

MOBILE APP VOLUNTARY TRANSPARENCY SCREENS**I. Preamble: Principles Guiding App Transparency**

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 and ~~third party sharing-~~ practices. ~~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 ~~Mobile App VTS document~~ code builds on ~~the~~ best practices implemented by other industries and incorporates guidance from consumer ~~experts,~~ leading advocates, app developers, and other entities across the mobile user interface designers to benefit consumers. ~~A voluntary model can be the foundation for continued innovation ecosystem.~~ The transparency created by consistently displaying ~~this information~~ will about application practices as set forth in the code is intended to help consumers compare and contrast data practices of apps. ~~This will enhance, with the goal of enhancing consumer trust-~~ in application information practices. This code is drafted to ~~App developers are committed earning and keeping consumers' trust, as this is central to the growth and enhancement of apps industry. Trust is earned through clear explanations reflect the current state of what each application practices. does and through actions that are consistent with those explanations.~~ As app ~~The goal is~~ technology and practices change, transparency practices should evolve to reflect such changes.

This code is intended to balance the objectives of transparency, brevity, and functionality.

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

~~consumers that allows consumers to understand the data will vary practices of apps with which they engage.~~

- ~~App developers should make a good faith effort to provide consumers with context and time, and apps should facilitate those choices. —access to the short notice prior to download or purchase of the app.~~
- ~~Regulators, legislators, and privacy~~ 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.
- ~~Apps~~ Some 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.~~
- ~~App developers recognize that transparency is just one of the fair information practices and -that the app developer should also adhere to the other FIPs. Continued work will need to be done to help integrate full range of fair information practices with effective methods of transparency for innovative data uses. App developers understand that 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).~~
- ~~App D~~ 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 ~~significantly enhances~~ is intended to enhance 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.~~
- ~~Some app developers may elect to offer short form notice in multiple languages.~~

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 VTSCode shall detail:

- (i) _____ (i) ~~Data~~ data defined below that consumers may or may not know is being collected from consumers; and,

- ~~(ii)~~ ~~(ii)~~ ~~Third party data;~~
~~the fact that a description of~~
~~the types of uses of such~~
~~data can be found in the~~
~~app’s privacy policy;~~
- ~~(i)(iii)~~ ~~the sharing of such~~
~~data with third parties,~~
~~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, which should not change; icons may be added to the standardized text listed but may not replace text.~~ ~~text that may also include an icon.~~

A. Data Collected

Apps shall inform consumers when they collect ~~user-associated~~ the types of data ~~from the following categories~~ as specifically enumerated below:

- **Biometrics** (~~Data~~ information about your body, including fingerprints, facial ~~and other body measurements~~ recognition, 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** (~~It~~ includes ~~ing~~ 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.)
- **Health, Medical or Therapy Information** (~~It~~ including health claims and information used to measure health or wellness.)
- **Location** (~~P~~ precise past or current location and history of where you have ~~user has~~ gone.)
- **User Files** (~~F~~ iles stored on your ~~the~~ device such as calendar, pictures, text, and video.)

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

B. Data Shared

Apps shall state whether they share data with any entities from the following list:

- **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 other~~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** (Any sharing with the government except where required by law.)
- ~~Information Brokers~~**Consumer Data Resellers** (Companies that buy, and/or sell, ~~or share your personally identifiable~~ consumer information to other companies.) ~~for multiple purposes including offering products and services that may interest you.)~~
- **Operating Systems and Platforms** (Software companies that power your device, app stores, and companies that provide common tools and information for apps about app consumers.)
- **Social 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.~~

~~Mobile App Voluntary Transparency Screens~~

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 specifies short form notice~~ implementations may vary. ~~New methods~~To adhere to this code, app developers must ensure the following are implemented consistent with the design of the app: data collection, new uses, and new types of devices and sensors may require updates to these forms. To be compliant with this Mobile App VTS, app developers must ensure the following are implemented consistent with the design of the app:

~~A.~~

- ~~A. All Data Collected~~data elements as described in II.A ~~are listed;~~ ~~B. All Data Shared, and all entities as~~ described in II.B are listed in text that may also include an icon or symbol that conveys the information;
- ~~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. Apps shall differentiate between data that is collected and data that is not collected.

~~B.C.~~ Text and font shall be distinct so as to easily ~~stand out~~stand out from the page background.

~~D. 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. 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.~~

E. Apps that materially change their data collection or data sharing practices shall inform consumers.

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:

- i. how consumers may request deletion of their data collected by the app, if such deletion is available;

- ii. identification of those business affiliates if any, where the data elements identified in this code are being shared and;
- iii. any data retention policies, if any exist.