ASSOCIATED GENERAL CONTRACTORS of ALASKA

8005 SCHOON STREET, SUITE 100 • ANCHORAGE, ALASKA 99518
TELEPHONE (907) 561-5354 • FAX (907) 562-6118

March 21, 2017

Senator Mike Dunleavy
State Capitol, Room 11
Juneau AK, 99801

Re: Senate Bill 34

Dear ~~Senator Dunleavy~~, Mike

The Associated General Contractors of Alaska is a trade association representing over 640 Alaskan businesses in the construction industry. Within our membership is much of Alaska's construction industry. On behalf of the AGC and those businesses, I offer the following support for Senate Bill 34.

SB 34 would give the State of Alaska the ability to offer drivers' licenses and identification cards compliant and non-compliant with REAL ID requirements. This approach provides Alaskans with an option, so that those needing or desiring to have continued access to federal facilities and the ability to pass through airport security can do so. Those desiring more privacy, may have that.

Of interest to our industry, is the ability to access construction projects on military bases. As you may be aware, the 2017 construction forecast projects a total of $635 million in national defense spending and we expect an increase over that in 2018. We are thankful for the significant projects at Eielson, Fort Greeley, and Clear, as well as other federal projects that support Alaska construction jobs during this period of suppressed economy. Ensuring work crews have access to work sites on base is critical to the timely completion of these projects.

SB 34 would make the statutory changes necessary for our state to offer compliant identifications for Alaskans. Compliant identification will also help to insure more Alaskan employment on these projects. Alaska hire is something we all support.

I urge your support and timely passage of the legislation to the next committee of referral.

Sincerely,

John MacKinnon, Executive Director
Associated General Contractors of Alaska

CITIZENS' COUNCIL FOR
Health Freedom
SECURING HEALTH FREEDOM FOR ALL

Submitted Testimony
Alaska Committee on State Affairs

Matt Flanders
Citizens' Council for Health Freedom
Saint Paul, Minnesota

Mr. Chairman and members of the committee,

Thank you for the opportunity to submit testimony of our organization's concerns with implementation of REAL ID. Citizens' Council for Health Freedom has opposed REAL ID at a federal level and has led the charge against REAL ID in the state of Minnesota.

REAL ID has been called a key provision of the 9/11 report, but this is not accurate. In the nearly 600-page report, there are four-sentences dedicated to securing driver's licenses and identification cards. As the Maine Secretary of State wrote in February, "If we were to comply with REAL ID today and the 9/11 terrorists were to stroll into the Bangor branch of the Bureau of Motor Vehicles and apply for REAL IDs, the irony is that they would get them."

So, REAL ID doesn't protect us from terrorism. It does however create a new set of problems surrounding data security. REAL ID requires states to provide electronic access to all information contained in the State's motor vehicle database. In addition, under REAL ID, State's would be required to send certain information to a "hub" controlled by AAMVA. These required data elements include sensitive personal information such as an individual's social security number. Your state data privacy laws cannot protect the information of your citizens when the data leaves the state.

Perhaps the most concerning portion of REAL ID is the provision that allows the Secretary of the Department of Homeland Security (DHS) -an unelected bureaucrat- to expand the minimum requirements and expand the required uses for REAL ID, at any time, without needing to go back to Congress. DHS, in the REAL ID rule, commented that it agreed that it did not have to seek Congressional approval to make changes in the future. Both sides of the aisle can no doubt envision an administration or individual that could do great harm to the American people while wielding such ultimate power.

The feds clearly intend to make changes in the future. This is evident in the fact that in 2014, DHS came out with an addition to the REAL ID rule that requires States to recertify REAL ID compliance every three years. The only reason you require recertification is if you intend to continue to make changes or additions to the requirements.

REAL ID is a federal ID and would reverse the longstanding State authority over identification and driving privileges. If Alaska voluntarily submits to REAL ID, it becomes increasingly difficult for any lawsuits to arise. The Supreme Court ruled in Printz v. United States that a State cannot

be commandeered by the federal government to implement and pay for federal programs. DHS and TSA can threaten and coerce, but that's all they do. That's why at least 6 REAL ID deadlines have come and gone.

In the name of State rights, of protecting the data privacy of your constituents, and of protecting your constituents right to travel, I would urge the members of this committee not to give in to the federal threats surrounding REAL ID and vote against the passage of this REAL ID bill.

Thank you,

Matt Flanders
Citizens' Council for Health Freedom
(651) 646-8935
matt@cchfreedom.org

From:	Steve Flowers
To:	House State Affairs; Senate State Affairs
Subject:	REAL ID ACT
Date:	Tuesday, March 21, 2017 2:43:29 PM
Importance:	High

I PREFER NOT TO COMPLY WITH THE FEDERAL REAL ID ACT.

DO NOT PASS HOUSE BILL 74 TO COMPLY WITH THE FEDERAL REAL ID ACT

DO PASS HJR 15 AND SB 34 A RESOLUTION TO ENCOURAGE THE NEW TRUMP ADMINISTRATION ABOLISH THE REAL ID ACT.

REPUBLICANS OWN EVERYTHING NOW. TELL THEM TO GET RID OF THIS INTRUSIVE UN-FUNDED LAW. EVEN THAT WASTE OF SPACE MURKOWSKI CAN GET BEHIND THIS.

NO REAL ID

AN ALASKA DRIVERS LICENSE AND OR A PASSPORT IS ALL THAT WE NEED.

THE FEDERAL GOVERNMENT HAS NO BUSINESS IN THE ALASKA DATABASE.

Steve Flowers

4800 E. 102nd Ave

Anchorage, Alaska 99507

907-346-3166 H

907-351-8378 C

From: Alberta Laktonen
To: Senate State Affairs
Subject: Real ID
Date: Tuesday, March 21, 2017 2:49:13 PM

I am writing to encourage the repeal of the Federal Real ID act. I believe it is an invasion of privacy and also results in increased expense to the citizens of Alaska.

Thank you,
Alberta Laktonen
Anchorage, AK

From:	Karen Perry
To:	Senate State Affairs
Subject:	REAL ID
Date:	Tuesday, March 21, 2017 2:54:51 PM
Importance:	High

Subject: REAL ID

To Legislators,

I urge a NO vote on HB74/SB34

I ask for a full support of HJR15, a resolution encouraging the repeal of the Federal REAL ID Act altogether!
It is well beyond time that Legislators take their sworn oaths seriously.
Have you even read the U.S. Constitution and the Alaska Constitution?
Both clearly spell out citizens' Privacy Rights and you have absolutely no Constitutional power to usurp these rights…if you do there will be lawsuits!

The U.S. Constitution 4th Amendment reads:

"Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Now how can we, the citizens of Alaska, possibly be secure in our persons when illegal data would be collected through this tyrannical Bill?

"Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

STOP THE TYRANNY or WE WILL HAVE YOU ARRESTED FOR TREASON!!

The Alaska Constitution:

"Section 2. Source of Government

All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole. "

"Section 7. Due Process

No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed."

"Section 22. Right of Privacy

The right of the people to privacy is recognized and shall not be infringed. The legislature shall implement this section."

This section was added to the Constitution by Amendment in 1972…it was prompted for the very reason that REAL ID is being proposed; a fear of the potential misuse of computerized information systems.

You are not allowed to have the Federal Government illegally dictate to us, nor to pass illegal Bills that usurp our right to Privacy or a Bill that violates our Liberty!

Here are some very valid points made by others on the subjects along with the sources.
Please take this issue very seriously!

Alaskans are SICK AND TIRED of Legislators illegally violating their rights!
We are taking names and YOU are replaceable if you continue to capitulate to Federal tyranny!

"There are several reasons the Act remains controversial.

1. **The Act was not passed through a true democratic process.** It was slipped through Congress in May 2005 in a "must-pass" Iraq War/Tsunami relief supplemental bill, as part of a deal reached between the powerful Rep. James Sensenbrenner (R, Wis.) and the Congressional leadership. There was no time for sufficient consideration of the Act and its sweeping implications; in the Senate, there was not even a single hearing held on the Act. The result is that Real ID lacks the legitimacy that comes from having been studied, debated, considered, and directly voted upon by Americans' elected representatives.

2. **The game is not over, it has just moved into the states.** Although the Act was passed by Congress, Real ID cannot go into effect without a multitude of actions in the states. State legislatures must appropriate money and, in most cases, change state laws. State executives must remake or build anew all the administrative machinery required to comply with the Act's numerous mandates. And a lot of people at the state level do not like what they see.

3. **Broad interest-group opposition.** Opponents range from privacy and civil

liberties organizations like the ACLU to conservative groups to immigration groups.

4. **It's a bad Act.** Most fundamentally, the Real ID Act has sparked opposition because it would not be good for our country.

The opposition to Real ID is broad and deep, and despite its passage by Congress, there remains an excellent chance that it will be reversed in part or in whole. "

http://www.realnightmare.org/about/2/

"Real ID will also create new opportunities for ID thieves to commit their crime. The law requires DMVs to store scanned copies of birth certificates, Social Security cards, and any other documents that individuals present when they apply for a license. It creates a national linked database allowing millions of employees at all levels of government around the nation to access personal data. And it mandates a nationally standardized "machine-readable zone" that will let bars, merchants and other private parties scan personal data off licenses with greater ease than ever before, putting all that information into even greater circulation."

https://www.privacyrights.org/blog/real-id-act-will-increase-exposure-id-theft

Vote NO NO and HELL NO on the REAL ID Bills!
Take a stand against illegal tyranny!

Please send me a written reply addressing my concerns.

STANDING IN LIBERTY!
~Karen Perry

From: Karen Perry
Subject: REAL ID
Date: Tuesday, March 21, 2017 2:14:32 AM

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STANDING IN LIBERTY!
~Karen Perry

WILLIAM M. TOPEL
6707 MINK AVE.
ANCHORAGE, AK 99504
907-333-1234 (H), wmtopel@yahoo.com

March 21, 2017

ALASKA STATE SENATE
STATE AFFAIRS COMMITTEE
SEN. MIKE DUNLEAVY, CHAIR
CAPITOL BLDG., ROOM 205
JUNEAU, AK 99801
senate.state.affairs@akleg.gov

Dear Sen. Dunleavy:

Please include my following testimony in the public hearing on implementation of REAL ID Act for state identification cards and driver's licenses through CS SB 34: **"An Act relating to the implementation of the federal REAL ID Act of 2005; and relating to issuance of identification cards and driver's licenses; and providing for an effective date."**

To: Senators Mike Dunleavy, David Wilson, Cathy Giessel, John Coghill, and Dennis Egan.

I'm William Topel from Anchorage, Alaska. Thank you, Sen. Dunleavy, for holding this hearing on CS SB 34. Greetings Senators. I'm testifying today on CS SB 34 and urge a NO vote at this time.

The REAL ID Act is a violation of both the U.S. and Alaska Constitutions, and Alaska Statute, specifically HCS SB 202 Sec 1 AS44.99 as amended by the Legislature in 2008.[1] Currently the violation is already in place with the facial biometric signature being taken for the new Alaska driver's licenses which is also taken without consent. This data is being shared with the private company outside Alaska and owned by a company from the Netherlands. The name of that company is Gemalto. This is a clear violation of the *Alaska Constitution Article 1 Section 22, Right to Privacy*.[2] The REAL ID Act was signed into law by Pres. George Bush in May 2005 that turns state driver's licenses into national identity cards. The REAL ID Act was a hurried piece of legislation that did not have a single hearing in the U.S. Senate since it was rushed through Congress as a "must-pass" Iraq War/Tsunami relief supplemental bill, so therefore it

[1] http://www.legis.state.ak.us/PDF/25/Bills/SB0202Z.PDF

[2] http://ltgov.alaska.gov/services/alaskas-constitution/

"lacks the legitimacy that comes from having been studied, debated, considered, and directly voted upon by Americans' elected representatives."[3]

The problems identified by some people with not completing compliance with the REAL ID Act were NOT problems that people, employees, or contractors had BEFORE the passage of the REAL ID ACT. Maybe that should alert you to the real onerous burdens of complying with the REAL ID Act. Maybe those federal employees and federal contractors and others need to seek a better or different way to secure their identification for their business or employment situations, but why burden regular Alaskans? UAA students attending classes on JBER can get on a list to access base in one week, so I don't buy some of those comments that it would take up to seven months to get a passport or passport card on get on base. After all, driver license regulation is a STATE function, not a federal function, under the Tenth Amendment to the U.S. Constitution.[4]

Before any final action should take place on this bill, I would urge members of this Committee to seek answers to the many questions from Rep. Chris Tuck's March 16, 2017 letter to Department of Administration Commissioner Sheldon Fisher concerning HB 74 – the companion counterpart bill to SB 34.

It seems that some of the changes in CS SB 34 to the original SB 34 may protect the rights of Alaskans and to prevent unauthorized data sharing and data breaches and unauthorized facial recognition pictures through the option of a REAL ID non-compliant identification and driver's license with only local storage versus a REAL ID compliant identification and driver's license. However, I'm not totally convinced at this time, because Alaskans who opt for a compliant card have no guarantee that their information and privacy are protected by private government contractors.

Please don't let Governor Walker continue to federalize state activities and functions. You legislators took an oath of office to protect and defend both the U.S. and Alaska Constitutions. The Right to Privacy is part of what you swore or affirmed to protect and defend. **In conclusion, before your final vote on CS SB 34, please get some answers to Rep. Chris Tuck's questions to Commissioner Sheldon Fisher on March 16, 2017 and I would urge a NO vote at this time.** Thank you for your time.

William Topel

[3] http://www.realnightmare.org/about/2/

[4] http://constitution.findlaw.com/amendment10.html