

Congress of the United States
Washington, DC 20510

December 18, 2019

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

Dear Secretary Carson:

We write to express concern and request information about the deployment of facial recognition technology in federally assisted properties.

According to media reports, public and other federally assisted housing administrators across the country are installing facial recognition technology, ostensibly to deter crime and improve resident safety. For example, according to The New York Times reporting earlier this year, Detroit's public housing authority upgraded its security cameras to include facial recognition technology. The system's data are made available to the Detroit Police Department as part of Project Green Light, the city's crime-fighting and community policing program. Similarly, in New York City, owners and managers of affordable housing have already installed facial recognition technology without consulting the residents they purport to want to keep safe.

The U.S. Department of Housing and Urban Development (HUD) is responsible for creating and ensuring discrimination-free practices in all communities. However, as numerous civil rights experts have pointed out, when public housing and federally assisted property owners install facial recognition security camera systems, they could be used to enable invasive, unnecessary and harmful government surveillance of their residents. Those who cannot afford more do not deserve less in basic privacy and protections. They should not have to compromise their civil rights and liberties nor accept the condition of indiscriminate, sweeping government surveillance to find an affordable place to live.


In addition to concerns about surveillance and civil rights, reports from Georgetown University and the American Civil Liberties Union all indicate that inaccuracies in facial recognition can undermine the safety and security the technology purports to address. According to scientific studies published in the Proceedings of the Association for Computing Machinery, facial recognition misidentifies many individuals, including women, non-cisgender people and people of color. These false and biased judgments can exacerbate the vulnerabilities that marginalized groups already face in life, such as the overcriminalization of people of color and transgender individuals. Potential sharing of this data, particularly with law enforcement, further heightens concerns about the risk this technology poses to vulnerable communities.

All Americans, including those who live in public and other federally assisted housing communities, have fundamental privacy and civil liberty rights. Please provide us with responses to the following questions by January 24, 2020:

1. How many federally assisted housing (subsidized through the public housing and project-based rental assistance programs) properties have used facial recognition technology in the last five years? Please provide:
 - a. a list of these properties and their location; and
 - b. a breakdown of residents' demographic information for each property.
2. Owners of federally assisted housing may purchase security cameras and software to address threats to the health and safety of residents.
 - a. During the past five years, have federal funds been used to purchase facial recognition technology?
 - b. If so, who developed the facial recognition technology and where has it been deployed?
3. What policies has HUD implemented to ensure that the residents of federally assisted housing enjoy the same rights against warrantless government surveillance as residents in private housing?
 - a. Do residents have any opportunity to opt-out of facial recognition data collection?
 - b. If not, why not?
4. Has HUD conducted any research or internal approval regarding the inclusion of facial recognition technology within federally assisted properties?
5. What scientific data show that facial recognition technology is effective in improving safety?
 - a. How has the usage of facial recognition technology affected the federally-assisted properties where it has been deployed?
 - b. Has it impacted arrest rates, local crime occurrences, or had any other notable impacts?
6. What enforceable rules does HUD have in place to ensure that biometric data collected by facial recognition technologies in federally assisted properties are kept secure and subject to effective cybersecurity safeguards?
7. What policies does HUD have in place to empower and include residents in the decisions about if and how facial recognition technology is used in their communities and homes?

Thank you for your prompt attention to this important matter.

Sincerely,


Ron Wyden
United States Senator

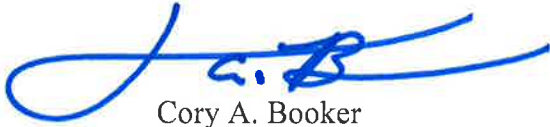

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