



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

March 2, 2011

Ms. Laura Borst
State of Texas

Re: In the Matter of Twitter, Inc., File No. 092 3093, Docket No. C-4316

Dear Ms. Borst:

Thank you for your comment on the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment expresses concern with Twitter's privacy and data security practices, particularly with respect to its administrative controls, and states that Twitter should be required to better ensure the privacy and security of its users' nonpublic information in the future. Your comment also suggests that Twitter should protect the privacy and security of users' data consistent with the privacy settings it offers to its users.

In response, the Commission notes that the consent order requires that Twitter implement a comprehensive information security program that is reasonably designed to protect its users' nonpublic information. Twitter must also obtain initial and biennial assessments of the effectiveness of this program from a qualified, independent, third-party professional. Should Twitter's information security program fail to reasonably protect consumers' information, the company could be in violation of the order and subject to monetary penalties of up to \$16,000 per violation, pursuant to Section 5(l) of the FTC Act. Further, the order prohibits Twitter from misrepresenting the extent to which it maintains the privacy and security of its users' information, thus requiring that Twitter take reasonable steps to honor the choices expressed by users through their privacy settings.

In light of these considerations, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary