



## **The REAL ID Act is the WRONG ID Act**

By Laura Adley

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Your Louisiana Drivers License could soon become a National Identification Card if House Bill 907 is passed in the full Senate between now and session's end. After watching the Senate Transportation Committee pass this bill, it was obvious there were facts missing or overlooked. That is when I received the CATO Institute's Weekly Dispatch with a link to their Policy Analysis No. 749 entitled "REAL ID: State-by-State Update and dated May 12, 2014. This turned out to be very timely information. Does HB 907 in 2014 violate HB 715 which became law in 2008?

House Bill 715 was signed into Louisiana law on July 7, 2008. "The law states the opposition of the state of Louisiana to the federal REAL ID Act of 2005, on the grounds that it violates the constitutions of the state of Louisiana and of the United States, as well as violating the privacy of American citizens. It prohibits state agencies from implementing the provisions of the REAL ID Act, and orders officials to report to the governor any efforts by the federal government to secure or force Louisiana's compliance."

During the website streaming of the committee hearing on Thursday, May 15, 2014, Colonel Mike Edmondson with the Louisiana State Police seemed overly persuasive regarding his honesty and integrity and was adamant about the urgency of compliance due to the probability of delay for holders of uncompliant ID's to board an airplane. This became a major reason for the urgency to pass legislation to make a Louisiana drivers license a compliant "REAL ID".

A document from the Department of Homeland Security (DHS) website entitled "REAL ID Enforcement In Brief" gives notification and enforcement dates for compliance based on four (4) phases. Boarding commercial aircraft is in Phase four (4) with a timeline of "not sooner than 2016". What is the urgency for this compliance?

This DHS document also categorizes states as to their level of compliance as of April 18, 2014: 20 states are list as compliant; 20 states have renewable extensions; 4 states are territories; 3 states are exempt and 9 states are listed as non-compliant. Louisiana is listed as one of the 9 non-compliant states. By adding the states with renewable extensions and those listed as non-compliant, plus the 3 with exemptions and the 4 which are territories, you get 36 non-compliant states compared to 20 listed as compliant. Again, I ask, what is the urgency? And, why did Louisiana not receive an exemption or a renewable extension?

It is always important to follow the money. CATO offers an economic analysis from the Department of Homeland Security, which accompanied the proposed REAL ID regulations in March of 2007. The analysis estimated the implementation of REAL ID to be about \$17 billion. The following is best said by quoting the CATO Policy. "Congress continues to pour money into REAL ID in a way that does nothing to make REAL ID a success, yet keeps REAL ID alive by encouraging state officials and groups like the American Association of Motor Vehicle Administrators (AAMVA) to soak up federal taxpayer dollars." It seems that REAL ID continues to be funded through the Louisiana Homeland Security Grant Program (SHSGP) and US-VISIT/Office of Biometric Identity Management (OBIM). Which Louisiana department is receiving funds to implement the REAL ID compliance and what are the total dollars?

During the Louisiana Senate Transportation Committee hearing on May 15, 2014, someone suggested that the Louisiana Legislature could always come back later and pass legislation to void, repeal or offset the REAL ID compliance, which could soon become law if it passes the full Senate. How will they be able to retrieve or get back the long list of compliant information of Louisiana citizens, which according to Appendix B of the DHS Material Compliance Checklist would include:

- Mandatory facial image captured and retained even if a driver license or ID is not issued.
- A declaration signed under penalty of perjury the info presented is true and correct.
- Documentation for Date of Birth; Social Security #; Address
- Evidence of lawful status verified thru SAVE or other DHS approved method.
- Verified SS account number.
- Issue of DL and ID containing Level 1, 2 and 3 integrated security features.
- Front and back surface of cards include info printed in Latin Alpha-numeric characters
- Mark DL and ID with DHS approved security markings.
- Special AAMVA approved training for personnel handling documents, DL's, ID's.
- Fingerprinting, criminal history and employment eligibility checks on all employees.
- On non-compliant DL or ID, state on front of card, "not acceptable for official purposes".

Once this federal mandate is implemented it will be next to impossible to reverse. Find a way NOW to stop this "fact finding mission" by the federal government until 2016 or later.

This is about liberty and the sovereignty of our state. If we fail in the Senate to stop this madness, our only option left is the Governor's Veto.