

Face Facts
December 8, 2011
Facial recognition workshop
Commissioner Julie Brill
Washington, DC

Good afternoon, and welcome back. I hope you all enjoyed your lunch break, and I'm glad to see so many of you here this afternoon.

This morning, we heard about the emerging uses of facial detection technology – uses that, until recently, seemed the stuff of a distant future or a galaxy far, far away. But here and now, advertisers are using facial detection technology to identify the age and gender of a face exposed to their ad space and target their marketing to the demographics identified. A 20-year-old woman might be shown an ad for perfume, a 30-year-old man, an ad for shaving cream.

We also heard about a mobile application that checks out who's at a bar, so users can scope out the scene before they even arrive: a new twist on “see and be seen.” Back in the day, you did a lap around the bar before committing to the optimal bar stool– now you can do it from your house.

These advertisements and apps rely on facial detection, not facial recognition. While they gather *general* traits, often in aggregate, they don't identify *specific* individuals. But, as the chairman remarked this morning, if not now, then soon, we *will* be able to put a name with a face.

I'm sure many of you are familiar with the Beatles song, “I've Just Seen a Face.” It's a classic case of love at first sight: it all happens in that first glimpse. McCartney tells us nothing about the object of his affections – not even her name – possibly because he doesn't *know* it. I can't help but wonder if this song might have turned out differently if facial recognition technology had been around in 1965. What if, when Paul McCartney saw this face, he had instant access to more concrete information about its owner? Her name? Her date of birth or place of work? Her email address, online purchase history, or personal information?

Now, let's assume that, like me, she wouldn't have minded if a young Paul McCartney invading her privacy a little But what if she did? Or what if, instead of one of the Fab Four accessing her information, it was an acquaintance she wanted to avoid? Or an insurer deciding she was too high a risk to cover based on a photo from when she tried skydiving? Or a potential employer judging her character based on a picture someone put online from that party freshman year?

It is scenarios like these we must bear in mind as we both guide and react to how these technologies change the way we buy, sell, and live. This afternoon, we will talk about what we can already use facial recognition technology to do, what we can expect in

the future, and what this means for the policies we put in place, both today and in the near future, to protect American consumers and competition alike.

We'll hear from representatives from companies already using facial recognition technology, like Facebook, Google, and face.com. We'll hear how Facebook and Google are using the technology to make it easier to tag photos of friends and family. We'll learn how face.com, a start-up out of Tel Aviv, is giving application developers the capability to use facial recognition technology in their own apps.

We will hear from Chris Conley from the ACLU of Northern California, who will share his perspective of facial recognition technology from the viewpoint of an advocate for consumer privacy. Chris will focus on how individuals can use the new and emerging technologies while still protecting their privacy.

Along with learning about the commercial uses of facial recognition technology, we'll also hear about a groundbreaking study to determine exactly how far the technology has already progressed: can it identify previously unidentified photos? Even more surreal, can it match students walking on a college campus to their social networking profiles?

We're pleased to be joined today by Alessandro Acquisti, a professor of information technology and public policy. He and his team at Carnegie Mellon tested whether an individual's partial social security number could be guessed accurately using only facial recognition and publicly available information. The results of this study were surprising, and we look forward to being surprised by Professor Acquisti again today.

To conclude our workshop, the last panel will discuss the policy implications of the increasing commercial use of facial detection and recognition technologies, and address two issues: first, what protections for consumers are currently in place, and second, what protections *should* be in place?

The panel will also discuss privacy issues related to mobile applications. If a user takes a photo and tags friends in it with an app using facial recognition technology, will the friends who were tagged be notified? Will they have to consent to the use of the photo, or the use of facial recognition? How will we enforce privacy regulations?

We honored that fellow privacy regulators from Canada and the United Kingdom have joined us today, both as panelists and attendees. First, I'd like to thank my colleague and friend Jennifer Stoddart, Canada's Privacy Commissioner, for being here. Dan Caron from her office will be on a panel later this afternoon and we are delighted to welcome Dan back to the FTC. Dan spent several months with us at the FTC back in 2009 as part of the FTC's international fellowship program. Also from Canada, we are pleased that Fred Carter from Ontario's Privacy Commissioner's Office is with us today—Fred was one of the panelists this morning. From the United Kingdom, Simon Rice from the Information Commissioner's Office is joining us and we'll hear from him this afternoon.

We're also delighted to have with us representatives from a number of organizations in the privacy advocacy community, academics, and industry. We value all of your input as we strive to protect consumers navigating the marketplace.

Before I conclude, I just would like to congratulate the FTC staff who worked tirelessly in putting this workshop together. We are all grateful for your efforts.

What better way to end then to return to Paul McCartney. When he saw the face of that he thought was "just the girl for me," he wanted "all the world to see we've met." In 1965, he did that by writing a song. Today, he could have just tagged a photo in Facebook. And tomorrow, who knows? I think we will all have a better idea of what the future holds after hearing from our panels this afternoon.