

116TH CONGRESS
2D SESSION

H. R. 6929

To require the Secretary of Commerce and the Federal Trade Commission to conduct a study on facial recognition technology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2020

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Commerce and the Federal Trade Commission to conduct a study on facial recognition technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Facial Rec-
5 ognition Act”.

6 **SEC. 2. FACIAL RECOGNITION TECHNOLOGY STUDY.**

7 (a) IN GENERAL.—

1 (1) STUDY REQUIRED.—Not later than 2 years
2 after the date of the enactment of this Act, the Sec-
3 retary of Commerce and the Federal Trade Commis-
4 sion, in coordination with the head of any other ap-
5 propriate Federal agency, shall conduct a study on
6 the impact of facial recognition on United States
7 businesses conducting interstate commerce.

8 (2) REQUIREMENTS FOR STUDY.—In con-
9 ducting the study, the Secretary and the Commis-
10 sion shall do the following:

11 (A) Conduct a survey of facial recognition
12 technology through outreach to participating
13 entities to—

14 (i) establish a list of the industry sec-
15 tors that develop and use facial recognition
16 technology;

17 (ii) establish a list of public-private
18 partnerships focused on promoting the
19 adoption, and use of facial recognition
20 technology;

21 (iii) provide a description of the ways
22 industry sectors develop, use, or promote
23 the use of facial recognition technology;
24 and

1 (iv) provide a description of the ad-
2 vantages of the widespread adoption of fa-
3 cial recognition technology, as well as iden-
4 tify any concerns the use of such tech-
5 nology may present.

6 (B) Conduct a survey of Federal activity
7 related to facial recognition technology to—

8 (i) establish a comprehensive list of
9 Federal agencies asserting jurisdiction over
10 entities and industry sectors identified
11 under this section;

12 (ii) identify all interagency activities
13 related to facial recognition technology;

14 (iii) develop a brief description of the
15 jurisdiction and expertise of the Federal
16 agencies as it relates to facial recognition
17 technology; and

18 (iv) identify each Federal rule, regula-
19 tion, guideline, policy, and other Federal
20 activity implemented by each Federal agen-
21 cy related to facial recognition technology.

22 (C) Conduct an international survey of
23 other countries to establish a compendium at
24 least 10 and not more than 15 countries con-
25 sisting of each country's national strategy on

1 facial recognition technology to determine where
2 the United States ranks with respect to the
3 adoption of facial recognition technology.

4 (D) Conduct a survey of the marketplace
5 and supply chain of facial recognition tech-
6 nology to—

7 (i) assess the severity of risks posed
8 to such marketplace and supply chain;

9 (ii) review the ability of foreign gov-
10 ernments or third parties to exploit such
11 supply chain in a manner that raises risks
12 to the economic and national security of
13 the United States; and

14 (iii) identify emerging risks and long-
15 term trends in such marketplace and sup-
16 ply chain.

17 (E) Identify potential concrete harms to
18 individuals related to the use of facial recogni-
19 tion technology.

20 (F) Identify any Commission action related
21 to facial recognition technology.

22 (b) REPORT TO CONGRESS.—Not later than 6
23 months after the completion of the study required pursu-
24 ant to subsection (a), the Secretary and the Commission,
25 in coordination with the head of any other appropriate

1 Federal agency, shall submit to the Committee on Energy
2 and Commerce of the House of Representatives and the
3 Committee on Commerce, Science, and Transportation of
4 the Senate a report that contains—

5 (1) the results of the study conducted under
6 subsection (a); and

7 (2) recommendations to—

8 (A) address any duplicative Federal rule,
9 regulation, guideline, policy, and other Federal
10 activity acting as a barrier to the adoption of
11 facial recognition technology;

12 (B) develop and implement a comprehen-
13 sive plan to promote the adoption of facial rec-
14 ognition technology;

15 (C) develop policies that States can adopt
16 to encourage the adoption of facial recognition
17 technology;

18 (D) develop a national strategy to advance
19 the position in the world of business sectors in
20 the United States on the adoption of facial rec-
21 ognition technology;

22 (E) develop strategies to mitigate current
23 and emerging risks to the marketplace and sup-
24 ply chain of facial recognition technology; and

- 1 (F) develop legislation to accomplish such
- 2 recommendations.

