

Evans, Sandra E

From: Cintron, Ken [kjcintro@alief.isd.tenet.edu]
Sent: Wednesday, February 12, 2003 3:40 PM
To: 'regs.comments@ots.treas.gov'
Subject: No. 2002-27 Public Comments

I am writing to offer a public comment regarding the proposed rules with respect to Section 326 of the U.S. Patriot Act. I am commenting on Title III, captioned "International Money Laundering Abatement and Antiterrorist Financing Act of 2001." I am requesting that a proposed rule be changed or amended.

I recently contacted by telephone, my local credit union and a national bank where I hold accounts. My request - to add a name to my personal checking accounts, which would allow the additional named person the ability to sign checks on my behalf. I was informed that it was a simple process and that I would need to complete the needed form and provide a photocopy of the driver's license and Social Security Card of my additional named person. Also, from time to time when I have visited a teller window in person, the teller has usually asked if it were all right to "scan" my driver's license into the computer.

Here is my concern. I do not believe that a banking institution should be entitled to retain a copy of a U.S. citizen's driver's license and/or social security card. I am pleased to provide the numbers and show my photo identification in person, at the time of a transaction. I do not feel that a banking institution needs or has the right to maintain a database containing all the information that is contained on an individual driver's license, such as a photograph, height, weight, eye color, etc.

I understand all of the various security reasons for the request, but I believe the request and proposed rule will infringe on an individual's right to privacy. I have reviewed the Patriot Act of 2001, the "OFAC" rules as administered by the U. S. Department of Treasury, and spoken to the office of the U.S. Comptroller of Currency. I can find no law or existing banking regulation that requires banking institutions to maintain copies, electronic or photocopies, of driver's licenses and/or Social Security Cards. At best, the language states that the institutions are required to "know" their customers and to verify the information they are presented.

In the last few years, several high profile incidents have developed involving identity theft. I am concerned that providing copies of driver's licenses and other personally identifying documents can potentially fuel identity theft. Once the information is contained in a database, no institution can offer assurance that the information will *never* be compromised or used inappropriately.

I request that the new proposed rules maintain the practice that institutions are required to "know" their customers and to verify the information in person, and that the new rules do not include the requirement that banking institutions maintain copies, electronic or otherwise of personally identifying information from their customers.

Thank you for your time.

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