



July 28, 2020

The Honorable James McGovern
Chairman
The Honorable Tom Cole
Ranking Member
Committee on Rules
U.S. House of Representatives
Washington, DC 20515

RE: Opposition to facial recognition amendments on H.R. 7617

Dear Chairman McGovern and Ranking Member Cole:

We write in opposition to amendments to the FY 2021 Commerce Justice Science Appropriations portion of H.R. 7617 that are offered by Rep. Jayapal and Rep. Gabbard. By preventing the Department of Justice from using funds for facial recognition technology, the amendments would stop use of a tool by some agencies that routinely proves effective at generating investigative leads in a wide range of cases including human trafficking, online child sexual exploitation, and homicide.

Rather than banning the use of proven effective technology through an appropriations bill, we urge Congress to consider this issue through the appropriate committees of jurisdiction. Several congressional hearings over the past year have demonstrated civil rights and civil liberties considerations with regard to the use of facial recognition technology by law enforcement. At the same time, there is a clear record of routine and real-world effectiveness that has been overlooked and must be taken into account.

The following cases are typical of the every-day use of facial recognition today by law enforcement in the United States. The ability to use the technology in cases like these should be preserved in any effort by Congress to enhance accountability and transparency around the use facial recognition technology.

- In a Massachusetts investigation into online child sexual exploitation, a facial recognition query based on a Georgia suspect's social media picture provided a key investigative lead since the suspect was believed to be using a fake name on his social media profile;
- In a Maryland armed carjacking investigation, a facial recognition query based on an image from surveillance video of the suspects resulted in an investigative lead which yielded additional evidence regarding the suspect's presence at the scene;

- In a Georgia bombing investigation, the condition of the suspect's body precluded the use of fingerprints or other means for quick identification. Facial recognition was used to develop a possible identification of the body, which was confirmed by the intended bombing victim as her former boyfriend.
- In a New York City investigation into suspicious rice cooker devices placed in a subway station, investigators used facial recognition technology to quickly develop a potential lead even before the scene was declared clear.

We urge the committee to reject the amendments and look forward to working with Congress on this important issue. Thank you for your consideration.

Sincerely,



Art Acevedo
Chief, Houston Police Department
President, Major Cities Chiefs Association



Sheriff Michael Bouchard
Oakland County MI
Vice President Government Affairs, Major County Sheriffs of America

Cc: Members of the House Committee on Rules