

FTC Issues Enforcement Policy on Collection and Use of Voice Recordings of Children Under COPPA

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October 27, 2017

On Monday, the FTC issued an [Enforcement Policy Statement](#) stating that the Commission will not take action against operators that collect an audio file of a child's voice as a replacement for written words, such as for translation into text, without first obtaining parental consent, provided the file is retained only for the brief time necessary for that purpose. However, the operator is still obligated to indicate in its privacy policy how it will collect and use children's voice recordings, as well as its policy for deletion. The FTC reasons that, although COPPA applies to the collection online of files that contain children's voices, even if they are immediately deleted after collection, the risk associated with such collection and immediate deletion is minimal.

There are some additional limitations on this policy. It does not apply when the operator requests personal information, such as a child's name. Moreover, the operator may not use the recording for any use other than translation into text, such as behavioral targeting or identification purposes, before deleting it. If the operator does plan to collect other types of personal information, then it would be required to obtain parental consent.

Although the policy provides some clarification about the application of COPPA to voice-capture technologies, operators of child-directed services that collect children's voices should ensure that their privacy policies and consent and notification procedures comply with COPPA requirements. Violators are liable for up to \$40,654 in civil penalties per violation.