MOBILE APP ~~VOLUNTARY~~ TRANSPARENCY ~~SCREENS~~

I. Preamble: Principles Guiding App Transparency

~~The application developers industry, in coordination with leading privacy, civil liberties and consumer advocates, offers these discussion draft transparency screens (hereinafter "Mobile App VTS" or "VTS") for consideration by all stakeholders in the mobile app ecosystem.~~ This is a voluntary code of conduct for mobile application short notices developed through the Multi-stakeholder Process on Application Transparency convened by the United States Department of Commerce. The purpose of these short form notices is to enhance transparency about apps' data collection, use, and sharing practices. ~~and third party sharing.~~

This ~~Mobile App VTS document~~code builds on ~~the~~ best practices implemented by other industries and incorporates guidance from consumer ~~experts~~advocates, ~~leading~~ app developers, and other entities across the mobile ecosystem. ~~and mobile user interface designers to benefit consumers~~. ~~A voluntary model can be the foundation for continued innovation.~~ The transparency created by consistently displaying ~~this~~ information about application practices as set forth in the code ~~will~~is intended to help consumers compare and contrast data practices of apps. ~~This will~~ with the goal of enhanc~~ing~~e consumer trust in application information practices. This code is drafted to reflect the current state of application practices. As app technology and practices change, transparency practices should evolve to reflect such changes.

~~App developers are committed to earning and keeping consumers' trust, as this is central to the growth and enhancement of the apps industry. Trust is earned through clear explanations of what each app does and through actions that are consistent with those explanations. The goal~~This code is drafted in a manner that is intended ~~is~~ to balance the objectives of transparency, brevity, and functionality.

- Transparency: ~~Consumers expect clear,~~The code is designed to offer ~~succinct~~meaningful explanations of an app's data collection, use, and third party data sharing ~~policies~~practices.
- Brevity: Short form notices should be brief, succinct, and in context that a consumer will understand in order to help to~~must~~ enhance app transparency and understanding in the context of the app.
- Functionality: ~~App developers need t~~App transparency standards should be available in a manner that does not interfere with or diminish the user experience.
- Readily implementable: Short notices should ~~that they can~~be easi~~ly~~ for developers to implement in the context of an ~~app without diminishing the user experienc~~app.~~e.~~
- Consumers ~~hold~~have a ~~spectrum~~ variety of ~~attitudes~~ perspectives ~~towards~~regarding sharing their data with apps~~app data practices~~. ~~Consumers' willingness to share data will vary with context and time, and a~~Apps should provide transparency to consumers that allow consumers to understand the data practices of apps with which they engage.~~facilitate those choices.~~

- ~~Regulators, legislators, and p~~Privacy and consumer advocates ~~all seek a fair balance among all of the interests involved, recognizing~~ recognize some consumers' choice to share data with apps in exchange for a wide variety of tools, content, entertainment.
- Many Apps will evolve over time ~~to~~ and offer fixes, enhancements, and changes to their original functionality. ~~Apps may need to offer new functionality and/or they may need to adapt their business models.~~ When apps' data policies evolve in material ways, the apps ~~must~~ shall promptly ~~and prominently~~ update their disclosures to consumers. The updated disclosure should be presented either in bold, at the top portion of the short notice, or in a similarly prominent means.
- ~~Continued work will need to be done to help integrate the full range of fair information practices with effective methods of transparency for innovative data uses.~~ App developers ~~understand~~ recognize that transparency is just one of the ~~implementation of these principles is just one aspect of satisfying consumer expectations and they commit to leading their industry to develop common practices and tools that~~

~~adhere to~~ fair information practices. ~~(these principles include access to personal information, control over storing information and sharing it with third parties).~~ and that the App developer should also adhere to the other FIPs.

- App Developers who adhere to this code of conduct and provide short form notice as described in Section II, are engaging in a ~~best~~ practice that is intended to ~~significantly~~ enhance~~s~~ transparency of data practices.
- ~~This code reflects the state of industry best practices for transparency. Although compliance with the code and provision of a short form notice does not guarantee that any individual developer is providing an accurate notice for their specific practices, the authors of this code believe that compliance with the standardization provided by this notice should be a compelling factor serving to limit claims that a notice is deficient.~~

II. Short Form Notices

Application developers may voluntarily elect to enhance transparency by adopting such notices. Participating application developers and publishers that ~~voluntarily~~ implement the
Mobile App ~~VTS~~ Code shall detail:

(i) Data ~~collected from~~ defined below~~consumers~~that consumers may not know is being collected ~~;~~(ii) the fact that a description of the types of uses of such data can be found in the Apps privacy policy; ~~and,~~ (iii) the sharing of such data with ~~Third~~ third ~~party~~ parties~~data sharing~~, if any; and (iv) the identity of the company providing the App.~~.~~

These practices shall be outlined in "short form notices" that shall convey information to app consumers in a consistent manner that is easy for consumers to read and understand. ~~This should include multiple languages, if possible.~~

Participating apps should display this information in a single screen where possible. The following elements must be included in the ~~standardized~~ text that may also include an~~, which should not change;~~ icon or symbol that conveys the elements.~~s may be added to the standardized text listed but may not replace text.~~

A. Data Collected

Apps shall inform consumers when they collect the types of ~~user~~ ~~associated~~ data that consumers may not be aware is being collected as specifically enumerated below "Data." If it will be clear to the consumer that such information is collected, such as when the consumer is asked for the data, such data need not be enumerated: ~~from the following categories:~~

- **Biometrics** (~~Data~~ information about your body, including fingerprints, facial recognition~~and other body measurements~~, signatures and/or voice print.)

- **Browser History and Phone or Text Log** (A list of websites ~~you've~~ visited, or the calls or texts ~~you have~~ made or received.)
- **Contacts** (~~Includes~~ including list of contacts, social networking connections or their phone numbers, postal, email and text addresses.)
- **Financial Information** (~~Includes~~ credit, bank and consumer-specific ~~financial information such as transaction data~~account information.)
- **Health, Medical or Therapy Information** (~~Including~~ including health claims and information used to measure health or wellness.)
- **Location** (~~Precise~~ precise past or current location and history of where ~~you~~ a user ~~have~~ has gone.)

- User ~~Files~~ files (~~Files~~ files stored on ~~your~~ the device such as calendar, pictures, text, and video.)

~~We anticipate that these data elements may be modified over time in response to advances of technology. App developers shall employ a mechanism that facilitates ready consumer access to expanded definitions of each data element.~~

B. Data Shared

Apps shall state whether they share ~~Dd~~data with third parties and for what purpose. ~~any entities from the following list:~~ Such third parties shall include:

- **Ad Networks** (Companies that display ads to you through apps.)
- **~~App Publisher or~~ Other Apps** (The company that built, owns, or controls ~~the app, or o~~Other apps that ~~you~~ the consumer may not have a relationship with.)[The App Publisher is not a third party]
- **Carriers** (Companies that provide mobile connections.)
- **Data analytics providers** (Companies that collect and analyze your data.)
- **Government ~~Entities~~ entities** (Any sharing with the government except where required by law.)
- **Information ~~Brokers~~ providers** (Companies that ~~buy, sell, or~~may share ~~your personally identifiable~~consumer information ~~to other~~with other companies for purposes including to deliver you offers you may be interested.)
- **Operating ~~Systems~~ systems and ~~Platforms~~ platforms** (Software companies that power your device, app stores, and companies that provide common tools and information for apps about app consumers.)
- **Social ~~Networks~~ networks** (Companies that connect individuals around common interests.)

~~All the standards here may be modified over time in response to advances of technology. App developers shall employ a mechanism that allows for consumers to easily and promptly access expanded, standardized, plain language explanations of each entity.~~

Notwithstanding the disclosure requirement stated in this section, apps shall not be required to disclose sharing with third party entities where a contract between the app and the third party explicitly:

(i) limits the uses of any consumer data provided by the app to the third party solely to services rendered to the app; and,
(ii) prohibits the sharing of the consumer data with subsequent third parties.

~~C. New Collection and Sharing~~
~~As new methods of collection, use and sharing continue to evolve, this Model App VTS will be updated. To facilitate ease of use for app developers and consumers, this Model App VTS identifies well-known and common current practices. If, however, an app collects, uses or shares data that is reasonably likely to be of concern to consumers, it should add these items to their disclosure.~~

III.   Short Form Design Elements

~~The model short form notices provided in Appendix 1 to this document present potential designs for mobile app transparency.~~ Given the different screen sizes, form factors, User Interface ("UI") options and range of sensors available on devices, ~~these specific~~short form notice implementations may vary.   To ~~be compliant~~adhere to this code ~~with this Mobile App VTS~~, app developers must ensure the following are implemented consistent with the design of the app:

    A. All Data Collected described in II.A are ~~lis~~ in text that may include an icon or symbol that conveys the elements. ~~Ted; B.   All Data Shared described in II.B are listed~~;
~~C.   New Types of Collection and Sharing as described in II.C are listed;~~
~~D.   Items A, B and C to be provided as a list, with items A and B visually separated from each other.~~

    ~~E~~B.   Text and font shall be distinct so as to easily standout from the page background.

    C. The short notice is readily available from the application. Nothing in this code shall be construed to require a click through screen prior to installation or use of the application or as requiring affirmative consent to collect or use consumer data.

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~~We believe it is necessary to provide notice in multiple languages, and anticipate that some developers will pursue this option. If so, these forms are adaptable to that option.~~

IV.   Linkage to Data Usage, Terms of Use and/or Long Form Privacy Policies

In addition to implementing short form notices, participating app developers and publishers shall provide ready access for consumers to each participating app's ~~data usage, terms of use, or long form~~ privacy policy ~~where legally required~~. ~~These links should include explanations of how consumers may request deletion of their data collected by the app, if such deletion is available.~~
~~collected by the app, if such deletion is available.~~