

FTC Approves Facial Recognition for Parental Consent Under COPPA

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The Federal Trade Commission recently approved a new method for verifiable parental consent used under the Children's Online Privacy Protection Rule (COPPA). COPPA requires online operators to obtain verifiable parental consent before collecting personal information from children online (unless limited exceptions apply). Jest8 Limited (d/b/a Riyo) proposed and the FTC approved a method that involves photo I.D. verification with facial recognition technology. The approved method includes a five-step process. First, a parent submits a photo I.D. (e.g., driver's license or passport) to ensure that the submitted photo is an authentic government-issued I.D. Second, after the photo I.D. is authenticated, the parent is prompted to take a live picture of his/her own face with a phone camera or webcam. The system confirms facial movement in the live shoot to prevent still-photo submissions. Third, the system compares both of the submitted photos and matches the faces. If the faces successfully match, the fourth step entails a live trained agent verifying whether the photo I.D. matches the live photo. Finally, once the parent is verified, the identification information is deleted within five minutes. The FTC concluded that this new method was "reasonably calculated, in light of available technology, to ensure that the person providing consent is the child's parent." The FTC approved the new method, so long as the technology is used consistently with the conditions listed in the notice.

TIPS: As a result of this approval, companies now have an additional mechanism to obtain parental consent under COPPA.

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