

## Sean Wieber Discusses the Department of Homeland Security's Facial Recognition Proposal with *Legaltech News*

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The Department of Homeland Security recently withdrew a proposal it made that would have expanded airport face scans to passengers arriving in or leaving the U.S. to include American citizens. While states have laws like the Illinois Biometric Information Privacy Act (BIPA) and the forthcoming California Consumer Privacy Act (CCPA) to address the way personal information is handled, DHS seemed to withdraw the proposal as a response to the public's reaction versus a legal reason.

Winston & Strawn Litigation Partner Sean Wieber doesn't expect the topic of facial recognition to disappear any time soon. "This is not even the tip of the iceberg...This is a next two [or] three-decade issue that is only going to become more pervasive as the technologies change," he said.

Additionally, if the DHS were to successfully revisit the proposal, Sean doesn't see any legal challenges standing in the way, as federal mandates carry more weight than state privacy regulations.

"[BIPA] only applies to private entities and they specifically exempt state or local government agencies...I don't think legislators ever really tried to regulate the federal government in this space," Sean said.

[Read more from Sean in the full \*Legaltech News\* article.](#) (Subscription required.)

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