

---

“Covered Information”

While the proposed order sets forth several elements that the privacy program must include, some flexibility is afforded with regard to its implementation. This approach allows innovation in the area of privacy-enhancing technologies and is designed to keep pace with a dynamic marketplace. In particular, the privacy program must contain controls and procedures appropriate to Google's size and complexity that reflect the sensitivity of data handled, the scope and nature of Google's business activities, and the types of risks the company faces. To the extent that reasonably foreseeable, material risks arise from Google's products, services, and business practices, Google must use reasonable and appropriate procedures to address these risks or it could face substantial civil penalties.

In light of these considerations, the Commission has determined that the public interest would best be served by