GAO@100
Highlights

FACIAL RECOGNITION TECHNOLOGY

Federal Law Enforcement Agencies Should Have Better Awareness of Systems Used By Employees

Why GAO Did This Study

Federal agencies that employ law enforcement officers use facial recognition technology to assist criminal investigations, among other activities. For example, the technology can help identify an unknown individual in a photo or video surveillance.

This statement describes (1) the ownership and use of facial recognition technology by federal agencies that employ law enforcement officers, (2) the types of activities these agencies use the technology to support, and (3) the extent that these agencies track employee use of facial recognition technology owned by non-federal entities, including the potential privacy and accuracy implications.

This statement is based on GAO's June 2021 report on federal law enforcement's use of facial recognition technology (GAO-21-518). To conduct that prior work, GAO administered a survey questionnaire to 42 federal agencies that employ law enforcement officers regarding their use of the technology. GAO also reviewed relevant documents and interviewed agency officials. The June 2021 report was a public version of a sensitive report that GAO issued in April 2021. Information that agencies deemed sensitive was omitted from the June 2021 report and this statement.

What GAO Recommends

In June 2021, GAO made two recommendations to each of 13 federal agencies to implement a mechanism to track what non-federal systems are used by employees, and assess the risks of using these systems. Agencies generally concurred with the recommendations.

What GAO Found

In June 2021, GAO reported the results of its survey of 42 federal agencies that employ law enforcement officers about their use of facial recognition technology. Twenty reported owning systems with the technology or using systems owned by other entities, such as state, local, and non-government entities (see figure).

Ownership and Use of Facial Recognition Technology Reported by Federal Agencies that Employ Law Enforcement Officers

Owned system	Used another entity's system			Owned system and used another entity's system	
Department of Veterans Affairs Police Service	Bureau of Alcohol, Tobacco, Firearms, and Explosives	Bureau of Diplomatic Security	Drug Enforcement Administration	U.S. Customs and Border Protection	Federal Bureau of Investigation
Federal Bureau of Prisons	Food and Drug Administration, Office of Criminal Investigations	U.S. Fish and Wildlife Service	U.S. Immigration and Customs Enforcement	Pentagon Force Protection Agency	U.S. Secret Service
National Aeronautics and Space Administration, Office of Protective Services	Internal Revenue Service, Criminal Investigation Division	U.S. Capitol Police	U.S. Marshals Service	Transportation Security Administration	
	U.S. Park Police	U.S. Postal Inspection Service	U.S. Probation and Pretrial Services		

Source: GAO analysis of survey data. | GAO-21-105309

Note: For more details, see figure 1 in GAO-21-105309.

Agencies reported using the technology to support several activities (e.g., criminal investigations) and in response to COVID-19 (e.g., verify an individual's identity remotely). Six agencies reported using the technology on images of the unrest, riots, or protests following the killing of Mr. George Floyd in May 2020. Three agencies reported using it on images of the U.S. Capitol attack on January 6, 2021. Agencies said the searches used images of suspected criminal activity.

Fourteen of the 42 agencies reported using the technology to support criminal investigations. However, only one had a mechanism to track what non-federal systems were used by employees. By having a mechanism to track use of these systems and assessing the related risks (e.g., privacy and accuracy-related risks), agencies can better mitigate risks to themselves and the public.

_____ **United States Government Accountability Office**