

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 387 Session of
2009

INTRODUCED BY THOMAS, CUTLER, FAIRCHILD, FLECK, HORNAMAN,
KIRKLAND, LONGIETTI, MCGEEHAN, PARKER, REICHLEY, ROAE,
SIPTROTH, SWANGER, TALLMAN, WAGNER AND YOUNGBLOOD,
JUNE 30, 2009

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, JUNE 30,
2009

A RESOLUTION

1 Urging the Commonwealth of Pennsylvania to refuse to comply with
2 the REAL ID Act of 2005 until such time as adequate funding
3 is provided by the Federal Government to cover the cost of
4 implementation and until amendments are made to the act
5 providing for decreased administrative burdens on the states.

6 WHEREAS, On March 1, 2007, the United States Department of
7 Homeland Security announced the Federal guidelines for state
8 implementation of the REAL ID Act of 2005 (Public Law 109-13,
9 119 Stat. 302) which established strict standards for the
10 issuance of state driver's licenses and identification (ID)
11 cards that must be implemented by December 2009; and

12 WHEREAS, The REAL ID Act of 2005 places an increased burden
13 on states and their residents alike by subjecting residents
14 seeking new or renewal driver's licenses and IDs to longer lines
15 at department of motor vehicles' offices, higher costs and
16 increased document requests and waiting periods and by charging
17 states for access to databases for the purpose of verifying the
18 immigration and citizenship status of residents; and

1 WHEREAS, The National Governor's Association, the National
2 Conference of State Legislatures and the American Association of
3 Motor Vehicle Administrators estimate that the REAL ID Act of
4 2005 will cost at least \$11 billion annually over the next five
5 years to implement nationally, including an estimated \$140
6 million in start-up costs and \$50 million in recredentialing
7 costs for the Commonwealth of Pennsylvania alone; and

8 WHEREAS, The limited funding appropriated by the Congress of
9 the United States for the implementation of the REAL ID Act of
10 2005 constitutes a virtual unfunded mandate on the states which
11 are already experiencing budget shortfalls in the wake of the
12 current economic downturn; and

13 WHEREAS, The REAL ID Act of 2005 mandates that the
14 Commonwealth of Pennsylvania link parts of its database to the
15 departments of motor vehicles of all other states, in effect
16 creating a single shared national database containing
17 information on every possessor of a state-issued ID that exposes
18 every state to the information security weaknesses of every
19 other state and threatens the privacy of every American; and

20 WHEREAS, At least 17 other states have passed legislation
21 that, to one degree or another, opposes the implementation of
22 the REAL ID Act of 2005; therefore be it

23 RESOLVED, That the Commonwealth of Pennsylvania be urged to
24 refuse to comply with the implementation of the REAL ID Act of
25 2005 until adequate Federal funding is provided to the states,
26 until the act is amended to provide for less burdensome
27 implementation and administrative guidelines and to provide for
28 greater securitization of information; and be it further

29 RESOLVED, That the Chief Clerk of the House of
30 Representatives of the Commonwealth of Pennsylvania transmit

1 copies of this resolution to the President and Vice President of
2 the United States, the Speaker of the House of Representatives,
3 the Majority Leader of the Senate, each Senator and
4 Representative from the Commonwealth of Pennsylvania, the
5 Congress of the United States, the Secretary of Homeland
6 Security and the Governor of Pennsylvania.