

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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Opening Statement Chairman Elijah E. Cummings

Hearing on “Facial Recognition Technology (Part II): Ensuring Transparency in Government Use”

June 4, 2019

Today, the Committee is holding our second hearing on the use of facial recognition technology, and we will be examining the use of this technology by law enforcement agencies across the federal government.

Our first hearing on this subject was on May 22. We had a broad survey of the full range of issues raised by this technology. We heard from a number of experts about the benefits and dangers of this technology across government and the entire private sector.

The stark conclusion after our last hearing was that this technology is evolving extremely rapidly without any real guard rails. Whether we are talking about commercial use or government use, there are real concerns about the risks that this technology poses to our civil rights and liberties and our right to privacy.

The other conclusion from our last hearing was that these concerns are bipartisan. As we saw at our last hearing among conservatives and liberals, Republicans and Democrats, there is wide agreement that we should be conducting oversight of this issue to develop common-sense, concrete proposals in this area. And I appreciate Ranking Member Jordan’s commitment to working together on this issue.

Today, we will focus on the use of facial recognition technology by our government. Our Committee has broad jurisdiction over all government agencies, so we are uniquely situated to review how different agencies are using this technology on the American people.

For example, today we will hear from the Federal Bureau of Investigation. In April, the Government Accountability Office sent a letter to the Department of Justice with open recommendations on the FBI’s use of facial recognition technology. As that letter stated, the FBI had not implemented these recommendations, despite the fact that GAO initially made them three years ago.

We will also hear from GAO, not only on the importance of these recommendations—which focus on transparency and accuracy—but also on the dangers associated with failing to implement them.

We will also hear from the Transportation Security Administration, which has launched pilot programs in U.S. airports that subject American citizens to a facial recognition system.

Finally, we will hear from the National Institute of Standards and Technology, or NIST. NIST has been the standard bearer for biometric accuracy for the past 20 years. NIST will discuss the state of the industry, the rapid advancement of this technology, the accuracy challenges this technology still faces, and future plans for testing and monitoring progress.

Hearing from all of these relevant actors and building this record of information is important as we begin to address the use of facial recognition technology by both government and private actors and potentially develop legislative solutions.

We will continue to hear from additional stakeholders through our subcommittees, each of which is tasked with a specialized focus, such as safeguarding civil rights and liberties, protecting consumers, examining our government’s acquisition of this technology, and reviewing national security concerns.

I look forward to hearing from all of our witnesses today. With that, I recognize the Ranking Member.

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