Agenda

U.S. Department of Commerce
National Telecommunications and Information Administration
May 23, 2013 Privacy Multistakeholder Meeting
Mobile Application Transparency

1:00 p.m. – 5:00 p.m.
American Institute of Architects, 1735 New York Ave. NW, Washington, DC

Meeting Goals: Discuss Draft Code of Conduct and Resolve Outstanding Issues

1:00 p.m.   Welcome

- John Verdi (10 minutes)

1:10 p.m.   Summary of changes between the April 30, 2013 meeting and the May 23, 2013 meeting.

- Tim Sparapani (Application Developers Alliance), Pam Dixon (World Privacy Forum), et al. (10 minutes)

    - [May 16, 2013 Draft Code of Conduct](#)

    - [May 16, 2013 Draft Code of Conduct (redline)](#)

1:20 p.m.   Facilitated Discussion – Outstanding Issues:

- Does the revised language in Section III accurately reflect stakeholders' resolution of Outstanding Issues #2.A and #2.B at the April 30, 2013 meeting? (5 minutes)

- Should Section II.C of the code be revised to clarify whether data collected for crash reporting triggers disclosure obligations? (Outstanding Issue #19) (5 minutes)

- Should the code be revised to clarify whether the preamble is operational? (Outstanding Issue #15) (5 minutes)

- Should the preamble be retained, revised, or deleted? (Outstanding Issue #15.A) (5 minutes)

    - Alternative revision in [DMA/ESA/NetChoice redline](#)

- In Section II, should the language regarding de-identification be revised? (Outstanding Issue #4) (10 minutes)

- Should the language in Section II.A be revised to clarify whether "collected" includes data that is accessed, but not stored, by an app? (Outstanding Issue #17) (10 minutes)

- In the short-form disclosures described in Sections II.A, II.B, and III.B, should the code permit apps to add additional, explanatory language to the parenthetical text? (Outstanding Issue #2) (10 minutes)

- Should Section III.E be revised to clarify whether: 1) the parenthetical text must be presented beside the bold terms; or 2) whether the bold terms may be presented in a list, with the parenthetical text readily accessible to consumers? (Outstanding Issue #2.C) (5 minutes)

- Should the code permit apps to substitute alternative words for the bold terms (*e.g.* "friends" instead of "contacts")? (Outstanding Issue #2.D) (20 minutes)

  - Alternative revision in DMA/ESA/NetChoice redline

2:45 p.m.   Break

3:00 p.m.   Presentation: Proposed Survey Regarding Smartphone Data Sharing Terms, Prof. Lorrie Cranor (Carnegie Mellon University) (5 minutes)

- Proposed CMU Survey

3:05 p.m.   Facilitated Discussion – Outstanding Issues (continued):

- Should Section II be revised to permit apps to represent the bold terms with icons but no text (an "icons-only" approach)? (Outstanding Issue #2.E) (10 minutes)

  - Alternative revision in DMA/ESA/NetChoice redline

- In Sections I and IV, should the code: 1) require ready access to an app's long-form privacy policy; 2) require ready access to a long-form privacy policy "where legally required;" or 3) not require an app to have a long-form privacy policy? (Outstanding Issue #3) (10 minutes)

  - Alternative revision in DMA/ESA/NetChoice redline

- Should the code mandate that certain elements be included in an app's long-form privacy policy (*e.g.* cross-site behavioral tracking or data retention policies)? (Outstanding Issue #3.A) (10 minutes)

- Should Section IV's reference to "data usage policy" and "terms of use" be deleted? (Outstanding Issue #3.B) (5 minutes)

- Should Section IV mandate how an app must "provide ready access" to a long-form privacy policy, or should the current code language be retained? (Outstanding Issue #3.C) (5 minutes)

- Should the title of the code be revised to indicate that code is primarily focused on short-form privacy notices? (Outstanding Issue #3.D) (5 minutes)

- Should the code include language stating that the code does not displace obligations under existing regulatory or statutory schemes? (Outstanding Issue #7) (10 minutes)

- Should the code include a provision stating that the code does not apply to the extent that companies' data collection or sharing practices are regulated by existing laws (*e.g.* COPPA, Gramm-Leach Bliley, HIPAA)? (Outstanding Issue #7.A) (10 minutes)

- In Section I, should the language "app developers should make a good faith effort to provide consumers with access to the short notice prior to download or purchase of the app" be revised? (Outstanding Issue #9) (5 minutes)

- Should the code address the disclosure practices of mobile app platforms? (Outstanding Issue #9.A) (5 minutes)

- In Section II.A, should the language regarding data that is "actively submitted by a user through an open field" be revised? (Outstanding Issue #10) (10 minutes)

4:40 p.m.   Procedural Issues (next steps, proposed agenda items for next meeting)

4:50 p.m.   Farewell