

Congress of the United States
Washington, DC 20515

June 29, 2005

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Rumsfeld,

We are deeply disturbed by the recent revelations that the Department of Defense (DoD) is working with a private marketing firm to gather sensitive personal information about college and high school students for the purpose of military recruitment. Our concerns lie primarily with the erosion of student privacy rights, the potential for racial profiling, and the risk of identity theft.

According to the Federal Register, document ID fr23my05-35, the DoD, with a third party marketing firm, BeNow, has initiated an effort to collect and maintain a repository of private information, including information about an individual's ethnicity, grades and Social Security number.

This program is inconsistent with the Privacy Act of 1974, which states that federal agencies may maintain in their records "only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by Executive Order of the President." The Pentagon's collection effort is an unacceptable infringement of the privacy rights of our nation's youth.

We fail to see how the amassing of racial and academic data assists the military in actively recruiting willing and capable men and women to serve. The success of the United States Armed Forces comes in a large measure from the diversity of its soldiers, their willingness to serve, and the high morale that continues to attract Americans of every background. The gathering of racial data raises concerns of profiling and is the wrong message to send to our nation's young people, many of who view the military not only as a chance to serve their country, but also as a way of life. It is imperative that the Armed Services continue their century-long efforts to ensure an equality of treatment for all persons, regardless of race, gender, sexual orientation, or socio-economic background.

The gathering of Social Security numbers for the purposes of contacting students is likewise superfluous. Social Security numbers are extremely private, and the potential for misuse, in light of recent revelations of unauthorized security breaches and instances of identity theft, remains high. While federal laws regarding the security standards and acceptable distribution of private information regulate some businesses that maintain

records that include Social Security Numbers, the databases of marketing agencies are not subject to such regulations.

This program circumvents the prerogatives of parents, as well as student privacy rights with regards to their personal, private information. The information included in this database will be collected from commercial data brokers and state registries rather than from the individuals themselves. Commercial data brokers often maintain inaccurate databases and even sell this information to criminals. Furthermore, the Privacy Act stipulates that federal agencies should collect data directly as often as possible, and provide rights of access and opportunities for correction. However, the DoD provides no method for individuals to access *their own* information to verify or correct.

Over 10 million Americans are victimized by identity theft every year. It would be serious breach of trust for the government to distribute this kind of information to any marketing company.

Furthermore, it will be impossible for individuals to withdraw themselves from this system. Rather than accepting requests for removal from the system, the plan permits individuals to opt-out of being contacted by including their name within a "suppression list" while also leaving their name within the database. People must have the right to remove their name from a military recruitment database.

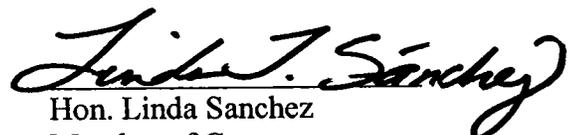
The Pentagon's recent recruitment efforts raise a myriad of grave privacy issues. We demand that the Pentagon rescind its practice of utilizing mass marketing firms to collect Social Security numbers, ethnicity data, and other private personal information for the purposes of recruitment. We look forward to your expeditious response.

Sincerely,

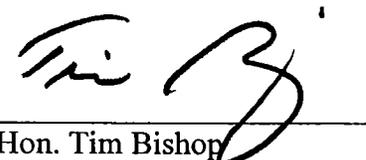
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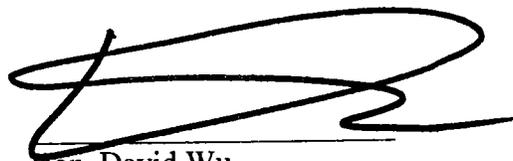
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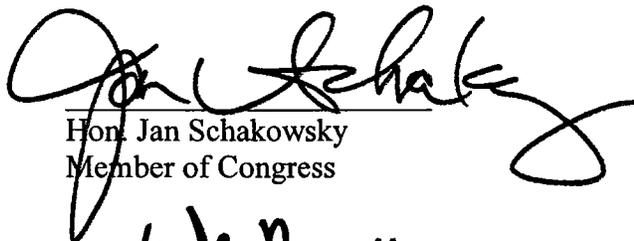
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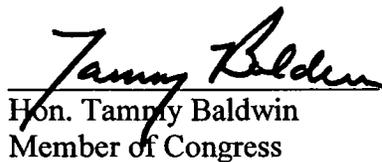


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