

**SB**

**2022**



# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Vice-Chairman**  
Economic Development, Trade & Tourism  
Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Corrections  
Labor and Workforce Development  
Military and Veterans' Affairs  
Public Safety



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

**E-Mail:** Representative Bob Lynn@legis.state.ak.us  
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

**Session:**  
Alaska State Capitol  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #650  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

## FAX

To: Legal Services

Fax #: 2029

From: Nancy Manly x2794  
Alaska State Capitol, room 104  
Juneau, AK 99801-1182

# of Pages (including cover): 2

Phone: 907-465-4931

Fax: 907-465-4316

Re: SB 202 Prohibit State Spending For Real ID Act

4-05-08

SB 202 Version M (25-LS1145\M) passed out of the House State Affairs Committee. Please draft a final CS. Thank you.

25-LS1145M  
Luckhaupt  
4/1/08

**HOUSE CS FOR SENATE BILL NO. 202( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATORS WIELECHOWSKI, Elton, Ellis, French**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to expenditures in aid of or to implement the provisions of the federal**  
2 **Real ID Act."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 44.99 is amended by adding a new section to article 1 to read:

5 **Sec. 44.99.040. Limitation on certain state expenditures.** A state agency  
6 may not expend funds solely for the purpose of implementing or aiding in the  
7 implementation of, the requirements of the federal Real ID Act of 2005 (P.L. 109-13,  
8 Division B).

\*\*\*\*\*  
\*  
\* TRANSACTION REPORT \*  
\* APR-04-2008 11:28 PM \*  
\* FOR: REP LYNN 4654316 \*  
\*  
\* SEND \*  
\*  
\* DATE START RECEIVER PAGES TIME NOTE \*  
\*  
\* APR-04 11:28 PM 2029 2 35" OK \*  
\*  
\*\*\*\*\*

# ALASKA STATE LEGISLATURE

*Session*  
State Capitol, Rm. 115  
Juneau, AK 99801  
(907) 465-2435  
Fax: (907) 465-6615

*Interim*  
716 W. 4<sup>th</sup> Ave. Ste. 540  
Anchorage, AK 99501  
(907) 269-0120  
Fax: (907) 269-0122



Co-chair  
Joint Armed Services Committee

Member  
Resources Committee  
Judiciary Committee  
Transportation Committee

Senator\_Bill\_Wielechowski@legis.state.ak.us

## SENATOR BILL WIELECHOWSKI

### Senate Bill 202

#### **"An Act relating to expenditures in aid of or to implement the provisions of the federal Real ID Act."**

#### **Sponsor Statement**

The "Real ID Act" is a federal mandate that creates America's first national ID Card. This is a cause for alarm for many Alaskans and Americans, particularly since the federal government is attempting to interfere with the states' sovereignty, and force the states to implement the program through state-issued driver's licenses. Senate Bill 202 prohibits the use of state money to implement this program.

Many people are concerned that the "common machine-readable technology" required by the Real ID Act would convert state-issued drivers licenses and identification cards into tracking devices, allowing computers to note and record people's whereabouts each time they are identified. The Federal government could essentially track citizens' every movement. This is a major step towards creating a surveillance society.

The requirement that states maintain databases of information about their citizens and residents and then share this personal information with all other states will expose every state to the information security weaknesses of every other state and threatens the privacy of every American. States and local governments that contract with private corporations also allow those private organizations to obtain this information. Moreover, through national agreements with Canada and Mexico, those governments will also have access to every Americans' identification information. Essentially, every American's identity will be at risk of substantial threat of ID theft under Real ID.

The concern has also been raised that Real ID will be used as a backdoor attempt to institute a national gun registry. That is why many NRA members oppose Real ID.

The implementation of Real ID is one of the top issues that States all across the country have been addressing. Arkansas, Colorado, Georgia, Hawaii, Idaho, Illinois, Maine, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Dakota, Oklahoma, South Carolina, Tennessee, and Washington have all passed legislation opposing Real ID. Similar bills are pending in Arizona, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Washington, D.C., West Virginia, and Wisconsin.

It is time for Alaska to join the effort to stand up for state sovereignty and oppose Real ID. I encourage you to support this legislation.

# FISCAL NOTE

STATE OF ALASKA  
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: SB 202  
(S) Publish Date: 2/19/08

Identifier (file name): SB202-DOA-DMV-01-22-08 Dept. Affected: Administration  
Title: "Expenditures to implement the federal Real ID Act..." RDU: Division of Motor Vehicles  
Component: Motor Vehicles  
Sponsor: Sen. Wielechowski  
Requester: (S) STA Component Number: 2348

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>							
-----------------------------	------------	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>							
-------------------------------	------------	--	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Receipt Supported Services							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This bill does not have a financial impact on the Division of Motor Vehicles; therefore, the Division submits a zero fiscal note.

Prepared by: Whitney H. Brewster, Director  
Division: Motor Vehicles  
Approved by: Kevin Brooks, Deputy Commissioner  
Department of Administration

Phone 907-269-5574  
Date/Time 1/22/08 12:00 PM  
Date 1/22/2008

By: Council Member Hilling  
Introduced: February 26, 2008<sup>7</sup>

**RESOLUTION NO. 4262**

**RESOLUTION PETITIONING THE ALASKA STATE  
LEGISLATURE TO PROCLAIM OPPOSITION TO, AND  
PASS LEGISLATION AGAINST, THE FEDERAL "REAL  
ID" ACT OF 2005**

**WHEREAS**, a national ID system has been proposed by the federal government pursuant to Public Law 109-13, called the "Real ID" Act of 2005; and

**WHEREAS**, this system by 2008 will oblige the 50 states to unify all drivers licenses under certain requirements of content, formatting, recording and reporting; and

**WHEREAS**, at federal and state levels, costs are projected in the several billions of dollars in the near term; and

**WHEREAS**, the Bill of Rights states in the Tenth Amendment, "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" and in the Fourth Amendment, "The right of the people to be secure [from federal encroachment] ... shall not be violated"; and

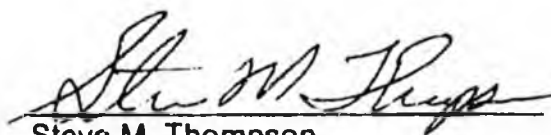
**WHEREAS**, such issues of states' rights, citizens' privacy, and limitation of federal power have prompted about a dozen states to have active legislation against "Real ID," while another dozen or so states are in process of either resolutions or legislation against its implementation; and

**WHEREAS**, in the U.S. Congress Sen. John Sununu of New Hampshire, along with Sen. Daniel Akaka of Hawaii, filed a bill last year to repeal the "Real ID" Act of 2005; and

**WHEREAS**, it behooves the City of Fairbanks and the Alaska State Legislature to participate in this groundswell of objection and opposition to incursion in our affairs by the federal government;

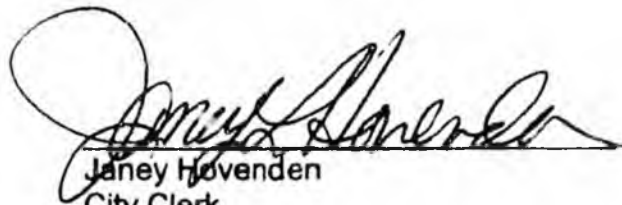
**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAIRBANKS** hereby places itself in solidarity with the above-mentioned states seeking abrogation of the "Real ID" Act of 2005, and petitions the Alaska State Legislature likewise to pass resolutions and/or laws to the end of protecting our state from such unconstitutional federal interference and incursion.

PASSED AND APPROVED THIS 26<sup>TH</sup> DAY OF FEBRUARY, 2007.



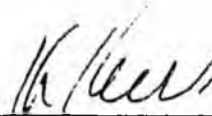
Steve M. Thompson  
City of Fairbanks

ATTEST:

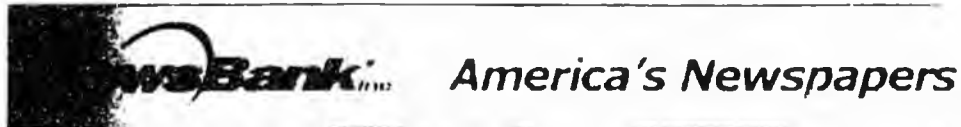


Janey Hovenden  
City Clerk

APPROVED AS TO FORM:



Herbert P. Kuss  
City Attorney



## Opinion

Anchorage Daily News (AK) - January 18, 2008

*Author: Staff*

The answer is still no REAL ID remains a bad idea

Orwellian talk to the contrary, the REAL ID Act does give the United States its first national identification card. And it will create a national database of information about more than 240 million Americans.

Last week, Michael Chertoff, secretary of Homeland Security, unveiled revised rules for the REAL ID Act, which bombed beyond the Beltway after its passage in 2005. Seventeen states passed resolutions protesting it or prohibiting compliance. So Homeland Security tried to sweeten the deal by granting delays, slashing costs by a claimed 73 percent and exempting Americans 50 and older from carrying federally approved driver's licenses until 2017.

Red flag, citizens. If you can't peddle an idea without a fire sale and years of delay, it's probably not a good idea.

REAL ID requires the states to issue driver's licenses that comply with more rigorous federal rules for checking personal data and that have three layers of technical security to make counterfeiting harder. The law also requires each state database to connect with other state databases and federal databases so that information can be shared and checked.

By 2014, states would have to issue REAL ID licenses to all drivers born after Dec. 1, 1964. States could choose from a menu of high-tech safeguards to include in the card.

Last week's sweeteners came with a warning. Mr. Chertoff said the time for discussion and debate is over. States now must seek waivers for more time to comply with the act, or their licenses won't be valid ID for boarding airplanes or entering federal buildings.

And yet he claims the states aren't being coerced.

There remain two fundamental problems with REAL ID.

\* Americans have long and wisely rejected any sort of national identification card, particularly one that could be used to restrict our free passage among the states or collect information about us. REAL ID -- or any American's lack of REAL ID -- would do both.

Americans for generations have conceded the need for a reasonably functioning government to have certain information about us. Social Security requires it. Federal loans require it. So do military service and the census. Justice and security sometimes require it. We bear, sometimes with clenched teeth, the intrusion of baggage and body searches to board airplanes.

But Americans also have maintained that the ordinary commerce, relationships and comings and goings of law-abiding citizens are none of Uncle Sam's business.

With REAL ID, such could become an increasingly routine part of Uncle Sam's business.

\* Critics point out that REAL ID would not make us safer. It would not have stopped Timothy McVeigh, a homegrown terrorist, nor would it guarantee the apprehension of foreign-born terrorists like those who carried out the attacks of 9/11. It might provide a limited tool against illegal immigration, and, Mr. Chertoff argues, identity theft. But tech trackers insist shared databases would increase opportunities for ID theft and other information hacking -- not to mention government-sanctioned invasions of privacy.

Paranoia? No, just knowledge of current events, given the Bush administration's determination to tap Americans' communications with no court oversight and no accountability.

If the states want to tighten their rules for driver's licenses and ID verification, fine. Some of the checks required by REAL ID are being done now -- Alaska, for example, double-checks given Social Security numbers.

And few Americans would have any problem with states sharing information with one another and the feds -- given just cause for doing so.

We want law enforcement on any level to have the means to protect us and catch the bad guys before they strike. That calls for precision, not a universal net that restricts our freedoms and threatens our privacy.

REAL ID doesn't need tweaking or more time. It needs repeal.

BOTTOM LINE: Homeland Security gives ground on cost and time, but REAL ID is a bad deal at any price, at any time.

Alaska notebook

Winter biker

Meet Nick Hardigg, winter bicycle commuter.

Age: "Still in his 30s" (but not for long).

Married, no kids. His wife is also a bike commuter.

Lives in: Turnagain.

Works in: Downtown.

Route: Coastal Trail to Second Avenue, then uphill.

Bike: A Marin hybrid (not a mountain bike; not a street bike), with studded tires. "It's not heavy and it's fast. You don't need some fat balloon tire to get around."

Typical winter riding outfit: Multiple layers, rain pants, rain jacket, face mask, wool mittens.

This is his second winter in Anchorage commuting on bike. He's used to cold weather -- he did four years with the National Park Service in Denali.

Advantages: Doesn't need to belong to a health club -- commuting is his daily exercise. He and his wife get by with just one car. That saves thousands of dollars a year.

Disadvantages: When it snows so much during the day he can't pedal the bike. Riding to work through unpacked snow, he may get to the office sweating like a horse, and there is no shower there.

Moose encounters: "I see one every three weeks or so on the Coastal Trail. Generally they move out of way."

Near death experiences with Anchorage drivers: None so far. His bike has "nice, powerful blinkers" and he just added a strobe light to be seen more easily.

Take away message: "I can't believe how easy it is. It's relaxing. I hate traffic. It's just fun."

-- Matt Zencey

**Caption:** Photo 1: Alaska Notebooks\_011808.jpg

***Edition:*** Final

***Section:*** Nation World

***Page:*** B4

***Record Number:*** 1603665901/18/08

***Copyright (c) 2008, Anchorage Daily News***



*America's Newspapers*

### Local in brief

**Fairbanks Daily News-Miner (AK) - February 28, 2007**

*Author: Staff Report*

Opposition registered to Real ID The Fairbanks City Council has registered concern with the government's progress in creating a national identification card system, and state lawmakers could soon consider a similar resolution.

The council approved a resolution aligning itself with states where legislatures have opposed, or are considering opposing, the upcoming requirement that drivers licenses and other identification documents comply with strict rules crafted by the federal government. The upcoming changes were laid out in the 2005 Real ID Act.

The council voted 5-0 to oppose the ID card requirements, set to take effect next spring. The resolution argues issues of state rights and citizen privacy have prompted states to oppose the upcoming changes.

Interior state lawmakers are considering introducing a similar resolution to the Legislature for consideration.

"There are not a lot that states can generally do aside from logging an opinion," said Rep. Scott Kawasaki, D-Fairbanks. Nonetheless, Kawasaki is working with Rep. John Coghill, R-North Pole, on a resolution similar to the City Council's. Kawasaki said a handful of lawmakers seem to feel the identification card changes would represent federal government overstepping its bounds.

**Section: News**

**Record Number:** /fdn/raw/2007-02-28/2007/02/28/5565.html

*(c) 2007 Fairbanks Daily News-Miner. All rights reserved. Reproduced with the permission of Media NewsGroup, Inc. by NewsBank, Inc.*



## America's Newspapers

### 'Big Brother' is almost here

Juneau Empire (AK) - July 13, 2007

In his eerily farsighted book "1984," George Orwell describes a society in which privacy is unknown, slavish obedience a given, and nonconformity the ultimate enemy of the state.

In a nation crawling with domestic spies, the image of Big Brother is seemingly omnipresent. His gaze of loving authority encourages a compliant populace to maintain its herd mentality. Interestingly, while his face is everywhere, in reality, Big Brother is faceless. No one ever actually sees him. They merely assume he is in charge, that he cares for them like a familial overseer, and that his version of society is the only correct one.

It's taken us a while, but we're beginning to catch up with Orwell's vision. The Bush administration's virtually unrestricted government surveillance of Americans has expanded dramatically in the past few years. And while we still lack Winston Smiti's ultra-cool spying television set in our living rooms, by this time next year we're slated to have something almost as nifty. It's called REAL ID, and when it kicks in, well, (Big) brother, we'll have all the personal security we could want. Really.

On May 11, 2005, President George W. Bush signed the REAL ID Act of 2005, as an attachment to a military spending bill. In essence, the law, which goes into effect in May of 2008 (or a year later with certain caveats), will create a federalized driver's license, with standards to be set by the Department of Homeland Security.

Well, of course it's for our own good. We'd never be able to survive as a nation without it. We haven't so far. And only kooks, right-wing conspiracy theorists and the blatantly unpatriotic would balk at:

1. Providing an incredible amount of often difficult-to-obtain documentation proving they are who they say they are.
2. Either directly paying exorbitant fees for the new identification card or paying for it through ballooning taxation.
3. Submitting to the future possibility of biometric identifiers and radio-frequency identification within the card itself.
4. Being deposited in a massive database.
5. Being forbidden to travel freely in their own country by their method of choice.
6. Surrendering a whole lot more of their privacy and individuality.

But there is rebellion in the wind.

Montana, which as a state has always had the stomach for a good scrap, flatly refuses to implement the federal plan, stating that it is "inimical to the security and well-being of the people of Montana." New Hampshire Gov. John Lynch signed into law that state's official rejection of REAL ID, indicating that the unfunded federal mandate was "repugnant" to both the state and U.S. constitutions. Other states have expressed similar legislative opposition to what is rightly perceived as an egregious intrusion into the privacy of individuals, and a dismembering of states' rights. The National Governor's Association has

also expressed opposition to the federal law.

While compliance with REAL ID is "voluntary," it is also "mandatory," since noncompliance will result in your being barred from flying on a commercial airplane, entering federal buildings, opening a bank account, and engaging in a variety of other daily activities currently taken for granted. What REAL ID amounts to is the creation of a de facto national identification card and internal passport. For Alaskans, whose dependence on commercial air transport is a fact of life, refusal to "voluntarily" participate in this program means a virtual cessation of travel to the Outside.

Supporters of REAL ID claim it will help weed out illegal aliens, but our government's arrogant refusal to seal our southern borders exposes that defense as nothing more than smoke and mirrors. This program is geared toward American citizens, not illegal aliens.

Alaska is embarrassingly slow in opposing REAL ID. Though not currently requiring implementation of the law, our state legislature's milquetoast stance is a far cry from vigorous and outright rejection. For a place that supposedly prizes personal freedom and independence, this reluctance to take a stand is pitiful.

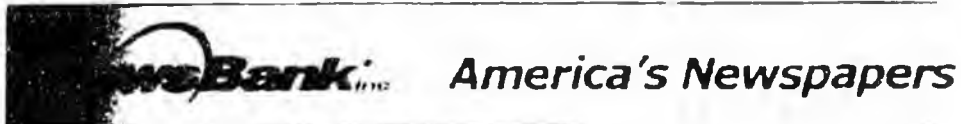
The only two options at this point are equally dramatic: boot REAL ID into the legislative oblivion it so richly deserves, or roll out the welcome mat for one fearmongering British writer. His ideas have been looking for a home for a long time.

• Kevin Reeves is a freelance writer living in Haines.

**Section:** *Opinion*

**Record Number:** 11A60BEE06BA4A40

*Copyright 2007 Juneau Empire*



## Opinion

**Anchorage Daily News (AK) - August 31, 2007**

**Author: Staff**

REAL ID Alaska should join list of states telling Uncle Sam no thanks

It's hard to believe Alaskans will stand for it.

By the end of 2009, the federal government says Alaska and every other state must produce drivers licenses that effectively function as a national ID card. To issue a license, states must demand to see a birth certificate and proof of residence, verify those documents, make sure the license can easily be read by federal scanners, and link all the license information to a national database. If Alaska dares reject this intrusive, burdensome federal mandate, the feds will refuse to accept Alaska's ID for "federal purposes" and Alaskans will need a passport to board any domestic flight or visit any federal building or national park.

What would we gain if we cave in to this unprecedented federal pressure?

- \* More bureaucracy. States would have to vet and maintain huge volumes of personal information, and would have to do most of it on their own dimes. Homeland Security Secretary Michael Chertoff has made it clear that the states will pick up most of the tab -- \$23 billion nationwide over 10 years, by Homeland Security's own estimate.

- \* Less security. Mr. Chertoff complains 8,000 separate ID cards for various purposes in the United States make it hard to recognize forgeries and protect our borders from illegal immigrants or terrorists. But the Electronic Privacy Information Center, for example, argues that a single card is like having one key to many doors. In the wrong hands, that key can shatter security and privacy on a vast scale. Security experts also warn that terrorists and other criminals will find ways to forge REAL ID cards, no matter how expensive and difficult, to steal identities of honest citizens.

- \* Less freedom. A passport to fly to Seattle? To visit Denali? To walk into the Social Security office in downtown Anchorage? Ridiculous.

It is an absolute lie to say that a federally dictated driver's license is not a national ID.

It is absolutely a national ID. Homeland Security just refuses to call it that.

States are on their own to solve the implementation problems and cover the costs. If states balk, well, your citizens will be second-class, automatically suspect, because the feds reject any state ID that doesn't comply with federal rules.

There's no guarantee all this sound and fury will make us any more secure.

Seventeen state legislatures have taken a stand against the REAL ID Act. In 2006, Alaska Reps. Paul Seaton and Max Gruenberg led a successful effort to delay Alaska from complying. In 2007, a bipartisan group of state House members backed a resolution opposing the act. It languished in committee. So Alaska -- a state that was in the forefront of protests against the worst of the USA Patriot Act -- is still on the bubble about REAL ID.

Time to get off. REAL ID won't make living in the United States safer, just more controlled and complicated for ordinary citizens. This isn't just an overreaction to 9/11 and the tide of illegal immigration. It's a dangerous reaction. Alaska should say no. Congress should repeal a bill that passed with no debate or public hearings, that was tacked into a 2005 spending bill to cover the Iraq and Afghanistan wars and tsunami relief.

Duane Bannock, head of the state Division of Motor Vehicles, says he is neither for nor against REAL ID, but does point out that final regulations haven't been published yet, and that Homeland Security's revised regs may answer some objections. Maybe. But the devil isn't just in the details of REAL ID. It's in the idea.

We need reason to deal with the immigration issue and we need resolution to combat terrorism. A national ID born of fear defies both.

**BOTTOM LINE:** REAL ID is a real mistake. Alaska should protest and support repeal.

That's our Maggie

Maggie the elephant holds a peculiar place in Alaska's imagination. A peculiarly large place, in fact.

Are Alaskans leaving billions of dollars in oil company pockets? How many ex-Alaska legislators will go to jail for corruption? Will the Alaska gas line ever get built?

Who cares? The welfare of Alaska's lone elephant more than holds her own in the scramble for public attention.

She's our own Paris Hilton, our Brad and Jen, the tragic celebrity story that just gets weirder as it goes. (My GOD! Is that BOB BARKER?) Heck, as if to top off the picture of a celebrity in distress, Maggie even has a world-class cellulite problem. (If only she would hit that treadmill harder .. )

Will it cost too much to ship Maggie someplace warmer? Here comes Hollywood money to the rescue!

But wait, how are they going to ship her out -- by jumbo jet? Will she get a PETA-approved elephant airline safety seat? If she goes by ship, is it humane to send her across the Gulf of Alaska without Dramamine? Will poor Maggie feel deprived if she is no longer the center of so much national attention?

Well, she need not slink off into obscurity. The free ride awaiting her would end at an elephant sanctuary in California. Maybe Paris Hilton will trade in her ferret for an occasional outing with a once-famous elephant.

-- Peter Dunlap-Shohl and Matt Zencey

**Caption:** Photo 1: 31edit pg1\_ID\_083107.jpg

***Edition:*** Final

***Section:*** Alaska

***Page:*** B4

***Record Number:*** 1473888008/31/07

***Copyright (c) 2007, Anchorage Daily News***



## America's Newspapers

### National ID card proposal a bad idea

Juneau Empire (AK) - September 10, 2007

It's hard to believe Alaskans will stand for it. By the end of 2009, the federal government says Alaska and every other state must produce drivers licenses that effectively function as a national ID card. To issue a license, states must demand to see a birth certificate and proof of residence, verify those documents, make sure the license can easily be read by federal scanners, and link all the license information to a national database. If Alaska dares reject this intrusive, burdensome federal mandate, the feds will refuse to accept Alaska's ID for "federal purposes" and Alaskans will need a passport to board any domestic flight or visit any federal building or national park.

What would we gain if we cave in to this unprecedented federal pressure?

- More bureaucracy. States would have to vet and maintain huge volumes of personal information, and would have to do most of it on their own dime. Homeland Security Secretary Michael Chertoff has made it clear that the states will pick up most of the tab - \$23 billion nationwide over 10 years, by Homeland Security's own estimate.

- Less security. Mr. Chertoff complains 8,000 separate ID cards for various purposes in the United States make it hard to recognize forgeries and protect our borders from illegal immigrants or terrorists. But the Electronic Privacy Information Center, for example, argues that a single card is like having one key to many doors. In the wrong hands, that key can shatter security and privacy on a vast scale. Security experts also warn that terrorists and other criminals will find ways to forge REAL ID cards, no matter how expensive and difficult, to steal identities of honest citizens.

- Less freedom. A passport to fly to Seattle? To visit Denali? To walk into the Social Security office in downtown Anchorage? Ridiculous.

It is an absolute lie to say that a federally dictated driver's license is not a national ID.

It is absolutely a national ID. Homeland Security just refuses to call it that.

States are on their own to solve the implementation problems and cover the costs. If states balk, well, your citizens will be second-class, automatically suspect, because the feds reject any state ID that doesn't comply with federal rules.

There's no guarantee all this sound and fury will make us any more secure.

Seventeen state legislatures have taken a stand against the REAL ID Act. In 2006, Alaska Reps. Paul Seaton and Max Gruenberg led a successful effort to delay Alaska from complying. In 2007, a bipartisan group of state House members backed a resolution opposing the act. It languished in committee. So Alaska - a state that was in the forefront of protests against the worst of the USA Patriot Act - is still on the bubble about REAL ID.

Time to get off. REAL ID won't make living in the United States safer, just more controlled and complicated for ordinary citizens. This isn't just an overreaction to 9/11 and the tide of illegal immigration. It's a dangerous reaction. Alaska should say no. Congress should repeal a bill that passed with no debate or public hearings, that was tucked into a 2005 spending bill to cover the Iraq and Afghanistan wars and tsunami relief.

Duane Bannock, head of the state Division of Motor Vehicles, says he is neither for nor against REAL ID, but does point out that final regulations haven't been published yet, and that Homeland Security's revised regs may answer some objections. Maybe. But the devil isn't just in the details of REAL ID. It's in the idea.

We need reason to deal with the immigration issue and we need resolution to combat terrorism. A national ID born of fear defies both.

*Section: Opinion*

*Record Number: 11B97EB172F0C580*

*Copyright 2007 Juneau Empire*

Illegal ID 11/2/07

## Real ID is a real problem

**IF YOU WONDER** whether this nation has gone nuts, consider this: New York, under the federally mandated and widely hated Real ID program, may issue three different kinds of driver's licenses, two for New Yorkers who actually belong in New York — and a third for illegal aliens.

Imagine if you will that someone could present themselves to an official of the state of New York, announce that he or she is an illegal alien and demand a driver's license without repercussions. That he or she would not be snatched up and put on a bus or a plane home is mind-boggling.

REAL ID, passed by Congress in 2005, has its share of critics among civil libertarians who say they worry about the security of information gathered under the program. Proponents say it will make obtaining fake driver's licenses more challenging and increase the safety of the traveling public.

But some 17 states have passed . . .

*(cont'd from front page)* legislation defying the federal REAL ID mandate that is scheduled to be phased in by 2013. The program requires 245 million drivers to renew their licenses in person and provide various documents to prove their citizenship or legal residency.

The program's costs are staggering. The New York Times reports: "The Department of Homeland Security puts the price of the program nationally at \$23 billion over 10 years, while the National Governors Association estimates that the cost to states will exceed \$11 billion in the first five years alone."

Congress, the Times reports, came up with just \$40 million for start-up costs last year, the rest of the burden was dumped on the states.

In Alaska, officials have made no decision on Real ID pending final release of federal regulations. When they do, we can only hope it is not as nutty as New York's.

[Email This](#)

[Bookmark](#)

[Set as favorite](#)

Comments (0) 

Write comment

Close Window

25-LS1145M  
Luckhaupt  
4/1/08

**HOUSE CS FOR SENATE BILL NO. 202( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATORS WIELECHOWSKI, Elton, Ellis, French**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to expenditures in aid of or to implement the provisions of the federal  
2 Real ID Act."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 44.99 is amended by adding a new section to article 1 to read:

5       **Sec. 44.99.040. Limitation on certain state expenditures.** A state agency  
6 may not expend funds solely for the purpose of implementing or aiding in the  
7 implementation of, the requirements of the federal Real ID Act of 2005 (P.L. 109-13,  
8 Division B).

# ALASKA STATE LEGISLATURE



SENATOR BILL WIELECHOWSKI

March 27, 2008

Representative Bob Lynn, Chair  
House State Affairs Committee  
State Capitol, Room 104  
Juneau, Alaska 99801

Dear Representative Lynn:

I am writing to request a hearing in House State Affairs Committee on SB 202, "An Act relating to expenditures in aid of or to implement the provisions of the federal Real ID Act."

People all over the state are becoming increasingly concerned that Real ID is a threat to our state sovereignty. Further, if we comply with this federal mandate we will have to expend millions of dollars in state funds that could otherwise be used to improve the lives of all Alaskans.

I intend to request that representatives from the appropriate state agencies and from legislative legal services be present to respond to any questions that may arise. Further, I would like to allow public testimony to be taken statewide by electronic means.

Included with this letter you will find the latest version of this bill, a Sponsor Statement, and other background materials.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Wielechowski".

Senator Bill Wielechowski

S/S 202

pg 1 line 6

after word "expend"

all either state or federal fund

Greenberg

amend ~~not required~~.

Withdrawn