PATRICK MCHENRY, NC
CHAIR

United States House of Representatives
Committee on Financial Services
2129 Rayburn House Office Building
Washington, D.C. 20515

MAXINE WATERS, CA
RANKING MEMBER

May 25, 2023

The Honorable Marcia L. Fudge
Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

Dear Secretary Fudge:

We write to express our concerns regarding the continued use and abuse of facial recognition technology in public housing. We commend the Biden Administration for acknowledging that these technologies are rife with issues but urge the Administration to take further action in defense of public housing residents across the country. It is critical that your agency prohibits the use of facial recognition technology in public and HUD-assisted housing for surveillance purposes.

As HUD acknowledged in an April 21, 2023, Notice,[1] the use of facial recognition technology in the name of security in public housing is not an acceptable use of government funds since it is a tactic that causes harm to the very residents it is meant to protect. The technology increases the ease and incidence of harassment of residents for committing minor community rules violations.[2] Even more disturbingly, we know that these technologies have a significant discriminatory impact that arises from identification errors related to individuals' skin color, gender, and age and other forms of bias built into these systems.[3]This means that the likelihood that a resident of color will be blamed for a violation they did not commit increases substantially with the adoption of these technologies.

We have long advocated for protections against such an abuse of power that continues to be inflicted upon public housing residents.[4] These policies run directly counter to the goal of increasing housing stability and fairness through HUD-provided housing, which is all the more critical in light of the devastating housing crisis facing our nation. While we continue to push for legislation that will protect community members' data from use in systems that perpetuate inequities, your agency must act in this critical moment to ensure public housing and HUD-assisted housing residents are not targeted by these discriminatory surveillance systems.

We look forward to working closely to better protect public housing and HUD-assisted housing residents, as is our duty. Thank you for your prompt attention and look forward to a response by June 9, 2023. Please contact Alia Fierro (alia.fierro@mail.house.gov), Director of the Subcommittee on Housing and Insurance, with any questions.

Sincerely,

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[1] U.S. Department of Housing and Urban Development, *Notice PIH 2023-10* (Apr. 21, 2023).
[2] Washington Post, *Eyes on the poor: Cameras, facial recognition watch over public housing* (May 16, 2023).
[3] Committee on Financial Services, *"Equitable Algorithms" Hearing Memo* (May 4, 2021);*See also* Harvard University, *Racial Discrimination in Face Recognition Technology* (Oct. 24, 2020).
[4] Congresswoman Maxine Waters, *Electronic Surveillance Modernization Act Floor Statement* (Aug. 5, 2009); *See also* Congresswoman Ayanna Pressley, *Reps. Pressley, Clarke & Tlaib Announce Bill Banning Facial Recognition In Public Housing* (Jul. 25, 2019); *See also* Washington Post, *Eyes on the poor: Cameras, facial recognition watch over public housing* (May 16, 2023).

Maxine Waters

Ranking Member
Committee on Financial Services

Ayanna Pressley

Member of Congress
Committee on Financial Services

CC: The Honorable Patrick McHenry, Chair, House Committee on Financial Services