

June 17, 2021

Dear Member of Congress,

We are civil rights and community-based organizations working in cities and states across the country to pass laws that stop dangerous and discriminatory government surveillance, including face recognition and biometric surveillance. We urge Congress to defend and expand on our progress by prohibiting the government's acquisition and use of face and biometric surveillance.

We are at a critical moment. While everyday people are coming together to demand a truly just and equitable future for this country, surveillance technology is being used to shore up unjust systems and undermine needed social change. We see the results all around us, from our cruel immigration policies to a racist and deadly policing system, both of which are powered by technology companies with inhumane business models that prioritize profit over people's lives, health, and safety.

The government's use of face and other biometric surveillance is a direct threat to the lives of Black people and civil rights. Face surveillance has played a central role in the wrongful arrests of multiple Black men — [Robert Julian-Borchak Williams](#), [Michael Oliver](#), and [Nijeer Parks](#) — leading to false charges that cost them their freedom and, in Oliver's case, his [livelihood](#). These events were the result of equipping an inherently racist policing system with more technology to target people of color. Face surveillance systems are also being used to [target immigrants](#), [impede access to unemployment relief](#), and [intimidate demonstrators](#) exercising their First Amendment rights.

While Black activists and allies mobilize to stop police killings and build a new infrastructure for true public safety, technology companies are helping police departments use face surveillance technologies to fortify systems of racial injustice. The fact that the use of these systems is expanding while our country is witnessing the largest racial justice movement in our history is no coincidence. Face surveillance and other high-tech surveillance is available to intimidate and target activists when their voices and work is most needed. More accurate or "less biased" software will not fix these larger, systemic problems — it just further expands the power of our most violent and oppressive systems.

We must see through efforts by technology companies and the police to exploit national crises to entrench dangerous surveillance that make our communities less safe and less free. The violent attack on the Capitol on January 6, 2021 led to police and tech industry [attempts to justify](#) the use of face surveillance, despite ample warning and the existence of plentiful resources to prevent and address the attack. Likewise, during the COVID-19 pandemic, technology companies have aggressively sought to propagate face and body scanning surveillance, drawing the ire of [public health experts nationwide](#). Our movements recognize that the answers to the white supremacist insurrection and a global health crisis should be rooted in racial justice and public health, not in tech-powered surveillance that will inevitably deepen racial disparities.

Our movements have been successful because we understand through lived experience the impact of technology on our communities and lives. This has inspired and sustained our activism and organizing in dozens of American cities and led to the passage of bans on government face surveillance in communities as geographically and demographically diverse as San Francisco, Oakland, Boston, New Orleans, Minneapolis, and Jackson, Mississippi.¹ Diverse coalitions and legislators committed to true public safety

¹ Cities and counties that have adopted bans or moratoria on government facial recognition include San Francisco CA, Oakland CA, Berkeley CA, Santa Cruz CA, New Orleans LA, Boston MA, Minneapolis MN, Jackson MS, Somerville MA, Brookline MA, Cambridge MA, Springfield MA, Northampton MA, Easthampton MA, Portland ME, Teaneck, NJ, Syracuse NY, Portland OR, King County WA, and Madison WI.

have successfully passed such bans in 20 cities and counties. These bans on face surveillance are a testament to the power of grassroots efforts to write our own future and reject a reality where surveillance technology is used to accelerate violence and oppression against those who are most marginalized.

We are also making progress in state legislatures to stop dangerous face and other biometric surveillance. Bills to ban or impose a moratorium on the use of facial recognition have been proposed in numerous state legislatures. At least four states have banned or blocked the use of face and biometric surveillance in connection with [officer-worn body cameras](#) or [in public schools](#). At the same time, coalitions and partners have also fought against the use of face surveillance by [federal immigration agencies](#), by [police tapping into camera networks](#), by [state examination proctors](#), and by authorities in [federally subsidized public housing](#).

We are proud of our victories and work as grassroots movements to fight for social justice in the digital age. We have proved that it is possible to control the role that technology plays in our lives and reject technology that will do much more damage than good. But we are keenly aware that the federal government's continued use of face and other biometric surveillance, coupled with its relentless promotion by Big Tech and the police, threatens to undermine and slow our progress toward a more just future. Time and again, tech companies and police associations align as a well-funded surveillance lobby — using their money and power to cut backroom deals and pass weak laws that subvert democratic control. At the state and federal level, this lobby is pushing for bills with anti-grassroots preemption provisions that wipe local bans and moratoria off the books. Congress should vigilantly guard against efforts to pass weak laws that prioritize profits and power over people's well-being.

We ask that you use your position to truly represent the people you serve and embrace what we know is possible and want for our communities. We urge you to pass legislation that prohibits the government from acquiring and using face recognition and other biometric surveillance technology and prohibits the use of federal funding by states and localities for the same. Together, we can create a new digital age that rejects dangerous surveillance and focuses instead on how we can use technology to harness resources to free our communities, nurture our connections, and create equity and justice for all. Join us.

Signed,

Action Center on Race and the Economy
AI for the People
Amend 4 Rights
Center for Human Rights and Privacy
Cinema Detroit
Citizens Privacy Coalition of Santa Clara County
Color Of Change
Cryptoparty Ann Arbor
Cypurr Collective
Design As Protest Collective
Digital Fourth
Electronic Frontier Foundation
Encode Justice
Ethics In Tech
Eye On Surveillance
Fight for the Future
For Us Not Amazon
ACLU of Hawai'i
Indivisible Plus Washington

Indivisible SF
Indivisible Vashon
Indivisible Washington's 8th District
Institute for Local Self-Reliance
Japanese American Citizens League, Seattle Chapter
Justice for Muslims Collective
La ColectiVA
Lucy Parsons Labs
ACLU of Maine
MAPS-AMEN (American Muslim Empowerment Network)
ACLU of Massachusetts
May First Movement Technology
Media Alliance
Media Justice
Mijente
ACLU of Minnesota
Montgomery County (MD) Civil Rights Coalition
MPower Change
National Lawyers Guild, San Diego Chapter
New York Civil Liberties Union (NYCLU)
Newark Communities for Accountable Policing (N-CAP)
ACLU of Northern California
Oakland Privacy
Open Computing Facility
Opportunities Peoples Justice Leaders
ACLU of Oregon
Organized Communities Against Deportations
Orleans Parish Prison Reform Coalition (OPPRC)
OVEC-Ohio Valley Environmental Coalition
Partnership for the Advancement of New Americans
Pasadena Privacy for All
PDX Privacy
Piedmont Racial Equity Campaign
Pillars of the Community
Racial Justice Committee of the San Francisco Public Defender
Raging Grannies Action Network
Restore the Fourth
Rhode Island Rights
S.T.O.P. — Surveillance Technology Oversight Project
San Diego Organizing Project
Secure Justice
South Bay People Power
Suma
Tech Workers Coalition, San Diego
Tenth Amendment Center
Think Dignity
Together We Will/Indivisible - Los Gatos
TRUST Coalition
United Voices of Cortland
ACLU of Washington
We The People SD
ACLU of Wisconsin
Worth Rises