

## REAL ID Cronyism – Created Through Congress as Profit Venture

### KEY FACTS:

- Jay Maxwell, while working for AAMVA in 2005, helped write REAL ID law including data-sharing requirements
- Jay Maxwell, in 2005, created private company that profits off REAL ID law
- Jay Maxwell's company, Clerus Solutions, is filled with former AAMVA Execs
- Clerus sets up hub for data-sharing between states and federal government
- States share data on citizens
- States pay AAMVA for access to citizen data from 50 states

BOTTOMLINE: AAMVA staff writes REAL ID policy and helps write/pass federal REAL ID law, then AAMVA contracts with private company of former co-workers (built by former AAMVA employee) to implement REAL ID policy and laws in all 50 states (*QUESTION – But what about the initial plan to build the hub in Missouri? Was that to be run by AAMVA, but there, instead of in Virginia??*)

### ● Data Sharing Requirements

- State to State (S2S) – Required under REAL ID to “provide electronic access to all other States to information contained in the motor vehicle database of the State.”
- Clerus Solutions – Company Contacted with AAMVA to run the new database called S2S

### ● Clerus Solutions Executives

- Jay Maxwell – Founder and Chairman of the Board
  - Designed and implemented the Problem Driver Pointer System in the 80's
  - While **working for AAMVA**
    - Managed Commercial Driver's License Information System
    - “led AAMVA's efforts to develop the best approach to prevent a person from holding more than one license.”
    - “While at AAMVA, Mr. Maxwell served as **technical advisor** to the U.S. House Judiciary Committee staff while the **Real ID Act was being drafted.**”
- Thomas Osterbind - **Senior Director of System Engineering for AAMVA**
- Rich Carter - **15 Years at AAMVA** working on PDPS and AAMVA Code
- Nancy Carlson - **Over 17 Years at AAMVA** working on S2S, CDLIS, SSOLV,

- **AAMVA Contracts with Clerus Solutions – which is founded by and full of former AAMVA Executives**
  - “Success Stories – Department of Homeland Security” (from Clerus website)
    - “Clerus Solutions applied its knowledge of the requirements of REAL ID, the state driver license issuance environment and the principles of effective physical security in **drafting the Department of Homeland Security REAL ID Security Plan Guidance Handbook**. Once drafted, we worked with a select group of states and DHS to refine and finalize the document. This **handbook is the document used by all US driver licensing agencies** to benchmark their readiness for the physical security requirements needed to issue more secure driver licenses and ID cards.”
    - **“As the author, Clerus Solutions has a unique, detailed knowledge and a thorough understanding of these guidelines.** Most importantly, we understand how to apply these requirements to a state driver license issuance environment.”
  
- **Relevant History of Cronyism**
  - REAL ID Act Passed in **2005** after Jay Maxwell helped write the language.
  - REAL ID passed in the middle of the night as an amendment to an Afghanistan war funding bill without any Senate hearings
  - On the floor of the Senate, U.S. Senator Lamar Alexander warned the REAL ID Act would lead to a National ID Card.
  - Clerus Solutions formed in **2005** by Jay Maxwell to “assist the states and federal government with implementing secure identification”
  - Clerus Solutions, made up of former AAMVA Executives, frequently contracts with AAMVA which works at the federal and state level to create and implement the REAL ID Act and its policies
  - Clerus Solutions drafted the federal government’s REAL ID Security Plan Guidance Document