

## An Open Letter to Congress on Facial Recognition

September 26, 2019

Dear Member of Congress,

Facial recognition technology is one of many technologies that law enforcement can use to help keep communities safe. Facial recognition systems have improved rapidly over the past few years, and the best systems perform significantly better than humans.<sup>1</sup> Today facial recognition technology is being used to help identify individuals involved in crimes, find missing children, and combat sex trafficking. As the technology continues to improve, there will be even more opportunities in the future to use the technology as an investigative tool to solve crimes; as a security countermeasure against threats in airports, schools, and other public venues; and as a means to securely identify individuals at ports of entry. Indeed, travelers are already responding positively to biometric entry/exit programs that allow them to pass swiftly and securely through airports.<sup>2</sup>

While polls consistently show that Americans trust law enforcement to use facial recognition technology responsibly, some groups have called for lawmakers to enact bans on facial recognition technology.<sup>3</sup> While we agree that it is important to have effective oversight and accountability of these tools to uphold and protect civil liberties, we disagree that a ban is the best option to move forward. Bans would keep this important tool out of the hands of law enforcement officers, making it harder for them to do their jobs efficiently, stay safe, and protect our communities.

We are writing to encourage you to consider many of the viable alternatives to bans so that law enforcement can use facial recognition technology safely, accurately, and effectively. These alternatives may include expanding testing and performance standards, the development of best practices and guidance for law enforcement, and additional training for different uses of the technology.

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<sup>1</sup> P. J. Phillips et al., "Face recognition accuracy of forensic examiners, superrecognizers, and face recognition algorithms," Proceedings of the National Academy of Sciences, June 12, 2018, <https://www.pnas.org/content/pnas/115/24/6171.full.pdf>.

<sup>2</sup> "Air Passengers Believe Technology Can Improve Travel," Xenophon Analytics, July 1, 2019, <https://xenophonstrategies.com/technology-can-improve-travel/>; "Delta expands optional facial recognition boarding to new airports, more customers," Delta, June 19, 2019, <https://news.delta.com/delta-expands-optional-facial-recognition-boarding-new-airports-more-customers>; "Survey: Few Americans Want Government to Limit Use of Facial Recognition Technology, Particularly for Public Safety or Airport Screening," Center for Data Innovation, January 7, 2019, <https://www.datainnovation.org/2019/01/survey-few-americans-want-government-to-limit-use-of-facial-recognition-technology-particularly-for-public-safety-or-airport-screening/>.

<sup>3</sup> "More Than Half of U.S. Adults Trust Law Enforcement to Use Facial Recognition Responsibly," Pew Research Center, September 5, 2019, <https://www.pewinternet.org/2019/09/05/more-than-half-of-u-s-adults-trust-law-enforcement-to-use-facial-recognition-responsibly/>.

There are many individuals from law enforcement, industry, academia, and civil society who stand ready to work with lawmakers to craft appropriate safeguards for this technology. We encourage you to continue to work with these experts to find solutions and compromises that will allow law enforcement agencies to adopt and test this important technology with appropriate oversight.

Thank you for your consideration.

Sincerely,

**Organizations**

Acuant, Inc.  
Arm Inc.  
Cognitec  
Computing Technology Industry Association (CompTIA)  
Consumer Technology Association  
Electronic Security Association  
HID Global  
iBeta QA  
Identification Technology Association (IdTA)  
ID Technology Partners, Inc.  
IJIS Institute  
Information Technology and Innovation Foundation  
Innovatrics s.r.o.  
International Biometrics + Identity Association  
Iris ID Systems Inc  
JENETRIC  
National Police Foundation  
National Troopers Coalition  
NEC Corporation of America  
NetChoice  
Rank One Computing Corporation  
Security Industry Association (SIA)  
TechNet  
Thales USA  
Vision-Box

**Individuals**

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