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TO: Senate of Pennsylvania

FROM: Andy Hoover, Legislative Director

DATE: July 6, 2009

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RE: SUPPORT FOR SENATE BILL 621

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In the near future, the Senate is expected to vote on SB 621. This legislation, introduced by Senator Mike Folmer (R-Lebanon County), blocks the commonwealth's participation in the federal Real ID Act of 2005. The American Civil Liberties Union of Pennsylvania supports SB 621. On behalf of the 15,000 members of the ACLU of PA, I urge you to please vote "yes" on this legislation.

Last month, Oregon became the 14th state to choose not to participate in Real ID by 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.

Passed in 2005 as part of a funding bill for American troops overseas and victims of the 2004 tsunami in South Asia, Real ID imposes standards for state drivers' licenses that infringe on the privacy of all Americans and expose all license holders to an increased risk of identity theft.

Real ID requires the DMVs of the 56 licensing jurisdictions to connect their databases, creating a massive new national database. A security breach at any DMV office anywhere in the country would leave the information of all license holders in Pennsylvania exposed.

Real ID also requires license applicants to show a long list of documents to verify identification. PennDOT already requires applicants to produce certain documents, but Real ID goes further by requiring PennDOT to verify the legitimacy of the documents with the issuing agency. If PennDOT must verify every document presented by license applicants, the process of getting a driver's license will become much longer and much more arduous.

In addition, Real ID mandates the department to keep electronic and hard copies of the documents on file for a period of years. This is another example of how Real ID exposes Pennsylvania license holders to potential identity theft as PennDOT stores copies of key personal documents like birth certificates and Social Security cards. Burglaries have occurred at DMVs around the country, including at a PennDOT

office in Wilkes Barre in 2006. There have also been cases of corrupt DMV officials selling information to criminals. Real ID is a honey pot for identity thieves.

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. So far, Congress has designated just over \$100 million for Real ID implementation to be split among the 56 licensing jurisdictions.

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. And the clock is ticking. The states are scheduled to begin implementing Real ID on January 1.

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