

**Majority Statement of Chairman Joseph J. Simons, Commissioner Noah Joshua Phillips,
and Commissioner Christine S. Wilson**

*In the Matter of Zoom Video Communications, Inc.
Commission File No. 1923167*

November 9, 2020

At a time when millions of Americans are using videoconferencing services on a daily basis, the settlement that the Commission announces today ensures that Zoom will prioritize consumers' privacy and security. The Commission's complaint alleges that Zoom made misrepresentations regarding the strength of its security features and implemented a software update that circumvented a browser security feature. The proposed order provides immediate and important relief to consumers, addressing this conduct. The order requires that Zoom establish and implement a comprehensive security program that includes detailed and specific security measures. These obligations include reviews of all new software for common security vulnerabilities; quarterly scans of its internal network and prompt remediation of critical or severe vulnerabilities; and prohibitions against privacy and security misrepresentations.¹ This order will enable the Commission to seek significant penalties for noncompliance. This settlement provides critical, and timely, relief.

We are confident that the proposed relief appropriately addresses the conduct alleged in the complaint and is an effective, efficient resolution of this investigation. Our dissenting colleagues suggest additional areas for relief that likely would require protracted litigation to obtain. Given the effective relief this settlement provides, we see no need for that. Hundreds of millions of people use Zoom on a daily basis, often for free or through month-to-month contracts. We feel it is important to put in place measures to protect those users' privacy and security now, rather than expend scarce staff resources on speculative, potential relief that a Court would not likely grant, given the facts here.² Our goal is a safe and secure Zoom that can continue to provide essential services to enable Americans to conduct business, engage in learning, participate in religious services, and stay connected. We applaud the FTC Staff for their professional and expeditious work to achieve this settlement in the midst of the pandemic. This case reflects the Commission's ongoing commitment to work on behalf of consumers to respond to the panoply of new challenges presented by COVID-19.

¹Although the complaint does not allege privacy violations, the order includes targeted fencing in relief providing privacy protections to consumers. For example, it prohibits Zoom from misrepresenting its privacy practices, and requires Zoom to implement changes to its naming procedures for saving or storing recorded videoconference meetings, and to develop data deletion policies and procedures. These and other requirements serve to protect consumers' privacy as well as the security of their information and communications.

²Our dissenting colleagues also argue that the settlement is insufficient because it does not require Zoom to notify consumers of its past misconduct. The conduct at issue was broadly publicized and we believe the Commission's press release and business and consumer education provide ample information for consumers to learn more.