

## REAL ID – Six Reasons to Oppose

1. **Violation of Constitutional Rights (State rights)**
  - a. Real ID is wrong. It's wrong for freedom, privacy and the rights of Minnesotans.
  - b. It's a violation of State's Rights and individual rights under the Tenth Amendment
  - c. 2009 MN law prohibited REAL ID due to federal overreach/costs. This bill repeals law.
  - d. U.S. Supreme Court ruled: "The Federal Government may not compel the States to enact or administer a federal regulatory program." (*Printz vs. U.S.*, 1997)
  - e. Violation of oath of office to vote yes on a bill that federalizes MN licenses and IDs
  - f. It's a Federal ID -- which feds allow to be used to indicate state driving privileges,
  - g. If MN submits to REAL ID bill, both licenses/IDs ("for federal purposes" or "not for federal purposes") must be compliant with REAL ID. There's no opt-out option.
  - h. Dept. of Homeland Security (DHS) can control identification, movement, commerce
2. **Feds have unilateral authority to expand "official purposes" and required uses of REAL ID.**
  - a. Guns? Alcohol? Public Transportation? Banking? Health Care? (No Card, No Care)
  - b. The "no federal changes" in HF 3 (4.12-4.24) is: 1) in conflict with the "fully comply" and "comply" language in the bill (21.16/23.2), and 2) not protective because enforcement of new "official purposes" will be done by the federally-regulated banks, hospitals, gun shops, hotels, car rental companies that will require REAL ID for access.
  - c. Then the so-called "non-compliant" ("not for federal purposes") card becomes useless.
3. **Minnesota is not the only state opposing REAL ID & unfunded mandate**
  - a. 116 GOP Penn. legislators wrote Trump saying it's an unfunded mandate, creates a "national identity registry" and "usurps" 10<sup>th</sup> Amendment powers reserved to the states
  - b. Missouri GOP Senators say REAL ID "*sets a dangerous precedent to empower a bureaucracy to unilaterally promulgate rules that prohibit our citizens from enjoying rights guaranteed by the United States Constitution.*"
  - c. Maine's Secretary of State calls it "Orwellian," and a violation of privacy that wouldn't protect against the 9/11 terrorists getting REAL IDs.
  - d. 25 States: Five states have refused w/o an extension and 20 states have extensions
4. **The Dept. of Homeland Security (DHS) can't enforce REAL ID**
  - a. At least five "deadlines" have come and gone. DHS has escalated threats intended to cause fear in the public...and to pressure state legislators to do what they must not do.
  - b. DHS has no real power. Wants MN to voluntarily give up power--and fund REAL ID.
5. **You CAN STILL FLY and enter federal buildings**
  - a. DHS says REAL ID not necessary for flight or federal access (2008 REAL ID Rule)
  - b. Fort Huachua Army base (AZ) allows 26 options as supplemental ID – incl. Library card
  - c. Eglin Air Force base gives non-REAL ID options, allows an "approved escort" if no ID available, but says the commander can refuse entry even if have acceptable ID.
6. **Privacy infringements**
  - a. Cardholders entered in "**National Identity Registry**" called the "hub" in REAL ID Rule
  - b. Submitting states must "*provide electronic access to all other States to information contained in the motor vehicle database of the State.*" DHS expects breaches.
  - c. DHS suggested a RFID chip in 2007 and could require intrusive/costly RFID at any time
  - d. 2014 Rule requires states to recertify every 3 years, enabling RFID/biometric mandates