



THE OKLAHOMAN

Against REAL ID: Compliance would put Oklahomans' civil liberties at risk

Jim Harper

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When Congress passed a U.S. national ID law in 2005, Oklahoma was clear about rejecting it as an unfunded federal surveillance mandate. But three Oklahoma legislators have introduced legislation to move the state toward compliance with the REAL ID Act. Sens. David Holt, R-Oklahoma City, and John Sparks, D-Norman, and Rep. Lewis Moore, R-Arcadia, have bills to repeal Oklahoma's prohibition on participating in the national ID program. This sets the stage for turning over Oklahomans' personal and private information to a network of databases controlled by President Obama's Department of Homeland Security.

In the name of security, the REAL ID Act sets up a system to help the government track everyone, law-abiding American citizens included. When REAL ID first passed, the reaction was strong — and strongly negative. State legislatures across the country passed laws barring themselves from complying with the national ID law, or they asked Congress to revisit the issue. Oklahoma's Legislature sent a clear message with a bill in 2007: the Oklahoma Department of Public Safety would not be an administrative arm of Homeland Security.

But DHS has been working to wear down state independence and get that de facto national ID card implemented. Late last summer, it began warning that the Transportation Security Administration would start turning Americans away from airport checkpoints starting in 2016 if they lived in noncompliant states. That was a bluff, and Homeland Security predictably backed away from any such deadline at the beginning of this year. But the bluff worked in some states. By introducing compliance legislation, Holt, Sparks and Moore have made themselves representatives of Washington, D.C., in the Sooner State.

Full implementation of REAL ID would mean that all states put data in the same machine-readable formats on their driver's licenses and IDs. It also would mean that data about every driver and ID card holder in Oklahoma is available to every other state through a database network set up and controlled by the federal government. DHS officials are quick to deny that a

uniform card system and a database network is a national ID system, but their arguments are unconvincing.

Homeland Security also likes to claim that nearly all states are compliant, and that there are just a few holdouts. In fact, no state is compliant with the REAL ID Act. The agency uses a pared back “material compliance checklist” to try to show compliance. Once they've convinced enough states to go along with the program, they'll force them to adopt the rest of the national ID system, including the sharing of Oklahomans personal and private information across a nationwide network.

It is often said that REAL ID was passed in response to recommendations of the 9/11 Commission, and that having a national ID is an important security measure. In fact, REAL ID repealed a federal law that was bringing state and federal officials together, as well as privacy advocates and other parties, to hash out ways of improving identification security. The 9/11 Commission's 400-page report gave the question about three-quarters of a page. Most importantly, nobody can explain how having law-abiding citizens carry a national ID card provides cost-effective security.

Oklahomans can and should stand up to the Obama administration's efforts to herd them into a national ID system. The legislators who are going along with the DHS's national ID plans should reconsider, and resist efforts to strip away Oklahomans' privacy at the behest of the federal government.

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