

Analysis of Proposed Consent Order to Aid Public Comment
In the Matter of Twitter, Inc., File No. 0923093

The Federal Trade Commission has accepted, subject to final approval, a consent agreement from Twitter, Inc. (“Twitter”).

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement’s proposed order.

Since approximately July 2006, Twitter has operated www.twitter.com, a social networking website that enables consumers who use Twitter (“users”) to send “tweets” – brief updates of 140 characters or less – to their “followers” (*i.e.*, users who sign up to receive such updates) via email and phone text. Consumers who use Twitter can follow other individuals, as well as commercial, media, governmental, or nonprofit entities. Twitter offers privacy settings through which a user may choose to designate tweets as nonpublic. In addition, Twitter collects certain information about its users that it does not make public (“nonpublic user information”). Such information includes: an email address, Internet Protocol (“IP”) addresses, mobile telephone number (for users who receive updates by phone), and the username for any Twitter account that a user has chosen to “block” from exchanging tweets with the user. This nonpublic user information cannot be viewed by other users or any other third parties, but – with the exception of IP addresses – can be viewed after login by the account owner.

The Commission’s complaint alleges that Twitter violated Section 5(a) of the FTC Act by falsely representing to consumers that it uses at least reasonable safeguards to protect user information from unauthorized access. The complaint further alle

- b. establish or enforce policies sufficient to prohibit storage of administrative passwords in plain text in personal email accounts;
- c. suspend or disable administrative passwords after a reasonable number of unsuccessful login attempts;
- d. provide an administrative logpa

Part V requires dissemination of the order now and in the future to principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities relating to the subject matter of the order. Part VI ensures notification to the FTC of changes in corporate status. Part VII mandates that Twitter submit an initial compliance report to the FTC and make available to the FTC subsequent reports. Part VIII is a provision “sunsetting” the order after twenty (20) years, with certain exceptions.

The purpose of the analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed order or to modify its terms ~~in~~ or