

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

SCR 22

4
5 By: Senator Wilkins
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8 **SENATE CONCURRENT RESOLUTION**

9 TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT
10 OF HOMELAND SECURITY TO ADD CRITICAL PRIVACY AND
11 CIVIL LIBERTY SAFEGUARDS TO THE REAL ID ACT OF
12 2005 AND TO FULLY FUND OR SUSPEND IMPLEMENTATION
13 OF THE REAL ID ACT.
14

15 **Subtitle**

16 TO URGE CONGRESS AND THE UNITED STATES
17 DEPARTMENT OF HOMELAND SECURITY TO ADD
18 CRITICAL PRIVACY AND CIVIL LIBERTY
19 SAFEGUARDS TO THE REAL ID ACT OF 2005
20 AND TO FULLY FUND OR SUSPEND
21 IMPLEMENTATION OF THE REAL ID ACT.
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24 WHEREAS, the implementation of the REAL ID Act of 2005, Pub. L. No.
25 109-13, intrudes upon the states' sovereign power of the states to determine
26 their own policies for identification, licensure, and credentialing of
27 individuals residing therein; and
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29 WHEREAS, the REAL ID Act of 2005 converts the driver licensing function
30 of the states into federal law enforcement and national security functions
31 that are outside the purpose and core competency of driver licensing bureaus;
32 and
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34 WHEREAS, the REAL ID Act of 2005 constitutes an unfunded mandate by the
35 federal government to the states; and
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1 the free market and private sector ingenuity; and

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3 WHEREAS, the requirement that states maintain databases of information
4 about their citizens and residents and then share this personal information
5 with all other states will expose every state to the information security
6 weaknesses of every other state and threaten the privacy of every American;
7 and

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9 WHEREAS, the REAL ID Act of 2005 wrongly coerces states into doing the
10 federal government's bidding by threatening to refuse to the citizens of non-
11 complying states the privileges and immunities enjoyed by the citizens of
12 other states; and

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14 WHEREAS, the REAL ID Act of 2005 threatens the privacy and liberty of
15 those individuals belonging to unpopular or minority groups, including racial
16 and cultural organizations, firearm owners and collectors, faith-based and
17 religious affiliates, political parties, and social movements; and

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19 WHEREAS, Congress passed the REAL ID Act of 2005 without a single
20 hearing in either chamber and without an up-or-down vote in the United States
21 Senate or the United States House of Representatives; and

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23 WHEREAS, the REAL ID Act of 2005 thus imposes a national identification
24 system through the states, premised upon the threat to national security but
25 without the benefit of public debate and discourse,

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27 NOW THEREFORE,

28 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE
29 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

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31 THAT the Arkansas General Assembly urges the United States Congress and
32 the United States Department of Homeland Security to add critical privacy and
33 civil liberties safeguards to the Real ID Act of 2005 and to fully fund the
34 implementation of a system or suspend implementation of the REAL ID Act to
35 avoid the significant problems it currently poses to state sovereignty,
36 individual liberty, and limited government.

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BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Arkansas Congressional Delegation.