

The Identity Project

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“State-to-State Verification System (S2S) Project” – OPPOSE

- ✓ If California chooses to comply with the REAL-ID Act, the DMV will be required to make all data in DMV records about all California driver’s licenses available to all other states (and to AAMVA). The REAL-ID Act provides that, “To meet the requirements of this section, a State shall... Provide electronic access to all other States to information contained in the motor vehicle database of the State [and] maintain a State motor vehicle database that contains, at a minimum... all data fields printed on drivers’ licenses and identification cards issued by the State.”
- ✓ DMV data will be available to other states through the S2S network. It will also be uploaded to the SPEXS national ID database at AAMVA’s central site.
- ✓ Other states can make only limited queries through the S2S network. But AAMVA as the holder of the SPEXS database can query and retrieve data in bulk at its central site.
- ✓ If the DMV doesn’t have a Social Security Number on file for a license, it will upload a record for that license to the SPEXS database with “99999” in the field for SSN.
- ✓ AAMVA could search for and retrieve all records with “99999” in the field for SSN, or could be ordered to do so by a Federal or state warrant, subpoena, or other court order.
- ✓ A demand to AAMVA for SPEXS data could and probably would include a gag order prohibiting AAMVA from telling the California DMV or the affected individuals that AAMVA had been required to retrieve and disclose their information.
- ✓ No provision in a contract between the DMV and AAMVA could override a gag order. California might not know about or be able to challenge a court order to AAMVA.
- ✓ Contractual “guardrails” would give only false and misleading reassurance, not real protection. The only way to prevent Federal agencies or other states from (secretly) obtaining data from AAMVA is for California not to upload that data to AAMVA.
- ✓ AAMVA is a private Virginia corporation not subject to any of the public records, open meetings, or privacy laws that would apply to a Federal or state government agency.
- ✓ AAMVA has no procedure for an individual to find out what information about them is in the SPEXS database or with whom AAMVA has shared any or all of that data.
- ✓ The DHS has threatened to interfere with Californians’ right to travel if California doesn’t choose to comply with the REAL-ID Act. But the promises made to California drivers and the protection of Californians’ personal information should take precedence over the convenience of air travelers who don’t want to get a passport or passport card.
- ✓ Instead of capitulating to unlawful or questionable DHS threats, California could and should challenge those threats, just as California has challenged other DHS threats.
- ✓ The “deadline” cited by the DMV was set by AAMVA, not by any law or regulation. There is no need to rush a decision which, once made, would be irrevocable.

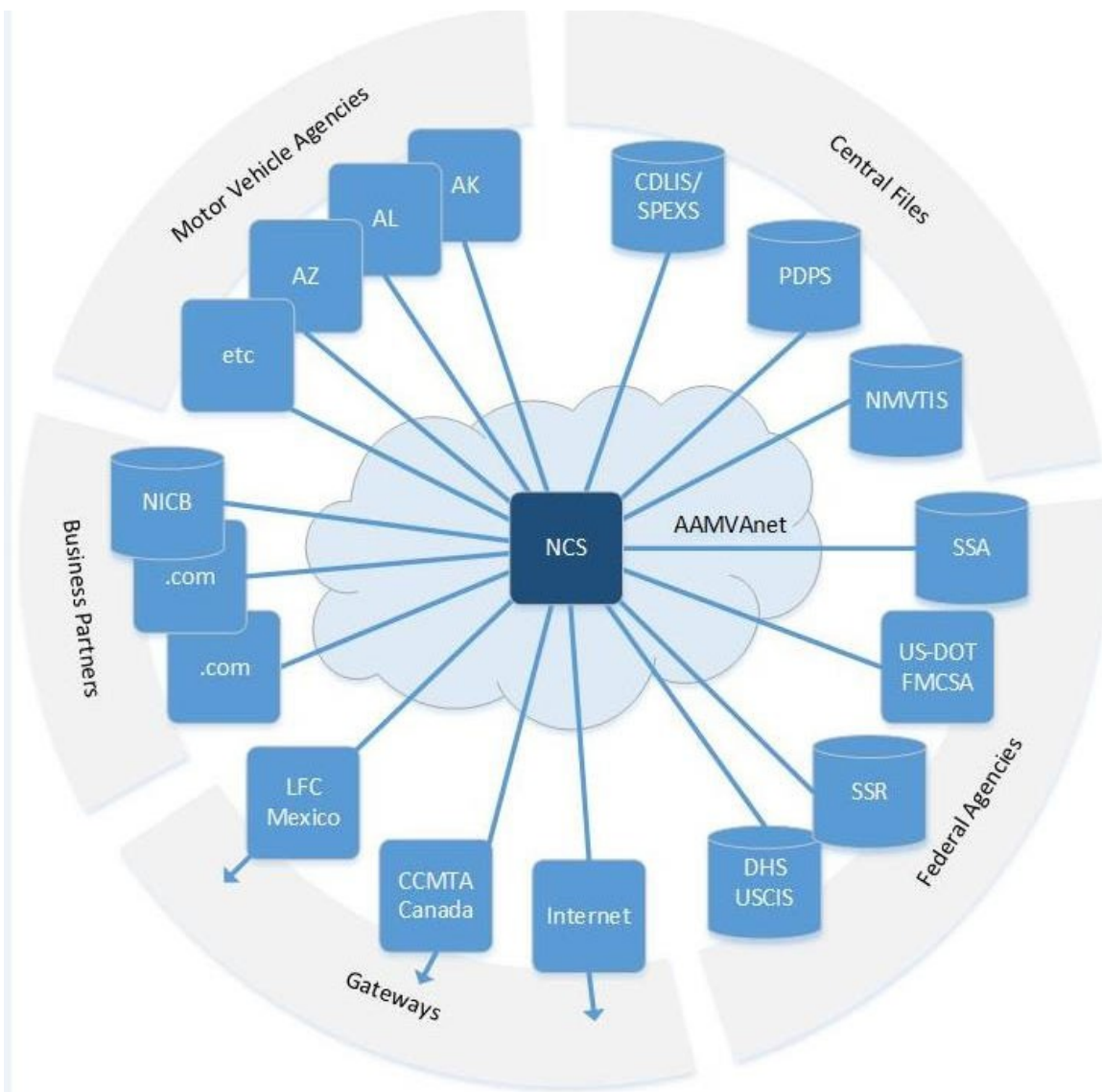


Diagram: Architecture of connections between AAMVA’s central site, including the SPEXS database, and state, Federal, and private entities. From “AAMVA SPEXS Master Specification (AMIE), r6.0.8”, page 5, previously available on AAMVA’s public website.

Note connections to DHS, USCIS, and other Federal agencies routed via AAMVA’s hub-and-spoke network and controlled by AAMVA’s Network Control Software (NCS).

After the Identity Project included a copy of this network diagram in an article about SPEXS, AAMVA changed the diagram in later versions of the SPEXS specifications by replacing “SPEXS” by “S2S”. By characterizing the SPEXS database as a component of the more benign-sounding S2S network, AAMVA apparently hoped to avoid calling attention to the existence of a national ID database as part of its “Central Files”.