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12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

15 PUBLIC CITIZEN, INC.,  
 16 et al.,

17 Plaintiffs

18 v.

19 MICHAEL MUKASEY, ATTORNEY  
 20 GENERAL OF THE UNITED STATES

21 Defendant.

No. CV 08-0833 (MHP)

**NOTICE OF STATUS REPORT**

1 In accordance with the Court's September 30, 2008 Order, Defendant submits this status  
2 report regarding the status of the issuance of a Final Rule related to the National Motor Vehicle  
3 Title Information System (NMVTIS) and the commencement of consumer access to the  
4 NMVTIS database. Regarding the Final Rule, the Department of Justice (DOJ) is conducting its  
5 final review of the Rule and is endeavoring to submit the Rule for signature by the current  
6 Attorney General by January 20, 2009. If the Final Rule is not signed by the current Attorney  
7 General, it will be submitted to the appropriate successor DOJ officials for approval, and they  
8 will be informed that the Court has ordered the Rule published no later than January 30, 2009. In  
9 addition, counsel wish to inform the Court that in light of the impending change in Presidential  
10 Administration, the Transition Team for President Elect Barack Obama has been notified of this  
11 case as well as the Court's September 30, 2008 Order and the deadlines contained therein.

12 Regarding consumer access, DOJ expects that at least one, if not more, portal providers  
13 will have a website operational that will provide consumers with access to NMVTIS by January  
14 30, 2009. DOJ has also established [www.nmvtis.gov](http://www.nmvtis.gov) as the single source for official NMVTIS  
15 information, and an up-to-date listing of, and link to, each website offering consumers access to  
16 NMVTIS. DOJ and the NMVTIS operator will rely on this site as the primary reference point for  
17 NMVTIS information in all materials, publications, and announcements so that consumers are  
18 directed to one source of official information. While DOJ is not aware of any current obstacles  
19 to establishing consumer access by January 30, 2009, the potential for unforeseen circumstances  
20 still exists. Of specific importance to note, testing of the connection between NMVTIS and  
21 initial portal provider(s) is not scheduled to be fully completed before January 23, 2009. This  
22 testing period, the timing of which was driven largely by Verizon Communications' high-speed,  
23 high-volume data line installation schedules, could reveal problems of which DOJ is currently  
24 unaware. Additionally, because portal providers are independent businesses, other factors could  
25 also impact their launch dates. However, DOJ is currently unaware of any obstacles to meeting  
26 the Court's deadline and looks forward to launching consumer access by January 30, 2009.

27 Defendant has worked closely with the NMVTIS operator's staff and board of directors to  
28 ensure compliance with the requirements of the Court's September 30, 2008 Order, efforts which

1 have included attending meetings in Florida, Arizona, Virginia, and the District of Columbia, as  
2 well as participating in weekly conference calls. Defendant has also endeavored to keep  
3 Plaintiffs apprised of its progress and any challenges that have arisen. Defendant will continue  
4 with these efforts and shall promptly file with the Court, and serve on the Plaintiffs, notice of any  
5 matter that may significantly affect the Attorney General's compliance with any deadline set  
6 forth in the Court's September 30, 2008 Order.

7  
8 Dated: January 15, 2009

Respectfully submitted,

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