

HJR

15

ALASKA STATE LEGISLATURE



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Representative Gabrielle LeDoux

SPONSOR STATEMENT FOR CSHJR 15 Supporting the Filipino Veterans Equity Act and Filipino Veterans Reunification Act

This resolution from the Alaska State Legislature respectfully urges the United States Congress to pass the Filipino Veterans Equity Act and the Filipino Veterans Family Reunification Act.

From 1898 until 1946, the Philippine Islands were considered a territory of the United States. During World War II the military forces of the Philippines were drafted into service under the command of American officers in the United States armed forces in the Far East to fight against the Japanese invasion. Filipino and American soldiers fought side-by-side in such battles as Corregidor. Many died during the 65-mile Bataan Death March, and those who survived were imprisoned under inhumane conditions.

Filipino World War II veterans were promised military benefits, but after the War the United States Congress passed the Supplemental Surplus Appropriation Rescission Act of 1946. The act considered the services of Filipino World War II veterans not to be active service. This status change had the effect of denying Filipino World War II veterans the rights, privileges and benefits that American World War II veterans received.

There have been several attempts to reverse this injustice. In 1990, Filipino World War II Veterans were allowed to immigrate to the U.S. Many of them did and petitioned for their immediate families. In 2000, they were provided with military burial benefits and in 2003 they were provided long overdue medical and nursing home care from the U.S. Dept. of Veterans Affairs.

The Filipino Veterans Equity Act and the Filipino Veterans Family Reunification Act would correct a terrible injustice by: 1) providing veterans the full benefits they were denied; and 2) providing immediate relief for those veterans and their families who have waited for more than a decade with approved immigration petitions.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHJR 15(STA)
 (H) Publish Date: 4/11/2007

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title WW II Filipino Vets: Benefits/Immigrations RDU _____
 Sponsor Representative Ledoux Component _____
 Requester House State Affairs Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Nancy Manly, Committee Aide Phone 465-2794
 Division House State Affairs Committee Date/Time _____
 Approved by: Representative Bob Lynn Date 4/5/2007
 Agency Chair

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Representative Gabrielle LeDoux

MEMO

TO: REPRESENTATIVE GABRIELLE LEDOUX
FROM: CHRISTINE R. MARASIGAN, LEGISLATIVE AIDE *CRM*
SUBJECT: HJR 15, SUPPORTING FILIPINO VETERANS EQUITY & FAMILY REUNIFICATION
DATE: 4/13/2007

Upon your recommendation the following changes were incorporated into a CS for HJR 15:

Page 1, Line 7	<u>shoulder-to-shoulder</u> was added
Page 3, Lines 4-6	Lines 4-6 were deleted and replaced with: <u>COPIES of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Nancy Peolosi, Speaker of the U.S. House of Representatives; the Honorable Steny Hayer, Majority Leader of the U.S. House of Representatives; the Honorable John Boehner, Minority Leader of the U.S. House of Representatives; the Honorable Daniel Akaka, Chair of the U.S. Senate Committee on Veterans' Affairs; the Honorable Bob Filner, Chair of the U.S. House of Representatives Committee on Veterans' Affairs; the Honorable Sarah Palin, Governor of Alaska; the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and, by electronic transmission, all other members of the U.S. Senate and the U.S. House of Representatives serving in the 110th United States Congress.</u>

Rationale: The first change emphasizes that the Filipino veterans fought alongside the Americans whereas just the word "with" could be construed as fighting against one another. The second change was recommended by Rep. Coghill to include more than just the Alaska Congressional delegation.



FILIPINO AMERICAN NATIONAL HISTORICAL SOCIETY

Inside every memory is a story waiting to be told...

National Office:
810 18th Avenue, RM 100
Seattle, WA 98122

Alaska Chapter:
2607 Kona Lane
Anchorage, AK 99517

TO: Members of the Alaska Legislature

The approval of HJR 15 by the members of the Alaska Legislature would be a very helpful addition to the increasing support for the passage of the Filipino Veterans' Equity Act and the Filipino Veterans Family Reunification Act.

Filipinos have been part of Alaska's labor force for over 100 years. In 1903, as divers and crewmembers of the Cableship Burnside, Filipinos began laying the communications cables between Alaska and Washington state. The work was completed a year later. This effort improved Alaska's ability to communicate with Seattle and the rest of the world.

From the early 1900s to the present, Filipinos have been working in the seafood canneries in Alaska. Prior to 1920 to the 1940s, they worked as ore sorters in the gold mines in Juneau and Douglas Island.

The 2000 U.S. Census enumerated over 16,000 Alaskans of Filipino heritage in Anchorage, Juneau, Kodiak, Fairbanks, Ketchikan, Sitka, Barrow, and other Alaskan communities. Generally, most Filipinos residing in Alaska work in the hospitals, the school districts, the post office, and other service-oriented industries. Few are self-employed. I'm one of the few. I am an attorney in Anchorage.

The history of Filipinos in Alaska dates as far back as 1788 when the first Filipino arrived here as a crewmember of the British fur trading ship, *Iphigenia Nubiana*. Various Filipinos arrived as crewmembers of a few other fur trading ships, as crewmembers of the Spanish ships exploring the Alaskan waters for the Northwest Passage under Alejandro Malaspina, and as crewmembers of whaling ships hunting for bowhead whales.

The background that led President Franklin Delano Roosevelt to conscript Filipinos to serve in the United States armed forces could be traced to Commodore George Dewey and the crew of his flagship, *USS Olympia*, and seven U.S. Navy

cruisers and gunboats in a surprise attack of the Philippines in the Battle of Manila Bay on May 1, 1898.

At that time, the Philippines was the weak link in the Spanish dominion and having exploited the Philippines for over 300 years and beset by Filipino patriots who aimed at overthrowing the Spanish regime, Spain was poorly equipped to repel any foreign invasion of the Philippines.

The transfer of foreign domination from Spain to a new foreign master, the United States of America, was resisted by Filipino patriots who had declared Philippine Independence on June 12, 1898, an event that was neither recognized by Spain nor the incoming U.S. colonial government. The short-lived bitter war between the Filipino patriots and the U.S. armed forces was nearly lost in history because it was overshadowed by America's victory that concluded the Spanish American War.

As early as the 1900s, the U.S. sent governors to run the Philippines. The U.S. Army had a major role in subduing the resistance and providing educational opportunities to Filipinos. Immigration to the U.S. was encouraged.

In 1934, the United States established the Philippine Commonwealth and promised the country's independence. On July 4, 1946, the Philippines was granted its independence and became a republic like the United States.

At the outbreak of World War II, the Philippines was invaded by Japan. Some historians believe that, but for the fact that the Philippines was then an American possession, it would not have been a major military target.

HJR 15 accurately narrates the action taken by President Roosevelt and the U.S. government with regards to conscripting Filipinos and later withholding from them veteran's benefits. The passage of the Filipino Veterans' Equity Act and the Filipino Veterans Family Reunification Act would help to recognize the sacrifices made by these veterans and their families and provide for their well-deserved veteran's entitlements at a time when these valiant Filipino veterans are becoming fewer and fewer in number.

Alaska should be proud to support the effort of the sponsors of these two pending bills in Congress. I urge you to vote for HJR15. Thank you.

Thelma Buchholdt
President, Filipino American National Historical Society;
Member, Alaska State House: 1974-1982;
Author, *Filipinos in Alaska: 1788-1958*.

Christine Marasigan

From: John Cramer [John_Cramer@ak-prepared.com]
Sent: Tuesday, April 10, 2007 10:05 AM
To: Christine Marasigan
Cc: McHugh Pierre
Subject: Re: HJR 15

Christine, thanks for the email. Between McHugh and myself we will work on this. I have a personal attachment to what the Representative is wanting to do. My father is a Baton death march survivor. He used to tell me about the support they were given by the Filipinos even after arriving at the POW camp where he and others spent the next 46 months in captivity. I would be happy to testify if needed. Thank the Representative on behalf of my family.

We are "Ready to Serve"
John W. Cramer, Director
Department of Military and Veterans Affairs Division of Administrative Services
(907) 428-6881
(907) 428-6027 (fax)
john_cramer@ak-prepared.com

Christine Marasigan <Christine_Marasigan@legis.state.ak.us> writes:
>Hi,
>Representative LeDoux has filed HJR 15 which would support the passage
>of the Filipino Veterans Equity Act and Filipino Veterans Family
>Reunification Act in Congress. I have attached a copy of the bill and the sponsor
statement.
>
>Our office has started to receive letters of support, this is the first
>time I've carried a resolution, would someone from your organization
>provide a position statement or testimony for such legislation?
>
>Thank you for your assistance.
>
>Christine R. Marasigan, Legislative Aide Representative Gabrielle
>LeDoux Alaska State Capitol Juneau, AK 99801
>Voice: (907) 465-6588
>Fax: (907) 465-4956
>

washingtonpost.com

Hope for Amends to Filipino Immigrants

Bills to Speed Children's Moves to U.S., Give Military Pensions Show Political Assertion

By N.C. Aizenman
Washington Post Staff Writer
Sunday, March 4, 2007; A06

Amid the wrangling over immigration reform, virtually everyone in Congress appears to agree on one point: Filipino-born veterans who fought alongside U.S. troops during World War II deserve a break.

Denied the right to immigrate to the United States until 1990, they came hoping that their children could follow them here later, just as other groups have done. But the adult children have been required to wait twice as long -- up to 16 years -- as anyone else. With the veterans often too old and sick to travel home, many have died while waiting to be reunited with their families.

Now, after several longtime backers have risen to key positions in Congress, Filipino American advocates are hopeful that legislation will be pushed through to exempt the veterans' children from the immigration delay. They also are optimistic about a potentially more controversial bill that would grant Filipino veterans military pensions.

About 5,000 veterans in the United States would stand to benefit from a change in immigration provisions, and an additional 10,000 in the Philippines could be eligible for pensions.

To many in the 2-million-strong Filipino American community, the issue represents a chance to cement their political identity in a nation where they have long felt invisible, even though Filipinos rank second, behind Mexicans, in the number of immigrants living in the United States.

"Historically, we Filipinos have always been looked down on as your little brown brothers -- as these acquiescent people who would just accept anything Uncle Sam would do to them," said Jon Melegrito, communications director of the National Federation of Filipino American Associations. "This is about asserting who we are as a people and how we served this country. . . . It's a call to action to stop acting like colonial slaves and to start acting like first-class citizens."

The effort builds on an association with the United States that dates to 1898, when the United States acquired the Philippines from Spain after winning the Spanish-American War.

Laws and discriminatory practices against all Asian immigrants kept Filipino numbers in the United States low through the first half of the 1900s. But in the Philippines, many residents were taught English and raised to think of themselves as something akin to Americans.

Celestino Almeda, 90, a veteran who lives in Alexandria, remembered that the director of his elementary school in Manila led students in a pledge of allegiance to the American flag every morning.

"We also celebrated all the holidays: Washington's birthday, Armistice Day," Almeda said. "In our mind, it was like America was our mother country."

When Japan invaded the Philippines in 1941, more than 200,000 Filipinos joined Americans in waging a

fierce resistance, enduring such hardships as the Bataan death march and the grueling guerrilla campaign that followed. Technically, the Filipino fighters were under overall U.S. command. But within months of the Allied victory, Congress stripped most of them of their rights as foreign veterans of U.S. forces -- including the opportunity to become U.S. citizens -- on the grounds that the Philippines was about to be granted independence.

Even so, the Philippines continued its close affiliation with the United States. Thousands of Filipinos joined the U.S. Navy, which until recently had major bases there. By 1970, there were more Filipinos in the U.S. Navy than in the Philippine Navy.

And, after 1965, when Congress repealed the nationality quota system that had practically prohibited Asians from immigrating, hundreds of thousands of Filipinos streamed in.

Ranging from unskilled workers and nannies to nurses and professionals who came in on occupational preference visas, the new arrivals immediately formed social, cultural and professional organizations. Before long, they were rising to prominent positions in government, unions and the military. Several won elected office, including in Prince George's County, where a sizable community settled.

Yet when it came to turning their clout into political activism on behalf of Filipino American causes, many of the immigrants hesitated, said Bing Cardenas Branigin, 50, a former regional chairman of the Filipino American federation.

"There was this sense that you shouldn't make trouble, that you shouldn't contradict the government," she said. "You should just pay your taxes and send your kids to school and keep quiet."

That began to change in the mid-1970s when anger spread over the repressive policies of the Filipino president, Ferdinand Marcos. As much as their opposition to Marcos galvanized the Filipino American community, it also caused rifts with those who supported Marcos.

After Marcos was ousted, community leaders looked to refocus their newfound energy on a more unifying issue. The fight for veterans' equity was a natural choice.

Since then, the veterans have won some of the benefits they lost after the war. Most notably, in 1990, Congress granted Filipino World War II veterans the same opportunity to naturalize offered to all other foreign nationals who served in the U.S. armed forces.

But the Filipino veterans remain ineligible for a military pension, forcing many of the more than 24,000 elderly veterans who became U.S. citizens after 1990 to live off food stamps and Supplemental Security Income payments.

Joaquin Tejada, 84, a former guerrilla fighter who survived two years resisting the Japanese from jungle hideouts, said he now struggles to get by with his \$545 monthly SSI check. The rent for the two-bedroom apartment he shares with another Filipino World War II veteran in Columbia Heights takes \$275.

"By the end of the month, it's hard to buy even basic food," said Tejada, who proudly sported an American flag tie during an interview.

Then there is the 16-year wait veterans face if they wish to bring over their adult children, an unintended consequence of the 1965 law lifting the quotas that had prevented most Asians from immigrating.

In their place, Congress introduced a complicated system meant to offer every country the same number of family reunification visas. But because Filipino applicants far outnumber the yearly slots allotted to them, they face the longest delays -- 22 years to sponsor an adult brother or sister, for instance, compared with 11 years for applicants of most other nationalities.

Candida Romulo, 72, said she and her husband, Bayani, a veteran who became a lawyer in Manila, would not have naturalized and moved to Oxon Hill had they known that the wait to sponsor their grown children would be so long.

"We did it because we wanted to give them the opportunities of living in this country. It was going to be our gift to them," Romulo said during an interview in a living room crammed with photographs of her four children.

Soon after the couple's arrival, Bayani developed a medical condition requiring frequent dialysis, making visits to the Philippines impossible. Because of their pending residency applications, his children were unable to get visas to visit him.

When Bayani suffered a severe stroke in September, his eldest son wasn't able to relay his final words to his father over the phone before he died.

"The receiver couldn't reach his bed in the ICU," Candida Romulo said. "So I told my husband, 'Your son says that he loves you very much and that he's so proud that you are his father.' My husband couldn't speak, but I could tell that he understood, because there were tears in his eyes."

Now Romulo worries that her son may never gain entry to the United States, because if a sponsor dies while the visa application is pending, there is a chance that the application will be annulled.

But she said she is still praying that Congress will pass the legislation for the sake of those veterans who remain alive.

"If that happens, I know my husband will be very happy about it, even if he is already in heaven," she said.

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NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

on an exercise regimen together.

Exercise prevents diabetes among people who don't have the disease and helps people with the disease control it better.

Boudreau also plans a fundraising event led by the group. The KCHC diabetes support group will raise pledges from the community and walk or run together during Kodiak's Chad Ogden Ultra-Marathon on May 27 during the Kodiak Crab Festival.

Boudreau calls it an "ultra-marathon

among the uninsured. This is happening nationwide, she said, because there is a tendency among people without much money to test themselves less often.

"The test strips are expensive, and a lot of patients should be testing themselves three or four times a day," she said.

More information on the support is available by calling Boudreau at Kodiak Community Health Center, 481-2481.

Mirror writer Scott Christiansen can be reached via e-mail at schristiansen@kodiakdailymirror.com.

and sometimes protected species.

The Fisherman's Marketing Association says about 100 trawlers are tied up in Oregon, Washington and California, including 23 in the Astoria-Warrenton area.

"The situation began in February when some of the fish companies unilaterally decided to lower the price they were paying to U.S. boats," said Pete Leipzig, executive director of the association.

"In some cases this occurred while they were out fishing," he said. "They'd go to the dock and find they weren't going to

Seafoods, a major Pacific Coast groundfish processor, did not immediately return phone calls seeking comment.

Kevin Dunn of Astoria, who operates the Iron Lady, joined the association when the price for petrale sole, the most valuable sole, went from more than \$1 per pound to 65 cents.

"You can see the position we end up being in if we don't use our limit — we lose it — and if we don't sell it, we don't get anything, so the processors get the fish

► See **TRAWLERS**, Page 8

Aging Filipino WWII vets forced to live apart from families

By **AUDREY McAVOY**

Associated Press Writer

WAIANA, Hawaii (AP) — Manuel S. Pablo crouched in foxholes to defend the Philippines against invading Japanese soldiers in World War II. He watched a Japanese guard stab one of his comrades to death with a bayonet during the Bataan Death March when the starving prisoner of war dared to ask for another bowl of rice.

Even though Pablo risked his life for the United States, which controlled the Philippines as a commonwealth at the time, his children cannot win approval to live with him in America during his retirement.

Scholars and veteran advocates say the policy reflects decades of neglect, dating to 1946 when

Washington broke wartime promises that Filipino soldiers could become U.S. citizens and enjoy the same pension and medical benefits as American troops.

It took Washington 45 years after the war to offer veterans a proper chance to obtain citizenship. And the Immigration Act of 1990 only allowed each veteran to bring one immediate family member to the United States with them, so many leave their children behind.

The shortcomings of that law have left the sons and daughters of the veterans with no choice but to get in line for immigration visas along with everyone else. On average, they must wait about 20 years because so many Filipinos hope to emigrate and the limits are set by nationality.

Pablo's three sons and four daughters have been on the waiting list since 1994, two years after he immigrated to Hawaii and became a U.S. citizen.

Today, thousands of elderly veterans — including those wounded in battle and awarded the Bronze Star and other medals — live their last years far from their children and grandchildren.

► See **FILIPINO VETS**, Page 8

Right: World War II Filipino veteran Manuel Pablo, 88, holds a Bronze Star and POW medal, March 6, at his home in Waianae, Hawaii. He was awarded the medals while serving the U.S. military in the Philippines during World War II. (AP Photo)



America's Last Frontier"

Today is:

Wednesday, March 21, the 80th day of 2007. There are 285 days left in the year.

Today in history:

In 1965, more than 3,000 civil rights demonstrators led by the Rev. Martin Luther King Jr. began their march from Selma to Montgomery, Ala.

Thought for today:

"Never lose your temper with the masses; for the public is a major rule of political life."

— Dame Christabel Pankhurst, English suffragist (1880-1958)

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KODIAK DAILY MIRROR
MARCH 21, 2007

HJR

19

SENATE COMMITTEE REPORT

DATE: 3/26/08

FURTHER:

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 19(STA)

HJR 19 OPPOSE FEDERAL ID REQUIREMENTS

Encouraging repeal of the Real ID Act of 2005.

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____




NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
(H) STA	3/11/08			✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REG	AMEND
	French	X			
	Spence	X			
CHAIR: 	McQuinn	✓			

ALASKA STATE HOUSE OF REPRESENTATIVES

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North Pole, AK 99705
(907)-488-5725
Fax# (907)-488-4271**

**Session**

**(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 214**

REPRESENTATIVE JOHN COGHILL

SPONSOR STATEMENT

HJR 19 Opposing REAL ID Act

Real ID is an attempt to protect our country from terrorism that is full of unintended consequences. First of all, this federal law is in direct conflict with the Tenth Amendment to the U.S. Constitution. Secondly, the federal government is holding individual Alaskans accountable for the actions of state government. Thirdly, the Real ID Act threatens personal liberties without any evidence of making our citizens and our borders any more protected from terrorism.

The State of Alaska is one of 45 states that obtained the first extension of implementation, but this is only a temporary reprieve from the problem. Without the repeal of the REAL ID Act or a further extension, federal agencies will not accept Alaskan driver's licenses or identification cards for official purposes as of December 31, 2009.

The Department of Administration recently estimated front end costs for interfacing the REAL ID database with DMV would cost at least \$2 million. Additional funds would be required to interface with the Bureau of Vital Statistics and the Department of Public Safety. Annual operating costs would also have to be funded and the Administration has no estimate of that cost.

HJR 19 is a message to Congress that the Alaska Legislature objects to the federal government taking away states rights and individual rights as a method of imposing a system that will ultimately not make the United States any safer. The resolution asks Congress to repeal the Real ID Act of 2005.

The REAL ID Rebellion

The regulations have finally arrived. What's next for states?

BY MATT SUNDEEN

States first began requiring drivers to obtain licenses to operate motor vehicles in 1908. It's an understatement to say there will be no quiet celebration of the driver's license centennial anniversary. May 11, 2008, is the deadline for state compliance with new driver's license standards and procedures in the federal REAL ID Act. If 2007 is any indication, get ready for some driver's license related fireworks in legislatures this year.

States issue approximately 250 million licenses to drivers in the United States. The only official purpose of a driver's license is to prove the ability to operate a motor vehicle. Because it is so common, however, the driver's license is frequently required or offered to prove a person's identity. In the 99-year history of the driver's license, states have been responsible for deciding almost every aspect related to issuing licenses for noncommercial drivers.

The REAL ID Act, which Congress passed with no debate as part of a supplemental war spending and tsunami relief bill in 2005, dramatically alters the established driver's license framework. The act contains new card design requirements, minimum issuance standards, verification requirements for source documents used to prove identification, immigration standards, provisions related to data storage and sharing, and security and fraud prevention criteria.

After the May 11, 2008, deadline, the federal government will not accept a driver's license or identification card from a noncompliant state for an official federal purpose—which includes boarding a commercial aircraft and entering certain federal facilities.

FEDS TOUT SECURITY BENEFIT

Federal officials view REAL ID as necessary for security. "The American public's desire for greater identity protection is undeniable," says U.S. Department of Homeland Security Secretary Michael Chertoff.

"The 9/11 hijackers obtained 30 different driver's licenses and IDs, and used 364 aliases. For an extra \$8 per license, REAL ID will give law enforcement and security officials a powerful advantage against falsified documents, and it will bring some peace of mind to citizens wanting to protect their identity from theft by a criminal or illegal alien," Chertoff says.

It is safe to say that so far not everyone agrees. REAL ID's enactment was roughly analogous to the federal government shoving its figurative hand deep into a hornet's nest. Few federal acts in recent memory have elicited such strong state reaction. Although responses have not been

uniform, a lot of state REAL ID legislation was negative.

"It smells like a can of worms and it should be rethought," says Oklahoma Senator Constance Johnson, who sponsored legislation that prohibits Oklahoma agencies from complying with REAL ID. "Just the way it passed caused all the problems," she says. "We need to take more time."

MANY STATE CONCERNS

Many critics see REAL ID as a costly burden on states. A joint report issued by the National Conference of State Legislatures, the National Governors Association and the American Association of Motor Vehicle Administrators estimated that the total REAL ID costs for states would start at \$11 billion over five years. So far, the administration has never requested funds to cover state costs, and Congress has appropriated only \$90 million for implementation.

A more significant barrier for REAL ID may be perceptions about its effect on privacy. Many see the database links it requires as essentially creating a national identification card. "My biggest concern was privacy," says Senator Johnson. "But even if you address privacy, you still have cost issues."

Opponents fear that REAL ID will be costly yet ultimately ineffective. The U.S. Secret Service estimates that 16,000 different entities in the United States issue birth certificates. The electronic systems needed to verify the authenticity of those and thousands of other documents used to prove identification at the point of licensure are not yet operational, nor are many of the other electronic database systems contemplated by the law. Moreover, the 1995 bombing in Oklahoma City proved that legitimate driver's license holders can still be terrorists.

STATES REBEL

In 2007, 44 states considered approximately 145 bills or resolutions related to REAL ID. Legislation passed in 25. Twenty-one states passed measures that either prohibited state compliance with the act or urged Congress to amend or repeal it. Maine, Montana, New Hampshire, Oklahoma, South Carolina and Washington passed laws that strictly prohibit state agencies from complying. Idaho appropriated \$0 for its implementation in 2008, and legislative chambers in 15 states passed resolutions or memorials that urged Congress to amend or repeal REAL ID, or indicated the state's intent to not comply.



SENATOR
CONNIE JOHNSON
OKLAHOMA

Matt Sundeen is one of NCSL's transportation experts.

Georgia lawmakers authorized the governor to delay implementation unless certain conditions are met.

State reaction to REAL ID was so strong that U.S. Department of Homeland Security (DHS) officials appealed directly to state lawmakers to ease up until final regulations were released. At NCSL's Fall Forum meeting in November 2007, the U.S. DHS Assistant Secretary for Policy Development, Richard Barth, pleaded with attendees for patience. "Hold your fire until you can actually read the darn thing," said Barth. "We took you seriously. We respected your views. We have acted in good faith with you. Please ride with us a little longer."

DELAYS FRUSTRATE STATES

On Jan. 11, 2008, DHS released the long-awaited final regulations for implementing REAL ID, giving state lawmakers less than 120 days to react before the May 2008 compliance deadline. According to DHS, the final regulations incorporated many of the recommendations made by states. The new rules allow states to apply for compliance extensions and lengthen the re-enrollment period for some drivers to as far off as 2017. DHS officials also assert that the regulations will reduce the cost burden to states to less than \$4 billion and provide secure data sharing mechanisms to protect drivers' privacy.

Despite these assurances, the new rules seem unlikely to quell negative opinions about REAL ID in states that have already opted out. "We would need to look at the regulations, but there is very little they could do to make the act palatable to us," says Maine's Senate Majority Leader Libby Mitchell. "Funding would be nice, but money alone won't resolve the issues around REAL ID."

Washington Senator Mary Margaret Haugen, chair of the Transportation Committee, worries that despite REAL ID's potentially enormous implications, the federal government has given states no time to act.

"It's so frustrating for states," says Haugen. "This is a huge mandate on us with big costs and significant privacy concerns. But the federal government has not worked with the states on this issue. They don't seem to understand that we're not in session all the time like Congress. Our session lasts only 60 days. It's totally unrealistic to expect any changes."

STATES' RESPONSES UNCERTAIN

It is less clear how final regulations will affect deliberations in states that

have not yet specifically prohibited compliance. Although much state reaction was negative, it has not been uniformly so. Last year, Indiana and Nevada both enacted laws intended to bring the state into compliance with federal standards. Nevada, Tennessee and Virginia appropriated money for REAL ID implementation, and Ohio lawmakers directed the Department of Public Safety to request an extension. Lawmakers in other states considered proposals



SENATOR
LIBBY MITCHELL
MAINE



SENATOR
MARY
MARGARET
HAUGEN
WASHINGTON

FINAL RULES: REAL FLEXIBILITY OR REAL MANDATE?

The REAL ID Act of 2005 sailed through Congress and landed on the president's desk as part of the "Emergency Supplemental Appropriation for Defense, the Global War on Terror, and Tsunami Relief, 2005." It was signed into law on May 11, 2005. Nearly three years later, on Jan. 11, 2008, the U.S. Department of Homeland Security (DHS) finally issued the regulations to guide states' implementation of the act. The act takes effect May 1, 2008.

The final rules offer much more flexibility for states than was originally proposed in the draft regulations. Based on this flexibility, DHS has re-estimated the 10-year costs to states at just under \$4 billion, down \$10 billion from DHS's original \$14 billion. In September 2006, NCSL, the National Governors Association and the American Association of Motor Vehicle Administrators estimated the five-year cost of REAL ID to be \$11 billion.

The final rules still require states to ensure that all applicants are legally in the country and to verify applicants' documents using electronic databases, some of which are still under development. States are required to store copies of these documents and to make their department of motor vehicle (DMV) databases available to all other states. States must conduct background checks on certain DMV staff and secure the facilities where licenses are produced and where information and materials are stored.

So then, what flexibility produces a \$10 billion cost savings? The new rules are much less prescriptive, allowing states to develop their own security plans and to self-certify compliance with most of the requirements. Gone are the rigid prescriptions for the security features of the identification card itself, replaced by several options from which states can choose. And, as states ease into issuing REAL IDs, they will now be able to do so over six years, starting with people born after 1964.

States can request an extension of the May 11, 2008, deadline, which will be valid through Dec. 31, 2009. If a state takes steps toward complying, a second extension can be requested, which will run through May 10, 2011. During these periods, licenses from states with extensions will be accepted by DHS for official federal purposes such as passing through airport security and entering federal buildings and nuclear power plants. States must begin issuing REAL IDs on May 11, 2011, and are expected to have enrolled everyone born after 1964 by 2014, completing the entire enrollment process by Dec. 1, 2017.

Cost remains a major concern. The administration and the Department of Homeland Security have never requested funding for states' costs in the president's budgets. Congress has appropriated only \$90 million since FY 2006, leaving states to absorb the difference or pass on the cost to residents. REAL ID represents "federal standards, and they deserve federal dollars," says William Pound, NCSL's executive director.

Find out more about REAL ID and NCSL's analysis of the final rules at www.ncsl.org/realid.

—Jeremy Meadows, NCSL

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to develop multi-tiered licensing systems or even subsidize the use of alternative forms of identification, such as the U.S. passport, which the final regulations note will serve the same purpose as a REAL ID. Altogether, legislators in 25 states proposed compliance legislation or alternative REAL ID bills in 2007.

Many state lawmakers have waited for the final federal regulations before deciding an appropriate state response to the law. Federal delays in issuing the new rules, however, mean that some legislatures have no way to react officially to REAL ID before the May 11 deadline. This year, only 43 legislatures meet before May, and sessions in many of them are significantly limited in length or scope.

In some states, legislative activity might not be needed to move toward compliance. Some motor vehicle administrators are already acting to comply with REAL ID. But opinions differ about the scope of agencies' administrative authority, and it's difficult to generalize whether all states can comply without legislative approval.

BEYOND REAL ID

It is important to note that state concern about the driver's license has not been limited to REAL ID. Another DHS program, the Western Hemisphere Travel Initiative (WHTI), allows states to develop enhanced driver's licenses (EDLs) that permit holders to travel across certain international borders without a passport. So far Arizona, Vermont and Washington have announced intent to issue such documents.

Some states are also trying their own approaches to driver's license security. "It's not a federal job," says Arizona Representative Russell Pearce, chair of the House Appropriations Committee.

"It's the states' responsibility. But states need to recognize the threat to national security of an unsecured driver's license. We have an inherent



REPRESENTATIVE
RUSSELL PEARCE
ARIZONA

responsibility to make sure the driver's license is secure." Pearce is sponsoring legislation that will prevent Arizona agencies from recognizing a driver's license from any state that does not require proof of lawful presence during the application process.

The only post-REAL ID regulation certainty is that in 2008, the state-issued driver's license for noncommercial drivers will be scrutinized more closely than at any other moment in its history. As of mid-January, legislators in eight states had already pre-filed or introduced bills related to REAL ID or driver's license security. That number will surely climb as more legislatures come into session and more lawmakers distill the contents on the REAL ID regulations.

"I am for a secure ID," says Arizona's Representative Pearce. "We just need good processes to guarantee it." ■

➔ CHECK OUT the latest REAL ID news through www.ncsl.org/magazine.

REAL ID, real problem

(Published: March 8, 2007)

The federal Department of Homeland Security wants states to adopt a uniform driver's license and identification card that would require stricter documentation, cost billions of dollars, take us a long way to a national ID card, and do little to make the homeland more secure.

It's called REAL ID.

Alaska's Division of Motor Vehicles already has adopted new regulations requiring stricter documentation for newly arrived residents applying for driver's licenses. No longer does another state's license stand for proof of identification and legal status. New Alaskans must have documents proving their legal name, birth date, address and Social Security number, and a secondary proof of identification.

Privacy advocates have sued the state, arguing it has no authority to implement the regulations without legislative approval. Lawmakers could get that chance with House Bill 3, working its way through the process.

We hope the suit succeeds. Even better, we hope the Legislature makes the suit moot by turning down REAL ID and its stricter license requirements, a bad idea that caught a ride into law on a 2005 appropriations bill for the war in Iraq and tsunami relief. Rejected by Congress in 2004, REAL ID passed in the budget bill without a single hearing. That's probably the only way it could have passed.

What's wrong with the legislation? Where do we start?

- Americans are leery of a national ID card. You don't have to suffer paranoia about unmarked helicopters to oppose a national ID or its like, especially one that could carry vital information about any of us without privacy protections, a card that could subject us to increasing government control of travel, business and freedom. REAL ID provisions allow Homeland Security to add more elements to the card later -- such as fingerprints and retinal scans.
- Estimates for program costs -- an unfunded federal mandate -- begin at about \$10.7 billion and range to \$22.4 billion, according to the American Civil Liberties Union and Department of Homeland Security. The states would pick up the tab. That means Alaskans would pick up their share.
- States would be required to verify the authenticity of documents presented as proof of identification, adding to delays and costs.
- No privacy provisions are included. For example, one of the requirements that Homeland Security could add to new driver's licenses is a radio frequency identification chip embedded in the license. The State Department already has these in passports, but has adopted privacy protections -- the chip can't be scanned when the passport is closed. REAL ID requires no such safeguards, nor reimbursement for states that try to provide them.

It is not clear how much safer from terrorism REAL ID would make us. It is clear that it would be expensive, add to bureaucracy, increase the danger of identify theft from an easily accessible database and invite government abuse.

Maine's legislature voted overwhelmingly in January to reject REAL ID, and there's a lively debate under way in other states. Even the Department of Homeland Security has admitted the measure is flawed and has delayed implementation from May 2008 to the end of 2009.

That should be time enough to either fix it or kill it.

Meanwhile, there's no need for Alaska to take any steps toward compliance with REAL ID. Increased need for documentation will put a burden on thousands of law-abiding citizens, while giving no guarantee of catching either terrorists or illegal immigrants.

BOTTOM LINE: Until REAL ID enhances security and privacy and liberty, Alaska should say no.

Long interim

Two years to select permanent UAA chancellor is too much

University of Alaska President Mark Hamilton made a smart choice last week when he picked Fran Ulmer as interim chancellor for the Anchorage campus. Not so smart was his decision to let her interim appointment drag on for two years. There's plenty of time before the start of the 2008 school year to pick a permanent chancellor for UAA -- and good reason to move more quickly than President Hamilton intends.

President Hamilton's timeline leaves a critically important post unsettled for too long. The prolonged uncertainty is not healthy for Chancellor Ulmer, the university she is supposed to lead, or the community.

It will be difficult for her to build the relationships and alliances UAA needs, both inside the university and in the outside world, when no one is sure how long she'll be around. Those inclined to resist her initiatives can wait for a permanent chancellor.

Two years is simply too long to leave the state's largest campus in caretaker status.

In addition, Chancellor Ulmer's two-year appointment will end within a few months of when President Hamilton's current contract expires. If he were to leave then, the University of Alaska would be picking a president and a chancellor for its largest campus at the same time. That much turnover in leadership at the same time isn't a good thing.

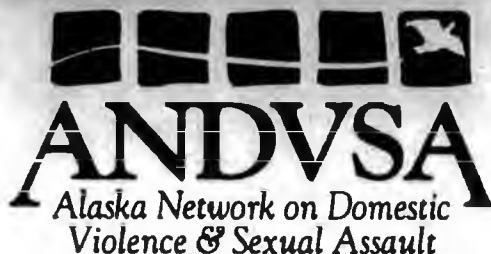
We expect Chancellor Ulmer will do an excellent job and be a front-runner for permanent appointment. One full academic year is enough time to see how well she does, and enough time to see if there are others who might do better.

BOTTOM LINE: One year should be plenty to pick a permanent UAA chancellor.

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April 25, 2007

The Honorable Representative Coghill
Alaska State Capitol Room 214
Alaska House of Representatives

RE: Relating to opposition to the Real ID Act of 2005, Support of HJR 19 Repeal of REAL ID Act

The Alaska Network on Domestic Violence & Sexual Assault (ANDVSA) strongly supports the repeal of REAL ID. The proposed REAL ID regulations will severely impact thousands of women and children facing threats from domestic violence and stalking. On behalf of the thousands of women and children in our state who flee violent homes each year, ANDVSA supports the Alaska Legislature and HJR 19 urging Congress to repeal REAL ID

Victims of Domestic Violence encounter a whole range of barriers and obstacles when fleeing for their lives. A nationally standardized drivers licensing system will create a vast national database linking all of the ID records together. Many victims are trying desperately to remain safe, therefore their confidentiality is paramount. Any possible breach or cross-referencing capability in a database allows a perpetrator to find the victims' address. If a victim of domestic abuse or stalking is forced to disclose her residence in order to get a federally approved driver's license, she risks the possibility that she and her children will be tracked down by their abuser. However, if she decides not to disclose her residential address, she will be denied a REAL ID. Without government issued identification, she will not be able to board an airplane, obtain a U.S. passport, or use a post office box. For domestic violence victims and their children, who may be forced to flee an abusive situation with short notice, such restrictions can be the difference between the freedom to start a new life and continued danger in a violent home.

REAL ID poses a danger for victims of violence in the following ways:

1. Requires that a residential address appear on the REAL ID
2. Exposes confidential victim addresses in easily accessible Department of Motor Vehicles (DMV) databases
3. Gives away confidential addresses in each card's unencrypted barcode
4. Discloses a person's full name history (including all name changes) in both the DMV database and each card's barcode
5. Forces victims with sealed court documents to violate that confidentiality to receive a REAL ID

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Instead, the regulations say that states *must* add the changed name to the database and *cannot* delete previous names.

This means that a woman who legally changes her name to escape an abuser can be traced across the country by her previous name through any state's Department of Motor Vehicles database or by anyone who has access to the barcode on the physical card. This exposure of confidential information will allow abusers to get around all court ordered and government protections for victims of domestic violence and stalking.

Domestic violence victims change their names for their safety and the safety of their children. A court seals records when it decides that this protection is essential to a victim's security. Doing so completely separates their previous names from their new legal names, making it more difficult for their abusers to hunt them down.

6. Document standards do not take into account the destruction or confiscation of documents by abusers.

Abusers will often destroy or withhold access to their victims' important documents such as birth certificates, driver's licenses, and immigration papers in order to force victims to stay with them or to prevent victims from taking action regarding the abuse.

The limited list of documents in the Proposed Rule will reduce many victims' abilities to obtain REAL ID because their abusers have withheld or destroyed the documents. As a result, victims will be denied the chance to travel, get a driver's license, or even enter federal buildings to seek aid or prosecute their abusers. Without alternatives for victims fleeing domestic violence, these regulations force victims to remain in abusive environments and reinforce the ability of abusers to control their victims through possession of vital documents.

7. The Proposed Rule places an additional burden on abused immigrant women and children who must renew their REAL ID every year, increasing abuser control.

In the Proposed Rule for the implementation of REAL ID, many abused immigrant women and children would be required to renew their REAL ID every year. In addition to all of the difficulties encountered in producing documents from this narrow list to acquire a REAL ID the first time, abusers will have additional leverage to use against their victims if they must produce these documents every year to keep their REAL ID valid. The documents become even more valuable and abusers then hold even more power over their victims by threatening to destroy or withhold documents each year.

8. REAL ID will be denied to immigrant women who are here legally on their spouses' or parents' visas.

The narrow list of documents permitted to verify identity in applying for a REAL ID card would deny spouses and children, here legally on the main workers' visas, the ability to drive a car, travel, or enter federal buildings. Family members granted derivative visas are included under the main visa holder's documents, but do not hold any documents of their own appearing on the REAL ID document list.

This requirement would make spouses and children virtual prisoners in their own homes, unable to do anything requiring federal identification. This problem is compounded if a derivative family member tries

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REAL ID White Paper 2/21/2008

History/Background

Congress passed REAL ID in 2005, requiring people boarding airplanes and entering federal buildings to use an ID that meets specific security and authentication standards. For states, that means issuing REAL ID-compliant drivers' licenses and ID cards -- or residents will need a passport to board planes. Homeland Security last month released its final regulations.

Current Situation

Federal agencies cannot accept non-REAL ID drivers' licenses or ID cards for official purposes as of May 11, 2008, unless a state has obtained an extension. Alaska is one of 45 states that have obtained the extension; there were no prerequisites to receiving this first extension. That first extension will expire Dec. 31, 2009, unless a state, by Oct. 11, 2009, asks Homeland Security for a second extension, certifying it has achieved 18 specific benchmarks. This extension would give the state until May 10, 2011, to comply with all of REAL ID. Allowing for a phase-in of REAL ID, states have until Dec. 1, 2014, to issue new licenses for everyone 50 years old and younger, and until Dec. 1, 2017, for residents over 50 years old.

Challenges

Before issuing or renewing a license or ID card, DMV will be required to electronically verify each applicant's documents. The law requires verification of Social Security numbers with the Social Security Administration, birth certificates through the Electronic Verification of Vital Events system, immigration documents through another system, and so on. Applicants for new licenses and ID cards will need to provide the same proof of identity and legal residency as is currently required at DMV, such as a U.S. passport or certified copy of a birth certificate. The change under REAL ID -- in addition to the electronic verification -- is that the verification requirement also will be imposed on Alaskans renewing their licenses for the first time under REAL ID. In addition to the paperwork hassles and expense, opponents of REAL ID say it is an invasion of privacy and the start of a national identity card with the linking of so many databases.

What are the estimated costs and effects in Alaska?

The Department of Administration estimates upfront costs for REAL ID database interfaces at DMV could total at least \$2 million, with additional costs at other agencies such as the Bureau of Vital Statistics and Department of Public Safety. Annual operating costs are unknown at this time.

Is there any federal funding?

There is \$80 million available for REAL ID grants nationwide. Homeland Security estimates it will cost states \$3.9 billion over the next 10 years to comply with REAL ID. North Carolina is submitting a grant application to operate a data hub for other states; Alaska is still considering whether to join the North Carolina effort.



Coming Soon: National ID Cards?

Recently passed Real ID Act undermines civil rights, critics charge.

Erik Larkin, Medill News Service

Tuesday, May 31, 2005 11:00 AM GMT-08:00

WASHINGTON -- Driver's licenses will become national ID cards--and Americans will be at greater risk of identity theft--under a new federal law that passed without significant congressional debate, critics charge.

The Real ID Act will require that states verify every license applicant's identity and residency status, and that they store addresses, names, and driving records in a database that every other state can access. It also mandates anticounterfeiting features for the licenses and a "common machine readable technology." In three years, licenses that don't meet the standards won't be accepted as identification for boarding an airplane, opening a bank account, or satisfying any other federally regulated use.

The law's sponsor, Rep. James Sensenbrenner (R-Wisconsin) said that the law "seeks to prevent another 9/11-type terrorist attack by disrupting terrorist travel." Opponents contend that the act is primarily meant to prevent people who illegally immigrate to the United States from getting licenses.

When he introduced the bill at a press conference earlier this year, Sensenbrenner referred to a part of the report from the September Commission that read, "Members of al-Qaida clearly valued freedom of movement as critical to their ability to plan and carry out the attacks prior to September 11th.

He said that his proposed legislation would curtail such movement and would tighten the rules for political asylum. In response to questions from reporters, he also suggested that the law was intended to "get a handle on illegal aliens in the United States."

How It Passed

The controversy surrounding the new law relates to the way it was passed as much as to what it does. Because it passed as an amendment to an emergency spending bill providing funding for American troops in Afghanistan and Iraq, the Real ID Act did not come up for a vote on its own--or for full debate--in Congress.

"This really is a national identification card for the United States of America for the first time in our history," said Sen. Lamar Alexander (R-Tennessee) in the Senate the day before the spending bill passed. "We have never done this before, and we should not be doing it without a full debate."

According to critics, what makes this a national ID--as opposed to another form of classification such as a Social Security card--is the fact that driver's licenses already serve as standard forms of identification for everything from entering a bar to boarding an airplane. Though the Real ID Act doesn't obligate states to follow the new national standards, their licenses and state IDs won't satisfy ID requirements for any purpose under federal jurisdiction unless the states comply.

Alexander and 11 other senators, evenly split between Democrats and Republicans, sent a letter to Senate Majority Leader Bill Frist (R-Tennessee) last month asking him to block the amendment.

Though Alexander strongly opposed passing the Real ID Act without debate, he said he was "reluctantly" in favor of a national ID in the

late of September 11. Other observers remain deeply concerned by the prospect.

Risk of ID Theft

"This is serious business," says Bill Scannell, a privacy advocate. If you want to board a plane, "you have to show your papers."

Scannell's Web site, UnrealID.com, gathered more than 10,000 comments in 28 hours from people asking their senators to block the amendment the day before the Senate vote. Scannell faxed all those comments to the appropriate senators, but he says that his failed last-minute attempt was "like the charge of the light brigade."

The new law, which takes effect in three years, establishes general requirements, but the Department of Homeland Security will decide how to implement the broad-brush mandates. Anyone with a license from a state that doesn't meet Real ID's standards will have to get a new license before then.

One mandate provides that every state must have a database accessible by all other states and including all of the information printed on a license as well as the person's driving record. The original proposal would have created a single national database, but this provision was changed before the Senate vote.

Nevertheless, "if you link all the databases and you mandate the sharing of the information, you have created one network," says Tim Sparapani, legislative counsel for the American Civil Liberties Union.

Sparapani says that having 51 different databases (one for each state plus Washington, D.C.) could actually be worse than having a single big one. Any computer or network is only as secure as its weakest point—the weakest link in the chain. So if 51 databases are tied together, and 50 of them have great security but one is easy to break into, the entire conglomeration is vulnerable.

"I know that any kind of sophisticated hacker, ID thief, organized criminal, or terrorist will be able to hack into this system," Sparapani says. "There are so many points of entry."

Lack of Privacy Protections

Sparapani says that the network of databases may also eventually hold electronic copies of sensitive personal documents. The law requires that states verify and store electronic copies of a driver's photo ID, birth certificate, and Social Security card, along with documents showing name and address.

The ACLU wants those documents to be stored separately from the network of driver's license databases, Sparapani says, but "it's not administratively efficient."

"States will do whatever is easiest and cheapest," he says.

The new law neither requires nor forbids that the documents be part of the same database.

"There were ample opportunities for the sponsors of the bill to build in privacy protections, and they chose not to," Sparapani says.

Machine Readable = RFID?

The requirement that licenses incorporate a "machine-readable technology" is similarly vague. Already, 47 states—all but Alaska, Oklahoma, and Wyoming—have a bar code or a magnetic stripe. Either one would satisfy the law's mandate, as would radio frequency (RFID), a broadcast technology planned for upcoming electronic U.S. passports.

The broad language of the new law "really allows for many possibilities," says Neville Pattinson, director of technology and government

affairs at the U.S. headquarters in Austin, Texas, of the European company Axalto, which makes smart cards. A small computer chip in each card stores information and may include features such as encryption. Axalto makes both contactless chips, which use RFID, and contact chips, which must be touched to be read. The company is bidding to supply the contactless chips for the new passports.

Many privacy and travel groups have strongly protested against using chips with RFID in passports because they can be read from a distance. Broadcasting such passport data could make targets of American travelers, they say.

The Smart Card Alliance, an industry group that includes Axalto, is pushing to use smart-card technology in driver's licenses. Pattinson says contact chips would be more appropriate, but contactless chips with RFID would also satisfy the law's requirements.

A Department of Homeland Security spokesperson, Jared Eagan, says he is not aware of any discussions regarding the technology that might be used.

Privacy Concerns Overblown?

The American Association of Motor Vehicle Administrators is "eager to work with DHS to fashion those provisions," says spokesperson Jason King. The 72-year-old organization represents state and provincial officials in the United States and Canada who administer and enforce motor vehicle laws, according to its Web site. King says that the department has not yet contacted the association.

"The driver's license framework is broken and in dire need of repair," King says. The Real ID Act "represents the first time in the history of driver's licenses that we will have consistency from state to state in how the driver's license is administered." The AAMVA favors that standardization, according to King.

"State motor vehicle administrators are very concerned about privacy," King says, but he sees the privacy concerns of the ACLU and other critics as overblown. For instance, he points out that driving records are already available online. In King's view, a provision in the law requiring security clearance for anyone who produces driver's licenses will help protect privacy.

Fear of government abuse or misuse of privacy under the new laws is misplaced, King believes. "Quite frankly, today, corporate America knows much more than [the] DMV does or ever will," he says. "We have no idea where you shop, nor do we care."

The States Weigh In

Deciding whether and how privacy concerns should be addressed is now up to DHS, with consultation from the Department of Transportation. The task of implementing those decisions, though, will fall squarely on the states.

"States are going to make their best effort with this," says Cheye Calvo, transportation committee director for the National Conference of State Legislatures. "They're not happy about it, but they're going to try to do it."

Calvo says that the new law could cost the states as much as \$1 billion. In addition to purchasing new machines and technology, state DMVs will have to hire new people to scan and verify documents, he says. Virginia alone estimates that it will have to spend \$237 million, according to Calvo.

The additional time required for verification could mean the end of being able to go to a DMV and get a license in the same day, Calvo says. States must verify the "issuance, validity, and completeness of each document" under the new law. Even if states streamline contacts with utility companies, hospitals, and other organizations that might supply documents, adding even 10 minutes to the time required for each of the millions of licenses involved would translate into a huge new time and manpower burden.

State Protections Removed

Calvo sees the privacy and civil liberty concerns about the new law as serious. Aside from issues involving linked databases and stored

documents. He notes that the new federal law will invalidate existing state laws meant to protect judges, police, and victims of domestic violence.

For instance, some states currently allow battered women to use the address of the state attorney general's office instead of their real address on their license. But there are no exceptions to the Real ID Act's requirement that people's home address appear on their licenses.

There is a legitimate need to revise driver's license laws to prevent situations such as having licenses in two states at the same time, Calvo says. But he thinks that the issue of securing driver's licenses was taken care of in December when Congress passed the Intelligence Reform Act, which called for the Department of Transportation to revise laws in consultation with the states. Now, however, those provisions have been superseded by the Real ID Act, which was written without input from the states.

Calvo says that the flaws in the new law stem largely from its having skipped the normal process of debate in Congress. "This is why you have a deliberative process, this is why you have hearings," he says.

Adding a controversial bill like the Real ID Act to a "must-pass" bill like the emergency military spending authorization doesn't happen very often, Calvo says. "In this case it was passed for political reasons."





Homeland Security Warn States of Airport Hassles if They Don't Adopt ID Rules

Monday, March 03, 2008

Associated Press

WASHINGTON —

Homeland Security officials are pushing recalcitrant states to adopt stricter driver's license standards to end a standoff that could disrupt domestic air travel.

States have less than a month to send a letter to the Homeland Security Department seeking an extension to comply with the Real ID law passed following the 2001 terror attacks. Some states have resisted, saying it is costly, impractical and an invasion of privacy.

Four states — Maine, Montana, New Hampshire and South Carolina — have yet to seek an extension.

Homeland Security Secretary Michael Chertoff argues that the law fixes a critical gap in security identified by the commission that investigated the 9/11 attacks: the ease of obtaining government-issued ID. It will also hinder would-be con artists and illegal immigrants, he said.

Real ID-compliant driver's licenses would have several layers of new security features to prevent forgery. They would also be issued after a number of ID checks, including verification of birth certificates, Social Security numbers and immigration status. Officials acknowledge it will take years to phase in all the different security measures.

To bring the states in line, Chertoff warned that any state that does not seek an extension by the end of March will find that, come May, their residents will not be able to use their licenses to board domestic flights.

Chertoff's assistant secretary, Stewart Baker, sent letters to several governors Monday reminding them of the looming deadline, and urging the holdouts to seek an extension.

In recent years, 17 states passed legislation or resolutions opposing Real ID, but now only a handful appear willing to challenge the government publicly.

Officials in Maine and Montana insisted Monday they would not seek an extension. A spokesman for South Carolina's governor said he was still considering it. New Hampshire passed a law last year prohibiting the state from participating in the Real ID program, and Gov. John Lynch wrote Chertoff last week asking him not to impose the requirements on New Hampshire citizens.

A fifth state, Delaware, has sent a letter asking for an extension, but DHS officials are still weighing whether the wording of the letter legally adds up to an extension request.

If the states do not seek an extension by March 31, their residents will be subjected to secondary screening by security workers before boarding any domestic flight beginning May 11.

"We're not going to buckle under here," said Montana Gov. Brian Schweitzer. "My guess is the people of Montana would be

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proud to walk through that line."

Schweitzer called the Real ID proposal a bureaucratic boondoggle that will cost his state a fortune and give a false sense of security without actually making ID more reliable. He has sought to rally opposition to Real ID, but the vast majority of states have decided not to test whether Washington is bluffing.

As the high-stakes game of chicken continues, federal authorities are not publicly saying whether seeking an extension actually counts as complying with the law. In his recent letters, Baker said only that the 45 states that have sought extensions are "on track toward improved security."

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All market data delayed 20 minutes.



Feds Cite Hassles if ID Law Not Followed

By DEVLIN BARRETT

Associated Press

March 4, 2008

WASHINGTON (AP) -- Homeland Security officials are pushing recalcitrant states to adopt stricter driver's license standards to end a standoff that could disrupt domestic air travel.

States have less than a month to send a letter to the Homeland Security Department seeking an extension to comply with the Real ID law passed following the 2001 terror attacks. Some states have resisted, saying it is costly, impractical and an invasion of privacy.

Four states -- Maine, Montana, New Hampshire and South Carolina -- have yet to seek an extension.

Homeland Security Secretary Michael Chertoff argues that the law fixes a critical gap in security identified by the commission that investigated the 9/11 attacks: the ease of obtaining government-issued ID. It will also hinder would-be con artists and illegal immigrants, he said.

Real ID-compliant driver's licenses would have several layers of new security features to prevent forgery. They would also be issued after a number of ID checks, including verification of birth certificates, Social Security numbers and immigration status. Officials acknowledge it will take years to phase in all the different security measures.

To bring the states in line, Chertoff warned that any state that does not seek an extension by the end of March will find that, come May, their residents will not be able to use their licenses to board domestic flights.

Chertoff's assistant secretary, Stewart Baker, sent letters to several governors Monday reminding them of the looming deadline, and urging the holdouts to seek an extension.

In recent years, 17 states passed legislation or resolutions opposing Real ID, but now only a handful appear willing to challenge the government publicly.

Officials in Maine and Montana insisted Monday they would not seek an extension. A spokesman for South Carolina's governor said he was still considering it. New Hampshire passed a law last year prohibiting the state from participating in the Real ID program, and Gov. John Lynch wrote Chertoff last week asking him not to impose the requirements on New Hampshire citizens.

A fifth state, Delaware, has sent a letter asking for an extension, but DHS officials are still weighing whether the wording of the letter legally adds up to an extension request.

If the states do not seek an extension by March 31, their residents will be subjected to secondary screening by security workers before boarding any domestic flight beginning May 11.

"We're not going to buckle under here," said Montana Gov. Brian Schweitzer. "My guess is the people of Montana would be proud to walk through that line."

Schweitzer called the Real ID proposal a bureaucratic boondoggle that will cost his state a fortune and give a false sense of security without actually making ID more reliable. He has sought to rally opposition to Real ID, but the vast majority of states have decided not to test whether Washington is bluffing.

As the high-stakes game of chicken continues, federal authorities are not publicly saying whether seeking an extension actually counts as complying with the law. In his recent letters, Baker said only that the 45 states that have sought extensions are "on track toward improved security."

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FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHJR 19(STA)
 (H) Publish Date: 3/13/2008

Identifier (file name): HJR 19 Dept. Affected: _____
 Title: Oppose Federal ID Requirements RDU: _____
 Component: _____
 Sponsor: Representative Coghill
 Requester: House State Affairs Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

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

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Nancy Manly, Committee Aide
 Division: House State Affairs Committee
 Approved by: Representative Bob Lynn
 Chair: _____

Phone 465-2794
 Date/Time 3/11/08 12:00 AM
 Date 3/11/2008

HJR

22

SENATE COMMITTEE REPORT

DATE: 5/9/07

FURTHER:

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 22(RLS)

HJR 22 DENOUNCE SALE OF "RAPIST" DOLL

Denouncing the National Entertainment Collectibles Association's production of the Rapist No. 1 collectible doll.

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

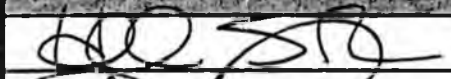
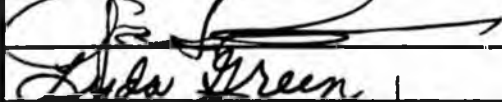
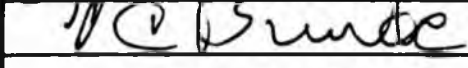
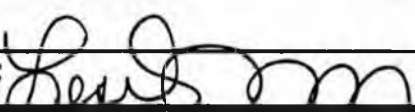
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
 	 	 	 	 	
HSTA	04/27			✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do Not PASS	NO REC	AMEND
	French	✓			
	Green	✓			
	Bunde	✓			
CHAIR: 	McGuire	✓			



Alaska State Legislature

Representative Anna Fairclough – House District 17

Sponsor Statement for HJR 22 “Denounce the Sale of Rapist Doll”

The release of a recent movie, *Grindhouse*, has spurred the creation of a collectible doll, tastelessly named Rapist #1. With Alaska's rate of sexual assault the highest per capita in the nation, the creation of a doll with a name like Rapist #1 should be extremely concerning to the Legislature.

HJR 22 was written to express extreme opposition, not only to the manufacturing and marketing of the Rapist #1 doll, but also to urge all Alaskans, in recognition of the pain and trauma caused by rape, to boycott the sale and purchase of this doll.

In a state where we have the dishonorable distinction of such high incidents of sexual assault, we should be doing everything we can as a state to educate our children about healthy relationships. Collectible dolls like Rapist #1, whether they are being marketed to our children or not, create the false impression that rape is acceptable to our society.

Please join me in sending a clear and definitive message that the State of Alaska will not help promote violence. I urge your support of HJR 22

25-LS0891/C
Bullard
5/1/07

CS FOR HOUSE JOINT RESOLUTION NO. 22()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES FAIRCLOUGH, Harris, Samuels, Holmes, Johnson, Gara, Chenault, Dahlstrom, Lynn, Kelly

A RESOLUTION

1 **Denouncing the National Entertainment Collectibles Association's production of the**
2 **Rapist No. 1 collectible doll.**

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

4 **WHEREAS** Alaska has the highest per capita occurrence of sexual assault in the
5 nation; and

6 **WHEREAS**, in 27 of the last 27 years, Alaska has ranked among the top five states in
7 the nation for rape and sexual assault; and

8 **WHEREAS** the incidence of rape in Alaska is 25 times the national average; and

9 **WHEREAS** every two and a half minutes someone is sexually assaulted in the United
10 States; and

11 **WHEREAS** one out of six women and one out of 33 men in the United States have
12 been sexually assaulted; and

13 **WHEREAS**, in the years 2004 and 2005, an annual average of 200,780 people were
14 the victims of rape, attempted rape, or sexual assault nationwide; and

15 **WHEREAS**, according to the Rape, Abuse and Incest National Network, more than
16 half of all rapes go unreported; and

1 **WHEREAS** April 2007 is Sexual Assault Awareness Month in Alaska; and

2 **WHEREAS** the National Entertainment Collectibles Association is producing a
3 collectible doll modeled on a character called "Rapist No. 1" from the recent film
4 "Grindhouse";

5 **BE IT RESOLVED** that the Alaska State Legislature emphatically deplores the
6 manufacture and sale of the Rapist No. 1 collectible doll; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature denounces the National
8 Entertainment Collectibles Association's casual disregard for the most personal of violations;
9 and be it

10 **FURTHER RESOLVED** that the Alaska State Legislature urges all Alaska
11 businesses and consumers to boycott the sale and purchase of these collectible dolls; and be it

12 **FURTHER RESOLVED** that the Alaska State Legislature urges all Alaskans to both
13 recognize the severe consequences of rape and the glorification of the crime of rape that this
14 doll represents.

15 **COPIES** of this resolution shall be sent to the Honorable Carlos Gutierrez, United
16 States Secretary of Commerce; the Honorable Sean Parnell, Lieutenant Governor of Alaska;
17 Joel Weinshanker, Chief Executive Officer, National Entertainment Collectibles Association;
18 Jeffrey P. Bezos, Chief Executive Officer, Amazon.com; H. Lee Scott, Jr., Chief Executive
19 Officer, WalMart; Gerald L. Storch, Chief Executive Officer, Toys "R" Us, Inc.; Daniel
20 Grossman, Chair, Toy Industry Association, Inc.; Tracy Mullin, Chief Executive Officer,
21 National Retail Federation; and the Honorable Ted Stevens and the Honorable Lisa
22 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of
23 the Alaska delegation in Congress.

My Rapist #1 could beat up your GI Joe!

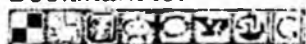
Published by Jim Squires April 15th, 2007 in movies and toys



Grindhouse may have bombed at the box office (despite this blogger's glowing review) but that hasn't stopped NECA from releasing a slew of kick ass merchandise for hardcore fans such as myself. The coolest of their releases have to be these action figures. The first series (pictured above) feature three great characters from Planet Terror - Cherry, Dr. Dakota Block, and Quentin Tarantino as "Rapist #1."

There's a ton of other merchandise available as well - from lunchboxes and keychains to Death Proof bling and sneakers. Check it all out on NECA's Amazon store.

Bookmark to:



0 Responses to "My Rapist #1 could beat up your GI Joe!"

No Comments

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Share your own customer images

Grindhouse Action Figures Series 1 Complete Set

Other products by NECA

★★★★☆ (1 customer review)

List Price: ~~\$38.99~~

Price: **\$35.98**

You Save: \$3.01 (8%)

Availability: In Stock. Ships from and sold by NECA.

5 available offers from \$33.99

Spring into savings: Pick up some sweet toys & games for birthdays, for holidays or for you now at Amazon.com.

Related searches: [grindhouse action figures](#)

Price: **\$35.98**

In Stock

Ships from and sold by NECA

Quantity:

Add to Shopping Cart

or

Sign in to turn on 1-Click ordering.

More Buying Choices

ShopAFX - ActionFigur...
Price: **\$35.50**
In Stock

Add to Cart

DollTV
Price: **\$39.99**
In Stock

Add to Cart

5 available offers from \$33.99

Get it for less! [Order it used](#)

Have one to sell? [Sell yours here](#)

Add to Wish List

Add to Shopping List

Add to Wedding Registry

Add to Baby Registry

Tell a friend

Product Features

- 3 Figure Set
- Cherry
- Dakota
- Rapist #1
- Complete Series 1 Set

Better Together

Buy this item with [Grindhouse Planet Terror Necklace](#) by NECA today!



Total List Price: ~~\$48.99~~

Buy Together Today: **\$45.98**

Buy both now!

Customers who bought this item also bought

[Grindhouse Planet Terror "Loaded" T-Shirt](#) NECA

[Grindhouse: Planet Terror ~ Robert Rodriguez](#)

[Grindhouse Death Proof "Car" T-Shirt](#) NECA

[Grindhouse Planet Terror Necklace](#) by NECA

HJR

32

SENATE COMMITTEE REPORT

DATE: 3/21/08

FURTHER:

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered HOUSE JOINT RESOLUTION NO. 32

HJR 32 BROADCASTING INDUSTRY

Supporting open and free competition within the broadcasting industry.

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____




NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
(H)LCC	2/20/08			✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC.	AMEND
	French			X	
	STRAWN			X	
CHAIR: 	McGuire	✓			

ALASKA STATE LEGISLATURE

Vice Chair:
House Finance Committee

Chair:
House Finance Subcommittees for;
Department of Public Safety
Department of Law



Session:
Alaska State Capitol
Juneau, AK 99801-1182
Phone: (907) 465-4958
Fax: (907) 465-4928

Interim:
PO Box 464
Chugiak, AK 99567

BILL STOLTZE

State Representative

Representative_Bill_Stoltze@legis.state.ak.us

House Joint Resolution 32

Broadcasting Industry

Supporting open and free competition within the broadcasting industry.

Today we have open and free competition within the broadcasting industry, allowing people with greatly differing political and ideological views to express themselves. In the past, this has not always been the case. The Fairness Doctrine had restricted the radio medium from allowing an open, public forum for over 20 years. After the Federal Communications Commission abolished the doctrine, talk radio emerged as one of the forefront venues for people to express their varying viewpoints.

Even with the obvious benefits of such an open forum, there are some Congressmen and Senators who feel that the restrictions should be put back into place. I ask your support for this resolution, sending a message to Alaska's Senators and Congressman that we support open and free competition within the broadcasting industry.

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

110TH CONGRESS
1ST SESSION

H. R. 2905

To prevent the Federal Communications Commission from repromulgating
the fairness doctrine.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2007

Mr. PENCE (for himself, Mr. WALDEN of Oregon, Mr. BOEHRER, Mr. BLUNT, Mr. HASTERT, Mr. PUTNAM, Mr. CANTOR, Mr. HENSARLING, Mr. FLAKE, Mr. ADERHOLT, Mr. AKIN, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mrs. BONO, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP of Michigan, Mr. CAMPBELL of California, Mr. CANNON, Mr. CARTER, Mr. COLE of Oklahoma, Mr. CONAWAY, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DAVID DAVIS of Tennessee, Mr. TOM DAVIS of Virginia, Mr. DEAL of Georgia, Mr. MARIO DIAZ-BALART of Florida, Mr. DOOLITTLE, Mrs. DRAKE, Mr. DUNCAN, Mr. ENGLISH of Pennsylvania, Mr. EVERETT, Ms. FALLIN, Mr. FEENEY, Mr. FORTUÑO, Ms. FOXF, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOHMERT, Mr. GOODE, Mr. GOODLATTE, Mr. GRAVES, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JORDAN of Ohio, Mr. KELLER of Florida, Mr. KING of Iowa, Mr. KINGSTON, Mr. KIRK, Mr. KLINE of Minnesota, Mr. KUTL of New York, Mr. LAMBORN, Mr. LATHAM, Mr. LUCAS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MARCHANT, Mr. MCCARTHY of California, Mr. MCCRERY, Mr. MCHENRY, Mr. MILLER of Florida, Mr. GARY G. MILLER of California, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. PAUL, Mr. PEARCE, Mr. PITTS, Mr. POE, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. REYNOLDS, Mr. ROYCE, Mr. RYAN of Wisconsin, Mrs. SCHMIDT, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SILADEGG, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. SODER, Mr. STEARNS, Mr. TERRY, Mr. TIAHRT, Mr. WALBERG, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WICKER, Mr. WILSON of South Carolina, Mr. WOLF, Mr. YOUNG of Alaska, and Mr. UPTON) introduced the following bill, which was referred to the Committee on Energy and Commerce:

A BILL

To prevent the Federal Communications Commission from
repromulgating the fairness doctrine.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Broadcaster Freedom
5 Act of 2007".

6 **SEC. 2. FAIRNESS DOCTRINE PROHIBITED.**

7 Title III of the Communications Act of 1934 is
8 amended by inserting after section 303 (47 U.S.C. 303)
9 the following new section:

10 **"SEC. 303A. LIMITATION ON GENERAL POWERS: FAIRNESS**
11 **DOCTRINE.**

12 "Notwithstanding section 303 or any other provision
13 of this Act or any other Act authorizing the Commission
14 to prescribe rules, regulations, policies, doctrines, stand-
15 ards, or other requirements, the Commission shall not
16 have the authority to prescribe any rule, regulation, policy,
17 doctrine, standard, or other requirement that has the pur-
18 pose or effect of reinstating or repromulgating (in whole
19 or in part) the requirement that broadcasters present op-
20 posing viewpoints on controversial issues of public impor-
21 tance, commonly referred to as the 'Fairness Doctrine',

- 1 as repealed in General Fairness Doctrine Obligations of
- 2 Broadcast Licensees, 50 Fed. Reg. 35418 (1985)."

110TH CONGRESS
1ST SESSION

S. 1742

II

To prevent the Federal Communications Commission from repromulgating the fairness doctrine.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2007

Mr. THUNE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prevent the Federal Communications Commission from repromulgating the fairness doctrine.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Broadcaster Freedom
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10 or in part) the requirement that broadcasters present op-
11 posing viewpoints on controversial issues of public impor-
12 tance, commonly referred to as the 'Fairness Doctrine',
13 as repealed in General Fairness Doctrine Obligations of
14 Broadcast Licenses, 50 Fed. Reg. 35418 (1985)."

○

110TH CONGRESS
1ST SESSION

S. 1748

To prevent the Federal Communications Commission from repromulgating
the fairness doctrine.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2007

Mr. COLEMAN (for himself, Mr. DEMINT, Mr. MCCONNELL, Mr. SESSIONS, Mrs. HUTCHISON, Mr. ISAKSON, Mr. CRAIG, Mr. CHAMBLISS, Mr. GRAHAM, Mr. CORSYN, Mr. BOND, Mr. MCCAIN, Mr. COCHRAN, Mr. VOINOVICH, Mr. THUNE, Mr. COBURN, Mr. ALLARD, Mr. ROBERTS, and Mr. KYL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prevent the Federal Communications Commission from
repromulgating the fairness doctrine.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Broadcaster Freedom
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