New facial recognition bill would require consent before companies could share data

A new bill introduced in the Senate today would prohibit commercial companies using facial recognition technology from collecting or sharing people's data without their explicit consent.

The bipartisan Commercial Facial Recognition Privacy Act is sponsored by Senators Brian Schatz (D-HI) and Roy Blunt (R-MO) and is the first of its kind when it comes to facial recognition (FR) technologies and the privacy concerns surrounding them. Under the bill, users would need to be notified whenever their FR data is used or collected. According to the lawmakers, it also would require third-party testing before the tech could be introduced into the market to ensure it is unbiased and doesn't harm consumers.

"Consumers are increasingly concerned about how their data is being collected and used, including data collected through facial recognition technology," Blunt says. "That's why we need guardrails to ensure that, as this technology continues to develop, it is implemented responsibly."

The bill won over the support from Microsoft's president Brad Smith who said, "Facial recognition technology creates many new benefits for society and should continue to be developed. Its use, however, needs to be regulated to protect against acts of bias and discrimination, preserve consumer privacy, and uphold our basic democratic freedoms."

Smith has previously called for regulation over facial

recognition technologies. In a blog post last June, he called for a public discussion involving new laws enforcing oversight, accountability, and possible privacy rules that should be followed by companies providing these technologies.

There are other pieces of legislation floating around at the state and local levels – some would even ban the use of the technology entirely.

“Our faces are our identities. They’re personal. So the responsibility is on companies to ask people for their permission before they track and analyze their faces,” Schatz said. “Our bill makes sure that people are given the information and – more importantly – the control over how their data is shared with companies using facial recognition technology.”

Updated 3/15/19 12:01 a.m. ET: *Updated to clarify that the bill would also require companies to receive consent before collecting user data as well.*

https://www.theverge.com/2019/3/14/18266249/facial-recognition-bill-data-share-consent-senate-commercial-facial-recognition-privacy-act