

By: Isett

H.C.R. No. 180

CONCURRENT RESOLUTION

1 WHEREAS, The REAL ID Act of 2005 was enacted by the United
2 States Congress as part of a broad supplemental appropriations
3 package relating to homeland security issues; the Act requires all
4 50 states to validate primary documents used to obtain a driver's
5 license or identification card and to issue licenses and ID cards in
6 a uniform, federally approved format if the licenses and cards are
7 to be accepted as identity documents by the federal government; and

8 WHEREAS, The total cost for the initial implementation of the
9 new regulations has been estimated to be \$9.9 billion, though to
10 date Congress has appropriated only a fraction for the effort;
11 given the expense of the program and the minor Congressional
12 contribution, the REAL ID Act is effectively an unfunded mandate,
13 as federally approved identification is required for a United
14 States citizen to board a commercial airplane, make transactions
15 with a federally licensed financial institution, enter a federal
16 building, or apply for federally supported public assistance, such
17 as Social Security; and

18 WHEREAS, In addition to unease about expense, provisions of
19 the REAL ID Act raise concerns about data security and possible
20 identity theft; the Act requires statewide databases to be
21 integrated and shared with the federal government, but does not
22 establish clear security standards for the network nor designate an
23 entity to control access to the system; and

24 WHEREAS, These ambiguities in the legislation make it more

1 likely that information about a driver's license or ID card holder
2 could be illegally accessed through another state's less secure
3 system, creating a vulnerability where none currently exists and
4 increasing the likelihood of the very threat the program was
5 designed to minimize; furthermore, some states' officials have
6 pointed out that their computer systems are not even capable of
7 verifying documentation as required by the Act; and

8 WHEREAS, The negative implications of the federal
9 regulations are raising concerns nationwide, with 43 states
10 currently considering legislation questioning, opposing, or
11 refusing to carry out the requirements of the REAL ID Act;
12 considering the obvious fiscal consequence to Texas and the
13 considerable flaws inherent in the federal requirements, it is
14 incumbent on the State of Texas to act likewise; now, therefore, be
15 it

16 RESOLVED, That the 81st Legislature of the State of Texas
17 hereby refuse to implement the federal REAL ID Act of 2005; and, be
18 it further

19 RESOLVED, That the Texas secretary of state forward official
20 copies of this resolution to the president of the United States, to
21 the speaker of the house of representatives and the president of the
22 senate of the United States Congress, and to all the members of the
23 Texas delegation to Congress with the request that this resolution
24 be officially entered in the Congressional Record as a memorial to
25 the Congress of the United States of America.