



## PRESS RELEASE

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For Immediate Release

### **PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD RELEASES FACIAL RECOGNITION TECHNOLOGY REPORT**

**WASHINGTON, DC** – The Privacy and Civil Liberties Oversight Board (PCLOB) has released a staff report detailing its multiyear examination of the use of facial recognition technology (FRT) at airport security checkpoints by the Transportation Security Administration (TSA). The report describes the FRT program, discusses risks to privacy and civil liberties and how TSA addresses those risks, and makes recommendations to further improve the program.

PCLOB’s staff report concludes that TSA FRT systems used for identifying members of the public should clearly justify the benefit gained by employing them, operate transparently, and provide robust protection against risks to the public’s privacy and civil liberties. It further concludes that TSA’s facial recognition program should remain voluntary for all passengers. The report acknowledges that use of FRT has raised concerns due to its potential for use in the surveillance of public spaces, the sensitivity of biometric data required to operate it, and documented patterns of uneven, albeit improving, demographic performance. PCLOB’s review determines that these risks are significantly mitigated for TSA’s current FRT program.

“I commend the professional staff at the Privacy and Civil Liberties Oversight Board who have worked for six years on the factual investigation, analysis, and recommendations that today make up this report,” Board Member Beth Williams said in a separate statement. “I am pleased that the results of their diligent effort are finally being publicly released, accomplishing an important part of the agency’s mission to inform TSA’s future operations and provide valuable transparency on a program that impacts privacy and civil liberties.”

The report includes 13 recommendations to improve program performance, address privacy and civil liberties concerns, and promote transparency. Key recommendations include:

- TSA should perform operational testing of the ability of both human officers and the FRT systems, and should report the results of this testing to appropriate oversight bodies, and to the public to the extent practicable.
- The Department of Homeland Security (DHS) should establish standards that define minimal differential demographic performance and require vendors or internal developers to employ techniques that minimize such performance of FRT systems.
- TSA should improve the transparency of the system, including by publishing a comprehensive privacy impact assessment, disclosing additional information about the versions of algorithms employed and attributes of training data used, and by using more consistent and accurate terminology in describing the deployment status of the program.
- TSA and DHS should establish procedures for collecting, investigating, and responding to FRT-related inquiries and complaints from travelers, and ensure that sufficient resources are available to respond to those inquiries and provide redress.
- TSA, in cooperation with DHS Science & Technology (S&T), should investigate additional technical modifications to the system, such as further limiting image retention time, deidentifying information on-device, and employing privacy-preserving technologies, to better protect personal information and reduce the risk of loss or misuse.

In preparing this report, PCLOB gathered information from offices within DHS and TSA during multiple rounds of questions and responses. PCLOB reviewed disclosures, reports, and testimony, documents that describe the program and performance evaluations, and records of the acquisition program. PCLOB met with civil society groups, academic experts, and technology vendors to discuss the capabilities of FRT and to understand concerns over risks and limitations. PCLOB also reviewed the findings of other public and governmental reviews of biometric technologies, including studies performed by the National Institute of Standards and Technology and the National Academies of Science, Engineering, and Medicine.

"With regard to this staff report, final decisions regarding what to include were made by the professional staff," PCLOB Executive Director Jennifer Fitzpatrick said. "Consistent with general government practice, we included those findings and recommendations for which there was sufficient, appropriate evidence to provide a reasonable basis for those findings."

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*The Privacy and Civil Liberties Oversight Board is an independent agency within the Executive Branch established by the Implementing Recommendations of the 9/11 Commission Act of 2007. The Board's mission is to ensure that the federal government's efforts to prevent terrorism are balanced with the need to protect privacy and civil liberties.*