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Congress of the United States  
House of Representatives  
Washington, DC 20515

January 31, 2012

BUDGET COMMITTEE  
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AND FINANCIAL MANAGEMENT  
TARP, FINANCIAL SERVICES AND  
BAILOUTS OF PUBLIC AND PRIVATE  
PROGRAMS  
JOINT ECONOMIC COMMITTEE

The Honorable Janet Napolitano  
U.S. Department of Homeland Security  
310 7th Street, S.W.  
Washington, DC 20528-0150

Dear Secretary Napolitano:

I urge you to reverse the Department of Homeland Security's requirement that enhanced driver's licenses include vicinity radio frequency identification (RFID) technology. I specifically ask the Department to cease demanding that Michigan include RFID chips in its enhanced driver's licenses.

I have been informed that the RFID chips in these driver's licenses would contain unique numbers that Customs and Border Protection (CBP) officers could scan from 20 to 30 feet away. These numbers would allow CBP to identify all of the occupants within a vehicle with one scan.

I am deeply concerned about the privacy implications of mandatory RFIDs in driver's licenses. The chips would give public and private entities an unprecedented ability to track Americans. RFIDs can be read using widely available technology, including technology contained in mobile phones, which increases the risk of identity theft. Furthermore, if RFIDs were to become ubiquitous, there is little doubt that private entities would deploy new technology to capture the chips' data.

Congress never has required RFIDs to be installed in driver's licenses. Current federal law states only that "standards for common machine-readable identity information [are] to be included on each driver's license or personal identification card, including defined minimum data elements." This mandate could be satisfied by issuing driver's licenses with magnetic strips, for example.

The people of Michigan oppose the new requirement. The Michigan state House and Senate each unanimously approved a resolution calling on DHS to address privacy concerns related to the federal mandate. And Michigan's Secretary of State has asked the Department for the flexibility to issue secure driver's licenses without RFIDs.

I believe we can find a solution that both satisfies federal law and protects our civil liberties. Please work with Michigan officials to adopt an alternative to mandatory RFIDs.

Sincerely,



Justin Amash  
Member of Congress