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February 16, 2022

The Honorable Kilolo Kijakazi
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Acting Commissioner Kijakazi,

We write to express concerns about the use of facial recognition technology as part of the Social Security Administration's (SSA's) online identity verification process, via ID.me or other platforms. We urge you to reconsider use of facial recognition vendors and work with us to ensure privacy and equitable access for all Americans.

As Acting Commissioner and throughout your career, you have demonstrated an enduring commitment to ensuring equity in SSA's programs and services – a commitment that we strongly share. However, it has become increasingly apparent that use of facial recognition technologies is likely to result in disparate access to online services for people of color, and poses serious privacy and civil liberty risks. SSA's current use of facial recognition via ID.me is a legacy left from the prior administration that we hope you will reconsider – as the Internal Revenue Service recently did – and replace with more equitable and appropriate approaches to identity verification.

SSA's online *my Social Security* accounts allow the public to access essential services, including requesting a replacement Social Security card, checking the status of a Social Security or Supplemental Security Income benefit application, estimating future Social Security benefits, and managing current benefits. Identity verification for individuals seeking to create a *my Social Security* account helps to ensure the security of SSA's online accounts, prevent fraud, and allow individuals to securely access their personal information online. Unfortunately, the previous administration chose to make ID.me, which uses facial recognition as part of its identity verification process for most users, one of the pathways to these essential services. We have serious concerns with this technology, especially with respect to ensuring equitable access.

First, it is well established that facial recognition software has significant disparities in accuracy by race, as well as by age and gender. An extensive body of research documents that such

software generally misidentifies darker-skinned people (along with women and older people) far more often than it misidentifies white people, especially white men. As a result, using facial recognition as part of SSA's online authentication – whether directly or via a third-party platform like ID.me – means people of color and women may be disproportionately likely to be unable to successfully verify their identities online, potentially limiting their access to SSA's online services. This disparate access is especially serious given that the current COVID-19 environment has closed SSA's field offices, meaning that individuals who cannot authenticate online have limited alternate methods to create an online *my Social Security* account.

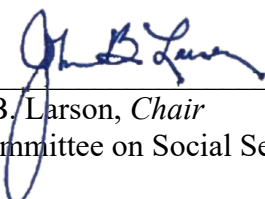
Second, SSA's use of facial recognition, especially through a private contractor, raises serious privacy and civil liberty concerns. Biometric data such as facial photographs are especially sensitive because of the potential for identifying and tracking individuals in public without their knowledge, and because one's face cannot be changed in the event of a breach or misuse of the data. In particular, "selfie" photographs that individuals submit for the singular purpose of accessing SSA services online must be fully protected from any additional use or reuse for other purposes, including law enforcement and commercial purposes.

Finally, in addition to our general concerns about facial recognition privacy and equity, there have been numerous concerning reports of individuals facing challenging if not insurmountable barriers as they attempt to use the ID.me platform specifically. These barriers can include lack of smartphones or the technology skills to submit photos and documents, lack of any method for assistance until the user has successfully completed several complicated steps, and hours-long wait times for assistance. ID.me's recent announcement that it will allow individuals to opt out of facial recognition does not address these concerns, nor does it prevent individuals from defaulting into using ID.me's facial recognition process.


We were pleased to see SSA acknowledge widespread concerns over many aspects of facial recognition, in comments submitted to the National Institute of Standards and Technology in 2020, when SSA also "urge[d] NIST to identify an alternative mechanism to remotely verify identity."

We look forward to working with you to identify ways to verify identity securely while providing equitable access to SSA benefits and services for all individuals. We urge you to carefully evaluate options for ending use of facial recognition at SSA, and to work with NIST to identify secure and accessible alternatives. We welcome your response.

Sincerely,



John B. Larson, *Chair*
Subcommittee on Social Security



Danny K. Davis, *Chair*
Subcommittee on Worker and Family Support