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January 28, 2015

VIA ELECTRONIC TRANSMISSION

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Holder:

On January 26, 2015, the Wall Street Journal reported that the Drug Enforcement Administration (DEA) has been building a national database to track the movement of vehicles around the United States ("U.S. Spies on Millions of Cars"). According to this report, the DEA has expanded its license plate reader (LPR) surveillance program from the Southwest Border to states across the country, and the database now includes hundreds of millions of records about motorists. This database reportedly allows the DEA to track a vehicle in real-time.

In December, we wrote to you about the use of cell-site simulators (sometimes referred to as "Stingrays" or "dirtboxes"), which can collect data from large numbers of cell phones in their vicinity. Just last week, we wrote to you with concerns about the Department's use of radar technology that can detect movement inside buildings.

The DEA's massive LPR database raises similar concerns. In 2014, the Department of Homeland Security sought to build its own nation-wide vehicle tracking database, but reconsidered in the face of public concern about the privacy implications of such a plan. We appreciate that all of these new technologies are potentially useful law enforcement tools. But we remain concerned that government programs that track citizens' movements, see inside homes, and collect data from the phones of innocent Americans raise serious privacy concerns.

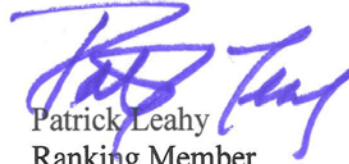
We also have questions about the way in which the DEA's database is being used. According to one document, the primary purpose of the program is to broaden the reach of the DEA's civil asset forfeiture efforts. Federal asset forfeiture programs have been the subject of recent controversy and we believe that greater transparency and oversight of civil asset forfeiture is needed. Any program that is dedicated to expanding the Justice Department's forfeiture efforts requires similar oversight and accountability.

Therefore, the Judiciary Committee needs a broader understanding of how LPRs are being used, how the data is being shared and the policies in place to protect the privacy interests of Americans whose information might be collected using these devices. Accordingly, please arrange for knowledgeable DOJ officials to provide a briefing to Judiciary Committee staff about these issues no later than February 13, 2015. Should you have any questions, please contact David Pendle at (202) 224-0739 or Jay Lim at (202) 224-5225. Thank you.

Sincerely,



Charles E. Grassley
Chairman



Patrick Leahy
Ranking Member