
SENATE JOINT MEMORIAL 8005

State of Washington 60th Legislature 2007 Regular Session

By Senators Stevens, Benton, Swecker and Kline

Read first time 01/23/2007. Referred to Committee on Transportation.

1 TO THE HONORABLE GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES,
2 AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE UNITED STATES
5 DEPARTMENT OF HOMELAND SECURITY:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, The implementation of the REAL ID Act intrudes upon the
10 states' sovereign power to determine their own policies for
11 identification, licensure, and credentialing of individuals residing in
12 those states; and

13 WHEREAS, One page of the 400-page 9/11 Commission Report, which did
14 not give consideration to identification issues, prompted Congress to
15 pass legislation that created the REAL ID Act, ignoring states'
16 sovereignty and their right to self-governance; and

17 WHEREAS, The REAL ID Act converts the state driver licensing
18 function into federal law enforcement and national security functions
19 that are outside the purpose and core competency of driver licensing
20 bureaus; and

1 WHEREAS, The REAL ID Act thus constitutes an unfunded mandate by
2 the federal government to the states; and

3 WHEREAS, The REAL ID Act requires states to conform their processes
4 of issuing drivers' licenses and identification cards to federal
5 standards by May 2008; and

6 WHEREAS, A study predicts that for states to comply with the REAL
7 ID Act, it will require all of the estimated 245 million current
8 cardholders in the United States to renew their current identity
9 documents in person by producing three or four identity documents,
10 increasing processing time and doubling wait time at licensing centers;
11 and

12 WHEREAS, Identification-based security provides only limited
13 security benefits because it can be avoided by defrauding or corrupting
14 card issuers, and because it does not provide protection against
15 unknown people planning or committing wrongful acts; and

16 WHEREAS, The REAL ID Act will cost the states over 11 billion
17 dollars to implement according to a recent survey of 47 state licensing
18 authorities conducted by the National Governor's Association, the
19 National Conference of State Legislatures, and the American Association
20 of Motor Vehicle Administrators; and

21 WHEREAS, The use of identification-based security cannot be
22 justified as part of a "layered" security system if the costs of the
23 identification "layer," measured in dollars, lost privacy, and lost
24 liberty, is greater than what security identification provides; and

25 WHEREAS, The "common machine-readable technology" required by the
26 REAL ID Act would convert state-issued drivers' licenses and
27 identification cards into tracking devices, allowing computers to note
28 and record people's whereabouts each time they are identified; and

29 WHEREAS, A more secure and flexible system of verifying identity
30 may be achieved by less intrusive means to the individual and to states
31 by employing free market and private sector ingenuity; and

32 WHEREAS, The requirements that states maintain databases of
33 information about their citizens and residents and share this personal
34 information with all other states will expose every state to the
35 information security weaknesses of every other state and threaten the
36 privacy of every American; and

37 WHEREAS, The REAL ID Act wrongly coerces states into doing the

1 federal government's bidding by threatening to refuse noncomplying
2 states' citizens the privileges and immunities enjoyed by other states'
3 citizens; and

4 WHEREAS, The REAL ID Act threatens the privacy and liberty of those
5 individuals belonging to unpopular minority groups, including racial
6 and cultural organizations, firearm owners and collectors, faith-based
7 and religious affiliates, political parties, and social movements; and

8 WHEREAS, Congress passed the REAL ID Act without a single hearing
9 in either House and without an up-or-down vote in either House; and

10 WHEREAS, The REAL ID Act thus imposes a national identification
11 system through the states premised upon a threat to national security,
12 but without the benefit of public debate and discourse;

13 NOW, THEREFORE, Your Memorialists respectfully pray that the United
14 States Congress and the United States Department of Homeland Security
15 suspend implementation of the REAL ID Act because it opposes
16 Jeffersonian principles of individual liberty, free markets, and
17 limited government.

18 BE IT RESOLVED, That copies of this Memorial be immediately
19 transmitted to the Honorable George W. Bush, President of the United
20 States, the United States Department of Homeland Security, the
21 President of the United States Senate, the Speaker of the House of
22 Representatives, and each member of Congress from the State of
23 Washington.

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