

From: Edward Palmieri
Sent: 3 Feb 2016 18:39:02 +0000
To: Kim, Reenah; Rob Sherman
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Hello and thank you for your note. First, great timing for your note because we were going to reach out about the launch date – it has been delayed by a few weeks, so we are now looking the first week of March. Second, I'll confirm with the WhatsApp team to get the very latest. I should be able to send that over today or early tomorrow.

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Tuesday, February 2, 2016 at 2:53 PM
To: Edward Palmieri (b)(6), Rob Sherman (b)(6)
Subject: FW: Confidential WhatsApp Update

Ed and Rob – Just want to follow up on the WhatsApp update. Do you know whether there will be any further changes to the policy language or in-app control disclosures (for your reference, I'm enclosing copies of the most recent version I've seen) before the changes are announced next week?

FYI – I will be out of the office all of next week.

Thanks.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Wednesday, December 30, 2015 9:25 PM
To: Berger, Laura; Kim, Reenah
Cc: Rob Sherman; Anne Hoge; VanDruff, Laura Riposo
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

We hope you are having a wonderful holiday and thank you, again, for making time to meet with us in December.

Since we met and based on some of the feedback you provided in our last meeting, we have been iterating on the user flow and the draft WhatsApp privacy policy. As such, while you continue your review, we thought we would share the latest versions of the user flow and the privacy policy (we have no updates on the terms at this time).

(b)(4); (b)(3):6(f)

In addition to the redline and the new user flow, for easy of review, we have included an updated "clean" PDF of the latest draft, which is our current working-document/draft.

At your convenience, please let us know if you will be available to connect soon after the first of the year (perhaps the middle of next week, like January 6th or 7th?). We would love to get any updated feedback from you and to answer any remaining questions.

Again, thank you for your time. Happy holidays and we wish you all a very happy and healthy new year.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri (b)(6)
Date: Thursday, December 10, 2015 at 10:17 AM
To: "Berger, Laura" <LBERGER@ftc.gov>, "Kim, Reenah" <rkim1@ftc.gov>
Cc: Rob Sherman (b)(6), Anne Hoge (b)(6), "VanDruff, Laura Riposo" <lvandruff@ftc.gov>
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

Thank you again for making time for us today. We are leaving the office shortly to meet you at 11 AM ET. In advance of that meeting, we are sending the deck that we will walk through with you.

Again, thank you for your time.

Best,
Edward

edward palmieri | director, associate general counsel – privacy & regulatory | facebook legal (b)(6)
(b)(6)

From: Edward Palmieri (b)(6)
Date: Wednesday, December 9, 2015 at 11:45 AM
To: "Berger, Laura" <LBERGER@ftc.gov>, "Kim, Reenah" <rkim1@ftc.gov>
Cc: Rob Sherman (b)(6), Anne Hoge (b)(6), "VanDruff, Laura Riposo" <lvandruff@ftc.gov>
Subject: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

Thank you again for making time for us tomorrow at 11 AM ET at your office. In advance of tomorrow's meeting, we wanted to explain the topic and provide the attached corresponding materials. As you will see in the attached two documents, WhatsApp is planning to update its terms of service and privacy policy in their entirety.

The existing terms and privacy policy (see <https://www.whatsapp.com/legal/>) are dated July 7, 2012.

(b)(4); (b)(3):6(f)

Quick details:

- Topic: WhatsApp Terms and Privacy Policy update, and corresponding user notice, consent, and control
- Timeframe: ~ February 11, 2016 launch
- WhatsApp Attendee: Anne Hoge, General Counsel, WhatsApp

We look forward to discussing this update with you and are hoping to get some feedback from you in tomorrow's meeting. We also would like to follow up after the meeting so we can discuss any additional thoughts or questions that you may have (although we aren't planning to launch until February, given internal development and coding processes we are working to integrate feedback as soon as possible).

Finally, we are preparing a presentation and we will send that out in advance of the meeting tomorrow. If you would like anyone else from the FTC to attend, please just let us know so we can plan accordingly.

Again, thank you for your time.

Best,
Edward

edward palmieri | director, associate general counsel – privacy & regulatory | facebook legal (b)(6)
(b)(6)

Hill, Jonathan

From: Edward Palmieri
Sent: Friday, February 05, 2016 2:45 PM
To: Kim, Reenah; Berger, Laura
Cc: Anne Hoge; Rob Sherman
Subject: Confidential WhatsApp Update
Attachments: WhatsApp Terms of Service 2-5-16.docx; WhatsApp Privacy Policy (Draft Updated 2-5-16).docx; WhatsApp Terms & Privacy Update_Updated Control Screenshots_2-5-16.pptx; Key Updates_2-5-16.docx

CONFIDENTIAL

Dear Reenah and Laura:

Please see attached – the very latest version of the WhatsApp documents. We have included the following:

- WA Terms of Service
- WA Privacy Policy
- Consent Flows and In-AppFlows
- Key Updates

As you'll see, I think almost all of the edits shown were included in the previous update that we provided at the end of 2015, but regardless, please let us know if you have any questions or if you would like to discuss anything. As a reminder, the launch has been pushed to early March (likely March 1 or so). As always, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Kim, Reenah
Sent: 29 Feb 2016 16:22:32 +0000
To: Edward Palmieri; Anne Hoge; Rob Sherman
Cc: Berger, Laura
Subject: RE: Confidential WhatsApp Update
Attachments: 2016-02-2016 Ltr to FB re WhatsApp policy updates.pdf

Thanks for the update. Please see the enclosed letter.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Friday, February 19, 2016 4:02 PM
To: Kim, Reenah; Berger, Laura
Cc: Anne Hoge; Rob Sherman
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

We just wanted to let you know that we have delayed the WA update – likely now early April – as we work out a few issues. We will keep you posted and again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri (b)(6)
Date: Friday, February 5, 2016 at 2:45 PM
To: "Kim, Reenah" <rkim1@ftc.gov>, "Berger, Laura" <LBERGER@ftc.gov>
Cc: Anne Hoge (b)(6) Rob Sherman (b)(6)
Subject: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

Please see attached – the very latest version of the WhatsApp documents. We have included the following:

- WA Terms of Service
- WA Privacy Policy
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Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue NW
WASHINGTON, D.C. 20580

Reenah L. Kim
Bureau of Consumer Protection
Division of Enforcement, Mailstop CC-9528
Direct Dial: (202) 326-2272

February 29, 2016

via U.S. and electronic mail (b)(6)

Edward Palmieri
Robert Sherman
Facebook Legal
1155 F Street NW, Suite 475
Washington, DC 20004

Re: *In the Matter of Facebook, Inc.*, Docket No. C-4365

Dear Messrs. Palmieri and Sherman:

We write to follow up on our recent communications regarding the planned updates to WhatsApp's Privacy Policy and Terms of Service.

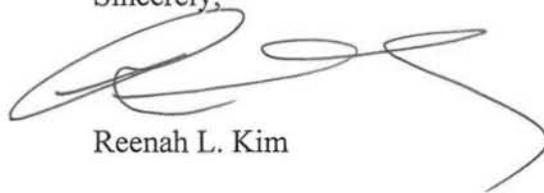
During our January 13, 2016 teleconference, we noted that the December 29, 2015 revisions made a change to (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

February 29, 2016
page 2

If you have questions or wish to discuss further, please do not hesitate to contact me at (202) 326-2272.

Sincerely,

A handwritten signature in black ink, appearing to read 'Reenah L. Kim', with a long, sweeping tail extending to the right.

Reenah L. Kim

From: Edward Palmieri
Sent: 29 Feb 2016 16:39:16 +0000
To: Kim, Reenah; Anne Hoge; Rob Sherman
Cc: Berger, Laura
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Reenah:

Thank you for your letter. We have received and will review and reply.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Monday, February 29, 2016 at 11:22 AM
To: Edward Palmieri (b)(6), Anne Hoge (b)(6), Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Confidential WhatsApp Update

Thanks for the update. Please see the enclosed letter.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Friday, February 19, 2016 4:02 PM
To: Kim, Reenah; Berger, Laura
Cc: Anne Hoge; Rob Sherman
Subject: Re: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

We just wanted to let you know that we have delayed the WA update – likely now early April – as we work out a few issues. We will keep you posted and again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri (b)(6)
Date: Friday, February 5, 2016 at 2:45 PM
To: "Kim, Reenah" <rkim1@ftc.gov>, "Berger, Laura" <LBERGER@ftc.gov>
Cc: Anne Hoge (b)(6) Rob Sherman (b)(6)
Subject: Confidential WhatsApp Update

CONFIDENTIAL

Dear Reenah and Laura:

Please see attached – the very latest version of the WhatsApp documents. We have included the following:

- WA Terms of Service
- WA Privacy Policy
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- Key Updates

As you'll see, I think almost all of the edits shown were included in the previous update that we provided at the end of 2015, but regardless, please let us know if you have any questions or if you would like to discuss anything. As a reminder, the launch has been pushed to early March (likely March 1 or so). As always, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 14 Mar 2016 17:14:57 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman;Anne Hoge
Subject: Re: CONFIDENTIAL WhatsApp Update
Attachments: Confidential WA Key Updates draft for FTC.docx

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for making time for us to chat at 1:30 PM ET today. I wanted to share the attached "Key Updates" document for the call - we have been re-working it to address a few things, specifically including your feedback. We thought it would be helpful to send it over now and we can talk you through it on the call. Please feel free to read all of the bullets, but the key bullets to focus on w/r/t the points raised in your letter are the 2nd bullet and the last bullet.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal | ep@fb.com

From: (b)(6)
When: 1:30 PM - 2:00 PM March 14, 2016
Subject: CONFIDENTIAL WhatsApp Update
Location: BJN Info Below

To join via Phone:

- 1) Dial (b)(4); (US or Canada only - see all numbers)
- 2) Enter Conference ID (b)(4);

OneTouch Dialing: (b)(4); (b)(3):6(f); (b)(6)

From: Kim, Reenah
Sent: 17 Mar 2016 20:38:22 +0000
To: Edward Palmieri; Rob Sherman
Cc: Berger, Laura
Subject: RE: CONFIDENTIAL WhatsApp Update
Attachments: 2016-03-17 Ltr to FB re WhatsApp update.pdf

Ed and Rob:

Please see enclosed.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Monday, March 14, 2016 1:15 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman; Anne Hoge
Subject: Re: CONFIDENTIAL WhatsApp Update

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for making time for us to chat at 1:30 PM ET today. I wanted to share the attached "Key Updates" document for the call - we have been re-working it to address a few things, specifically including your feedback. We thought it would be helpful to send it over now and we can talk you through it on the call. Please feel free to read all of the bullets, but the key bullets to focus on w/r/t the points raised in your letter are the 2nd bullet and the last bullet.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: (b)(6)
When: 1:30 PM - 2:00 PM March 14, 2016

Subject: CONFIDENTIAL WhatsApp Update

Location: BJJ Info Below

To join via Phone:

1) Dial (b)(4); [redacted] (US or Canada only - see all numbers)

2) Enter Conference ID: (b)(4); [redacted]

OneTouch Dialing: (b)(4); (b)(3):6(f); (b)(6) [redacted]



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue NW
WASHINGTON, D.C. 20580

Reenah L. Kim
Bureau of Consumer Protection
Division of Enforcement, Mailstop CC-9528
Direct Dial: (202) 326-2272

March 17, 2016

via U.S. and electronic mail (b)(6)

Edward Palmieri
Robert Sherman
Facebook Legal
1155 F Street NW, Suite 475
Washington, DC 20004

Re: *In the Matter of Facebook, Inc., Docket No. C-4365*

Dear Messrs. Palmieri and Sherman:

Thank you for your March 14, 2016 update regarding the planned changes to WhatsApp's Privacy Policy and Terms of Service. We write to follow up regarding the issue discussed in our February 29, 2016 letter.

(b)(4); (b)(3):6(f)

If you have questions or wish to discuss further, please do not hesitate to contact me at (202) 326-2272.

Sincerely,

A handwritten signature in black ink, appearing to be "Reenah L. Kim", written over a light blue circular stamp.

Reenah L. Kim

From: Edward Palmieri
Sent: 21 Mar 2016 18:38:25 +0000
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Re: Confidential Facebook Update
Attachments: 20160321 FTC Briefing Deck - Final.pdf

CONFIDENTIAL

Laura and Reenah:

Thank you again for taking time to meet with us today to talk about WhatsApp and Facebook. Please see attached – the presentation we'll walk through at 3 PM ET. We are leaving our offices now.

Thank you,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: (b)(6)
When: 3:00 PM - 4:00 PM March 21, 2016
Subject: Confidential Facebook Update
Location: FTC, 400 7th Street, SW

From: Edward Palmieri
Sent: 28 Mar 2016 14:22:04 +0000
To: Kim, Reenah; Rob Sherman
Cc: Berger, Laura
Subject: Re: Account Kit updates

Thank you, Reenah. I'll connect with Rob and we'll get back to you and aim for time this week. More soon.

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Monday, March 28, 2016 at 10:20 AM
To: Edward Palmieri (b)(6) Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: Account Kit updates

Ed and Rob:

Thanks for your recent update. We're still in the process of considering the information you shared, but think it would be helpful to set a call with you to follow up on some questions we have concerning the app developers account kit feature (slides 5-8 from your presentation last week). Would you have any time on Wednesday or Thursday of this week? We could also try for next week as well. Once you've had a chance to consult your schedule, just let us know what dates and times work best for you.

Thanks.
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Kim, Reenah
Sent: 6 Apr 2016 21:34:09 +0000
To: Edward Palmieri (b)(6) Rob Sherman
Cc: Berger, Laura
Subject: RE: Account Kit updates

Ed and Rob:

Thank you for your response. We'll continue working through the issues on our end, but in the meantime, we have a few questions regarding the information you just sent.

(1) Data storage. To clarify – Even though the email or phone number provided for verification purposes is

(b)(4); (b)(3):6(f)

(2) Account management. Which API interface will allow users to delete their Account Kit data? Can they delete this data separate from deleting their entire app account with the third party? We understand your team is still in the process of building the dashboard for Account Kit users, so you may not have the answers to these particular questions at the moment, but would like to note them for your consideration going forward.

(3) Data received from unconfirmed users. We understand from your response that you plan to delete data received from individuals who do not confirm (whether by backing out of the registration flow or failing to enter a confirmation code). As you finalize how and when this will be accomplished, we'd appreciate your sharing the information with us. Additionally, you stated that the Account Kit team is working to establish a process by which phone numbers and email addresses received from unconfirmed users will be deleted "within a reasonable timeframe." Once the team has determined what this "reasonable timeframe" for deletion will be, please let us know.

As for another follow-up call – would you be available this Monday (April 11)? When you have a moment, please let us know.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Wednesday, April 06, 2016 1:03 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Re: Account Kit updates

CONFIDENTIAL

Dear Reenah and Laura:

Thank you for taking the time to meet with to discuss some of our upcoming launches, including Account Kit.

We wanted to followup on a few of the points you raised during the follow-up discussion we had last week regarding Account Kit, the new Facebook integration that allows third-party apps to use the Facebook integration to facilitate new user registration and user log-in using the user's telephone number or email address.

[1] Data storage.

(b)(4); (b)(3):6(f)
One of the advantages of Account Kit is that users do not have to have a Facebook account to use the service. For users that do have Facebook accounts and have linked the same email or phone number that they provided to Account Kit with their Facebook account, we offer the option for them to receive the Account Kit login verification code via a Facebook notification. This is an optional feature for users of both services and is not required.

[2] Account management. For users that complete the registration flow, the developer can request Facebook delete it at anytime via the API—in fact we ask developers to notify us via the API if a user deletes his account or requests it be deleted.

(b)(4); (b)(3):6(f)

[3] Account Kit Tokens.

(b)(4); (b)(3):6(f)

Finally, we also wanted to let you know that we shared your feedback about handling of data received from **unconfirmed users**, such as people that back out after seeing the 2nd screen of the registration flow or do not enter a confirmation code for whatever reason. The Account Kit team has agreed to establish a policy of deleting this data in order to address the concern you raised. We are still working through some of the details — they have been talking about this internally for a little while, so your feedback was timely — for example, some limited retention will be necessary for things like troubleshooting purposes and to detect attacks (such as if a person repeatedly generates authentication codes to the same phone number). The

team is working to address these use cases and to delete phone numbers or email address that we receive from unconfirmed users within a reasonable timeframe.

We hope this follow-up information is helpful and we look forward to any additional feedback that you would like to provide. At your convenience, please let us know if you would like to have a follow-up call – perhaps after your meeting with Jessica Rich? And, of course, if you have any questions in preparation for that meeting, please just let us know.

Again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Wednesday, April 6, 2016 at 9:35 AM
To: Edward Palmieri (b)(6) Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Account Kit updates

Ed and Rob:

Thanks for making the time last week to answer some of our questions about Account Kit. We're continuing to confer internally regarding our concerns and will be briefing our Bureau Director (Jessica Rich) this Friday. In the meantime, as we said during our call last week, to the extent you have any updates or other information relating to the issues we raised, please keep us apprised of any such developments sooner, so that we may consider this information as part of our process.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Kim, Reenah
Sent: Monday, March 28, 2016 10:20 AM
To: Edward Palmieri (b)(6) Rob Sherman

Cc: Berger, Laura
Subject: Account Kit updates

Ed and Rob:

Thanks for your recent update. We're still in the process of considering the information you shared, but think it would be helpful to set a call with you to follow up on some questions we have concerning the app developers account kit feature (slides 5-8 from your presentation last week). Would you have any time on Wednesday or Thursday of this week? We could also try for next week as well. Once you've had a chance to consult your schedule, just let us know what dates and times work best for you.

Thanks.
-Reenah

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t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: 7 Apr 2016 18:18:08 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman
Subject: Re: Account Kit updates

CONFIDENTIAL

Reenah:

Thank you for your reply. We would be happy to host a call on Monday, April 11th. What times work for you both? I can send out an invite with a call-in number. And, if there is any feedback that you feel appropriate to share before Monday (even with our planned call, where we can go into more detail), we would welcome it.

To address your 3 questions below, I have added our replies in-line/below. Please let me know if you have any additional questions.

Thank you, again, for your time with this matter. We look forward to speaking with you both on Monday.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Wednesday, April 6, 2016 at 5:34 PM
To: Edward Palmieri (b)(6), Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Account Kit updates

Ed and Rob:

Thank you for your response. We'll continue working through the issues on our end, but in the meantime, we have a few questions regarding the information you just sent.

(1) Data storage.

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

(2) Account management. Which API interface will allow users to delete their Account Kit data? Can they delete this data separate from deleting their entire app account with the third party? We understand your team is still in the process of building the dashboard for Account Kit users, so you may not have the answers to these particular questions at the moment, but would like to note them for your consideration going forward. (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

To provide people with additional control, we are also implementing a Facebook-provided dashboard, which we mentioned earlier. The basic idea is that an Account Kit user (regardless of whether she is a FB user or not) would be able to authenticate and log into an Account Kit dashboard that would allow her to change her contact information for the apps she is using via Account Kit. FB users who use this Account Kit dashboard to delete or alter their Account Kit registration information would not need to delete their Facebook accounts.]

(3) Data received from unconfirmed users. We understand from your response that you plan to delete data received from individuals who do not confirm (whether by backing out of the registration flow or failing to enter a confirmation code). As you finalize how and when this will be accomplished, we'd appreciate your sharing the information with us. Additionally, you stated that the Account Kit team is working to establish a process by which phone numbers and email addresses received from unconfirmed users will be deleted "within a reasonable timeframe." Once the team has determined what this "reasonable timeframe" for deletion will be, please let us know. **[FB: We are happy to update you as we finalize the plan regarding data deletion. We wanted to let you know now (immediately) that we have internalized your helpful feedback and are working now to work through the details (knowing that there will be some limited retention period to support things like analytics and troubleshooting).]**

As for another follow-up call – would you be available this Monday (April 11)? When you have a moment, please let us know. **[FB: Yes, absolutely. Please let me know what time works for you both and I'll send an invite with a call-in number.]**

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
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From: Edward Palmieri
Sent: Wednesday, April 06, 2016 1:03 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Re: Account Kit updates

CONFIDENTIAL

Dear Reenah and Laura:

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We wanted to followup on a few of the points you raised during the follow-up discussion we had last week regarding Account Kit, the new Facebook integration that allows third-party apps to use the Facebook integration to facilitate new user registration and user log-in using the user's telephone number or email address.

[1] Data storage.

(b)(4); (b)(3):6(f)
One of the advantages of Account Kit is that users do not have to have a Facebook account to use the service. For users that do have Facebook accounts and have linked the same email or phone number that they provided to Account Kit with their Facebook account, we offer the option for them to receive the Account Kit login verification code via a Facebook notification. This is an optional feature for users of both services and is not required.

[2] Account management. For users that complete the registration flow, the developer can request Facebook delete it at anytime via the API—in fact we ask developers to notify us via the API if a user deletes his account or requests it be deleted.

(b)(4); (b)(3):6(f)

[3] Account Kit Tokens.

(b)(4); (b)(3):6(f)

Finally, we also wanted to let you know that we shared your feedback about handling of data received from **unconfirmed users**, such as people that back out after seeing the 2nd screen of the registration flow or do not enter a confirmation code for whatever reason. The Account Kit team has agreed to establish a policy of deleting this data in order to address the concern you raised. We are still working through some of the details — they have been talking about this internally for a little while, so your feedback was timely — for example, some limited retention will be necessary for things like troubleshooting purposes and to detect attacks (such as if a person repeatedly generates authentication codes to the same phone number). The team is working to address these use cases and to delete phone numbers or email address that we receive from unconfirmed users within a reasonable timeframe.

We hope this follow-up information is helpful and we look forward to any additional feedback that you would like to provide. At your convenience, please let us know if you would like to have a follow-up call — perhaps after your meeting with Jessica Rich? And, of course, if you have any questions in preparation for that meeting, please just let us know.

Again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Wednesday, April 6, 2016 at 9:35 AM
To: Edward Palmieri (b)(6) Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Account Kit updates

Ed and Rob:

Thanks for making the time last week to answer some of our questions about Account Kit. We're continuing to confer internally regarding our concerns and will be briefing our Bureau Director (Jessica Rich) this Friday. In the meantime, as we said during our call last week, to the extent you have any updates or other information relating to the issues we raised, please keep us apprised of any such developments sooner, so that we may consider this information as part of our process.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

t:202.326.2272| f:202.326.3197 | rkim1@ftc.gov

From: Kim, Reenah
Sent: Monday, March 28, 2016 10:20 AM
To: Edward Palmieri (b)(6) Rob Sherman
Cc: Berger, Laura
Subject: Account Kit updates

Ed and Rob:

Thanks for your recent update. We're still in the process of considering the information you shared, but think it would be helpful to set a call with you to follow up on some questions we have concerning the app developers account kit feature (slides 5-8 from your presentation last week). Would you have any time on Wednesday or Thursday of this week? We could also try for next week as well. Once you've had a chance to consult your schedule, just let us know what dates and times work best for you.

Thanks.
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272| f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: 12 Apr 2016 20:02:16 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman;Shane Witnov
Subject: Re: Confidential Facebook Update
Attachments: Screen 1.pdf, Screen 2.pdf

CONFIDENTIAL

Hello again. I looked at my sent folder and my original email and the second one both have the screenshots attached. I am wondering if perhaps it might be a problem with the file type (.JPG). So, I converted the files to PDF (.PDF) and have attached them here – I am hoping they arrive for you. At your convenience, please let me know.

From: Edward Palmieri (b)(6)
Date: Tuesday, April 12, 2016 at 3:24 PM
To: "Kim, Reenah" <rkim1@ftc.gov>, "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6) Shane Witnov (b)(6)
Subject: Re: Confidential Facebook Update

CONFIDENTIAL

So sorry about that – please see attached (should be 2 files: graphics showing the updated mocks from a mobile device). Please let me know if it doesn't come through!

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Tuesday, April 12, 2016 at 3:07 PM
To: Edward Palmieri (b)(6) "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6) Shane Witnov (b)(6)
Subject: Re: Confidential Facebook Update

Ed:

It appears your email attached only mocks for the FAQs. Did you intend to include something showing revised mocks for the user consent flow interface?

-Reenah

On: 12 April 2016 14:36, "Edward Palmieri" (b)(6) wrote:

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for your time and feedback yesterday. We have alerted our internal teams and are discussing your feedback.

We were able to confirm that Account Kit will be available to developers this week. In terms of

(b)(4); (b)(3):6(f)

Also - and very relevant to our discussions - I wanted to share with you the very latest mocks of the 2 steps/screens for Account Kit (see attached)

(b)(4); (b)(3):6(f)

All of these updates are in addition to the new user-facing tool that we are launching soon (we still do not have mocks to share) that will allow Account Kit users to log in and manage their Account Kit accounts (including deleting them – including their related phone number or email address). We are still evaluating your feedback, but wanted to share the very latest improvements in advance of our next discussion as we hope these developments aid in your review of the new Account Kit product.

Finally, in terms of a follow-up call, we are still aiming to get back to you before the end of this week. As a placeholder, do you both have availability for this Friday? Of course, please let us know if you'd like to discuss anything sooner – we will make ourselves available.

Best,

Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 12 Apr 2016 19:24:37 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman;Shane Witnov
Subject: Re: Confidential Facebook Update
Attachments: Screen 1.jpg, Screen 2.jpg

CONFIDENTIAL

So sorry about that – please see attached (should be 2 files: graphics showing the updated mocks from a mobile device). Please let me know if it doesn't come through!

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Tuesday, April 12, 2016 at 3:07 PM
To: Edward Palmieri (b)(6) "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6) Shane Witnov (b)(6)
Subject: Re: Confidential Facebook Update

Ed:

It appears your email attached only mocks for the FAQs. Did you intend to include something showing revised mocks for the user consent flow interface?

-Reenah

On: 12 April 2016 14:36, "Edward Palmieri" (b)(6) wrote:

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for your time and feedback yesterday. We have alerted our internal teams and are discussing your feedback.

We were able to confirm that Account Kit will be available to developers this week. In terms of (b)(4); (b)(3):6(f)

agrees that (because of necessary integration work, etc.) we don't expect mass installations this week.

Also - and very relevant to our discussions - I wanted to share with you the very latest mocks of the 2 steps/screens for Account Kit (see attached)

(b)(4); (b)(3):6(f)

All of these updates are in addition to the new user-facing tool that we are launching soon (we still do not have mocks to share) that will allow Account Kit users to log in and manage their Account Kit accounts (including deleting them – including their related phone number or email address). We are still evaluating your feedback, but wanted to share the very latest improvements in advance of our next discussion as we hope these developments aid in your review of the new Account Kit product.

Finally, in terms of a follow-up call, we are still aiming to get back to you before the end of this week. As a placeholder, do you both have availability for this Friday? Of course, please let us know if you'd like to discuss anything sooner – we will make ourselves available.

Best,

Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)



From: Kim, Reenah
Sent: 12 Apr 2016 21:09:05 +0000
To: Edward Palmieri; Berger, Laura
Cc: Rob Sherman; Shane Witnov
Subject: RE: Confidential Facebook Update
Attachments: 2016-04-12 Ltr to FB re Account Kit.pdf

Please see enclosed letter

Thank you.
Regards,
-Reenah

From: Edward Palmieri
Sent: Tuesday, April 12, 2016 2:36 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman; Shane Witnov
Subject: Confidential Facebook Update

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for your time and feedback yesterday. We have alerted our internal teams and are discussing your feedback.

We were able to confirm that Account Kit will be available to developers this week. In terms of actual

(b)(4); (b)(3):6(f)

Also - and very relevant to our discussions - I wanted to share with you the very latest mocks of the 2 steps/screens for Account Kit (see attached)

(b)(4); (b)(3):6(f)

All of these updates are in addition to the new user-facing tool that we are launching soon (we still do not have mocks to share) that will allow Account Kit users to log in and manage their Account Kit accounts (including deleting them – including their related phone number or email address). We are still evaluating your feedback, but wanted to share the very latest improvements in advance of our next discussion as we hope these developments aid in your review of the new Account Kit product.

Finally, in terms of a follow-up call, we are still aiming to get back to you before the end of this week. As a placeholder, do you both have availability for this Friday? Of course, please let us know if you'd like to discuss anything sooner – we will make ourselves available.

Best,

Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 12 Apr 2016 18:36:05 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman;Shane Witnov
Subject: Confidential Facebook Update
Attachments: Account Kit FAQs.pdf, Screen 1.jpg, Screen 2.jpg

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for your time and feedback yesterday. We have alerted our internal teams and are discussing your feedback.

We were able to confirm that Account Kit will be available to developers this week. In terms of

(b)(4); (b)(3):6(f)

Also - and very relevant to our discussions - I wanted to share with you the very latest mocks of the 2 steps/screens for Account Kit (see attached)

(b)(4); (b)(3):6(f)

All of these updates are in addition to the new user-facing tool that we are launching soon (we still do not have mocks to share) that will allow Account Kit users to log in and manage their Account Kit accounts (including deleting them – including their related phone number or email address). We are still evaluating your feedback, but wanted to share the very latest improvements in advance of our next discussion as we hope these developments aid in your review of the new Account Kit product.

Finally, in terms of a follow-up call, we are still aiming to get back to you before the end of this week. As a placeholder, do you both have availability for this Friday? Of course, please let us know if you'd like to discuss anything sooner – we will make ourselves available.

Best,

Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)





UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue NW
WASHINGTON, D.C. 20580

Reenah L. Kim
Bureau of Consumer Protection
Division of Enforcement, Mailstop CC-9528

April 12, 2016

via U.S. and electronic mail (b)(6)

Edward Palmieri
Robert Sherman
Facebook Legal
1155 F Street NW, Suite 475
Washington, DC 20004

Re: *In the Matter of Facebook, Inc., Docket No. C-4365*

Dear Messrs. Palmieri and Sherman:

We write regarding Facebook's soon-to-be announced Account Kit product,

(b)(4); (b)(3):6(f)

Specifically, although the Account Kit interface links to Facebook's Terms and Data Use Policy, such links to lengthy and general documents are insufficient to disclose an unexpected use of personal information, such as the use of authentication data for advertising.¹ Adding a "Learn More" hyperlink is likewise insufficient. Furthermore, making the disclosures after consumers have provided their telephone number or email address likely creates deception.

From our recent discussions with you, we understand that, following your introduction of Account Kit at tomorrow's F8 developer conference, you will make it available to app developers. You stated that, (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

¹ See, e.g., .com Disclosures: How to Make Effective Disclosures in Digital Advertising (March 2013), available at <https://www.ftc.gov/system/files/documents/plain-language/bus41-dot-com-disclosures-information-about-online-advertising.pdf>.

April 12, 2016
page 2

We understand from our most recent teleconference that you are continuing to consider further possible changes to Account Kit. Please let us know promptly what you decide. Thank you.

Sincerely,
/s/
Reenah L. Kim

From: Edward Palmieri
Sent: 13 Apr 2016 21:12:29 +0000
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman; Shane Witnov
Subject: Re: Confidential Facebook Update

Reenah:

Thank you for your reply and for the letter. We are reviewing internally with the team and also continuing our internal discussions based on our prior conversations. We will be in touch in a few days and please feel free to contact us if you have any questions before then.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Tuesday, April 12, 2016 at 5:09 PM
To: Edward Palmieri (b)(6) "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6) Shane Witnov (b)(6)
Subject: RE: Confidential Facebook Update

Please see enclosed letter

Thank you.
Regards,
-Reenah

From: Edward Palmieri
Sent: Tuesday, April 12, 2016 2:36 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman; Shane Witnov
Subject: Confidential Facebook Update

CONFIDENTIAL

Dear Laura and Reenah:

Thank you, again, for your time and feedback yesterday. We have alerted our internal teams and are discussing your feedback.

We were able to confirm that Account Kit will be available to developers this week. In terms of actual (b)(4); (b)(3):6(f)

Also - and very relevant to our discussions - I wanted to share with you the very latest mocks of the 2 steps/screens for Account Kit (see attached) (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

All of these updates are in addition to the new user-facing tool that we are launching soon (we still do not have mocks to share) that will allow Account Kit users to log in and manage their Account Kit accounts (including deleting them – including their related phone number or email address). We are still evaluating your feedback, but wanted to share the very latest improvements in advance of our next discussion as we hope these developments aid in your review of the new Account Kit product.

Finally, in terms of a follow-up call, we are still aiming to get back to you before the end of this week. As a placeholder, do you both have availability for this Friday?

Of course, please let us know if you'd like to discuss anything sooner – we will make ourselves available.

Best,

Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 25 Apr 2016 19:18:34 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update
Attachments: Cookies Column.png, FB Screenshot of Starbucks Page.png, Cookie Policy PDF[2].pdf, Cookies Footer.png

CONFIDENTIAL

Dear Reenah and Laura:

Thank you for making time to discuss Account Kit with us last week and for your time regarding our general briefings.

Update on a few pending matters.

We wanted to let you know that we are still discussing your feedback regarding Account Kit and we will keep you updated on our plans (we expect to have an update soon – possibly late this week).

We are also still working through some internal discussions regarding the WhatsApp Terms and Privacy Policy update and we will be in touch soon with an update on those matters (the launch has been postponed and we have not yet set a date).

Cookie update.

In our last in-person meeting, we discussed updates to Facebook's advertising plans - (b)(4):

(b)(4); (b)(3):6(f)

When we discussed this with you at our last in-person meeting, we noted that we would update you on our plans when we had a draft cookies policy and when we had mocks of the notice that we were planning. We have attached a copy of the mocks and the draft policy to this email.

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

We appreciate your time and welcome the opportunity to discuss any of this with you, especially after you review the mocks and the draft policy. We have set a 1 month plan and are preparing for a May 24, 2016 launch and, if convenient for you, we are hoping to set up some time with you toward the end of this week (or early next week if that is better for you) to talk through any thoughts or questions that you may have. Rob and I would be happy to come back to the FTC offices or we can arrange for a conference call.

Again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal |

(b)(6)

(b)(4); (b)(3):6(f)

From: Rob Sherman
Sent: 29 Apr 2016 21:57:24 +0000
To: Kim, Reenah;Edward Palmieri
Cc: Berger, Laura
Subject: Re: Confidential Facebook Update

Reenah and Laura,

Thanks so much for following up to let us know. We appreciate you taking the time to discuss the update with us today, and will plan to follow up to let you know if we have any changes to discuss.

Hope you both enjoy the weekend.

Rob

facebook

Rob Sherman|Deputy Chief Privacy Officer
1299 Pennsylvania Avenue, NW | Suite 800 | Washington, DC 20004 (b)(6)

From: Reenah Kim <rkim1@ftc.gov>
Date: Friday, April 29, 2016 at 3:40 PM
To: Edward Palmieri (b)(6) Rob Sherman (b)(6)
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Confidential Facebook Update

Ed and Rob:

Thanks for the update. Based on this draft policy and the information you shared with us during today's call regarding the upcoming cookie update, we don't think we have further questions at this time. If Facebook makes any changes to the updated cookie policy from the version you sent earlier in the week, please let us know.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272| f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Monday, April 25, 2016 3:19 PM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update

CONFIDENTIAL

Dear Reenah and Laura:

Thank you for making time to discuss Account Kit with us last week and for your time regarding our general briefings.

Update on a few pending matters.

We wanted to let you know that we are still discussing your feedback regarding Account Kit and we will keep you updated on our plans (we expect to have an update soon – possibly late this week). We are also still working through some internal discussions regarding the WhatsApp Terms and Privacy Policy update and we will be in touch soon with an update on those matters (the launch has been postponed and we have not yet set a date).

Cookie update.

In our last in-person meeting, we discussed updates to Facebook's advertising plans (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

When we discussed this with you at our last in-person meeting, we noted that we would update you on our plans when we had a draft cookies policy and when we had mocks of the notice that we were planning. We have attached a copy of the mocks and the draft policy to this email.

(b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

We appreciate your time and welcome the opportunity to discuss any of this with you, especially after you review the mocks and the draft policy. We have set a 1 month plan and are preparing for a May 24, 2016 launch and, if convenient for you, we are hoping to set up some time with you toward the end of this week (or early next week if that is better for you) to talk through any thoughts or questions that you may have. Rob and I would be happy to come back to the FTC offices or we can arrange for a conference call.

Again, thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 26 May 2016 18:57:30 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update
Attachments: FTC Account Kit Screen 1 learn more text.png, FTC Account Kit Screen 1 mock.png, FTC WA Key Updates redline 05262016.docx, FTC WA PP redline 05252016.docx, FTC WA Terms redline 05252016.docx, FTC WA update control mocks 05252016.pptx

CONFIDENTIAL

Dear Laura and Reenah:

To facilitate our call, I wanted to attach the following documents. We can talk through each of them on the call.

- Account Kit updated Screen 1 mock
- Account Kit updated Screen 1 learn more text

- WhatsApp Terms redline
- WhatsApp Privacy Policy redline
- WhatsApp Key Updated redline
- WhatsApp control / setting mock

Thank you, again, for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

(b)(4); (b)(3):6(f)

From: Edward Palmieri
Sent: 27 May 2016 17:40:26 +0000
To: Kim, Reenah; Rob Sherman
Subject: Re: WhatsApp - Spanish translation

CONFIDENTIAL

Reenah:

Thank you for your time yesterday and for your follow-up note. (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

At your convenience, let me know if this is acceptable and of course we are happy to discuss if that is helpful.

Thank you very much.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Friday, May 27, 2016 at 12:47 PM
To: Edward Palmieri (b)(6) Rob Sherman (b)(6)
Subject: WhatsApp - Spanish translation

Ed and Rob:

(b)(4); (b)(3):6(f)

Alternatively, if you prefer, we could direct the Spanish authority to contact you directly; if that is the case, please let us know the best point of contact for further communication on the issue.

Thanks
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:[202.326.3197](tel:202.326.3197) | rkim1@ftc.gov

From: Edward Palmieri
Sent: 15 Jun 2016 19:59:31 +0000
To: Kim, Reenah
Cc: Rob Sherman
Subject: Confidential WhatsApp Update

CONFIDENTIAL

Reenah:

For our call today, I wanted to send over a few tweaks to the commercial messaging paragraph from the proposed WhatsApp privacy policy (see “clean” and “redline” versions below). We have been working on this paragraph in response to your previous feedback and have worked to make the examples direct and clear.

Thank you,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

(b)(4); (b)(3):6(f)

From: Edward Palmieri
Sent: 28 Jun 2016 06:43:39 +0000
To: Kim, Reenah; Rob Sherman
Cc: Berger, Laura
Subject: Re: Confidential Update

Thank you, Reenah and Laura – we appreciate you both getting back to us.

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Friday, June 24, 2016 at 1:17 PM
To: Edward Palmieri <(b)(6)> Rob Sherman <(b)(6)>
Cc: "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Confidential Update

Based on the information you've provided to date, we have no further questions at this time. Between now and final implementation however, if anything changes from what you've shared with us, please let us know.

Thanks,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580
t:202.326.2272 | f:202.326.3197 | rkim1@ftc.gov

From: Edward Palmieri
Sent: Thursday, June 23, 2016 10:12 AM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Confidential Update

CONFIDENTIAL

Reenah and Laura:

Rob and I wanted to follow up on the call we had with Reenah last week. First, Reenah, thank you very much for your time. Second, we thought it might be a good time to check in and confirm whether you had any additional feedback regarding Account Kit or the WhatsApp Terms/Privacy Policy update. The teams are approaching the final stages of development for their respective projects and of course, if you have feedback, we would like to do our best to discuss it with you very soon.

At your convenience, could you let us know if you would like to discuss anything or if you have any questions? We would be happy to schedule a call for tomorrow if that is helpful.

Thank you for your time and consideration.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 29 Jul 2016 03:49:09 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman
Subject: Confidential WhatsApp Update

CONFIDENTIAL

Dear Laura and Reenah:

We wanted to let you know that there has been a short delay in the planned WhatsApp terms and privacy policy update (previously set for this week). We are now targeting mid-to-late August. We will keep you posted and please let us know if you have any questions.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 4 Aug 2016 21:46:08 +0000
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update

CONFIDENTIAL

Dear Laura and Reenah:

We wanted to send you two updates on some product announcements we're making.

First, as you may have seen on Tuesday, Instagram announced a new feature called "Instagram Stories." The goal of this new feature is to give people a way to share everyday, casual photos – in addition to the special photos they often already post on Instagram. Instagram users with the latest version of the app will start to see links to the posted stories for the people and things they follow on Instagram at the top of their Instagram feed. With this new feature, the photos and videos posted to one's set of "stories" will appear in a slideshow format and the photos and videos will disappear from one's profile after 24 hours. Importantly, one's story follows the privacy settings of their account - if you set your account to private, your story is visible only to your followers. For more information about Instagram Stories, please see: <http://blog.instagram.com/post/148348940287/160802-stories>.

Second, several months ago we let you know that we were beginning to test in a few countries showing ads to people on [Facebook.com](https://www.facebook.com) even if they have ad blockers installed. We wanted to let you know that on Monday we're planning to announce that we'll begin to do this in the United States and other countries as well. Importantly, this effort does not involve Facebook detecting which users have installed ad blockers; rather, (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

Additionally,

we are rolling out more improvements to our Ad Preferences feature, which will include (1) an overall redesign, (2) improved ability to see not only why we think you have certain interests but also sample ads that are being targeted to those interests, and (3) the ability to see which advertisers have added you to Custom Audiences and to remove yourself from those audiences. We'll be showing people additional information about these new controls as they use Facebook and will roll out an improved consumer education microsite that explains our approach to ads.

As we explore some upcoming product updates, including ones similar to Instagram Stories, we thought it might be a good time to meet with you both. At your convenience, could you please let us know when you both might be free - we could aim for late August or early September, perhaps? Of course, if there is anything you'd like to discuss sooner, including Instagram Stories or our ads-related updates, just let us know.

Thank you for your time.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 22 Aug 2016 15:49:59 +0000
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Confidential WhatsApp Update
Attachments: WhatsApp Key Updates_Confidential.pdf, WhatsApp Privacy Policy_Confidential.pdf, WhatsApp Terms of Service_Confidential.pdf, WhatsApp Key Updates - Redlines from 05.26.2016 to 07.13.2016x.docx, WhatsApp Privacy Policy - Redlines from 05.26.2016 and email on 06.15.2016 to 07.13.2016.docx, WhatsApp Terms of Service - Redlines from 05.26.2015 to 07.13.2016.docx

CONFIDENTIAL

Dear Laura and Reenah,

We wanted to update you on the planned WhatsApp update of its terms and privacy policy. We are now set to launch on August 25, 2016.

For completeness, we wanted to send you final versions of the WhatsApp terms, privacy policy, and key updates pages – we are sending over the final PDFs and also word documents that show redlines (we ran a compare with the versions we sent back in May (and included the language we sent over in June regarding final tweaks to the commercial messaging paragraph, based on your feedback). As you'll see edits present tweaks made for consistency, readability, and polish.

Thank you for your time with this matter.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Rob Sherman
Sent: 1 Sep 2016 14:26:10 +0000
To: Kim, Reenah
Cc: Berger, Laura;Edward Palmieri
Subject: WhatsApp
Attachments: Consent Flow.pdf

Reenah,

As you requested, I'm attaching a PDF that includes the three screens of the WhatsApp policy update consent flow. As you know, the bottom part of the first screenshot drags up to the second screenshot. That second page includes the Key Updates language, along with the Terms and Privacy Policy themselves. (You can see the full text of these materials at [https://www.whatsapp.com/legal/.](https://www.whatsapp.com/legal/))

Please let us know if we can provide any other information that would be helpful.

Best,

Rob

facebook

Rob Sherman | Deputy Chief Privacy Officer
1299 Pennsylvania Avenue, NW | Suite 800 | Washington, DC 20004 (b)(6)

Hill, Jonathan

From: Rob Sherman (b)(6)
Sent: Friday, September 02, 2016 5:47 PM
To: Kim, Reenah
Cc: Berger, Laura; Edward Palmieri
Subject: Re: WhatsApp
Attachments: User Flow Screen Shots[1].zip

Reenah,

Following up on our discussion yesterday, I'm attaching screenshots that capture the flow that a person who joined WhatsApp today would go through to create an account. (b)(4); (b)(3):6(f)

(b)(4); (b)(3):6(f)

As always, please feel free to call if you have any additional questions.

Hope you and Laura both enjoy your long weekends.

Rob

From: Rob Sherman (b)(6)
Date: Thursday, September 1, 2016 at 10:26 AM
To: Reenah Kim <rkim1@ftc.gov>
Cc: "Berger, Laura" <lberger@ftc.gov>, Edward Palmieri (b)(6)
Subject: WhatsApp

Reenah,

As you requested, I'm attaching a PDF that includes the three screens of the WhatsApp policy update consent flow. As you know, the bottom part of the first screenshot drags up to the second screenshot. That second page includes the Key Updates language, along with the Terms and Privacy Policy themselves. (You can see the full text of these materials at <https://www.whatsapp.com/legal/>.)

Please let us know if we can provide any other information that would be helpful.

Best,

Rob

facebook

Rob Sherman | Deputy Chief Privacy Officer
1299 Pennsylvania Avenue, NW | Suite 800 | Washington, DC 20004 (b)(6)

From: Edward Palmieri
Sent: 8 Sep 2016 18:41:18 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update
Attachments: FTC-Briefing-Deck-9.8.16 FINAL.pdf

Laura and Reenah:

Thank you, again, for making time for us this afternoon. Please see attached – our agenda/presentation.

Also, we are going to show a very brief video that is too large to email as an attachment – please use this link to download and access it:

(b)(4); (b)(3):6(f)

Thank you,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal | (b)(6)

From: Rob Sherman
Sent: 21 Oct 2016 15:45:14 +0000
To: Kim, Reenah; Berger, Laura
Cc: Edward Palmieri
Subject: Re: Confidential Facebook Update
Attachments: Confidential Facebook FTC Briefing 10-21-16.pdf

Thanks so much. For Laura's benefit, I'm attaching a PDF version of the deck we're planning to walk through – but we should be able to project it via the web connection as well.

Rob

facebook

Rob Sherman | Deputy Chief Privacy Officer
1299 Pennsylvania Avenue, NW | Suite 800 | Washington, DC 20004 | (b)(6)

From: Reenah Kim <rkim1@ftc.gov>
Date: Friday, October 21, 2016 at 11:20 AM
To: Rob Sherman (b)(6) Edward Palmieri (b)(6) "Berger, Laura" <LBERGER@ftc.gov>
Subject: RE: Confidential Facebook Update

I should be able to view the video from where I am. Thanks.

From: Rob Sherman [mailto:(b)(6)]
Sent: Friday, October 21, 2016 10:53 AM
To: Edward Palmieri; Kim, Reenah; Berger, Laura
Subject: Re: Confidential Facebook Update

The bridge that Ed is adding to the agenda includes an optional video component. Is it possible that one or both of you would be able to connect via web browser? There are two quick videos that we're hoping to show to help illustrate a new flow we are adding to Facebook pages, and we think it may be easiest to illustrate interactively rather than through screenshots.

If this doesn't work, of course, we'll do our best to explain the context verbally.

Thanks again.

From: Edward Palmieri (b)(6)
Date: Friday, October 21, 2016 at 9:08 AM
To: Reenah Kim <rkim1@ftc.gov>, "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6)
Subject: Re: Confidential Facebook Update

Will do – I am updating the invite now. Welcome back!

From: "Kim, Reenah" <rkim1@ftc.gov>
Date: Friday, October 21, 2016 at 8:12 AM
To: Edward Palmieri (b)(6) "Berger, Laura" <LBERGER@ftc.gov>
Cc: Rob Sherman (b)(6)
Subject: Re: Confidential Facebook Update

I'm back, but working from home today, not in the office. Could you please circulate a dial-in number for our 12:00?

Thanks,
-Reenah

On: 20 October 2016 21:08, "Edward Palmieri" (b)(6) wrote:
Laura, thank you for your note.

Yes, we are still on (assuming Reenah is available). We will conference you into the call and will compensate for your lack of slides with extra descriptions via telephone.

Thank you.

From: "Berger, Laura" <LBERGER@ftc.gov>
Date: Thursday, October 20, 2016 at 8:42 PM
To: Edward Palmieri (b)(6) "Kim, Reenah" <rkim1@ftc.gov>
Cc: Rob Sherman (b)(6)
Subject: RE: Confidential Facebook Update

Hi all,

Assuming we still are meeting tomorrow, please call my cell (b)(6) I will be out of the office, so won't be able to view any slides you send tomorrow, but will be able to join you at noon Eastern.

Best,

Laura

From: Edward Palmieri
Sent: Thursday, October 06, 2016 8:31 PM
To: Berger, Laura; Kim, Reenah
Cc: Rob Sherman
Subject: Re: Confidential Facebook Update

Thank you very much for the update and we sincerely appreciate your flexibility. Friday, October 21 @ 12 Noon ET / 9 AM PT works for us. We'll send an invite out for that time and unless we hear back from Reenah that this won't work, we'll stick to that plan.

From: "Berger, Laura" <LBERGER@ftc.gov>
Date: Thursday, October 6, 2016 at 1:02 PM
To: Edward Palmieri (b)(6) "Kim, Reenah" <rkim1@ftc.gov>
Cc: Rob Sherman (b)(6)
Subject: RE: Confidential Facebook Update

Apologies, but I just saw that Reenah's not back until the 21st. You all could meet that day, but I have to be at a conference. It looks like Reenah's schedule is pretty open on the 21st; if you wind up meeting at noon Eastern/9 am Pacific on the 21st, I could probably join you.

From: Edward Palmieri
Sent: Thursday, October 06, 2016 9:50 AM
To: Berger, Laura; Kim, Reenah
Cc: Rob Sherman
Subject: Re: Confidential Facebook Update

Got it – I recall a (b)(6) from the last briefing, but we thought it was later in the month! My last day in the office (for a few weeks) is Friday the 21st. If Reenah is back then, would that be an option? Apologies for the tight schedules. If the 21st isn't convenient, I'm sure we can figure out an alternative.

From: "Berger, Laura" <LBERGER@ftc.gov>
Date: Thursday, October 6, 2016 at 12:34 PM
To: Edward Palmieri (b)(6) "Kim, Reenah" <rkim1@ftc.gov>
Cc: Rob Sherman (b)(6)
Subject: RE: Confidential Facebook Update

I believe Reenah is out from today until the 20th. Would it work to schedule something when she is back?

From: Edward Palmieri
Sent: Thursday, October 06, 2016 9:15 AM
To: Kim, Reenah; Berger, Laura
Cc: Rob Sherman
Subject: Confidential Facebook Update

CONFIDENTIAL

Reenah and Laura:

Rob and I would like to schedule a meeting with you next week, if you are free. Do you think you might have time on Friday? If not Friday, perhaps Thursday?

At your convenience, please let us know what might work for you.

Best,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: Edward Palmieri
Sent: 20 Dec 2016 18:58:52 +0000
To: Kim, Reenah;Berger, Laura
Cc: Rob Sherman;Shane Witnov
Subject: Re: Confidential Facebook Update
Attachments: FTC-Briefing-Deck-12.20.16.pdf

CONFIDENTIAL

Dear Laura and Reenah:

Please see attached – the presentation we will walk through during our meeting. As a reminder, the conference bridge information is below.

Thank you,
Edward

Edward Palmieri | Director and Associate General Counsel, Privacy and Regulatory | Facebook Legal (b)(6)

From: (b)(6)
When: 2:00 PM - 3:00 PM December 20, 2016
Subject: Confidential Facebook Update
Location: BJJ Info Below

Blue Jeans Meeting ID:

(b)(4);

To join via Browser:

(b)(4); (b)(3):6(f); (b)(6)

To join via Phone:

1) Dial: (US or Canada only - [see all numbers](#))

2) Enter Conference ID

OneTouch Dialing