



June 23, 2004

San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RE: Opposition of the Electronic Frontier Foundation (EFF) to San Francisco Public Library Radio-Frequency ID (RFID) Book-Tagging Plan

Dear Budget Committee Chair Gerardo Sandoval,
Budget Committee Vice-chair Chris Daly, and
Budget Committee member Jake McGoldrick:

EFF has opposed and continues to oppose library use of RFIDs for book tagging, including the S.F. Public Library RFID book-tagging plan.

Thus, I was pleased to hear that Vice-chair Daly moved to cut funding for the library's RFID plan, and that Chair Sandoval seconded the motion at the June 19 Budget Committee meeting. I understand that open government rules prevented a vote that day, but may permit such a vote at your June 24 meeting.

I am concerned, however, that the library may have given the Budget Committee the impression that EFF no longer opposes the plan.

I write to set the record straight. EFF has been opposed to the use of RFID tags by libraries since October 2003. I sent critical comments to the Library Commission explaining our opposition just prior to the Oct. 2, 2003 meeting at which the Commission was scheduled to adopt a library "strategic plan" that included a plan for using RFID tags. I urged the Commission to reject the RFID plan, not only on privacy grounds, but also because of its likely fiscal costs.

Since that time EFF has continued to oppose library and other use of RFID tags.

- In November, I testified at a state senate hearing held by Sen. Debra Bowen expressing great concern about the privacy issues raised by government use of RFID tags in general and library use in particular.
- In November EFF joined numerous other privacy and consumer groups in a joint statement against the use of RFID tags in consumer items. See http://www.eff.org/Privacy/Surveillance/RFID/rfid_position_statement.php
- In January I spoke to the American Library Association (ALA) in San Diego, again expressing opposition to library RFID use.

San Francisco Board of Supervisors
June 23, 2004
Page 2

- On March 4, 2003, I again spoke in opposition to the library's plan, this time at a public forum devoted to the RFID issue. I have appeared at two other Library Commission meetings (April 1 and May 6), each time urging the Commission to reject the plan.
- In May, I gave a presentation about the privacy issues raised by RFID use to a panel of the Computer Science and Telecommunications Board of the National Academy of Sciences in Seattle.
- This past Monday, I spoke at a Federal Trade Commission workshop on RFID technology, again expressing privacy concerns about government and library RFID use.
- This coming Sunday, I will be speaking at the American Library Association meeting in Orlando, Florida, urging the ALA to reject library RFID use.

After the library commission voted to proceed with the library's RFID plan, city librarian Susan Hildreth asked me if EFF was interested in working with the library on its RFID vendor RFP (request for proposal) to address our privacy issues. I told Ms. Hildreth that EFF was tentatively willing to do so.

I made clear, however, that EFF was not endorsing the RFID plan. I merely hoped to mitigate the privacy risks if the city were to adopt the library RFID plan despite our opposition – in short, to make the best of a bad situation. I add that it was not clear to me at the time (or now) whether EFF would be able to work with the library at all, depending on the openness of the process and EFF's ability to speak publicly about information learned during the process.

In conclusion, EFF remains opposed to library use of RFID tags. My willingness to work with the library to reduce the privacy risks associated with library RFID use should not be taken as approval or endorsement of the library's RFID plan. I urge the Budget Committee and the Board of Supervisors to cut funding for the library RFID plan.

Sincerely yours,



Lee Tien
Senior Staff Attorney
Electronic Frontier Foundation
(415) 436-9333 x 102
tien@eff.org

**San Francisco Board of Supervisors
June 23, 2004
Page 3**

cc via facsimile and email:

**Supervisor Michela Alioto-Pier
Supervisor Tom Ammiano
Supervisor Bevan Dufty
Supervisor Matt Gonzalez
Supervisor Tony Hall
Supervisor Fiona Ma
Supervisor Sophie Maxwell
Supervisor Aaron Peskin
Mayor Gavin Newsom**