Congress of the United States

Washington, DC 20515

January 31, 2012

The Honorable Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20001

Dear Chairman Leibowitz:

On December 8, 2011, the Federal Trade Commission (FTC) held a workshop titled, "Face Facts: A Forum on Facial Recognition Technology."[1] The FTC's workshop explored facial recognition and detection technologies, as they relate to consumer privacy in the commercial sector, and sought to educate the public on how these technologies are being used. As members of the Congressional Bi-Partisan Privacy Caucus, we agree that these technologies raise a number of privacy concerns and deserve thoughtful oversight.

Currently, there are a number of companies that have implemented both facial recognition and facial detection technologies for the stated purpose of enhancing the user experience. We are deeply concerned about how the use of these technologies impact the level of protection for consumer's personal information.

As companies continue to develop and deploy these new technologies, clear policies guiding the implementation, operation, and maintenance of these technologies are essential. Companies must also be transparent about the usage of consumer's personal information. Finally, consumers should have the choice to affirmatively opt-in to being subject to facial recognition or detection.

We share similar concerns and questions that the FTC has articulated in the Notice for Public Comment with using facial recognition and detection technology in the commercial sector. Therefore, we applaud the FTC for holding this workshop and proactively raising awareness of these newer technologies. We urge the FTC to continue to look further into how these technologies are used.

Thank you for your attention to this important matter. If you have any questions, please have a member of your staff contact Emmanual Guillory in Congressman Barton's office (202-225-2002) or Joseph Wender in Congressman Markey's office (202-225-2836).

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[1] FTC Seeks Public Comments on Facial Recognition Technology. (2011, December 23). Retrieved January 16, 2012, from http://ftc.gov/opa/2011/12/facefacts.shtm.

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Sincerely,

Joe Barton
Co-Chairman
Congressional Bi-Partisan Privacy Caucus

Edward Markey
Co-Chairman
Congressional Bi-Partisan Privacy Caucus

Blake Farenthold
Member of Congress

Steve Chabot
Member of Congress

Raúl Grijalva
Member of Congress

Jackie Speier
Member of Congress

Michael Burgess
Member of Congress