

Senators Jacobs and Barcia offered the following resolution:

Senate Resolution No. 62.

A resolution to memorialize Congress to reject the Real ID Act of 2005 and to express the intent of the Michigan Legislature regarding this act.

Whereas, Congress enacted the Real ID Act in 2005 as part of an Emergency Supplemental Appropriations Act for Defense and Tsunami Relief. States are mandated to implement the Real ID Act by December 31, 2009. Real ID is an unfunded mandate, and the Department of Homeland Security estimates that the regulations will cost the states and consumers \$23 billion, including an estimated \$8.48 billion over five years to re-enroll approximately 7.7 million driver license/ID holders and comply with the complex verification system; and

Whereas, Terrorist attacks, such as those that occurred on September 11, 2001, have necessitated the crafting of effective laws to protect the people of the United States and others from terrorist attacks; and

Whereas, The American Association of Motor Vehicle Administrators, the National Governors Association, and the National Conference of State Legislatures have estimated that it will cost states over \$400 million to update systems to comply with the verification requirements under the Real ID Act of 2005. The verification process is one of the largest requirement categories for the Real ID Act implementation. Only one of the five national electronic verification systems is fully operational; and

Whereas, Michigan residents will be more susceptible to identity theft due to the use of machine-readable technology and state maintenance of a database shared with other agencies. Clearly, all reasonable security measures to protect the privacy of Michigan residents and all reasonable safeguards to protect against unauthorized disclosure of data need to be in place prior to the full implementation of the Real ID Act; and

Whereas, The Real ID Act of 2005 will effectively reverse the state of Michigan's efforts to ease an applicant's interaction with the Secretary of State (e.g., Internet and mail-in renewal) because of the complex verification process. In addition, federal funding is not provided to train Michigan employees in the document verification, background check, and certification processes that are estimated to cost over \$18 million; and

Whereas, The Real ID Act does not take into account the homeless or low-income population, who will have difficulty meeting the extensive documentation and verification requirements under the act, thereby possibly limiting access to public food and shelter programs and exposing Michigan residents to unlicensed and uninsured drivers; and

Whereas, Six states, Maine, Washington, Arkansas, Idaho, Montana, and North Dakota, have passed legislation opposing Real ID. Thirty-two other states have expressed opposition to the implementation of the Real ID Act and the financial burden it has on their state budgets; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to reject the Real ID Act of 2005; and be it further

Resolved, That the members of the Michigan Legislature hereby express our intent to enact no legislation nor authorize any appropriation to further the implementation of Real ID in Michigan unless such appropriation is used exclusively for the purpose of undertaking a comprehensive analysis of the costs of implementing the Real ID Act of 2005; and be it further

Resolved, That we also express our intent to ensure that, before storing or including data about Michigan residents in any database, records facility, or computer system for purposes of meeting the requirements of the Real ID Act of 2005, all reasonable security measures to protect the privacy of Michigan residents and all reasonable safeguards to protect against unauthorized disclosure of data shall be implemented; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.