

STATEMENT OF SENATOR JON TESTER ON THE STATE OF MONTANA'S OPPOSITION TO THE  
REAL ID ACT  
APRIL 17, 2007

Mr. President, today my home state of Montana becomes the fourth state in the Nation to declare its opposition to the REAL ID Act by enacting binding legislation that opts Montana out of REAL ID. With it, my State is opting out of the onerous regulation, blatant invasion of privacy, and the high cost of compliance that will come from implementing REAL ID.

I congratulate my governor, Brian Schweitzer, and both houses of the Montana State Legislature. Both houses of the legislature approved this legislation unanimously. Thirteen other states have anti-REAL ID legislation that has passed one of the houses of the legislature. In Montana and the rest of these states, opposition to this poorly constructed law is bipartisan.

That is why I am pleased to once again offer my support for the Identification Security Enhancement Act, introduced by Senator AKAKA and Senator SUNUNU – another bipartisan show of opposition to the REAL ID Act.

Why is there so much opposition to REAL ID beyond the Beltway? It comes down to three reasons, Mr. President. First, the REAL ID Act puts massive new federal regulations on the states. From new databases and fraud monitoring, to new network and data storage capacity, the states will be tasked with an enormous range of new regulations and requirements. Once REAL ID becomes effective, every state's Department of Motor Vehicles will have to play immigration official by reconciling discrepancies in social security numbers with the Social Security Administration. DMVs will have to require proof of "legal presence" in the United States from immigrants.

I am for a strong immigration policy. I believe we ought to enforce our borders and enforce the laws we have on the books. But it is completely unreasonable for the federal government to put that job on the Montana Department of Motor Vehicles, or any other state's DMV.

And these new regulations carry with them a hefty price tag. DHS now estimates that Real ID will cost the states and their taxpayers \$23.1 billion.

Finally, Mr. President, REAL ID raises some very real privacy concerns. Data mining and data theft have become all too common phrases for too many Americans who resent having their personal information collected by the government, or worse, having it stolen from the government. We all recall the massive potential problems that arose from the theft of personal data from the VA last year. I have no doubt that the databases called for in REAL ID will be an even greater target for data thieves.

Mr. President, we can do better than REAL ID. Senator AKAKA's legislation shows that. Today, Montana adds its voice to those calling for the federal government to go back to the drawing board. Let's listen to what Montana has to say. I yield the floor.