

Montgomery College Consulting – Macklin Consulting Inc.

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Topic: Meta’s AI Training and Privacy Opt-Out

Audience: Board of Directors of Meta (Facebook’s Parent Company)

Executive Summary

Since last year, Facebook and its parent company, Meta have begun using user content, including photos and posts from Facebook and Instagram, to train its AI models including Llama and Meta AI. Often these photos include those of children. There is an “opt-out” option for users. However, since the full implementation of this new AI-training project, starting in 2024, the procedure to opt-out has varied by country, functioned sporadically, and is “hidden” in the settings area of the App. Strong criticism from such groups as *Human Rights Watch* and the Australian Government pose the issue: Should the Opt-Out policy be revised?

Use of user data for research purposes and AI is nothing new. However, with the increasing use of facial recognition, most notably to unlock devices, such as iPhones, the question arises, can Companies use what amounts to personal information to train AI models, which could later be used for purposes not currently intended. Informed consent and the ability to opt-out are critical. However, per Facebook, the opt-out option is a form which must be filled in, in essay format. Many watchdog groups claim that the bar of informed consent is not being met, and that the current form to opt-out is needlessly complex and amounts to a barrier designed to force consent, since it is difficult to complete the necessary “opt-out” process.

The most viable solution would be for the company to implement a course of action which consists of both a short and long-term focus. The common theme in our proposal is to empower user consent by using clear language, presented in a timely manner, which is consistent and robust (legally, ethically, and financially). The justifications for user participation should be clearly stated, along with the potential consequences of “opting in”. In the long-run, a consistent and “user-as-a-stakeholder” approach ensures customer loyalty, reduces legal liabilities, provides a financial competitive advantage, and ensures continued compliance with all current and future laws.