

DUE PROCESS, CIVIL LIBERTIES, AND SECURITY

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- [Real ID, Real Problems](#) (*Editorial*, Washington Post, February 10, 2005)
- [On Guard, America](#) (*Editorial*, New York Times, February 15, 2005)
- [National ID Party](#) (*Editorial*, Wall Street Journal, February 17, 2005)

Sampling of Organizational Letters Opposing REAL ID Act:

- Letter from United States Conference of Catholic Bishops
- Interfaith Statement From Broad Cross-Section of Faith-Based Organizations
- Letter from American Association of Motor Vehicle Administrators and the National Governors Association

Model letters opposing the REAL ID Act can be found on “Contact Congress/Media” under the Advocacy Center on both InfoNet and AILA.org.

THE REAL ID ACT (H.R. 418): A Real Threat to Due Process and Civil Liberties

Issue: Many of the troubling anti-immigrant provisions that were wisely stripped from the intelligence reform bill at the end of last year have resurfaced as part of the REAL ID Act (H.R. 418). None of the provisions in this legislation will make us safer. To the contrary, if enacted, these provisions will undermine our security while further marginalizing our moral standing in the international community.

Despite resounding opposition from across the political spectrum by conservative organizations, faith-based organizations, state governments, human rights groups, immigrant rights groups, environmental organizations, national security experts, and international entities, the House of Representatives passed this misguided measure by a 100-vote margin. The ultimate fate of the bill now rests with the Senate and the White House.

Background: Under intense pressure from the bill's chief sponsor, Representative Sensenbrenner (R-WI), House leadership agreed to by-pass regular order and bring H.R. 418 directly to the House floor for a vote. As a result, none of the provisions in the bill was ever subject to hearings or debate. Legislators were thereby deprived of the opportunity to hear and consider expert testimony describing the myriad concerns raised by the bill. Equally troubling was the dubious procedural maneuvering that foreclosed all opportunity for the bill's opponents to offer amendments countering provisions that were added at the eleventh hour pursuant to a manager's amendment.

This renewed assault on the rights of noncitizens includes, among others, the following deeply troubling provisions:

- **Restrictions on Asylum:** H.R. 418 changes the standards and evidentiary burdens governing asylum applications, applications for withholding of removal, and other discretionary grants of relief from removal. Specifically, it would deny asylum to legitimate applicants who cannot prove the central motive of their persecutor, who cannot produce corroborating evidence of their account, who provide inconsistent testimony on minor facts irrelevant to their claim, or whose demeanor is inconsistent with an immigration judge's preconceived expectations. Asylum applicants already undergo more extensive security checks than any other foreign nationals who come to this country. Terrorists and others who pose a danger to our security already are ineligible for asylum. While H.R. 418 would do nothing to make us safer, it would clearly preclude legitimate asylum seekers from obtaining relief.
- **Expansion of Grounds of Inadmissibility and Removal:** The REAL ID Act amends the PATRIOT Act by expanding the terrorism-related grounds of inadmissibility and removal. It would permit the deportation of noncitizens who are members of or support any political organization that has used, or threatened to use, violence, even if the organization has not been designated as a "foreign terrorist organization." This provision is unnecessary and likely unconstitutional. By imposing guilt by association, the

REAL ID Act confounds our basic understanding of liberty and could subject long-term, lawful residents to deportation for activity that was lawful when undertaken.

- Restrictions on Habeas Review and Elimination of Temporary Stays: The REAL ID Act significantly expands the restrictions on judicial review imposed by the 1996 laws. Indeed, the bill restricts for the first time since the Civil War all judicial review, including habeas review, for many individuals with legitimate challenges to their orders of detention or deportation. It also effectively eliminates the power of a federal court to temporarily stay a removal order while appeal of the order is pending before the court. This provision would have the absurd and tragic result of sending asylum seekers back to countries where they may be killed or persecuted, even though they would later win their cases once the court had the opportunity to review their claim.
- Driver's Licenses Restrictions for Noncitizens: The REAL ID Act repeals the carefully considered driver's license provisions enacted just months ago as part of the intelligence reform legislation. It replaces the federal-state consultative approach with federally mandated restrictions on noncitizens' access to driver's licenses. Such a linkage would undermine, not enhance, national security by pushing people deeper into the shadows and fueling a black market in false documents. Moreover, it would severely diminish the law enforcement utility of Department of Motor Vehicles databases by reducing, rather than expanding, government data about individuals in this country.
- Expansion of Bail Bondsmen Authority Over Noncitizens: These provisions provide unprecedented authority to bail bondsmen to "pursue, apprehend, detain and surrender" immigrants in removal proceedings. They also provide bail bondsmen unfettered access to all information the government possesses about a noncitizen subject to bonding. In addition, this provision would set the minimum bond amount at \$10,000 and prohibit the Department of Homeland Security (DHS) from releasing on recognizance anyone placed in proceedings. This abdication of enforcement responsibility to the private sector raises serious due process and civil rights concerns.
- Waiver of All Laws Related to Construction of Fences at Borders: This provision amends IIRAIRA to provide the Secretary of Homeland Security with unprecedented authority to waive *all* federal, state, and local laws the Secretary deems necessary, in his sole and absolute discretion, to expedite construction of security fences and barriers at the U.S.-Mexico and U.S.-Canada borders. It also prohibits all judicial, agency, administrative, or other review of any decision made by the Secretary under this section. This section will serve only to increase border deaths, waste resources, and obscure the need for meaningful reform of our immigration laws.

AILA's Position: AILA categorically opposes the anti-liberty and anti-security provisions in H.R. 418 and calls on the Senate and the Administration to prevent these measures from being enacted. H.R. 418 is nothing but a dangerous distraction from the bi-partisan comprehensive immigration reform initiative embraced by President Bush and Members from both Chambers of Congress.

DUE PROCESS, CIVIL LIBERTIES, AND SECURITY: ALL ESSENTIAL FOR A STRONG AMERICA

One of the great challenges of our time is to preserve and embrace our fundamental commitment to due process and civil liberties while enhancing our national security. Sadly, to date we have not met this challenge.

A dramatic diminution in due process and civil liberties protections for noncitizens commenced with passage of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA, P.L. 104-208) and the Anti-Terrorism and Effective Death Penalty Act (AEDPA, P.L. 104-132), both enacted after the first World Trade Center bombings. As a result of IIRAIRA and AEDPA, legal immigrants routinely are detained without bond, deported without consideration for discretionary relief, restricted in their access to counsel, and barred from appealing to the courts.

A push to roll back some of the most egregious provisions of IIRAIRA and AEDPA and to restore some fairness and discretion to the system evaporated after the September 11, 2001 terrorist attacks. The Bush Administration responded to the attacks by implementing a series of constitutionally dubious policies and practices that negate our historical commitment to the fair treatment of every individual before the law. None of these measures, which include regulations that authorize arbitrary detention, increase government secrecy, and limit accountability, has enhanced our security.

More than three years removed from that fateful day, the assault on due process and civil liberties for noncitizens continues. On February 10, 2005, the House of Representatives passed the REAL ID Act (H.R. 418). H.R. 418 includes measures that threaten to foreclose relief for people fleeing persecution, eliminate judicial review, punish lawful speech and association, and further marginalize the undocumented population. While proponents of this ill-conceived measure once again infuse their justifications with national security rhetoric, the bill's provisions will not make us safer.

AILA supports effective steps to protect the American public from further terrorist acts. For example, the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458) included many immigration-related provisions that will help make our nation safer. In addition, the Enhanced Border Security and Visa Entry Reform Act (P.L. 107-173), also passed in response to the 9/11 attacks, took important steps towards enhancing our security while recognizing that immigration is and will continue to be a source of enormous vitality for the United States. Both pieces of legislation recognized that properly crafted immigration measures can enhance our security; that our nation needs to enact policies that ensure the creation of "virtual" borders so our land borders are our last, not first, line of defense; that we need to ensure the continued cross-border flow of people and goods upon which our economic security, which pays for our national security, is based. Neither of those measures

tramples on the Constitution and on the basic rights and protections that make American democracy so unique and so strong.

The review below traces the assaults and attempted assaults on noncitizens' rights over the last decade, covering the following areas:

- The 1996 legislation (IIRAIRA and AEDPA);
- Post-9/11 regulations and policies;
- The 9/11 Commission and the Intelligence Reform Act of 2004; and
- The REAL ID Act.

1996 Legislation: As noted above, Congress passed IIRAIRA and AEDPA in part as a response to the first World Trade Center bombings and in part as an effort to “crack down” on illegal immigration. Those two pieces of legislation dramatically reshaped our immigration laws and the rights of noncitizens in this country. Adopting a false construct in which rights were pitted against security, these laws have denied noncitizens the fair treatment and due process that are hallmarks of our democracy. The 1996 laws provided for no second chances, changed the rules in the middle of the game, and denied people their day in court. Some of the most troubling provisions in IIRAIRA and AEDPA include the following:

- Expansion of grounds of deportation: IIRAIRA greatly expanded the definition of “aggravated felony” for immigration purposes. This definition is unrelated to any criminal definitions and includes non-violent crimes such as shoplifting and check kiting. Individuals convicted of such crimes are subject to exceedingly harsh consequences from which virtually no relief is available.
- Retroactive application of the laws: These laws were made retroactively effective. As a result, many immigrants have been expelled from their adoptive country for one-time offenses and youthful indiscretions that may have occurred many years ago. As a result, thousands of legal immigrants face removal for offenses that occurred many years ago, some of which were not even deportable offenses at the time they occurred. This is fundamentally unjust. Making laws retroactive is unconstitutional in criminal law, and should be avoided in the immigration laws.
- Creation of a mandatory detention regime: The 1996 laws required that all individuals deemed to have committed an “aggravated felony”, as that term of art was broadly expanded, be subject to mandatory detention even when a judge determines they pose no danger to the community or risk of flight.
- Elimination of discretionary relief: The 1996 laws terminated agency authority to consider the effect of deportation on the person seeking relief. They eliminated an immigration judge’s discretion to consider the facts of a case, the length of time the person has lived in this country, or any evidence of rehabilitation. People who have resided in this country for many years should be given the opportunity to show the effects that removal would have on their lives.
- Stripping of Federal court jurisdiction: These laws divested federal courts of the power to review many deportation decisions and other agency activities. The decision to deport is momentous, especially for refugees fleeing persecution and for those legal immigrants who

have lived most of their lives in this country. Important issues of fairness and justice are at stake, and our system of checks and balances should apply to decisions that the agency makes.

- Establishment of expedited removal procedures: Low-level immigration officials were empowered to act as judge and jury by removing individuals seeking admission to the U.S. without any review process and subjecting such individuals to a five-year bar on reentry. Not only does this measure heighten the risk of erroneous, arbitrary decisions, it makes little sense from a security perspective. Instead of detaining individuals suspected of posing a national security risk and investigating them further, we simply turn them around and send them on their way.
- Creation of 3-year, 10-year, and permanent bars to reentry: These bars, which are triggered by periods of unlawful presence in the U.S. serve only to divide and separate families, and force people underground. They do not fulfill their intended purpose of deterring people from overstaying their visas.
- Authorization to use secret evidence in immigration proceedings: The 1996 laws accorded the government unprecedented authority to deport or detain an immigrant based on evidence they have never seen and can't possibly refute. Proceedings conducted out of sight of the accused and their attorneys are a feature of totalitarian governments, not of our own.

Post-9/11 Regulations and Policies: Slowly but surely, the fundamental unfairness of the 1996 laws as applied to real people began to register in the Halls of Congress. Case after case highlighting how merciless these laws are, how they have torn families apart and ruined lives made an impression and a push was afoot to provide some relief. That initiative was another casualty of the September 11 attacks. The impetus to restore some sense of balance in our immigration laws was replaced by a single-minded enforcement mentality that pushed the pendulum even further away from protecting noncitizens' rights.

The most troubling post-9/11 regulations and policies include, among others, the following:

- Closure of immigration hearings and refusal to disclose basic information on detainees: The Department of Justice (DOJ) ordered immigration judges to close all hearings related to individuals detained in the course of the 9/11 investigation. Not only were the hearings held in secret - excluding all visitors, family, and press - but the very identities of the jailed individuals were withheld from public disclosure. The immigration process should be open to the public; secret hearings are the practice of repressive regimes, not open and democratic societies.
- Holding non-citizens in jail indefinitely without charges: The DOJ issued regulations authorizing the INS to hold any non-citizen in custody for 48 hours or an unspecified "additional reasonable period of time" before charging the person with an offense. A DOJ Inspector General Report (April 2003) on post-9/11 detainees documents how INS detained non-citizens for weeks, and in some cases months, before charging them with immigration violations. Tellingly, none of the detainees ever was charged with an offense related to the 9/11 attacks. This rule violates a fundamental principle in our constitutional system — no person should be subject to arrest and imprisonment without reason, explanation, and due process.

- Keeping non-citizens jailed even after an immigration judge has found them eligible for release: The DOJ issued regulations that require people in immigration proceedings to remain in custody even though an immigration judge has found them eligible for bond. DOJ argued that the new regulation will “avoid the necessity for a case-by-case determination of whether a stay [of a release order] should be granted in particular cases.” This regulation effectively enables prosecutors to circumvent the considered decision of independent adjudicators regarding the likelihood that an individual will appear for future proceedings and the threat a detainee poses to the community. When an individual faces detention – a fundamental deprivation of liberty - a case-by-case review is exactly what the principles of our judicial system demand.
- Denying bond to whole classes of non-citizens without individual case consideration: Since September 11, 2001, DOJ and DHS have established policies mandating the detention of certain classes of non-citizens without any possibility for release until the conclusion of proceedings against them. For example, all of the individuals who were detained on immigration violations during the course of the post-9/11 investigation were subjected to a “hold until cleared” policy. Even individuals who did not contest their removability, and against whom final orders of removal had been entered, remained in detention until the FBI cleared them. It bears repeating that the government never charged any of these detainees with a terrorism-related offense. Unilateral executive branch decisions to require detention of whole classes of individuals contravene important due process principles and individual liberty interests.
- Implementing a discriminatory “special registration” policy: The National Security Entry-Exit Registration System (NSEERS or special registration) imposed new registration requirements on all males 16 years of age or older, who were citizens or nationals of one of twenty-five designated predominantly Muslim countries. Targeting people based on national origin, race and religion, it required such individuals to be interrogated, fingerprinted, and photographed. As with the post-9/11 detainees, none of the call-in registrants was charged with a terrorist-related offense, providing further evidence that this initiative succeeded only in alienating immigrant communities, straining international relations, and diverting precious law enforcement resources from identifying people who intend to harm us.
- Instituting “reforms” that severely undermine due process rights for immigrants appearing before the BIA: A series of DOJ regulations has stripped the BIA of its ability to serve as a meaningful watchdog over the lower courts. The “reforms” at issue include: reducing the overall number of judges sitting on the Board of Immigration Appeals from 23 to 11 by reassigning the 5 most “immigrant friendly” judges to other positions; making one judge review of lower court decisions the norm as opposed to the traditional three judge panels; expanding dramatically the range of cases which can be affirmed without any opinion; and eliminating the Board’s de novo review authority. A report commissioned by the American Bar Association (ABA) that evaluated the regulations determined that the increased speed in the decision-making process has had a significant impact on substantive outcomes: “decisions in favor of the respondents have decreased alarmingly from 1 in 4 to 1 in 10.”

Publication of DOJ’s Office of Inspector General Report on post-9/11 detentions and the shifting of most immigration functions to the newly created Department of Homeland Security (DHS) lead to some improvements. For example, DHS has largely terminated

DOJ's special registration program and has issued new guidelines on detention procedures in the event of another emergency. Although fixes to the problems highlighted above have been incomplete (and in some cases non-existent), at least there was some positive movement towards respect for the basic rights of noncitizens.

The 9/11 Commission and the Intelligence Reform Act of 2004: In August of 2004, the 9/11 Commission issued its recommendations for improving national security. Among numerous other findings, the 9/11 Commission highlighted the failures of our immigration system in helping to prevent the tragic attacks. The Commission made a number of important recommendations designed to rectify some of the failings in that system and encouraged Congress to enact these recommendations into law. The Senate took up the call and drafted legislation that the 9/11 Commissioners endorsed. The House, by contrast, included a stunning array of anti-immigrant provisions in the bill it passed (H.R. 10).

After a protracted and often acrimonious conference between House and Senate designees to reconcile the differences between the House and Senate versions of the bill, a compromise agreement was finally reached in which the anti-immigrant, anti-civil liberties provisions were stripped. On December 17, 2004 President Bush signed the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. No. 108-458), a measure containing some 43 mostly sensible immigration-related provisions. Among others, these provisions:

- Require testing of advanced technology (including sensors, video, and unmanned aerial vehicles) that would secure our northern border;
- Require the Department of Homeland Security (DHS) to devise plans for systemic surveillance of the southwest border by remotely piloted aircraft;
- Increase the number of full-time border patrol agents by 2,000 per year for five years;
- Increase the number of full-time Immigration and Customs Enforcement Investigators by 800 per year for five years;
- Increase the number of detention beds available to DHS for immigration detention and removal by 8,000 a year for five years;
- Strengthen visa application requirements;
- Criminalize alien smuggling;
- Make receipt of military-type training from designated terrorist organizations a deportable offense;
- Mandate a GAO study on potential weaknesses in the U.S. asylum system;
- Make inadmissible and deportable any alien who commits acts of torture, extrajudicial killing, or atrocities abroad;
- Establish counterterrorist travel intelligence strategy;
- Establish the Human Smuggling and Trafficking Center;
- Authorize funding for an immigration security initiative;
- Require DHS to develop an integrated screening system;
- Require DHS to develop a biometric entry and exit data system;
- Establish minimum federal standards for birth certificates and driver's licenses;
- Enhance the security of social security cards;
- Establish a visa and passport security program in the State Department; and

- Require DHS to establish minimum ID standards to board commercial aircraft and make recommendations for ID standards that would allow access to other federal facilities.

The REAL ID Act: Many of the troubling provisions that were wisely stripped from the intelligence reform bill have resurfaced in the form of the REAL ID Act (H.R. 418). Once again, Members of the House of Representatives are attempting to leverage security concerns to enact restrictionist measures that will not make us safer but will severely diminish due process and civil liberties. This renewed assault on the rights of noncitizens includes the following deeply troubling provisions:

- **Restrictions on Asylum:** This provision changes the standards and evidentiary burdens governing asylum applications, applications for withholding of removal, and other discretionary grants of relief from removal. Specifically, it would deny asylum to legitimate applicants who cannot prove the central motive of their persecutor, who cannot produce corroborating evidence of their account, who provide inconsistent testimony on minor facts irrelevant to their claim, or whose demeanor is inconsistent with an immigration judge's preconceived expectations. Asylum applicants already undergo more extensive security checks than any other foreign nationals who come to this country. Terrorists and others who pose a danger to our security already are ineligible for asylum. While H.R. 418 would do nothing to make us safer, it would clearly preclude legitimate asylum seekers from obtaining relief.
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AILA's POSITION: AILA strongly supports measures that promote the security of the United States. These measures can and must comport with basic principles of fairness and due process. Civil liberties and security do not constitute a zero sum game; enhancing one need not come at the expense of the other. Moreover, embracing our heritage as a welcoming nation of immigrants will strengthen, not undermine, our long-term security. AILA believes that adherence to the following common-sense principles will promote civil liberties and security as co-equal goals:

- Make the punishment fit the crime. Deportation laws should not punish people out of proportion to their conduct, but should seek to remove from the United States individuals who, because of criminal activity, pose a threat to our communities. As a result of the 1996 laws, thousands of legal immigrants now face removal for offenses that occurred many years ago, some of which were not even deportable offenses at the time they occurred. It is simply not true that all non-citizens with a criminal record present a danger to the community. AILA supports restoring balance and fairness to our immigration laws.
- Independent immigration judges should make decisions based on the facts of the case. The 1996 laws stripped Immigration Judges of the discretion they previously had to evaluate cases on an individual basis and grant relief to deserving immigrants and their families. Subsequent executive actions designed to expedite the administrative review process have further undermined the guarantee of careful individual case review that due process requires. AILA supports a process in which the facts and circumstances of each case be considered.
- Empower Federal judges to review agency decisions. The decision to deport is momentous, especially for refugees fleeing persecution and for those legal immigrants who have lived most of their lives in this country. Important issues of fairness and justice are at stake, and our system of checks and balances should apply to decisions that the agency makes.
- Use detention only when needed. The detention of individuals is an extraordinary power that should only be used if the person is a threat to the community or presents a flight risk. AILA categorically opposes the concept of preventive detention and arbitrary, mandatory detention schemes that preclude case-by-case review of the particular circumstances in each individual's case. AILA supports reforms that would ensure that detention is not used to needlessly separate American families.
- Remain true to our tradition as a refuge for individuals fleeing persecution. The strength of our country must be measured by our treatment of the weak and vulnerable. Our shores have been a welcoming haven for people fleeing oppression and persecution since our nation's birth. That tradition, as much as anything, has forged our image in the

world as a model of liberty and compassion. Any change to our laws must seek to strengthen, not diminish, our commitment to that tradition.

- Acknowledge immigrants' strong ties to their American families and communities. Family immigration has always been the cornerstone of our immigration system. Our immigration laws should be reformed to unite families instead of dividing them.
- Adopt security measures that are reasonable and effective. AILA recognizes and supports the need to take effective steps to protect our national security. Individuals who mean us harm must be identified at the earliest possible stage through effective intelligence gathering, information-sharing, and pre-admission screening. However, all individuals in this country who our government seeks to expel must receive individualized consideration of their claims for relief pursuant to fair, transparent procedures that comport with basic principles of due process. Shortchanging rights in the name of security casts a dark shadow on American justice, undermining our image as a beacon of liberty without any discernible gain in security.

HOUSE VOTE TALLY FOR REAL ID ACT

(Democrats in *italic*; Independents underlined)

H.R. 418 YEA-AND-NAY 10-Feb-2005 2:41 PM

QUESTION: On Passage

BILL TITLE: REAL ID Act

	<u>YEAS</u>	<u>NAYS</u>	PRES	<u>NV</u>
REPUBLICAN	219	8		4
DEMOCRATIC	42	152		7
INDEPENDENT		1		
TOTALS	261	161		11

---- YEAS 261 ---

Aderholt	Franks (AZ)	Murphy
Akin	Frelinghuysen	Musgrave
Alexander	Gallegly	Myrick
Bachus	Garrett (NJ)	Neugebauer
Baker	Gerlach	Ney
Barrett (SC)	Gibbons	Northup
<i>Barrow</i>	Gilchrest	Norwood
Barton (TX)	Gillmor	Nunes
Bass	Gingrey	Nussle
<i>Bean</i>	Gohmert	Osborne
Beauprez	Goode	Otter
<i>Berry</i>	Goodlatte	Oxley
Biggert	<i>Gordon</i>	Pearce
Bilirakis	Granger	Pence
<i>Bishop (GA)</i>	Graves	<i>Peterson (MN)</i>
Bishop (UT)	Green (WI)	Peterson (PA)
Blackburn	Gutknecht	Petri
Blunt	Hall	Pickering
Boehlert	Harris	Pitts
Boehner	Hart	Platts
Bonilla	Hastings (WA)	Poe
Bonner	Hayes	Porter
Bono	Hayworth	Portman
Boozman	Hefley	Price (GA)
<i>Boren</i>	Hensarling	Pryce (OH)
<i>Boucher</i>	Herger	Putnam
Boustany	<i>Herseth</i>	Radanovich
<i>Boyd</i>	Hobson	Ramstad
Bradley (NH)	Hoekstra	Regula

Brady (TX)	<i>Holden</i>	Rehberg
Brown (SC)	<i>Hooley</i>	Reichert
Brown-Waite, Ginny	Hostettler	Renzi
Burgess	Hulshof	Reynolds
Burton (IN)	Hunter	Rogers (AL)
<i>Butterfield</i>	Hyde	Rogers (KY)
Buyer	Inglis (SC)	Rogers (MI)
Calvert	Issa	Rohrabacher
Camp	Istook	<i>Ross</i>
Cannon	Jenkins	Royce
Cantor	Jindal	<i>Ryan (OH)</i>
Capito	Johnson (CT)	Ryan (WI)
<i>Cardoza</i>	Johnson (IL)	Ryun (KS)
<i>Case</i>	Johnson, Sam	<i>Salazar</i>
Castle	Jones (NC)	Saxton
Chabot	<i>Kanjorski</i>	Schwarz (MI)
<i>Chandler</i>	Keller	<i>Scott (GA)</i>
Chocola	Kelly	Sensenbrenner
Coble	Kennedy (MN)	Sessions
Cole (OK)	King (IA)	Shadegg
Conaway	King (NY)	Shaw
<i>Cooper</i>	Kingston	Shays
<i>Costa</i>	Kirk	Sherwood
<i>Costello</i>	Kline	Shimkus
Cox	Knollenberg	Shuster
<i>Cramer</i>	Kolbe	Simmons
Crenshaw	Kuhl (NY)	Simpson
Cubin	LaHood	<i>Skelton</i>
<i>Cuellar</i>	Latham	Smith (TX)
Culberson	LaTourette	Sodrel
Cunningham	Leach	Souder
<i>Davis (AL)</i>	Lewis (CA)	Stearns
<i>Davis (FL)</i>	Lewis (KY)	<i>Strickland</i>
Davis (KY)	Linder	Sullivan
<i>Davis (TN)</i>	<i>Lipinski</i>	Sweeney
Davis, Jo Ann	LoBiondo	Tancredo
Davis, Tom	Lucas	<i>Tanner</i>
Deal (GA)	Lungren, Daniel E.	<i>Taylor (MS)</i>
<i>DeFazio</i>	Mack	Taylor (NC)
DeLay	Manzullo	Terry
Dent	Marchant	Thomas
Doolittle	<i>Marshall</i>	Thornberry
Drake	<i>Matheson</i>	Tiahrt
Dreier	McCaul (TX)	Tiberi
Duncan	McCotter	Turner
<i>Edwards</i>	McCrery	Upton
Ehlers	McHenry	Walden (OR)

Emerson	McHugh	Walsh
English (PA)	<i>McIntyre</i>	Wamp
Everett	McKeon	Weldon (FL)
Fitzpatrick (PA)	McMorris	Weldon (PA)
Flake	<i>McNulty</i>	Weller
Foley	<i>Melancon</i>	Westmoreland
Forbes	Mica	Whitfield
<i>Ford</i>	Miller (FL)	Wicker
Fortenberry	Miller (MI)	Wilson (SC)
Fossella	Miller, Gary	Wolf
Foxx	Moran (KS)	Young (FL)

---- NAYS 161 ---

<i>Abercrombie</i>	<i>Hoyer</i>	<i>Pastor</i>
<i>Ackerman</i>	<i>Inslee</i>	Paul
<i>Allen</i>	<i>Israel</i>	<i>Payne</i>
<i>Andrews</i>	<i>Jackson (IL)</i>	<i>Pelosi</i>
<i>Baca</i>	<i>Jackson-Lee (TX)</i>	Pombo
<i>Baird</i>	<i>Jefferson</i>	<i>Pomeroy</i>
<i>Baldwin</i>	<i>Johnson, E. B.</i>	<i>Price (NC)</i>
<i>Becerra</i>	<i>Jones (OH)</i>	<i>Rahall</i>
<i>Berkeley</i>	<i>Kaptur</i>	<i>Rangel</i>
<i>Berman</i>	<i>Kennedy (RI)</i>	<i>Reyes</i>
<i>Bishop (NY)</i>	<i>Kildee</i>	Ros-Lehtinen
<i>Blumenauer</i>	<i>Kilpatrick (MI)</i>	<i>Rothman</i>
<i>Boswell</i>	<i>Kind</i>	<i>Roybal-Allard</i>
<i>Brady (PA)</i>	<i>Kucinich</i>	<i>Ruppersberger</i>
<i>Brown (OH)</i>	<i>Langevin</i>	<i>Rush</i>
<i>Brown, Corrine</i>	<i>Lantos</i>	<i>Sabo</i>
<i>Capps</i>	<i>Larsen (WA)</i>	<i>Sánchez, Linda T.</i>
<i>Capuano</i>	<i>Larson (CT)</i>	<u>Sanders</u>
<i>Cardin</i>	<i>Lee</i>	<i>Schakowsky</i>
<i>Carnahan</i>	<i>Levin</i>	<i>Schiff</i>
<i>Carson</i>	<i>Lewis (GA)</i>	<i>Schwartz (PA)</i>
<i>Clay</i>	<i>Lofgren, Zoe</i>	<i>Scott (VA)</i>
<i>Cleaver</i>	<i>Lowey</i>	<i>Serrano</i>
<i>Clyburn</i>	<i>Lynch</i>	<i>Sherman</i>
<i>Conyers</i>	<i>Maloney</i>	<i>Slaughter</i>
<i>Cronley</i>	<i>Markey</i>	Smith (NJ)
<i>Cummings</i>	<i>McCarthy</i>	<i>Smith (WA)</i>
<i>Davis (CA)</i>	<i>McCollum (MN)</i>	<i>Snyder</i>
<i>Davis (IL)</i>	<i>McDermott</i>	<i>Solis</i>
<i>DeGette</i>	<i>McGovern</i>	<i>Spratt</i>
<i>Delahunt</i>	<i>McKinney</i>	<i>Stark</i>
<i>DeLauro</i>	<i>Meehan</i>	<i>Tauscher</i>

Diaz-Balart, L.	<i>Meek (FL)</i>	<i>Thompson (CA)</i>
Diaz-Balart, M.	<i>Meeks (NY)</i>	<i>Thompson (MS)</i>
<i>Dicks</i>	<i>Menendez</i>	<i>Tierney</i>
<i>Dingell</i>	<i>Michaud</i>	<i>Towns</i>
<i>Doggett</i>	<i>Millender-McDonald</i>	<i>Udall (CO)</i>
<i>Doyle</i>	<i>Miller (NC)</i>	<i>Udall (NM)</i>
<i>Emanuel</i>	<i>Miller, George</i>	<i>Van Hollen</i>
<i>Engel</i>	<i>Mollohan</i>	<i>Velázquez</i>
<i>Etheridge</i>	<i>Moore (KS)</i>	<i>Visclosky</i>
<i>Evans</i>	<i>Moore (WI)</i>	<i>Wasserman Schultz</i>
<i>Farr</i>	<i>Moran (VA)</i>	<i>Waters</i>
<i>Fattah</i>	<i>Murtha</i>	<i>Watson</i>
<i>Filner</i>	<i>Nadler</i>	<i>Watt</i>
<i>Frank (MA)</i>	<i>Napolitano</i>	<i>Waxman</i>
<i>Gonzalez</i>	<i>Neal (MA)</i>	<i>Weiner</i>
<i>Green, Al</i>	<i>Oberstar</i>	<i>Wexler</i>
<i>Grijalva</i>	<i>Obey</i>	<i>Wilson (NM)</i>
<i>Gutierrez</i>	<i>Olver</i>	<i>Woolsey</i>
<i>Harman</i>	<i>Ortiz</i>	<i>Wu</i>
<i>Hastings (FL)</i>	<i>Owens</i>	<i>Wynn</i>
<i>Higgins</i>	<i>Pallone</i>	<i>Young (AK)</i>
<i>Holt</i>	<i>Pascrell</i>	

---- NOT VOTING 11 ----

Bartlett (MD)	Ferguson	<i>Honda</i>
Carter	<i>Green, Gene</i>	<i>Sanchez, Loretta</i>
<i>Esboo</i>	<i>Hinchey</i>	<i>Stupak</i>
Feeney	<i>Hinojosa</i>	

EDITORIALS ON THE REAL ID ACT

Real ID, Real Problems

Washington Post

February 10, 2005

Editorial

The house of Representatives is to vote today on the REAL ID Act of 2005. As championed by Judiciary Committee Chairman F. James Sensenbrenner Jr. (R-Wis.), the bill's principal purpose is to establish federal security controls over driver's licenses issued by states, so that federal officials at airports and elsewhere can have confidence that they know whom they're dealing with. While some civil libertarians worry about establishing a national identification system, the basic idea seems reasonable. But the bill has serious problems; unless they are addressed, the act should not become law.

The first major flaw is that the bill does not stop at requiring that licenses have "physical security features," a digital photograph and other basic data to be valid for federal purposes. It also requires that states see proof that the applicant is legally in the United States. This is unjustified. Different states have adopted different approaches to giving licenses to illegal immigrants, and for good reason. The federal government has failed to control the problem of illegal immigration, and that creates problems that have to be managed at the state level: uninsured drivers, for example. Technically, the bill doesn't prevent a state from continuing to issue such licenses for state driving purposes, as long as they can't be used as federal identification. As a practical matter, however, the likely result would be to set a standard that cuts off policy options for managing a problem the federal government has foisted on the states.

The bill would also tighten standards for asylum-seekers. Currently, those seeking haven in this country must prove that they reasonably fear persecution in their home countries based on such factors as ethnicity, politics or religion. The bill would clarify that these factors must be a "central reason" for their likely persecution. The result could be that innocent people get returned to countries that will oppress them.

Finally, the bill contains a bizarre provision that would allow the secretary of homeland security to waive "all laws" that, in his "sole discretion," he "determines necessary to ensure expeditious construction of . . . barriers and roads" used to secure borders. The bill, Mr. Sensenbrenner said in a floor statement yesterday, is needed "to complete gaps in the San Diego border security fence, which is still stymied eight years after congressional authorization"; it appears directed principally at environmental laws. But it goes way beyond whatever waivers may be necessary in that case -- effectively allowing the department to put itself above any law it finds inconvenient in border security construction and explicitly stripping the courts of any review. Congress should not be so contemptuous of the rule of law.

On Guard, America

New York Times

February 15, 2005

Editorial

In the name of foiling potential terrorists, the House has passed a misbegotten immigration control bill that would make it harder for persecuted immigrants to get political asylum in this country. One

of the nation's bedrock principles -- sanctuary -- would be badly crimped by the measure, which would also block states from granting driver's licenses to illegal immigrants.

Eleven states grant such licenses as a way to encourage highway safety and accident insurance coverage.

The House measure, called the Real ID bill, has been denounced as a human rights retreat by the Catholic bishops conference and other champions of immigrant rights. It would require political asylum applicants to offer greater evidence of persecution and give judges less power to reverse asylum denials by immigration officials. The bill drew a last-minute endorsement from the White House, which is seeking to curry favor for President Bush's proposal to create guest worker visas. But even administration officials expressed misgivings about the asylum strictures.

The bill would also undermine work by federal agencies and the states to come up with national standards for securing driver's licenses. That effort -- which was ordered up by Congress -- is a far more sensible approach than the hurriedly cobbled-together House measure, which was passed without benefit of committee hearings.

The Senate must defeat this measure: being anti-terrorist doesn't have to walk hand in hand with being anti-immigrant.

National ID Party
Wall Street Journal
February 17, 2005
Editorial

Republicans swept to power in Congress 10 years ago championing state prerogatives, and one of their first acts was to repeal federal speed-limit requirements. Another was aimed at ending unfunded state mandates. So last week's House vote to require costly and intrusive federal standards for state drivers' licenses is a measure of how far the party has strayed from these federalist principles.

More important, it reveals a mindset among some that more enforcement alone will bring better border security and reduce illegal immigration. The bill that passed the House last week and now goes to the Senate is known as the Real ID Act, and the driver's license requirements may not even be the worst part of the legislation. Also included are unnecessary provisions that would make it much more difficult for foreigners to seek asylum in the U.S.

House Judiciary Chairman James Sensenbrenner, who authored the bill, insists that his goal is to reduce the terrorist threat, not immigration. But it just so happens that the bill's provisions have long occupied the wish list of anti-immigration lawmakers and activists. Mr. Sensenbrenner produced a photo of Mohammed Atta during the floor debate last week, arguing that the 9/11 hijackers' ability to obtain drivers' licenses and use them to board airplanes represents a security loophole.

His solution is to force states to issue federally approved drivers' licenses with digital photographs and "machine-readable technology." In theory, states can opt out, but if they do their drivers' licenses will no longer be accepted as identification to board planes, purchase guns, enter federal buildings and so forth. It's not hard to imagine these de facto national ID cards turning into a kind of domestic passport that U.S. citizens would be asked to produce for everyday commercial and financial tasks.

Aside from the privacy implications of this show-us-your-papers Sensenbrenner approach, and the fact that governors, state legislatures and motor vehicle departments have denounced the bill as

expensive and burdensome, there's another reality: Even if the Real ID Act had been in place prior to 9/11, it's unlikely that the license provisions would have prevented the attacks.

That's because all of the hijackers entered the U.S. legally, which means they qualified for drivers' licenses. The Real ID Act wouldn't change that. Moreover, you don't need a driver's license to fly. Other forms of identification -- such as a passport -- are acceptable and also were available to the hijackers. Nothing in the Sensenbrenner bill would change that, either.

The biggest impact will be on undocumented workers in the U.S., which is why the immigration restrictionists are pushing for the legislation. But denying drivers' licenses to illegal aliens won't result in fewer immigrants. It will result in more immigrants driving illegally and without insurance.

Mr. Sensenbrenner's claims that tougher asylum provisions will make us safer are also dubious. The last thing a terrorist would want to do is apply for asylum. Not only would he be bringing himself to the attention of the U.S. government -- the first step is being fingerprinted -- but the screening process for applicants is more rigorous than for just about anyone else trying to enter the country. In the past decade, perhaps a half-dozen individuals with some kind of terrorists ties have applied for asylum. All were rejected.

The Real ID Act would raise the bar substantially for granting asylum to people fleeing persecution. But this is a solution in search of a problem. A decade ago the U.S. asylum laws were in fact being abused by foreigners with weak claims who knew they would receive work permits while their cases were pending.

But in 1994, the Clinton Administration issued regulations to curb this abuse. The law now says that asylum seekers cannot receive work permits until they have won their case. Applications per year subsequently have fallen to about 30,000 today from 140,000 in the early 1990s. This was the biggest abuse of the system, and it's been fixed. Raising the barrier for asylum seekers at this point would only increase the likelihood of turning away the truly persecuted.

But the bigger problem with Mr. Sensenbrenner's bill is that it takes our eye off the ball. Homeland security is about taking useful steps to prevent another attack. It's not about keeping gainfully employed Mexican illegals from driving to work, or cracking down on the imagined hordes gaming our asylum system.

President Bush realizes this and is pushing for a guest-worker program that would help separate people in search of employment from potential terrorists. If the Republican Congress doesn't realize that, perhaps a Presidential veto of the Real ID Act would focus its attention.

ORGANIZATIONAL LETTERS OPPOSING REAL ID ACT

1. *Letter from United States Conference of Catholic Bishops*

February 9, 2005

Dear Member of Congress:

I write to you on behalf of the United States Conference of Catholic Bishops' Committee on Migration in opposition to H.R. 418, the REAL ID Act of 2005. As you know, this measure would both raise the standard for obtaining asylum and increase the evidentiary standards by which applicants must prove their claims. H.R. 418 also would repeal recently enacted law that establishes minimum standards for the issuance of driver's licenses and replace that law with onerous new ones that could well make us less safe. And it would require that all existing laws be waived if their waiver would facilitate the completion of the construction of fencing along the U.S.-Mexico border.

In opposing the legislation, we strongly believe that its provisions would, effectively, weaken the protection of asylum, thus preventing victims of persecution from receiving its protections; undermine our national security; and promote unsound public policy.

Making it More Difficult for Victims of Persecution to Obtain Asylum in the United States

The legislation would substantially increase the burden on asylum applicants to prove they qualify for protection in the United States, requiring them to show that one of the five grounds of asylum protection—persecution on the basis of religion, nationality, race, social group, or political opinion—was a central reason behind their persecution. This significant departure from current law would effectively overturn case law affirming that a persecutor may have mixed motives when he acts to persecute someone. Indeed, this provision, seemingly, would require victims to know what is in the mind of their persecutors before they can prove their claims, an extremely difficult, if not impossible, standard to meet.

H.R. 418 also would restrict judicial review of denials of asylum claims that are based on an applicant's failure to provide corroborating evidence and would allow an applicant to be denied relief based only upon the applicant's demeanor or on the lack of consistency in an applicant's story as he or she related it over time.

These provisions ignore the reality that cultural differences could sometimes result in an applicant's demeanor differing from that of the "typical American." They also ignore the fact that some victims of persecution are so traumatized that it may take them time before they are able to relate fully the horrors of the persecution they have faced. And they do not adequately account for the possibility that an applicant may have fled his or her country under emergency circumstances, preventing him or her from obtaining corroborating evidence.

In addition, terrorists are already barred from obtaining asylum by Section 208 (b)(2)(A)(v) of the Immigration and Nationality Act. In our view, the asylum provisions in H.R. 418 would fundamentally weaken asylum protection in the United States without making us any safer. They should be rejected by Congress.

Denying Federal Recognition of Driver's Licenses Based on Legal Status

H.R. 418 would prohibit federal agencies from accepting for any purpose a driver's license which does not meet new minimum document requirements and issuance standards, including a requirement that states verify an applicant's immigration status and deny driver's licenses to aliens who are not lawfully present in the United States.

H.R. 418 would impose Federal requirements on the states that the National Council of State Legislatures has said do not adequately recognize the states' role in balancing public safety, service and other issues. We agree with many of the public safety concerns that numerous state and local law enforcement officials have often cited in defense of permitting states to determine who should be eligible to obtain driver's licenses. These officials believe that denying driver's licenses to all persons who are not lawfully present in the United States would make our roads less safe because the number of unlicensed, untrained, and uninsured drivers would increase dramatically and deny police officers the tools they need in investigating crime or assisting distressed persons in their communities.

H.R. 418's driver's license provisions would not make us any safer. Indeed, one of the great ironies of the legislation is that all of the September 11 hijackers would have been able to get driver's licenses under it. Congress enacted a strong driver's license law less than two months ago. Repealing it and replacing it with the onerous provisions of H.R. 418 would not make us any safer. Indeed, many argue that it would make us less safe. Congress should reject the driver's license provisions of H.R. 418.

Construction of Border Fences

The legislation also would mandate that the Secretary of Homeland Security waive all laws to expedite the construction of barriers and fences on the U.S.-Mexico border.

Our concerns about this provision are numerous, including our concern that this would be a dangerously broad mandate that is almost without precedent. The requirement in the bill that the Secretary of Homeland Security waive all laws expeditious to the construction of barriers along the southern border would be mandatory, not discretionary. Disturbingly, the bill would require waiving all laws, including, for example, laws against murder, laws protecting civil rights, laws protecting the health and safety of workers; laws providing for a minimum wage or prevailing wage; environmental laws; and laws respecting sacred burial grounds.

The legislation also includes bars to judicial review of any decision or action relating to Section 102 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996. In addition, no courts could order any compensatory, declaratory, injunctive, equitable, or other forms of relief arising from the border barrier construction activity. Given the broad

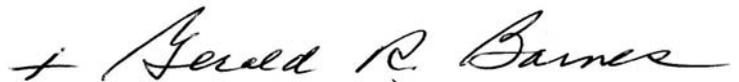
mandate to waive all laws necessary to expeditious construction, we find these provisions extremely problematic.

Finally, the waiver authority reaches far beyond the 14 mile fence near San Diego. In reality, the waiver would apply to all “physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States.”

In conclusion, it is our view that H.R. 418 would not make our nation safer, as proponents of the measure argue. It would deny legitimate asylum seekers protection in our nation, a traditional haven of refuge for some of the world’s oppressed; make our roads less safe; and deny law enforcement tools they need to protect us.

We ask for your opposition to H.R. 418.

Sincerely,

A handwritten signature in cursive script that reads "Gerald R. Barnes". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Most Reverend Gerald R. Barnes
Bishop of San Bernardino
Chairman, USCCB Committee on Migration

2. *Interfaith Statement From Broad Cross-Section of Faith-Based Organizations*

INTERFAITH STATEMENT

February 4, 2005

**REAL ID Act Threatens Ability of Victims of Persecution to
Find Safe Haven in the United States**

As representatives of various faith traditions, we are deeply concerned that the REAL ID Act, legislation proposed by Representative Jim Sensenbrenner (R-WI), would make asylum a more remote possibility for hundreds of persons who need protection. We understand that safeguarding our national security is an urgent issue, and we support measures that honor that concern. We also subscribe to core beliefs which require that we provide safety to victims of persecution, particularly those who have no recourse to the protection that democratic societies traditionally provide. Restricting access to asylum beyond current practice does not serve the cause of national security and, moreover, erodes a sacred and legal responsibility to give safety to those whose only protection comes from asylum.

Each of our traditions has witnessed the suffering of persons whose beliefs often place them in jeopardy and possibly in mortal danger. As American-based faith communities, we have cherished the ability of asylum seekers to find safety in communities around our nation. We are, therefore, saddened by a further erosion of our asylum system under the pretext of national security. We urge Members of Congress to reject the notion that all asylees are prospective terrorists and that the current system needs to be made more restrictive.

The belief that we must receive persons who have been rejected and persecuted because of their ideas and religious practices is anchored in both our histories and sacred texts. We have contributed over the years to supporting and enriching practices which embrace hospitality as not only a religious but an American value. We also appreciate the need to prevent terrorism from violating both our freedom and safety. We believe that hospitality to the stranger – particularly one who has been persecuted – and security are compatible national goals. We, therefore, reject legislation that subverts hospitality in the name of security.

The current asylum system includes rigorous safeguards against terrorists abusing the asylum system. The changes proposed by the REAL ID Act raise a false issue in further victimizing legitimate asylum seekers. Requiring unreasonable levels of evidence to prove an asylum claim, placing a greater burden on asylum seekers to convince reviewers of the key motivation of their accusers, and allowing subjective considerations to guide the review process all send a chilling message to those who desperately seek the safety and protection which they have a right to expect of our great nation.

We have all seen how fear can pervert justice. We believe that the religious traditions which we embrace calls us to oppose a narrowing of the door to asylum by some of the world's most at

risk persons. We are committed to resisting a fear driven agenda which violates our faith based principles.

Anti-Defamation League
B'nai B'rith International
Church World Service
Episcopal Migration Ministries
HIAS and Council Migration Service of Philadelphia
Hebrew Immigrant Aid Society
Institute on Religion and Public Policy
Jesuit Refugee Service
Jewish Council for Public Affairs
Jewish Labor Committee
Jubilee Campaign
Lutheran Immigration and Refugee Service
Midland Alliances
Midland Association of Churches
Midland Ministerial Alliance
National Council of Jewish Women
Project for International Religious Liberty
Religious Freedom Coalition
Workmen's Circle/ Arbeter Ring
World Relief

3. *Letter from American Association of Motor Vehicle Administrators and the National Governors Association*



**American Association of
Motor Vehicle Administrators**

February 8, 2005

The Honorable J. Dennis Hastert Speaker U.S. House of Representatives Washington, D.C. 20515	
The Honorable Thomas DeLay Majority Leader U.S. House of Representatives Washington, D.C. 20515	The Honorable Nancy Pelosi Minority Leader U.S. House of Representatives Washington, D.C. 20515

Dear Mr. Speaker, Representative DeLay and Representative Pelosi:

We write to express our opposition to Title II of H.R. 418, the "Improved Security For Driver's Licenses and Personal Identification Cards" provision, and H.R. 368, the "Driver's License Security and Modernization Act". While Governors and motor vehicle administrators share your concern for increasing the security and integrity of the driver's license and state identification processes, we firmly believe that the driver's license and ID card provisions of the Intelligence Reform and Terrorism Prevention Act of 2004 offer the best course for meeting those goals.

The "Driver's Licenses and Personal Identification Cards" provision in the Intelligence Reform Act of 2004 provides a workable framework for developing meaningful standards to increase reliability and security of driver's licenses and ID cards. This framework calls for input from state elected officials and motor vehicle administrators in the regulatory process,

protects state eligibility criteria, and retains the flexibility necessary to incorporate best practices from around the states. We have begun to work with the U.S. Department of Transportation to develop the minimum standards, which must be completed in 18 months pursuant to the Intelligence Reform Act.

We commend Chairman Sensenbrenner and Chairman Davis for their commitment to driver's license integrity; however, both H.R. 418 and H.R. 368 would impose technological standards and verification procedures on states, many of which are beyond the current capacity of even the federal government. Moreover, the cost of implementing such standards and verification procedures for the 220 million driver's licenses issued by states represents a massive unfunded federal mandate.

Our states have made great strides since the September 11, 2001 terrorists attacks to enhance the security processes and requirements for receiving a valid driver's license and ID card. The framework in the Intelligence Reform Act of 2004 will allow us to work cooperatively with the federal government to develop and implement achievable standards to prevent document fraud and other illegal activity related to the issuance of driver's licenses and ID cards.

We urge you to allow the provisions in the Intelligence Reform Act of 2004 to work. Governors and motor vehicle administrators are committed to this process because it will allow us to develop mutually agreed-upon standards that can truly help create a more secure America.

Sincerely,

Raymond C. Scheppach Executive Director National Governors Association	Linda R. Lewis President and CEO American Association of Motor Vehicle Administrators
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CC: The Honorable F. James Sensenbrenner Jr., Chairman, House Committee on the Judiciary
The Honorable John Conyers Jr., Ranking Member, House Committee on the Judiciary
The Honorable Tom Davis, Chairman, House Committee on Government Reform
The Honorable Henry A. Waxman, Ranking Member, House Committee on Government Reform