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# Attorney General Ken Paxton Secures $1.4 Billion Settlement with Meta Over Its Unauthorized Capture of Personal Biometric Data In Largest Settlement Ever Obtained From An Action Brought By A Single State

Texas Attorney General Ken Paxton has secured a $1.4 billion settlement with Meta (formerly known as Facebook) to stop the company's practice of capturing and using the personal biometric data of millions of Texans without the authorization required by law.

This settlement is the largest ever obtained from an action brought by a single State. Further, this is the largest privacy settlement an Attorney General has ever obtained, dwarfing the $390 million settlement a group of 40 states obtained in late 2022 from Google. This is the first lawsuit brought and first settlement obtained under Texas's "Capture or Use of Biometric Identifier" Act and serves as a warning to any companies engaged in practices that violate Texans' privacy rights.

"After vigorously pursuing justice for our citizens whose privacy rights were violated by Meta's use of facial recognition software, I'm proud to announce that we have reached the largest settlement ever obtained from an action brought by a single State," said Attorney General Paxton. "This historic settlement demonstrates our commitment to standing up to the world's biggest technology companies and holding them accountable for breaking the law and violating Texans' privacy rights. Any abuse of Texans' sensitive data will be met with the full force of the law."

In February 2022, Attorney General Paxton sued (https://texasattorneygeneral.gov/news/releases/paxton-sues-facebook-using-unauthorized-biometric-data) Meta for unlawfully capturing the biometric data of

millions of Texans without obtaining their informed consent as required by Texas law. Specifically, Meta's data collection violated Texas's "Capture or Use of Biometric Identifier" Act ("CUBI") and the Deceptive Trade Practices Act. Attorney General Paxton has prioritized holding major technology companies accountable, launching several historic initiatives including antitrust lawsuits and aggressive enforcement of privacy laws.

In 2011, Meta rolled out a new feature, initially called Tag Suggestions, that it claimed would improve the user experience by making it easier for users to "tag" photographs with the names of people in the photo. Meta automatically turned this feature on for all Texans without explaining how the feature worked. Unbeknownst to most Texans, for more than a decade Meta ran facial recognition software on virtually every face contained in the photographs uploaded to Facebook, capturing records of the facial geometry of the people depicted. Meta did this despite knowing that CUBI forbids companies from capturing biometric identifiers of Texans, including records of face geometry, unless the business first informs the person and receives their consent to capture the biometric identifier. After only approximately two years since filing the petition, Texas reached a settlement agreement with Meta. The company will pay the state of Texas $1.4 billion over five years.

Attorney General Paxton thanks Keller Postman and McKool Smith who served as co-counsel to the OAG. Zina Bash served as Lead Counsel for Keller Postman, and Sam Baxter and Jennifer Truelove served as Lead Counsel for McKool Smith, alongside many excellent lawyers at each firm. The aggressive litigation posture and action taken by both firms laid the foundation for this historic settlement.

To read the final order, click here. (/sites/default/files/images/press/Final%20State%20of%20Texas%20v%20Meta%20Order%202024.p

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