



November 5, 2018



The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, U.S. Capitol
Washington, D.C. 20510

The Honorable Charles Schumer
Senate Democratic Leader
United States Senate
S-221, U.S. Capitol
Washington, D.C. 20510



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In Support of S. 998, The Moving Americans Privacy Protection Act

Dear Majority Leader McConnell and Democratic Leader Schumer,



The undersigned organizations, representing affected parties and the moving and storage industry that serves them, strongly support S.998, the Moving Americans' Privacy Protection Act, introduced by Senator Steve Daines (R-MT) and Gary Peters (D-MI). This time sensitive and vital legislation will halt an alarming, yet solvable, harm inadvertently inflicted on American service members and foreign service personnel who move overseas to serve our country. We request that you expedite and pass S.998/H.R. 4403 before the end of the current legislative session.



In support of their mission to protect this nation's soil from nefarious cargo, U.S. Customs and Border Protection (CBP) collects manifest documents for all inbound containers. In addition to general freight shipments, this includes containers holding Americans' household goods (HHG) when they move internationally. As you can imagine, active duty military and foreign service personnel represent a large portion of international moves. The forms collected by CBP, which also includes additional paperwork required by the Department of Defense or U.S. State Department, often include Social Security numbers, passport data, and other personally identifiable information (PII). To shield U.S. taxpayers from the financial burden of collecting the data, however, CBP is directed by statute (19 U.S.C. 1431) and regulation (19 CFR 103.31) to sell this bulk manifest data to "trade press" or third-party data brokers. These entities, in turn, publish this information online to be used for macro-economic data study and import/export analysis by interested parties.



The problem arises when Americans' PII is inadvertently included in what is sold by CBP and released online by trade press. The publication of PII on the internet in this manner is a longstanding issue, going back roughly eight years. One of the most egregious examples was a relocated family, who found their Social Security numbers online, along with the Social Security numbers of nearly 200 recently relocated individuals in 2013. These types of stunning breaches repeatedly provide data thieves and financial criminals everything they need to victimize American citizens.



While the CBP offers a separate form that consumers can use to exclude their data from this sale, that process is broken. Many consumers are not aware the opt-out process exists. Even if consumers do discover this form, the CBP requires any request be submitted 90 days prior to a move, which is impossible for most military moves. Finally, a majority of timely submitted opt-out forms are not even processed by the Agency until after the move has occurred, providing no protection for captured PII.

The burden to keep our PII confidential must not fall on consumers' shoulders. The Agency must properly safeguard this information. On May 1, 2017, a bipartisan coalition led by Senators Steve Daines and Gary Peters introduced S. 998 to solve this problem. The proposal simply directs CBP to scrub any PII, including Social Security numbers and passport information, before it is sold to trade press. A House companion bill led by Representative Jeff Denham (R-CA) and Steve Pascrell (D-NJ), H.R. 4403, unanimously passed that Chamber on April 18, 2018. This legislation received a zero score from the Congressional Budget Office. It is supported by the DOD and the General Services Administration.

It is important to understand that rulemaking or other agency actions at CBP are not legal options – only legislation, provided for in S. 998, will change the statutory sale requirements (as outlined in 19 CFR 103.31) and provide the needed protection for PII.

There is no opposition to this proposal. In the waning days of the current Senate legislative calendar, however, our provision is running out of time. Every day that elapses without Senate action exposes another servicemember, and their families, to credit fraud and identity theft. For these reasons, we ask you to expedite S. 998/H.R. 4403's path to the Senate floor before the legislative calendar ends in 2018. Thank you for your thoughtful consideration and we look forward to working with you to resolve this important matter.

Sincerely,



Scott Michael
President & CEO
American Moving & Storage
Association



Chuck White
Senior Vice President
International Association of
Movers



Peggy Smith,
President & CEO
Worldwide ERC®

Air Force Sergeants Association
American Foreign Service Association
Association of the United States Army
Association of the United States Navy
Fleet Reserve Association
National Active and Retired Federal Employees Association
National Association of Federally-Insured Credit Unions
National Association of Realtors