



## **Real ID bill killed by Senate panel; must be brought up again in 2017**

**Security vs. privacy main issue in this debate**

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OKLAHOMA CITY – A federally mandated biometric driver’s license system won’t be implemented anytime soon in Oklahoma, and that could impact a person’s ability to board a commercial airliner in the next two years.

A legislative proposal that would have given state motorists the choice of a biometric license or a traditional ID was rejected by a state Senate committee Tuesday. The measure will likely be brought up again during the 2017 legislative session.

The measure, Senate Bill 683, also would have allowed citizens to exercise a religious exemption to the biometric license, which gave the Senate panel concern that Gov. Mary Fallin would not sign the bill. Many people have been opposed to the proposed license because of privacy concerns. The information gleaned from the biometric license, including facial recognition, fingerprints and other personal information, would be shared with all states and the federal government in a way that has never occurred before, said State Rep. Jon Echols, who sponsored the bill in the state House.

The federal Real ID Act of 2005 was passed after the 9/11 attacks. The terrorists used fake documents to enter the country. However, Oklahoma lawmakers passed a measure in 2007 opposing the federal law. The state law also prohibited state law enforcement agencies from implementing any of the federal Real ID requirements. Senate Bill 683 would have repealed the 2007 measure.

“I’m not a fan of Real ID in general,” he said, “but the reason to accept it (SB 683) is to give citizens the right to get a biometric ID or a non-biometric ID and get compliant with the federal government.”

Oklahoma would have been the first state in the nation to give its citizens that type of choice.

“There are people who say ‘those who would trade liberty for security deserve neither.’ We don’t need a big database to show who you are,” Echols said.

Conservative and liberal groups, such as the American Center for Law and Justice, the American Civil Liberties Union of Oklahoma, the Cato Institute and the Rutherford Institute oppose the Real ID Act.

“Everyone has come out against it, but this measure allowed compliance and gave people their privacy,” Echols said.

However, State Sen. David Holt said the measure would never have been signed by Fallin.

“The governor’s representatives were adamant she would not sign it, which made it mute,” he said.

This was the last legislative session for Oklahoma to pass its version of Real ID before the 2018 deadline, which will require all Americans to have a biometric ID in order to board an airline, Holt said.

“We’re hoping to will receive an extension next year,” he said.

However, Americans can use passports and other ID, such as military and tribal cards, to fly.

“There’s a much broader segment of people who don’t have that type of ID,” Holt said.

Millions of dollars must be spent on implementing Real ID with new camera and software systems which would be placed at every tag agency in Oklahoma where driver’s licenses are renewed. Federal grants were offered, but “that ship sailed” when Oklahoma passed its 2007 law, Holt said.

The U.S. Department of Homeland Security Jeh C. Johnson said in January the high-tech license won’t be needed for air travel until 2018, and possibly 2020, depending on a state’s compliance level. But Holt noted Oklahoma would need time to implement the new technology at the Department of Public Safety and the hundreds of tag agencies statewide.

At present, 23 states are fully compliant with the REAL ID Act, and the Homeland Security Department has used its authority to grant states extensions when they demonstrate steps toward compliance. Twenty-seven states and territories, including Oklahoma, have been granted extensions for a period of time to become compliant. Six states and territories – Illinois, Minnesota, Missouri, New Mexico, Washington, and American Samoa – are noncompliant and do not currently have extensions.

Part of the problem in Oklahoma is all of the information from driver’s licenses will be filtered from each state into one central network, creating a security issue for the government and potential targets for hackers, said State Rep. Lewis Moore (R-Arcadia).

“Even the IRS doesn’t have all of that information, plus your birth certificate and your photos scanned into one system,” Moore said.

Legislators also are concerned about the “dictator clause,” a term given to the Homeland Security director who has the authority to change the reasons for using the REAL ID Act.

“He might decide you need the ID to get on a bus or ride a train or use a certain highway. REAL ID is morphing into a life of its own,” Moore said.

Total compliance with the federal Real ID Act could cost Oklahoma as much as \$2 billion, Moore estimated.