

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-
10 tration.

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
14 amended—

15 (1) in subsection (c)(3), by inserting “, exclud-
16 ing facial recognition technology or facial matching
17 software,” after “other technology”;

18 (2) in subsection (g)(2)(G), by inserting “, ex-
19 cluding facial recognition technology or facial match-
20 ing software,” after “technologies”; and

21 (3) in subsection (h)(4)(E), by inserting “, ex-
22 cluding facial recognition technology or facial match-
23 ing software,” after “technology”.