

FTC Chair Khan plans key work on kids' data privacy online

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Lina Khan, nominee for Commissioner of the Federal Trade Commission (FTC), speaks during a Senate Committee on Commerce, Science, and Transportation confirmation hearing, April 21, 2021 on Capitol Hill in Washington. Khan, the head of the Federal Trade Commission says she'll continue to lead a robust agenda of actions and policies to help safeguard the data privacy of children online. The work will include toughened enforcement of protections under a long-standing law governing kids' online privacy and paying attention to the algorithms used by social media platforms that target young people. Credit: Saul

Loeb/Pool via AP, File

The head of the Federal Trade Commission says the agency is pushing a robust agenda of actions and policies to help safeguard children's privacy online.

The ongoing work will include toughened enforcement of a long-standing law governing kids' online privacy and eyeing the algorithms used by social media platforms targeting young people.

"Children's privacy is enormously important and we want to make sure we're doing everything we can ... to vigorously protect children's privacy and protect them from data abuses," said Lina Khan, who has led the consumer-protection agency for a year. She spoke in an interview over Zoom with The Associated Press on Wednesday.

Around the country, parents' concern has deepened over the impact of social media on kids. Frances Haugen, a former Facebook data scientist, stunned Congress and the public last fall when she brought to light internal company research showing apparent serious harm to some teens from Facebook's Instagram platform.

Those revelations were followed by senators grilling executives from YouTube, TikTok and Snapchat about what they're doing to ensure young users' safety in the wake of suicides and other harms to teens attributed by their parents to their usage of the platforms.

The recent tide of mass shootings has also highlighted the power of social media and its influence on young people.

The FTC recently warned that it will crack down on education-

technology companies if they illegally surveil children when they go online to learn. The agency noted that it is against the law for companies to force parents "to surrender their childrens' privacy rights in order to do schoolwork online or attend class remotely."

Khan said Wednesday the FTC had heard complaints from parents who, when the pandemic struck in 2020, had to suddenly make that choice.

The so-called edtech companies have apps and websites that are used by hundreds of thousands of students in school districts around the country. The children's online privacy law prohibits companies from requiring that children provide more information than is needed, and restricts using students' personal data for marketing purposes.

Among a host of other enforcement actions, the FTC in March required WW International, formerly known as Weight Watchers, in a settlement to delete information illegally collected from children under 13 as well as algorithms developed by the company's weight-loss app for children as young as eight. The company also paid a \$1.5 million penalty.

President Joe Biden stunned official Washington about a year ago when he installed Khan, an energetic critic of Big Tech then teaching law, as head of the FTC. That signaled a tough government stance toward giants Facebook (its parent now is called Meta Platforms), Google, Amazon and Apple, which already have been under pressure from Congress, state attorneys general and European regulators.

At 33, Khan is the youngest chair in the 107-year history of the FTC, an independent agency with five commissioners and around 1,200 employees. The agency's mandate is broad—it polices competition and consumer protection as well as digital privacy—and under Khan it has been active on every front. Khan was an unorthodox choice for Biden, with no administrative experience or knowledge of the agency other than

a stint for part of 2018 as legal adviser to one of the five commissioners.

She carried intellectual heft, though, that translated into political traction. Khan burst onto the antitrust scene in 2017 with her massive scholarly work as a Yale law student, "Amazon's Antitrust Paradox." She helped lay the foundation for a new way of looking at antitrust law beyond the impact of big-company market dominance on consumer prices. That school of thought appears to have had a heavy influence on Biden.

During Khan's tenure, the FTC has sharpened its [antitrust attack against Facebook in federal court](#), accusing the social network giant of abusing its market dominance to quash competition, and is widely believed to be pursuing a competition investigation into e-commerce giant Amazon. Possible areas of focus, according to experts, are Amazon's cloud-computing business and [its recent \\$8.4 billion acquisition of movie studio MGM](#). Last year Amazon asked Khan to step aside from antitrust investigations into the company because of her past public criticism of its market power. The probe is reportedly being led by the agency's deputy director of competition, John Newman.

In the interview, Khan addressed the importance of Big Tech antitrust cases in general since she is neither confirming nor denying an investigation into Amazon.

"These are products and services that Americans use and rely on in their day-to-day lives, and we want to be sure that incumbents are not stifling and crowding out competitors," she said.

When the companies grow by buying up competitors and abuse their market position, she said, "They can in some ways become too big to care—and start imposing all kinds of terms and contractual conditions on consumers."

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