BUR23A41 7F2 S.L.C.

118TH CONGRESS 1ST SESSION	S.	

To prohibit the use of facial recognition technology in airports, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Merkley (for himself and Mr. Kennedy) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To prohibit the use of facial recognition technology in airports, 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 "Traveler Privacy Pro-
- 5 tection Act of 2023".
- 6 SEC. 2. DEFINITIONS.
- 7 In this Act:
- 8 (1) Administration.—The term "Administra-
- 9 tion" means the Transportation Security Adminis-
- tration.

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1	(2) ADMINISTRATOR.—The term "Adminis-
2	trator" means the Administrator of the Transpor-
3	tation Security Administration.
4	(3) AIRPORT.—The term "airport" has the
5	meaning given such term in section 47102 of title
6	49, United States Code.
7	SEC. 3. PROHIBITION ON USE OF FACIAL RECOGNITION
8	TECHNOLOGY.
9	(a) In General.—The Administrator may not, for
10	any purpose, use facial recognition technology or facial
11	matching software in any airport unless such use is ex-
12	pressly authorized by an Act of Congress enacted after
13	the date of the enactment of this Act.
14	(b) DISPOSAL OF FACIAL BIOMETRICS.—Not later
15	than 90 days after the date of the enactment of this Act
16	the Administrator shall dispose of any facial biometric in-
17	formation, including images and videos, obtained through
18	facial recognition technology or facial matching software
19	of the Administration.
20	SEC. 4. AMENDMENTS TO AVIATION AND TRANSPORTATION
	SEC. 4. AMENDMENTS TO AVIATION AND TRANSPORTATION SECURITY ACT.
21	
20212223	SECURITY ACT.

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1	(A) in paragraph 6, by inserting ", exclud-
2	ing facial recognition technology or facial
3	matching software" after "imprints"; and
4	(B) in paragraph 7, by inserting ", exclud-
5	ing facial recognition technology or facial
6	matching software," after "technologies"; and
7	(2) in section 137(d)(3) (49 U.S.C. 44912
8	note), by inserting ", excluding facial recognition
9	technology or facial matching software," after "bio-
10	metrics".
11	SEC. 5. ADDITIONAL MODIFICATIONS WITH RESPECT TO
12	AIR TRANSPORTATION SECURITY.
13	Section 44903 of title 49, United States Code, is
13	
14	amended—
	amended— (1) in subsection (c)(3), by inserting ", exclud-
14	
14 15	(1) in subsection (c)(3), by inserting ", exclud-
14 15 16	(1) in subsection (c)(3), by inserting ", excluding facial recognition technology or facial matching
14 15 16 17	(1) in subsection (c)(3), by inserting ", excluding facial recognition technology or facial matching software," after "other technology";
14 15 16 17	 (1) in subsection (e)(3), by inserting ", excluding facial recognition technology or facial matching software," after "other technology"; (2) in subsection (g)(2)(G), by inserting ", excluding the subsection (g)(2)(G), by inserting ", excluding the subsection (g)(2)(G), by inserting ", excluding the subsection (g)(2)(G), by inserting ".
114 115 116 117 118	 (1) in subsection (c)(3), by inserting ", excluding facial recognition technology or facial matching software," after "other technology"; (2) in subsection (g)(2)(G), by inserting ", excluding facial recognition technology or facial matched
14 15 16 17 18 19 20	(1) in subsection (c)(3), by inserting ", excluding facial recognition technology or facial matching software," after "other technology"; (2) in subsection (g)(2)(G), by inserting ", excluding facial recognition technology or facial matching software," after "technologies"; and
14 15 16 17 18 19 20 21	(1) in subsection (e)(3), by inserting ", excluding facial recognition technology or facial matching software," after "other technology"; (2) in subsection (g)(2)(G), by inserting ", excluding facial recognition technology or facial matching software," after "technologies"; and (3) in subsection (h)(4)(E), by inserting ", excluding facial recognition technologies";