly-owned subsidiary of Facebook, Inc. Correspondence for Confirm Inc. sent by mail may be directed to 1601 Willow Road, Menlo Park, CA 94025.

Regards,  
Charles

Charles Proctor | Privacy Counsel | facebook

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### Choose Your Privacy Settings

#### Basic Directory Information

To help real world friends find you, some basic information is open to everyone. We also suggest setting basics like hometown and interests to everyone so friends can use those to connect with you. [View settings](#)

#### Sharing on Facebook

	Everyone	Friends of Friends	Friends Only
<b>Everyone</b>			
<b>Friends of Friends</b>			
<b>Friends Only</b>			
<b>Recommended</b> ✓			
My status, photos, and posts	*		
Bio and favorite quotations	*		
Family and relationships	*		
Photos and videos I'm tagged in		*	
Religious and political views		*	
Birthday		*	
Can comment on posts			*
Email addresses and IM			*
Phone numbers and address			*
Why are these settings recommended?			
<a href="#">Customize settings</a>		* This is your current setting.	

#### Applications and Websites

Edit your settings for using applications, games and websites.

#### Block Lists

Edit your lists of blocked people and applications.

#### Controlling How You Share

Learn more about your privacy on Facebook.

Choose Your Privacy Settings Basic Directory Information

Back to Privacy

Preview My Profile

Your name, profile picture, gender and networks are always open to everyone (learn why). We suggest leaving the other basic settings below open to everyone to make it easier for real world friends to find and connect with you.

- Search for me on Facebook** This lets friends find you on Facebook. If you're visible to fewer people, it may prevent you from connecting with your real world friends. **Everyone**
- Send me friend requests** This lets real world friends send you friend requests. If not set to everyone, it could prevent you from connecting with your friends. **Everyone**
- Send me messages** This lets friends you haven't connected with yet send you a message before adding you as a friend. **Everyone**
- See my friend list** This helps real world friends identify you by friends you have in common. Your friend list is always available to applications and your connections to friends may be visible elsewhere. **Everyone**
- See my education and work** This helps classmates and coworkers find you. **Everyone**
- See my current city and hometown** This helps friends you grew up with and friends near you confirm it's really you. **Everyone**
- See my interests and other Pages** This lets you connect with people with common interests based on things you like on and off Facebook. **Everyone**

### Choose Your Privacy Settings - Customize settings

[← Back to Privacy](#)

[Preview My Profile](#)

Customize who can see and comment on things you share, things on your Wall and things you're tagged in.

Things I share	<b>Posts by me</b> <small>Default setting for posts, including status updates and photos</small>	Everyone
	<b>Family</b>	Everyone
	<b>Relationships</b>	Everyone
	<b>Interested in and looking for</b>	Everyone
	<b>Bio and favorite quotations</b>	Everyone
	<b>Website</b>	Everyone
	<b>Religious and political views</b>	Friends of Friends
	<b>Birthday</b>	Friends of Friends
<small>Edit album privacy for existing photos.</small>		
Things others share	<b>Photos and videos I'm tagged in</b>	Friends of Friends
	<b>Can comment on posts</b> <small>Includes status updates, friends' Wall posts, and photos</small>	Friends Only
	<b>Friends can post on my Wall</b>	<input checked="" type="checkbox"/> Enable
	<b>Can see Wall posts by friends</b>	Friends of Friends
Contact information	<b>Mobile phone</b>	Friends Only
	<b>Other phone</b>	Friends Only
	<b>Address</b>	Friends Only
	<b>IM screen name</b>	Friends Only
	<b>jj9128@hotmail.com</b>	Friends Only

Chat (0)

Chat (0)

### Choose Your Privacy Settings Applications, Games and Websites

[Back to Privacy](#)

#### What you're using

You're using 5 applications, games and websites:



- Remove unwanted or spammy applications.
- Turn off all platform applications.

#### Game and application activity

Who can see your recent activity on their games and applications dashboards.

Friends Only

#### Info accessible through your friends

Control what information is available to applications and websites when your friends use them.

Edit Settings

#### Instant personalization

Lets you see relevant information about your friends the moment you arrive on select partner websites.

Edit Settings

#### Public search

Show a preview of your Facebook profile when people look for you using a search engine.

Edit Settings

### Choose Your Privacy Settings Applications, Games and Websites

[Back to Privacy](#)

What you're using

Game and application activity

Info accessible to friends

Instant personalization

Public search

**Info accessible through your friends**

Use the settings below to control which of your information is available to applications, games and websites when your friends use them. The more info you share, the more social the experience.

<input checked="" type="checkbox"/> Bio	<input checked="" type="checkbox"/> My status updates
<input checked="" type="checkbox"/> Birthday	<input checked="" type="checkbox"/> My photos
<input checked="" type="checkbox"/> Family and relationships	<input checked="" type="checkbox"/> My videos
<input type="checkbox"/> Interested in and looking for	<input checked="" type="checkbox"/> My links
<input type="checkbox"/> Religious and political views	<input checked="" type="checkbox"/> My notes
<input checked="" type="checkbox"/> My website	<input checked="" type="checkbox"/> Photos and videos I'm tagged in
<input checked="" type="checkbox"/> If I'm online	

Note: your name, profile picture, gender, network and user ID (along with any other information you've set to everyone) is available to friends' applications unless you turn off platform applications and websites.

[Save Changes](#) [Cancel](#)

Show a preview of your Facebook profile when people look for you using a search engine.

[Edit Settings](#)

Choose Your Privacy Settings Instant Personalization

Back to Applications

Instant Personalization

Our goal is to give you a great social and personalized experience with every application and website you use. We've worked with a select set of partners to personalize your experience as soon as you arrive on their sites.

These partner sites (currently limited to Docs, Pandora, and Yelp) can only access the information and content you've already made available to everyone. All our partners are required to respect your information and we've worked closely with them to make sure they do.

When you arrive at one of these sites, a blue notification bar will appear at the top of the page. Click "No Thanks" if you don't want to have a personalized experience on that site.



Instant personalization is different from social plugins. Social plugin content comes directly from Facebook and no information is shared with the websites themselves.

To turn off instant personalization on all partner sites, uncheck the box below. This will prevent these partners from receiving any of your information through instant personalization, even content you have made available to everyone.

Enable instant personalization on partner websites.

Choose Your Privacy Settings Public Search

Back to Applications

Public search

Public search controls whether things you've specifically chosen to share with everyone show up in searches on and off Facebook. It also controls whether people who enter your name in a search engine will see a preview of your Facebook profile. See preview

Enable public search

Choose Your Privacy Settings Applications, Games and Websites

Back to Privacy

What you're using

Game and application activity

Info accessible through friends

Instant personalization

Public search

**Remove Selected Applications and Websites**

Select the platform applications and websites you want to remove. Once removed, information and settings you've saved may be permanently deleted and friends won't be able to interact with you using those applications and websites.

- The Washington Post
- Pandora
- userdata
- Daily Horoscope
- Unnamed App

Select all Remove Selected Cancel



Choose Your Privacy Settings Applications, Games and Websites

Back to Privacy

What you're using

Game and application activity

Info accessible through friends

Instant personalization

Public search

**Turn Off Platform Applications and Websites**

If you turn off platform, you'll be disconnected from all applications and websites. That means friends won't be able to use them to interact with you, and information and settings you've saved may be permanently deleted. To disable all applications at once, click "Select all."

- The Washington Post
- Pandora
- userdata
- Daily Horoscope
- Unnamed App

Select all Turn Off Platform Cancel

Chat (0)

Privacy > Photos

Control who sees each of your photo albums.



Profile Pictures  
Everyone



skiing  
Everyone

# Controlling How You Share



Facebook is made up of you. Our privacy controls give you the power to decide what you share with the world. Learn how to manage the way you share information on and off Facebook. See what's new. Read our privacy policy.

## Privacy Controls

100% user privacy settings

The settings you choose control which people and applications can see your information. You can choose who is able to share with friends, friends of friends, or even the public to help you do that. Or, if you prefer, you can sometimes see what you share.



### Sharing on Facebook

The section controls who can see all the content you post on a day-to-day basis (such as status updates, photos and videos). It also includes some things you share about yourself (posts and shared information) and content others share about you (comments on your posts and photos and videos you've been tagged in). For those items with one click, and your settings will apply to all the day-to-day content you post in the future. "Customize settings" gives you a full list so you can choose the privacy level for each setting.

### Basic Directory Information

Certain information is visible to everyone because it's essential to helping people find and connect with you on Facebook.

### Applications and Websites

The section controls what information is shared with third-party applications, including search engines. Applications and websites you and your friends use already have access to your name, profile picture, gender, interests, friend list, user ID, and any other information you share with everyone. You can view your applications, remove any you don't want to use, or limit all platform connectivity. Turning off platform means you can't be able to use any platform applications or websites and we won't share your information with them.

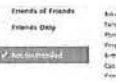
### Block Lists

The section lets you block people from interacting with you or seeing your information on Facebook. You can also specify the days you want to ignore application notices from, and see a list of the specific applications that you've blocked from accessing your information and contacting you.

## Additional Controls

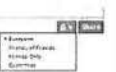
### Recommended settings

We offer a group of recommended settings as a default. You can think of "Everyone," "Friends of Friends" and "Friends Only" as big buckets containing different groups of information. With our recommended settings, your information is shared across all three buckets. "Everyone" includes status updates and information that might be of interest to a large audience. "Friends of Friends" includes photos and videos of you, which are often relevant to friends of our friends. "Friends Only" includes all of your contact information and things that are not relevant to people you interact with directly.



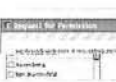
### Control each time you post

You can control who sees each post you post. Before you post a status update, photo or anything else, click the lock icon to choose who can see it. What you select will override your "Privacy" setting, which acts as the default.



### Control with applications

Applications can only see information you've already made visible to everyone. To access more information, you'll be prompted for bits of information, and it can only be information that's needed for them to work. See applications on your profile.



## Additional Information

### Advertisers

We never share your personal information with our advertisers. Facebook is targeting ads on external sites only. If an advertiser selects demographic targeting for their ads, Facebook automatically matches those ads to the appropriate audience. Advertisers do not receive any user data reports.

### Information available to everyone

Information you've shared with everyone - as well as your name, profile picture, gender and networks - could be seen by anyone on the internet. Please be aware that it will be visible to anyone viewing your profile, and applications and websites you and your friends use will be able to access it.

### Social plugins

Buttons and boxes containing Facebook content may appear on other websites to create more social experiences for you. The sites you're visiting receive some of your information. The content in these social boxes comes directly from Facebook. If you click "Like" or make a comment using a social plugin, your activity will be collected on Facebook and shown to your Facebook friends who use a plugin on the same site. The things you like may also appear on your profile (you can control this in Basic Settings on Facebook).

### Instant personalization

Some select partner sites may access your information to personalize your experience as soon as you arrive, but only information that's already visible to everyone. You can turn off instant personalization for specific sites or you can turn it off completely from the Applications and Websites page. The full percent these partner sites receive your information through instant personalization, including what's visible to everyone.

### Search

"Public search" on the Applications and Websites page controls whether people who enter your name in a search engine will see a preview of your Facebook profile. It also controls whether the page you've specifically chosen to share with everyone will be accessible on and off Facebook.

### Protecting minors

We are committed to protecting minors who use Facebook. Under their eighteenth birthday, users don't have public search visibility, and the visibility of their information is limited to friends of friends and members of their groups. It may be easier to make it available to everyone. This does not apply to name, profile picture, gender and interests, which are visible to everyone as real world friends can recognize them.

Additional Privacy Resources

Privacy Policy  
Privacy FAQ  
Business registration and support

Privacy Settings  
Security Page  
Safety Center

### Choose Your Privacy Settings

#### Basic Directory Information

To help real world friends find you, some basic information is open to everyone. We also suggest setting basics like hometown and interests to everyone so friends can use those to connect with you. [View settings](#)

#### Sharing on Facebook

	Everyone	Friends of Friends	Friends Only
<b>Everyone</b> ✓			
<b>Friends of Friends</b>			
<b>Friends Only</b>			
<b>Recommended</b>			
My status, photos, and posts	*		
Bio and favorite quotations	*		
Family and relationships	*		
Photos and videos I'm tagged in	*		
Religious and political views	*		
Birthday	*		
Can comment on posts	*		
Email addresses and IM	*		
Phone numbers and address	*		
<a href="#">Customize settings</a>		This is your current setting.	

#### Applications and Websites

Edit your settings for using applications, games and websites.

#### Block Lists

Edit your lists of blocked people and applications.

#### Controlling How You Share

Learn more about your privacy on Facebook.

### Choose Your Privacy Settings

#### Basic Directory Information

To help real world friends find you, some basic information is open to everyone. We also suggest setting basics like hometown and interests to everyone so friends can use those to connect with you. [View settings](#)

#### Sharing on Facebook

	Everyone	Friends of Friends	Friends Only
<b>Everyone</b>			
Friends of Friends <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<b>Friends Only</b>			
Recommended			
My status, photos, and posts		<input checked="" type="checkbox"/>	
Bio and favorite quotations		<input checked="" type="checkbox"/>	
Family and relationships		<input checked="" type="checkbox"/>	
Photos and videos I'm tagged in		<input checked="" type="checkbox"/>	
Religious and political views			<input checked="" type="checkbox"/>
Birthday			<input checked="" type="checkbox"/>
Can comment on posts			<input checked="" type="checkbox"/>
Email addresses and IM			<input checked="" type="checkbox"/>
Phone numbers and address			<input checked="" type="checkbox"/>
<a href="#">Customize settings</a>			<input checked="" type="checkbox"/> This is your current setting.

#### Applications and Websites

Edit your settings for using applications, games and websites.

#### Block Lists

Edit your lists of blocked people and applications.

#### Controlling How You Share

Learn more about your privacy on Facebook.

### Choose Your Privacy Settings

#### Basic Directory Information

To help real world friends find you, some basic information is open to everyone. We also suggest setting basics like hometown and interests to everyone so friends can use those to connect with you. [View settings](#)

#### Sharing on Facebook

	Everyone	Friends of Friends	Friends Only
<b>Everyone</b>			
My status, photos, and posts			*
Bio and favorite quotations			*
<b>Friends of Friends</b>			
Family and relationships			*
Photos and videos I'm tagged in			*
Religious and political views			*
<b>Friends Only</b> <input checked="" type="checkbox"/>			
Birthday			*
Can comment on posts			*
Email addresses and IM			*
Phone numbers and address			*
<input checked="" type="checkbox"/> Let friends of people tagged in my photos and posts see them.			
<a href="#">Customize settings</a>	* This is your current setting.		

#### Applications and Websites

Edit your settings for using applications, games and websites.

#### Block Lists

Edit your lists of blocked people and applications.

#### Controlling How You Share

Learn more about your privacy on Facebook.

Application Settings - Recently Used

Displaying 10 applications you have used in the past month. Show Recently Used

Events	
Gifts	
Groups	
Links	
Notes	
Pandora	X
Photos	
userdata	X
Video	Edit Settings Profile
Yelp	Edit Settings Profile X

**Edit Events Settings**

Profile    Bookmark    Additional Permissions

Box: Available (add)

Tab: Available (add)

Privacy: **Everyone**

This setting controls the visibility of Events's Box or Tab on your Profile.

Okay