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Councilmember Phil Mendelson

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Councilmember Marion Barry

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Councilmember Kwame R. Brown

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Councilmember Jack Evans

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Councilmember Tommy Wells

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Councilmember Carol Schwartz

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Councilmember Harry Thomas, Jr.

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Councilmember

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Phil Mendelson introduced the following Resolution which was referred to the Committee \_\_\_\_\_.

To declare the sense of the Council urging repeal of Division B of Public Law 109-13, known as the Real ID Act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Sense of the Council Urging Congress to Repeal the Real ID Act Resolution of 2007.”

Sec. 2. The Council of the District of Columbia finds that:

(a) The Constitution of the United States enshrines the fundamental rights of Americans, including the freedom of privacy and freedom from unreasonable searches.

(b) Security measures to protect the public should be carefully designed to enhance public safety without infringing on the civil liberties and rights of innocent citizens of the District of

Columbia and the United States.

(c) The “Real ID Act” (Division B of P.L. 109-13) requires: that uniform information be placed on every state driver’s license; that every American must have such a license, to be used as identification for federal purposes such as entering a federal building or boarding an airplane; and that each state’s license database must be shared with other states and federal law enforcement.

(d) The “Real ID Act” in effect creates a national identification card, and national database including personal information of every American including name, address, birth date, social security number, and personal photo.

(e) This database is likely to contain errors and false information, creating significant hardship for Americans attempting to verify their identity in order to fly, open a bank account, or perform any of the numerous functions required to live in the United States today.

(f) This database is likely to increase Americans’ vulnerability to identity theft; the Federal Trade Commission estimates that 10 million Americans are victims of identity theft annually and thieves increasingly are targeting motor vehicle departments.

(g) The Real ID Act will enable the crime of identity theft by making the personal information of all Americans – including name, date of birth, gender, driver’s license or identification card number, digital photograph, address, and signature accessible from of thousands of locations.

(h) The Real ID Act requires the driver’s license to contain the licensee’s actual home address in all cases with no provision for securing such information for individuals in potential danger such as undercover police officers and victims of stalking or criminal harassment.

(i) The Real ID Act contains no exceptions for religious belief, thereby limiting the

religious liberty of groups such as the Amish and some Evangelical Christians.

(j) The Real ID Act contains onerous record verification and retention provisions that place unreasonable burdens on state governments – and do so as an unfunded federal mandate.

(k) The Real ID Act was adopted by Congress without sufficient deliberation, and it never received a hearing by any Congressional committee nor any vote solely on its own merits.

(l) More than 600 organizations opposed the passage of the Real ID Act.

(m) Identification systems would still be open to insider fraud, counterfeit documentation, and database failures; thus, the Real ID Act would provide little real security benefit to the United States.

Sec. 3. It is the sense of the Council of the District of Columbia that the harm and flaws of the Real ID Act far outweigh the perceived benefits, that the Real ID Act will not make a great difference (if it makes any) in the so-called War on Terrorism, and that the rights and liberties of Americans should not be jeopardized.

The Council urges repeal of the Real ID Act, and urges Congresswoman Eleanor Holmes Norton to support measures to repeal the Real ID Act.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, and Congresswoman Eleanor Holmes Norton.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register