



Office of Commissioner  
Alvaro M. Bedoya

UNITED STATES OF AMERICA  
**Federal Trade Commission**  
WASHINGTON, D.C. 20580

**“Fifty Questions”**

**Keynote Remarks of Commissioner Alvaro M. Bedoya  
Federal Trade Commission**

**Before**

**ForumGlobal’s Sixth Annual Data Privacy Conference USA**

**National Press Club  
Washington, D.C.  
September 17, 2024**

Thank you for that introduction, it’s a pleasure to be here with so many people who, like me, cherish our right to privacy. Before I start, I’ll say that I’m here speaking only for myself, not for the Commission, any of my fellow commissioners, or our staff.

So, here’s the way this normally goes. *I* get up here, pontificate for eight or ten minutes, I offer my answers to the questions of the day. *You* are polite, and so you are kind enough to act as if what I have said is very interesting. Maybe you ask me a question or two, I *answer* those *questions*, and then we all go our separate ways.

Today I thought it would be fun to pop that bubble. Perhaps instead of offering my *answers* to the questions of the day, I instead offered you the *questions*, or at least, what I think some of those questions are.

Does that sound okay? Yeah? Alright then, so here is what I’ve been asking myself lately when it comes to privacy.

Privacy is fundamental; yet – how do we value it? Can you *quantify* that value? Can you put a dollar value on privacy? Or is that kind of like saying that the value of a *marriage* is equal to the joint tax deduction, multiplied by the years of a marriage, adjusted for inflation? Is trying to put a dollar value on privacy simply missing the point?

Fighting crime is often put forward as the counterweight to privacy; but do we really want to live in a world where everything and *even the most minor crime* is recorded? Is that world consistent with the Constitution and the Bill of Rights? Is that world consistent with our reverence for our nation’s founders, or for Harriet Tubman, or for 20<sup>th</sup> century civil rights leaders – each of whom had as their single greatest act of heroism an act of breaking the law: Of revolting against the British Crown; of escaping slavery despite the Fugitive Slave Acts; of defying Jim Crow?

How do we reckon with that history? How do we reckon with it when the lines between corporate and government surveillance are increasingly blurred?

Speaking of pervasive tracking, what was it about face surveillance, face recognition, that moved some cities and states to outright ban it – the single most stringent restriction on *any* surveillance technology in the United States? Not one jurisdiction has banned wiretapping or geolocation tracking or keylogging; what was different about face recognition?

What if face recognition is not so different? How do we get policymakers and the public to understand that, in a matter of years, if not today, profiles compiled from the most routine, prosaic data will allow third parties to track us just as persistently as face recognition?

When will judges and policymakers also understand that privacy is not just a civil liberty but also civil right? When will they understand that the burdens of surveillance fall disproportionately on the poor man, the heretic, the “other,” the person who dares to challenge authority and dares to engage with unorthodox ideas?

When will we recognize that privacy is a question of class? That those who will benefit the most from privacy are those who have the least?

When will we reckon with workplace surveillance? Does workplace surveillance actually increase efficiency? Or does it mostly facilitate discipline, correction, and control?

What happens when workplace surveillance isn’t just a tool for *regulating* workers, but also serves to replicate and replace them through AI or automation?

Background actors earning minimum wage in Hollywood have reported being digitally scanned from every angle such that “they” can be added at no additional cost in a future production: Is that limited to Hollywood, or is some form of that coming for the rest of us? The actors unionized and were able to stop that; What about everyone who is *not* in a union?

Is there a line between automation and replication? Is there a line between increasing efficiency and digitally appropriating someone’s livelihood?

Speaking of AI, regardless of what the law says, are we really comfortable with a world where the most lucrative technology, is built on the unremunerated labor, writing, and art, of millions of working people? Setting aside what the law says, why is it that when working people take from wealthy people, it’s called theft, but when wealthy people take from working people, it’s called innovation?

Given all of these things, how can it be that most so-called “comprehensive” privacy laws lack protections for workers? How can it be that when I *consume* – when I use my credit card, turn on my television, or watch a video, privacy laws may govern that data – but when I *work*, when I show up at work, seemingly anything goes?

And if a state legislature or Congress did write a worker privacy law, what should it say? Could it be built on consent? What does consent mean when the person asking you for consent is the same person who signs your paycheck?

Zooming out, when it comes to artificial intelligence, some people worry about rogue AIs sabotaging the energy grid, or poisoning our water; should we be *more* worried about people's energy or water *bills* being set by an algorithm? Or their rent? Or their wages? Or people getting hired or fired by an algorithm? Or people getting denied health coverage by an algorithm?

What about children and teens? We're already in a teen mental health crisis: What will happen to teen mental health when AI chatbots presenting themselves as humans are incorporated into the most popular technology platforms? What will happen as people form "relationships" with those chatbots?

What does it mean to fall in love with an AI girlfriend when that AI is neither a girl nor your friend? What does it mean for a teenager to believe that their first or most meaningful relationship is with a chatbot? Could that help an adolescent gain confidence in interacting with others, or could it supplant relationships in the real world and drive that teen into a darker and more lonely world?

What happens when the investors who financed that chatbot want a return on their investment? What will happen if the most powerful artificial intelligence applications can only be developed with levels of compute, masses of data, or expert workforces that are accessible only to the very wealthiest companies and individuals?

How do we make sure that we control technology, and not the other way around? How do we make sure that technology works for *us*?

These are the questions I ask myself. Now I would be glad to hear your answers. Thank you.