



UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

Office of the Secretary

August 1, 2014

Marsali S. Hancock  
President, CEO  
Internet Keep Safe Coalition  
4301 N. Fairfax Dr., Suite 190  
Arlington, VA 22203

Re: Application of iKeepSafe Safe Harbor Program for Approval of its  
Children's Online Privacy Protection Rule Safe Harbor Program

Dear Ms. Hancock,

This letter is to inform you that the Federal Trade Commission has approved the application of iKeepSafe Safe Harbor Program ("iKeepSafe") to serve as a safe harbor program for purposes of implementing the Children's Online Privacy Protection Rule.<sup>1</sup>

As you know, the Rule includes a provision enabling industry groups or others to submit self-regulatory guidelines to the Commission for approval as a safe harbor program.<sup>2</sup> Pursuant to this provision, iKeepSafe submitted an application for Commission approval of its iKeepSafe COPPA Safe Harbor Program ("iKeepSafe Program") on February 7, 2014. The Commission announced iKeepSafe's application in the Federal Register on March 13, 2014 and received public comment on the application through April 21, 2014.

The Commission received four comments addressing iKeepSafe's application. Two comments express strong support for the approval of iKeepSafe's application. The other two comments raise concerns regarding aspects of iKeepSafe's application, including the use of "permissive" language throughout its application, and about iKeepSafe's credentials. To address this concern, iKeepSafe modified its application and inserted mandatory language in its application. The Commission believes that iKeepSafe has adequately addressed the concern. As to iKeepSafe's credentials, iKeepSafe and its compliance partner, Playwell, have many years of experience in children's privacy, including online safety, COPPA compliance, and compliance with the Federal Education Records Protection Act.

---

<sup>1</sup> 16 C.F.R. § 312.

<sup>2</sup> 16 C.F.R. § 312.11.

For Commission approval, self-regulatory guidelines must include: (1) a requirement that participants in the safe harbor program implement substantially similar requirements that provide the same or greater protections for children as those contained in the Rule; (2) an effective, mandatory mechanism for the independent assessment of the safe harbor program participants' compliance with the guidelines; and (3) disciplinary actions for noncompliance by safe harbor participants.<sup>3</sup> The Commission has determined that iKeepSafe's application for status as a safe harbor program satisfies these three criteria.

The Commission therefore is pleased to approve iKeepSafe's application as a COPPA safe harbor program. This program will help expand the implementation of the recently amended COPPA Rule, and we look forward to working with iKeepSafe and the other safe harbor programs to provide important protections for children's online privacy. The Commission reserves the right to revoke this approval if at any time it determines that the approved self-regulatory guidelines and their implementation do not, in fact, meet the requirements of the Rule.

By direction of the Commission.

Donald S. Clark  
Secretary

---

<sup>3</sup> 16 C.F.R. § 312.11(b).