

September 14, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* disclosure pursuant to 47 C.F.R. § 1.1206(b) in WC Docket 16-106

Dear Ms. Dortch:

On September 13, 2016, Danny Weiss, Vice President of Federal Policy; Ariel Fox Johnson, Senior Policy Counsel; and Carlin Littles, Legal Intern of Common Sense Kids Action met with Gigi Sohn and Stephanie Weiner of the office of Chairman Wheeler.

In our meeting, Common Sense expressed strong support for the Commission's proposed privacy rules. Common Sense supports strong baseline privacy rules for everyone, but it is particularly concerned about privacy protections for children and teens. Rules that only protect certain information designated as sensitive under opt-in may leave children and teens vulnerable. Should any rules treat certain information differently, children and teens deserve the utmost protection.

Common Sense expressed its concern that, under a differential framework, even if children and teens' information is appropriately deemed sensitive, families may have to give up privacy—such as by allowing ISPs to observe private data or by directly disclosing information about their children to ISPs— in order for ISPs to understand when they are dealing with information of a minor that would require strict privacy protections. Common Sense reiterated its position that children and teens' information deserves the highest levels of protection, and that those protections should be available with the least amount of information disclosure to ISPs.

Finally, Common Sense emphasized that the Children's Online Privacy Protection Act (COPPA) does not offer children enough protection in the ISP context, especially in the wake of the Ninth Circuit's decision in *FTC v. AT&T Mobility LLC*. Therefore, the rules should close the gap in children and teen's privacy to give children and teens the utmost protection.

Sincerely,



Ariel Fox Johnson
Carlin Littles
Common Sense Kids Action