

Good Morning, My Name is David D Anderson; I reside at 3870 7Mile Flat Road in Worden, Montana 59088.

I have come before you today to rise in support of House Bills 287 and 384. One bill which would refuse to implement the National ID Act of 2005 and the other to nullify the National ID Act of 2005. Which was attached to an emergency Iraqi War funding bill and was not even debated in the US Senate. Then our federal contingent ignored their constituents and SJ-19 passed by the Montana State Legislature and voted to pass National ID and the Patriot Act extension. I'm letting you know that many others and I will not surrender our Montana Driver's License for a federal national id. Under this new draconian law, I am not required to comply. The State of Montana has the option to opt out of this new hijacking of states rights (the issuance of driver's license is the sole responsibility of each state as mandated by laws from the state legislature). As my State Senators for the State of Montana, you represent your constituents, not the globalists in Washington, DC and therefore, you and me and your colleagues in the state senate must refuse to comply with this unnecessary federal law. Our tax dollars are needed to benefit the people of this state, not to be wasted for another stupid, unworkable hair brained scheme by the power hungry feds. This national id will do NOTHING to stop any terrorist, it is merely another tool to track the move of Americans and deny we the people our right to travel. Allow me to give you a couple of examples regarding the right of the states of the Union:

"Each State, in ratifying the Constitution, is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act. In this relation, then, the new Constitution will, if established, be a FEDERAL, and not a NATIONAL constitution." --James Madison, Federalist No. 39, January 1788

Although the federal government may regulate many of their functions directly [as well, for example, it subjects state water districts to the Clean Water Act], it may not require states to exercise their own governmental powers in a manner dictated by federal law. The states may be encouraged, bribed or threatened into entering into joint federal state programs of various sorts, from unemployment insurance to Medicaid; but they may not be commanded directly to use their own governmental apparatus in the service of federal policy. Contact your legal department and request copies of *Marbury v Madison* (1803), *Lopez v U.S.* (U.S. Supreme Court) and *Prinz/Mack v U.S.* (U.S. Supreme Court) because they are the legal justification for the State of Montana to exercise it's right to say no.

I don't believe that anyone here wants an all-intrusive federal government. Which failure to stand against real ID will bring that about, in direct violation to the federal and state constitutions, allowing our right to privacy and secure in our papers and homes. We are asking you to lead this battle against our freedoms. We believe that you, our state senators have a complete command and understanding of the U.S. Constitution, our state constitution and the will to stand up to the tyrannical actions coming out of Washington, DC. We the people have

had it with elected public officials who refuse to uphold their oath of office and bow down to the federal machine instead of fighting for the rights of our sovereign state and its citizens.

We will not quietly submit to this federal scheme allowing an unelected bureaucrat to determine what would go on this card without any type of appeal or input whatsoever. I am requesting that you vote in the affirmative for both these bills to come out of committee and support them both to not only refuse to implement Real ID but to also nullify Real ID since the Federal government has stepped outside of their constitutional boundaries and limits and are attempting to operate in the area known as States Rights. We trust each of you to stand for our sovereignty and to vote accordingly. Thank you for your time and understanding on this issue.

A handwritten signature in black ink, appearing to read 'David D Anderson', with a long, sweeping horizontal stroke extending to the right.

David D Anderson

Vice-chairman Constitution Party of Yellowstone County, Montana



## REAL ID ACT OF 2005 DRIVER'S LICENSE TITLE SUMMARY

On May 11, 2005, President Bush signed into law the "REAL ID Act of 2005," which was attached to the "Emergency Supplemental Appropriation for Defense, the Global War on Terror, and Tsunami Relief, 2005" (H.R. 1268, P.L. 109-13). Title II of REAL ID—"Improved Security for Driver's License' and Personal Identification Cards"—repeals the provisions of a December 2004 law that established a cooperative state-federal process to create federal standards for driver's licenses and instead directly imposes prescriptive federal driver's license standards. The following table summarizes the act's driver's license title.

Provisions / Citation	Summary
<b>Repeal of 9/11 Commission Implementation Act DL/ID Provisions</b> §206	Repeals §7212 of 9/11 Commission Implementation Act of the Intelligence Reform and Terrorism Prevention Act of 2004 ( <i>Public Law 108-458</i> ), which directed DOT in consultation with DHS to establish a negotiated rulemaking committee of state and federal officials along with other stakeholders to create federal minimum security standards for DL/IDs
<b>Minimum Standards for Federal Use</b> §202(a)  §205(b)	<ul style="list-style-type: none"> <li>• A federal agency may not accept a driver's license or personal identification card (DL/ID) after May 11, 2008, unless the state has been certified by the U.S. Department of Homeland Security (DHS) in consultation with the U.S. Department of Transportation (DOT) to meet the requirements of the law</li> <li>• The DHS Secretary may grant a state an extension to meet the certification requirement if the state provides adequate justification for noncompliance</li> </ul>
<b>DL/ID Document Standards</b> §202(b)	<ul style="list-style-type: none"> <li>• At a minimum, a state shall include the following information and features on a DL/ID: (1) person's full legal name, (2) person's date of birth, (3) person's gender, (4) DL/ID number, (5) digital photograph, (6), person's address of legal residence, (7) person's signature, (8) physical security features designed to prevent tampering, counterfeiting or duplication for fraudulent purposes, and (9) a common machine-readable technology with defined data elements</li> </ul>
<b>Minimum DL/ID Issuance Standards</b> §202(c)(1)  §202(c)(3)(B) §202(d)(3) §202(d)(6)  §202(d)(10)	<ul style="list-style-type: none"> <li>• At a minimum, a state shall require the presentation and verification of the following information:               <ol style="list-style-type: none"> <li>(1) A photo identity document (except that a non-photo identity document is acceptable if it includes both the person's full legal name and date of birth)</li> <li>(2) Documentation showing the person's date of birth</li> <li>(3) Proof of the person's social security account number (SSN) or verification that the person is not eligible for an SSN</li> <li>(4) Documentation showing the person's name and address of principal residence</li> </ol> </li> <li>• A state shall not accept any foreign document other than an official passport</li> <li>• A state shall subject each DL/ID applicant to mandatory facial image capture</li> <li>• A state shall refuse to issue a DL/ID to a person holding a DL/ID from another state without confirmation that the person is terminating or has terminated the other state's DL/ID</li> <li>• A state shall limit the period of validity of all DL/IDs that are not temporarily issued to a period that does not exceed eight (8) years</li> </ul>
<b>Verification of Documents</b> §202(c)(3)(A) §202(d)(5)  §202(d)(4)	<ul style="list-style-type: none"> <li>• Before issuing a DL/ID, the state shall verify, with the issuing agency, the issuance, validity and completeness of each document to be presented</li> <li>• A state shall confirm with the Social Security Administration a SSN presented by a person using the full SSN; in the event a SSN already is registered to or associated with another person to which any state has issued a DL/ID, the state shall resolve the discrepancy and take appropriate action</li> <li>• A state shall establish an effective procedure to confirm or verify a renewing applicant's information</li> </ul>

Provisions / Citation	Summary
<b>Immigration Requirements</b>  Verification of U.S. Citizenship and Lawful Status §202(c)(2)(A), (B)	<ul style="list-style-type: none"> <li>• Before issuing a DL/ID, a state shall require and verify valid documentary evidence that the person: (i) is a U.S. citizen, (ii) is an alien lawfully admitted for permanent or temporary residence, (iii) has a conditional permanent resident status, (iv) is a refugee or has been granted asylum, (v) has a valid, unexpired nonimmigrant visa or nonimmigrant visa status, (vi) has a pending application for asylum, (vii) has a pending or approved application for temporary protected status, (viii) has approved deferred status, or (ix) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence or conditional permanent resident status</li> </ul>
Temporary DL/ID §202(c)(2)(C)  Non-Conforming DL/IDs §202(d)(11)  SAVE Participation §202(c)(3)(C)	<ul style="list-style-type: none"> <li>• A state only may issue a temporary license to persons who presents documentary evidence for the categories (v) through (ix) under the evidence of lawful status section above. A temporary DL/ID:               <ul style="list-style-type: none"> <li>• Shall be valid only for the period of the applicant's authorized stay in the U.S. or one (1) year if there is no definite end to the period of stay</li> <li>• Shall indicate clearly that it is temporary and shall state the date on which it expires</li> <li>• May be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the temporary DL/ID has been extended by DHS</li> </ul> </li> <li>• In any case in which a state issues a DL/ID that does not satisfy the federal requirements, a state shall ensure that that the DL/ID: (A) clearly states on its face that it may not be accepted for federal identification or any other official purpose, and (B) uses a unique design or color indicator to alert federal agencies or other law enforcement personnel that it may not be accepted for any such purpose</li> <li>• No later than September 11, 2005, a state shall enter into a memorandum of understanding with DHS to routinely utilize the automated system known as System for Alien Verification for Entitlements (SAVE) to verify the legal presence status of a non-citizen applying for a DL/ID</li> </ul>
<b>Security and Fraud Prevention Standards</b> §202(d)(7), (8) and (9)  §203(a)	<ul style="list-style-type: none"> <li>• A state shall ensure the physical security of locations where DL/IDs are produced and the security of document materials and papers from which DL/IDs are produced</li> <li>• A state shall subject all persons authorized to manufacture or produce DL/IDs to appropriate security clearance requirements</li> <li>• A state shall establish fraudulent document recognition training programs for appropriate employees engaged in the issuance of DL/ID</li> <li>• Establishes a federal criminal penalty for persons who knowingly traffic in false or actual authentication features for use in false identification documents, document-making implements, or means of identification</li> </ul>
<b>Data Retention and Storage</b> §202(d)(1), (2) and (13)	<ul style="list-style-type: none"> <li>• A state shall employ technology to capture digital images of identity source documents so that the images can be retained in electronic storage in a transferable format</li> <li>• A state shall retain paper copies of source documents for a minimum of seven (7) years or images of source documents for a minimum of ten (10) years</li> <li>• A state shall maintain a state motor vehicle database that contains: (A) all data fields printed on DL/IDs issued by the state, and (B) motor vehicle drivers' histories, including motor vehicle violations, suspensions, and points on license</li> </ul>
<b>Linking of Databases</b> §202(d)(12)	A state shall provide electronic access to all other states to information contained in the motor vehicle database of the state
<b>Grants to States</b> §204	<ul style="list-style-type: none"> <li>• DHS may make grants to a state to assist the state in conforming to the minimum federal standards</li> <li>• Authorizes such sums as necessary for the fiscal years 2005 through 2009 to carry out the law (but does not appropriate any money)</li> </ul>
<b>Authority</b> §205	Grants authority to DHS to issue regulations, set standards, and issue grants under the law in consultation with DOT and the states

Contact Cheye Calvo (202-624-8661, [cheye.calvo@ncsl.org](mailto:cheye.calvo@ncsl.org)) in NCSL's Washington Office for more information.

Ron Paul's

**Texas Straight Talk**

www.house.gov/paul

A Weekly Column

---

## National ID Cards Won't Stop Terrorism or Illegal Immigration

May 9, 2005

The US House of Representatives passed a spending bill last week that contains provisions establishing a national ID card, and the Senate is poised to approve the measure in the next few days. This week marks the American public's last chance to convince their Senators they don't want to live in a nation that demands papers from its citizens as they go about their lives.

Absent a political miracle in the Senate, within two years every American will need a conforming national ID card to participate in ordinary activities. This REAL ID Act establishes a massive, centrally-coordinated database of highly personal information about American citizens: at a minimum their name, date of birth, place of residence, Social Security number, and physical characteristics. The legislation also grants open-ended authority to the Secretary of Homeland Security to require biometric information on IDs in the future. This means your harmless looking driver's license could contain a retina scan, fingerprints, DNA information, or radio frequency technology.

Think this sounds farfetched? Read the REAL ID Act, HR 418, for yourself. Its text is available on the Library of Congress website. A careful reading also reveals that states will be required to participate in the "Drivers License Agreement," which was crafted by DMV lobbyists years ago. This agreement creates a massive database of sensitive information on American citizens that can be shared with Canada and Mexico!

Terrorism is the excuse given for virtually every new power grab by the federal government, and the national ID is no exception. But federal agencies have tried to create a national ID for years, long before the 9-11 attacks. In fact, a 1996 bill sought to do exactly what the REAL ID Act does: transform state drivers' licenses into de facto national ID cards. At the time, Congress was flooded with calls by angry constituents and the bill ultimately died.

Proponents of the REAL ID Act continue to make the preposterous claim that the bill does not establish a national ID card. This is dangerous and insulting nonsense. Let's get the facts straight: The REAL ID Act transforms state motor vehicle departments into agents of the federal government. Nationalizing standards for driver's licenses and birth certificates in a federal bill creates a national ID system, pure and simple. Having the name of your particular state on the ID is meaningless window dressing.

Federally imposed standards for drivers' license and birth certificates make a mockery of federalism and the 10th amendment. While states technically are not forced to accept the federal standards, any refusal to comply would mean their residents could not get a job, receive Social Security, or travel by plane. So rather than imposing a direct mandate on the states, the federal government is blackmailing them into complying with federal dictates.

One overriding point has been forgotten: Criminals don't obey laws! As with gun control, national ID cards will only affect law-abiding citizens. Do we really believe a terrorist bent on murder is going to

dutifully obtain a federal ID card? Do we believe that people who openly flout our immigration laws will nonetheless respect our ID requirements? Any ID card can be forged; any federal agency or state DMV is susceptible to corruption. Criminals can and will obtain national ID cards, or operate without them. National ID cards will be used to track the law-abiding masses, not criminals.

**LewRockwell.com**

'the premier anti-state/pro-market site on the net'

Alexa websearch An amazon.com company

 PRINT THIS

# A National ID Bill Masquerading as Immigration Reform

by **Rep. Ron Paul, MD**

by Rep. Ron Paul, MD

*Before the US House of Representatives, February 9, 2005*

Mr. Speaker:

**Watch Ron Paul deliver this speech to the House of Representatives on video.**

I rise in strong opposition to HR 418, the REAL ID Act. This bill purports to make us safer from terrorists who may sneak into the United States, and from other illegal immigrants. While I agree that these issues are of vital importance, this bill will do very little to make us more secure. It will not address our real vulnerabilities. It will, however, make us much less free. In reality, this bill is a Trojan horse. It pretends to offer desperately needed border control in order to stampede Americans into sacrificing what is uniquely American: our constitutionally protected liberty.

What is wrong with this bill?

The REAL ID Act establishes a national ID card by mandating that states include certain minimum identification standards on driver's licenses. It contains no limits on the government's power to impose additional standards. Indeed, it gives authority to the Secretary of Homeland Security to unilaterally add requirements as he sees fit.

Supporters claim it is not a national ID because it is voluntary. However, any state that opts out will automatically make non-persons out of its citizens. The citizens of that state will be unable to have any dealings with the federal government because their ID will not be accepted. They will not be able to fly or to take a train. In essence, in the eyes of the federal government they will cease to exist. It is absurd to call this voluntary.

Republican Party talking points on this bill, which claim that this is not a national ID card, nevertheless endorse the idea that "the federal government should set standards for the issuance of birth certificates and sources of identification such as driver's licenses." So they admit that they want a national ID but at the same time pretend that this is not a national ID.

This bill establishes a massive, centrally-coordinated database of highly personal information about American citizens: at a minimum their name, date of birth, place of residence, Social Security number, and physical and possibly other characteristics. What is even more disturbing is that, by mandating that states participate in the "Drivers License Agreement," this bill creates a massive database of sensitive information on American citizens that will be shared with Canada and Mexico!

This bill could have a chilling effect on the exercise of our constitutionally guaranteed rights. It re-

defines "terrorism" in broad new terms that could well include members of firearms rights and anti-abortion groups, or other such groups as determined by whoever is in power at the time. There are no prohibitions against including such information in the database as information about a person's exercise of First Amendment rights or about a person's appearance on a registry of firearms owners.

This legislation gives authority to the Secretary of Homeland Security to expand required information on driver's licenses, potentially including such biometric information as retina scans, finger prints, DNA information, and even Radio Frequency Identification (RFID) radio tracking technology. Including such technology as RFID would mean that the federal government, as well as the governments of Canada and Mexico, would know where Americans are at all times of the day and night.

There are no limits on what happens to the database of sensitive information on Americans once it leaves the United States for Canada and Mexico – or perhaps other countries. Who is to stop a corrupt foreign government official from selling or giving this information to human traffickers or even terrorists? Will this uncertainty make us feel safer?

What will all of this mean for us? When this new program is implemented, every time we are required to show our driver's license we will, in fact, be showing a national identification card. We will be handing over a card that includes our personal and likely biometric information, information which is connected to a national and international database.

H.R. 418 does nothing to solve the growing threat to national security posed by people who are already in the U.S. illegally. Instead, H.R. 418 states what we already know: that certain people here illegally are "deportable." But it does nothing to mandate deportation.

Although Congress funded an additional 2,000 border guards last year, the administration has announced that it will only ask for an additional 210 guards. Why are we not pursuing these avenues as a way of safeguarding our country? Why are we punishing Americans by taking away their freedoms instead of making life more difficult for those who would enter our country illegally?

H.R. 418 does what legislation restricting firearm ownership does. It punishes law-abiding citizens. Criminals will ignore it. H.R. 418 offers us a false sense of greater security at the cost of taking a gigantic step toward making America a police state.

I urge my colleagues to vote "NO" on the REAL ID Act of 2005.

*February 12, 2005*

*Dr. Ron Paul is a Republican member of Congress from Texas.*

### **Ron Paul Archives**

#### **Links referenced within this article**

Rep. Ron Paul, MD

<http://www.house.gov/paul/mail/welcome.htm>

Watch Ron Paul deliver this speech to the House of Representatives on video.

[http://recap.fednet.net/archive/Buildasx.asp?](http://recap.fednet.net/archive/Buildasx.asp?sProxy=80_hfir021005_008.wmv&sTime=00:00:32.0&eTime=00:04:00.0&duration=00:03:29.0&UserName=reppaultx&sLocation=&sExpir)

[sProxy=80\\_hfir021005\\_008.wmv&sTime=00:00:32.0&eTime=00:04:00.0&duration=00:03:29.0&UserName=reppaultx&sLocation=&sExpir](http://recap.fednet.net/archive/Buildasx.asp?sProxy=80_hfir021005_008.wmv&sTime=00:00:32.0&eTime=00:04:00.0&duration=00:03:29.0&UserName=reppaultx&sLocation=&sExpir)

Ron Paul Archives

<http://www.lewrockwell.com/paul/paul-arch.html>

**Find this article at:**

<http://www.lewrockwell.com/paul/paul234.html>

Uncheck the box to remove the list of links referenced in the article.