

## Coalition Letter to Representative Tom Allen re: REAL ID

Contributed by Coalition  
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February 26, 2007

The Honorable Tom Allen  
United States House of Representatives  
Washington, DC 20515

Dear Representative Allen:

On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, we write to express our strong support for your efforts to repeal the REAL ID Act of 2005. Repealing the law is one of LCCR's top legislative priorities in the 110th Congress.

Enacted with no hearings, with minimal debate, and rushed through Congress as part of an unrelated emergency appropriations measure, the REAL ID Act mandates drastic and expensive changes to the manner in which states produce drivers' licenses and other forms of ID. Because state ID cards that fail to comply with the law's requirements by May 2008 will no longer be accepted for any "official purpose" by any federal agency — including by the TSA at commercial airport security checkpoints, as well as in federal facilities such as courthouses and office buildings — the REAL ID Act will soon have a drastic impact on virtually every single American who drives or flies.

We strongly opposed the REAL ID Act — and have, since its enactment, become even more convinced that it is completely unworkable — for the following reasons:

- Even without DHS regulations, the National Conference of State Legislatures and the National Governor's Association have estimated that it will cost at least \$11 billion to carry out the requirements of the law in the first five years. It is almost certain that these costs will mean drastically higher fees for drivers' licenses, tax increases, ballooning state deficits, or cuts in other critical state expenditures — not to mention drastically longer waits at DMV facilities.
- The law requires states to verify each document (birth certificate, utility bill, passport, etc.) that drivers' license applicants use to prove their identity, with the agency that issued it. Less than 15 months before the deadline for compliance, states still do not have any helpful standards for what counts as adequate "verification," any uniform system for obtaining it, or any way to compel assistance from uncooperative agencies.
- The law requires states to determine the citizenship or immigration status of every applicant for an ID card. Yet states do not have the infrastructure to get this information, and state DMV employees simply do not have the expertise in immigration law — a subject that rivals tax law in its complexity — to interpret it in a fair and accurate manner.
- The law requires states to set up new computerized databases that share personal details of ID card holders with other states and the federal government. This must be done in a way that allows easy maintenance and error correction but which, simultaneously, protects individual privacy and prevents identity theft on a potentially massive scale. Yet since the law was enacted, DHS has flatly refused to guarantee privacy protections in the ID card itself or in the mandatory databases, on the basis that the REAL ID Act does not require any such protections.
- Because the REAL ID Act gives DMV employees the authority to determine whether someone is a citizen or noncitizen before issuing an ID card, it could easily lead to discrimination against U.S. citizens who may look or sound "foreign." Other citizens simply will not have birth certificates or other types of documentation required to get a REAL ID card.
- Because the REAL ID Act bars states from issuing REAL ID to noncitizens who cannot prove their lawful immigration status, and because immigration databases are notoriously incomplete and erroneous, many legally-present noncitizens could wrongfully be turned down. As a result, the law will drive countless numbers of immigrants further underground.
- Some states may provide "second-tier" licenses, as an alternative to REAL ID cards. Such cards will almost certainly be viewed with suspicion by police and other officials. In other states, the REAL ID Act will simply lead to more unlicensed, and, therefore, uninsured drivers on the roads — so even if the REAL ID Act made air travel safer, a very questionable assumption, it will make our roads more dangerous in the process.

The REAL ID Act was a poorly-conceived law that can never be made to work in any fair or reasonable manner. As such, we greatly appreciate your introduction of legislation to repeal it, and we look forward to working with you. If we can be of any assistance, please contact Rob Randhava, LCCR Counsel, at 202-466-6058 or at [randhava@civilrights.org](mailto:randhava@civilrights.org).

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National Co-Signing Organizations:

Alliance for Justice

American Civil Liberties Union

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County, and Municipal Employees

American Library Association

American Policy Center

Americans for Democratic Action, Inc.

Arab American Institute

Asian American Justice Center

Asian Law Caucus

Backbone Campaign

Bill of Rights Defense Committee

Brennan Center for Justice

Center for Democracy & Technology

Center for Financial Privacy and Human Rights

Center for National Security Studies

Church World Service/Immigration and Refugee Program

Citizen Outreach Project

Citizens Against Government Waste

Common Cause

Consumer Action

Council on American-Islamic Relations

Demos: A Network for Ideas and Action

Disability Rights Education and Defense Fund

DownsizeDC.org, Inc.

Episcopal Migration Ministries

Farmworker Justice

Hate Free Zone

Identity Project

Immigrant Legal Resource Center

Interfaith Refugee Action Team-Elizabeth

Japanese American Citizens League

Jewish Council for Public Affairs

Lambda Legal

Lawyers Committee for Civil Rights Under Law

Legal Momentum

Liberty Coalition

Mexican American Legal Defense and Educational Fund

NAACP

National Association of Latino Elected and Appointed Officials (NALEO)

Educational Fund

National Center for Transgender Equality

National Congress of American Indians

National Council of Jewish Women

National Council of La Raza

National Disability Rights Network

National Employment Law Project

National Gay and Lesbian Task Force

National Health Law Program

National Immigrant Solidarity Network

National Immigration Forum

National Immigration Law Center

National Korean American Service and Education Consortium

National Legal Sanctuary for Community Advancement

National Organization for Women

New Immigrant Community Empowerment

Patriots to Restore Checks and Balances (Bob Barr, Chairman)

People For the American Way

PFLAG

National Privacy Activism

Privacy Rights Clearinghouse

Puerto Rican Legal Defense & Education Fund

Republican Liberty Caucus

Service Employees International Union

South Asian American Leaders of Tomorrow (SAALT)

Southeast Asia Resource Action Center

Sweatshop Watch

The American-Arab Anti-Discrimination Committee (ADC)

The Arc of the United States

The Multiracial Activist

The Rutherford Institute

United Automobile Workers (UAW)

United Cerebral Palsy

United Food and Commercial Workers International Union

United Steelworkers

U.S. Bill of Rights Foundation

VelvetRevolution.us

Statewide and Local Co-Signing Organizations:

Águila del Norte Immigrant Justice Project Community to Community Development

Asian Pacific American Legal Center of Southern California

Coalition for Humane Immigrant Rights of Los Angeles

El Centro de Hospitalidad

Fairfax County Privacy Council

Florida Immigrant Advocacy Center

Greater New York Labor-Religion Coalition

Idaho Community Action Network

Kentucky Coalition for Immigrant and Refugee Rights

La Fuente, a Tri State Worker & Community Fund (New York)

Long Island Immigrant Alliance

New York Immigration Coalition

Washington Defender Association's Immigration Project

Western Washington Fellowship of Reconciliation