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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit the use of automated mass surveillance systems and associated components, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. TLAIB introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit the use of automated mass surveillance systems
and associated components, 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 “Get the Flock Out
5 of Our Communities Act”.

6 **SEC. 2. PROHIBITION ON USE OF AUTOMATED MASS SUR-**
7 **VEILLANCE SYSTEMS.**

8 (a) PROHIBITION ON USE OF FEDERAL FUNDS.—

9 Notwithstanding any other provision of law, no Federal

1 funds made available before, on, or after the date of the
2 enactment of this Act for any fiscal year or otherwise
3 made available to any agency, State, or unit of local gov-
4 ernment may be obligated, expended, reprogrammed, or
5 transferred to purchase, deploy, install, maintain, access,
6 lease, or operate any automated mass surveillance system,
7 including any of the following:

8 (1) Automatic license plate reader or associated
9 component.

10 (2) Biometric surveillance system.

11 (3) Facial recognition technology.

12 (b) PROHIBITION ON USE OF AUTOMATED MASS
13 SURVEILLANCE SYSTEMS.—An agency, or employee or of-
14 ficer of an agency acting in an official capacity may not
15 acquire, possess, access, solicit, or use in the United
16 States—

17 (1) any automated mass surveillance system; or

18 (2) information derived from an automated
19 mass surveillance system.

20 (c) REMOVAL.—Each agency, State, or unit of local
21 government that purchases, deploys, installs, maintains,
22 leases or operates or is in the process of purchasing, de-
23 ploying, installing, maintaining, leasing, or operating any
24 automated mass surveillance system using Federal funds
25 shall remove or order a lessee to remove any such auto-

1 mated mass surveillance system not later than 30 days
2 after the date of the enactment of this Act.

3 (d) DISPOSAL OF DATA.—An agency, State, or unit
4 of local government or employee or officer of an agency,
5 State, or unit of local government acting in an official ca-
6 pacity that possesses automated mass surveillance data
7 prohibited under subsections (a) or (b) shall permanently
8 delete such data not later than 7 days after the date of
9 the enactment of this Act.

10 (e) INADMISSIBILITY.—Any data obtained in viola-
11 tion of this section may not be admitted into evidence in
12 any court or administrative proceeding.

13 (f) ELIGIBILITY FOR CERTAIN FEDERAL GRANTS.—

14 (1) CERTIFICATION REQUIRED FOR CERTAIN
15 GRANTS.—An application by a State or a unit of
16 local government for funding under a covered pro-
17 gram shall include a certification that such State,
18 unit of local government, and any law enforcement
19 agency to which the State or unit of local govern-
20 ment will distribute funds, does not maintain, ac-
21 cess, lease, or operate any automated mass surveil-
22 lance system or information derived from an auto-
23 mated mass surveillance system.

24 (2) ELIGIBILITY FOR CERTAIN GRANTS.—A
25 State or unit of local government shall be ineligible

1 for funding under a covered program without pro-
2 viding the certification described under subsection
3 (b).

4 (g) DEFINITIONS.—In this section:

5 (1) AGENCY.—The term “agency” has the
6 meaning given that term in section 551 of title 5,
7 United States Code.

8 (2) ASSOCIATED COMPONENT.—The term “as-
9 sociated component”, with respect to an automated
10 mass surveillance system, includes any product, serv-
11 ice, hardware, software, algorithm, database, com-
12 munications network, cloud-based service, or data
13 analysis platform of, or used in connection with,
14 such system to collect, store, process, analyze, com-
15 pare, query, match, transmit, share, or retrieve data
16 collected or generated by such system, including bio-
17 metric data.

18 (3) AUTOMATED MASS SURVEILLANCE SYS-
19 TEM.—The term “automated mass surveillance sys-
20 tem” means any automated system or technology
21 that acquires, processes, collects, analyzes, gen-
22 erates, retains, uses, or stores information or data
23 on an indefinite or large number of people.

24 (4) AUTOMATIC LICENSE PLATE READER.—The
25 term “automatic license plate reader” means any

1 camera or camera system product or service that
2 automatically captures license plate data of vehicles,
3 and any associated information.

4 (5) BIOMETRIC SURVEILLANCE SYSTEM.—The
5 term “biometric surveillance system” means any
6 computer software that performs facial recognition
7 or other remote biometric recognition in real time or
8 on a recording or photograph that allows or confirms
9 the unique identification or verification of an indi-
10 vidual and is generated from the measurement or
11 processing of unique biological, physical, or physio-
12 logical characteristics, including any of the following:

13 (A) Fingerprint.

14 (B) Voice print.

15 (C) Iris or retina imagery scan.

16 (D) Facial or hand mapping, geometry, or
17 template.

18 (E) Deoxyribonucleic acid (DNA).

19 (F) Gait.

20 (6) BYRNE GRANT PROGRAM.—The term
21 “Byrne grant program” means any grant program
22 under subpart 1 of part E of title I of the Omnibus
23 Crime Control and Safe Streets Act of 1968 (34
24 U.S.C. 10151 et seq.), without regard to whether
25 the funds are characterized as being made available

1 under the Edward Byrne Memorial State and Local
2 Law Enforcement Assistance Programs, the Local
3 Government Law Enforcement Block Grants Pro-
4 gram, the Edward Byrne Memorial Justice Assist-
5 ance Grant Program, or otherwise.

6 (7) COPS GRANT PROGRAM.—The term “COPS
7 grant program” means the grant program author-
8 ized under section 1701 of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (34
10 U.S.C. 10381).

11 (8) COVERED PROGRAM.—The term “covered
12 program” means any program or activity funded in
13 whole or in part with funds made available under—

14 (A) a Byrne grant program; and

15 (B) the COPS grant program.

16 (9) FACIAL RECOGNITION TECHNOLOGY.—The
17 term “facial recognition technology” means tech-
18 nology that facilitates or otherwise enables an auto-
19 mated or semi-automated process that assists in
20 identifying an individual based on the physical char-
21 acteristics of the face of the individual, or that logs
22 characteristics of the face, head, or body of an indi-
23 vidual to infer emotion, associations, activities, or
24 the location of an individual.

1 (10) STATE.—The term “State” means each of
2 the several States, the District of Columbia, and
3 each commonwealth, territory, or possession of the
4 United States.