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MEMORANDUM

TO: The Senate of Pennsylvania

FROM: Andy Hoover, Legislative Director

DATE: June 15, 2010

RE: SUPPORT FOR SENATE BILL 621

In the near future, the Senate is likely to vote on final passage of SB 621. This legislation, introduced by Senator Mike Folmer, would block the implementation of the federal Real ID Act in Pennsylvania. Real ID has major privacy implications for the people of Pennsylvania and would cost the commonwealth hundreds of millions of dollars to implement and maintain. The American Civil Liberties Union of Pennsylvania opposes Real ID and supports SB 621, and on behalf of the 18,000 members of the ACLU of Pennsylvania, I urge you to please vote "YES" on this legislation.

Real ID is a federal law that was passed by Congress in 2005 as part of an appropriations bill that funded our troops overseas and victims of the 2004 tsunami in South Asia. The law implements new mandates on the states in the distribution of drivers' licenses. The deadline for the states to comply with Real ID has been delayed on multiple occasions and is currently scheduled for May, 2011.

Real ID requires applicants for a driver's license to produce four forms of identification, including a birth certificate, a Social Security card, another form of photo ID, and/or a utility bill. PennDOT already has a requirement for applicants to show multiple forms of ID, but Real ID mandates that the department also store copies of the identification in electronic and paper form. Storing that much personal information on site at PennDOT creates a honeypot of information for identity thieves. Around the country and in Pennsylvania, information at DMVs has been compromised via burglaries and corrupt DMV officials and workers.

In addition, Real ID forces PennDOT to verify the identifying documents with the issuing agency. This additional step will certainly add bureaucratic red tape to the process of applying for a driver's license.

The Real ID Act also requires that the DMVs in all 56 licensing jurisdictions connect their respective databases to one another. In practice, this creates a new, massive national database of the information of people with drivers' licenses. A security breach at any DMV anywhere in the country would leave the information of people in Pennsylvania exposed.

Real ID also comes with a hefty price tag. PennDOT has estimated that the cost to implement Real ID will be \$100-\$120 million and that maintaining the program will cost \$40-\$50 million annually. Meanwhile, Congress has shown no appetite to fund the program.

By passing SB 621, Pennsylvania would be following a path already blazed by other states. Fifteen states have already opted out of Real ID via statute. The states that have passed opt-out statutes comprise a diverse group that includes Alaska, Maine, Georgia, Minnesota, and Oklahoma. Many states have also protested Real ID by passing non-binding resolutions.

Real ID cannot function without state participation. If you pass SB 621, you will send a loud and clear message to Congress and the Obama administration that Real ID is unacceptable.

The ACLU of PA applauds Senator Folmer for continuing to be a strong advocate against Real ID. Please vote "YES" on SB 621.