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Children’s privacy advocates call on FTC to require Google, Disney, other leading companies to disclose how they gather and use data to target kids and families

Threats to young people from digital marketing and data collection are heightened by home schooling and increased video and mobile streaming in response to COVID-19

WASHINGTON, DC and BOSTON, MA – March 26, 2020 – With children and families even more dependent on digital media during the COVID-19 crisis, the Campaign for a Commercial-Free Childhood (CCFC) and the Center for Digital Democracy (CDD) called on the Federal Trade Commission (FTC) to require leading digital media companies to turn over information on how they target kids, including the data they collect. In a letter to the FTC, the advocates proposed a series of questions to shed light on the array of opaque data collection and digital marketing practices which the tech companies employ to target kids. The letter includes a proposed list of numerous digital media and marketing companies and edtech companies that should be the targets of the FTC’s investigation—among them are Google, Zoom, Disney, Comcast, AT&T, Viacom, and edtech companies Edmodo and Prodigy.

The letter—sent by the Institute for Public Representation at Georgetown Law, attorneys for the advocates—is in response to the FTC’s early review of the rules protecting children under the Children’s Online Privacy Protection Act (COPPA). The groups said “children’s privacy is under siege more than ever,” and urged the FTC “not to take steps that could undermine strong protections for children’s privacy without full information about a complex data collection ecosystem.”

The groups ask the Commission to request vital information from two key sectors that greatly impact the privacy of children: the edtech industry, which provides information and technology applications in the K-12 school setting, and the commercial digital data and marketing industry that provides the majority of online content and communications for children, including apps, video streaming, and gaming. The letter suggests numerous questions for the FTC to get to the core of how digital companies conduct business today, including contemporary Big Data practices that capture, analyze, track, and target children across platforms.

“With schools closed across the country, American families are more dependent than ever on digital media to educate and occupy their children,” said CCFC’s Executive Director, Josh Golin. “It’s now urgent that the FTC use its full authority to shed light on the business models of the edtech and children’s digital media industries so we can understand what Big Tech knows about our children and what they are doing with that information. The stakes have never been higher.”

“Although children’s privacy is supposed to be protected by federal law and the FTC, young people remain at the epicenter of a powerful data-gathering and commercial online advertising system,” said Dr. Katharina Kopp, Deputy Director of the Center for Digital Democracy. “We call on the FTC to investigate how companies use data about children, how these data practices work against children’s interests, and also how they impact low-income families and families of color. Before it proposes any changes to the COPPA rules, the FTC needs to obtain detailed insights into how contemporary digital data practices pose challenges to protecting children. Given the outsize intrusion of commercial surveillance into children’s and families’ lives via digital services for education, entertainment, and communication, the FTC must demonstrate it is placing the welfare of kids as its highest priority.”

In December, CCFC and CDD led a coalition of 31 groups—including the American Academy of Pediatrics, Center for Science in the Public Interest, Common Sense Media, Consumer Reports, Electronic Privacy Information Center, and Public Citizen—in calling on the FTC to use its subpoena authority. The groups said the Commission must better assess the impacts on children from today’s digital data-driven advertising system, and features such as cross-device tracking, artificial intelligence, machine learning, virtual reality, and real-time measurement.

“Childhood is more digital than ever before, and the various ways that children's data is collected, analyzed, and used have never been more complex or opaque,” said Lindsey Barrett, Staff Attorney and Teaching Fellow at IPR’s Communications and Technology Law Clinic at Georgetown Law. “The Federal Trade Commission should shed light on how children's privacy is being invaded at home, at school, and throughout their lives by investigating the companies that profit from collecting their data, and cannot undertake an informed and fact-based revision of the COPPA rules without doing so.”

"Children today, more than ever, have an incredible opportunity to learn, play, and socialize online," said Celia Calano, student attorney at the Institute for Public Representation. "But these modern playgrounds and classrooms come with new safety concerns, including highly technical and obscure industry practices. The first step to improving the COPPA Rule and protecting children online is understanding the current landscape—something the FTC can achieve with a 6(b) investigation."

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