

U.S. Senators Initiate RFID Caucus

Senators Cornyn and Dorgan will cochair the Senate RFID Caucus, which will hold its first meeting on July 13.

By Mary Catherine O'Connor

June 23, 2006—Two U.S. senators are launching a caucus to provide a forum to discuss the benefits, policy challenges and innovation solutions of RFID. In a June 9 letter, Republican U.S. Senator John Cornyn of Texas and Democratic U.S. Senator Byron Dorgan of North Dakota invited their fellow senators to join them in forming the Senate RFID Caucus, which the two senators will cochair. Its first meeting is scheduled for July 13.

A spokesperson for Senator Cornyn notes that while RFID could be used to help strengthen homeland security and improve supply chains, the technology also presents policy challenges that the caucus will address. Additionally, it will work to help the United States maintain a leading role in deploying RFID technology, relative to many other countries--including Singapore, Thailand, Australia, Europe, China, Korea and Italy--that are also investing in and deploying the technology. "We want to maintain U.S. leadership and competitiveness in RFID, while being mindful of privacy and security concerns," states Cornyn's spokesperson. In addition to exploring ways to address privacy and security concerns, the caucus will attempt to educate policymakers and staff on the role of RFID in national security and industrial applications, from international and state perspectives, with an emphasis on the importance of standards and interoperability.

"There has been a flurry of state legislators introducing RFID-related bills over the past few years," says Douglas Farry, a managing director of international law firm McKenna, Long & Aldridge and lead correspondent for the [RFID Law Blog](#). The formation of the Senate Caucus signals that "there is a growing interest in RFID among federal lawmakers," and that this "increases the need for those in the RFID industry to stay active and informed about RFID-related legislation."

"There are Internet caucuses in both the House and the Senate, and they've both had forums in which RFID has been showcased," says Farry, "and there has been some debate over whether to have a separate caucus for RFID or keep it in the Internet caucus."

A number of federal agencies are using RFID, or promoting its use. The U.S. Department of Defense is employing it to track supplies. The U.S. Department of Agriculture is encouraging its use to track livestock. The Federal Drug Administration has recommended RFID for tracking and securing pharmaceuticals.

Lawmakers in Congress seem divided across party lines in their opinions regarding how and whether the use of RFID should be regulated due to concerns over personal privacy.

The Senate's Republican High-Tech Task Force, for example, was founded was to "protect exciting new technologies from premature regulation or legislation in search of a problem," according to a press release that had announced the creation of the task force in early 2006. "RFID holds tremendous promise for our economy, including military logistics and commercial inventory efficiencies, and should not be saddled

prematurely with regulation."

But Farry notes, however, that both Democratic New York Senator Clinton and Republican Texas Senator Barton have each said they are each considering introducing legislation that would address how personally identifiable information could be electronically collected and shared. Farry believes there is a good chance that those bills would include language addressing the role of RFID technology in the collection of personal data.

Cornyn's office said it is too soon to release the number of U.S. Senators who have signaled their interest in joining the caucus.

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