

**Reaction Of Senator Patrick Leahy, D-Vt.
On Release Of The Final REAL ID Regulations
By The U.S. Department Of Homeland Security
January 11, 2008**

"The Bush administration's REAL ID program will not only lead to long lines at every DMV across the country, it will impose a massive unfunded mandate on state governments while offering absolutely no federal privacy protections to our citizens.

"It is unfortunate that instead of addressing the fundamental problems this law poses for the states, the Administration appears content merely to prolong a contentious and unproductive battle to force the states to comply. Rather than improved security, this course will result in resentment, litigation, and enormous costs that states will be forced to absorb. That is why legislative bodies in 21 states have passed legislation in opposition to REAL ID, and six states expressly prohibit compliance with REAL ID by statute -- Maine, Montana, New Hampshire, Oklahoma, South Carolina and Washington. The Administration would do much better to treat the states as partners, and forego the paternalistic mandates that the American people are rejecting. That spirit of cooperation would result in much greater security than the Administration's go-it-alone strategy to force compliance with another ill-conceived policy.

"Since these final REAL ID regulations finally acknowledge that states already have taken significant steps on their own to strengthen document security, we should be doing more to encourage collaboration among the states instead of imposing a big government mandate on everyone. However, with the federal government now directing how a state drivers' license is issued, what characteristics the card must have, and conditioning access to federal buildings and airplanes on possession of a REAL ID card, it is difficult to think this is anything but the first, big step toward a national identification card that so many Americans oppose.

"At the end of this long process, it is ironic that we probably would have stronger drivers' licenses today if the original shared rulemaking procedures that Congress agreed to in 2004 had been allowed to move forward. Instead of spending \$10 billion to implement REAL ID and years ahead in court over the constitutionality of REAL ID, we would do better by taking a fresh look at the collaborative path Congress first intended in 2004. The price tag for implementation of REAL ID in Vermont alone is estimated to reach more than \$2 million.

"I have joined Senators Akaka, Sununu, Tester, Baucus, and Alexander in introducing legislation to repeal the drivers' license provisions of the law, and to replace them with the negotiated rulemaking process originally enacted in the 2004 Intelligence Reform and Terrorist Prevention Act. That law, which REAL ID superseded, was intended to improve the security of state driver's licenses through a cooperative partnership with the states and the private sector. Now that we have a chance to review the breathtaking big government interference put forward by the Bush administration, I urge others to join us in rejecting the burdensome mandates of REAL ID and advocating for a better system of securing our fundamental identification documents."

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