

# House Concurrent Resolution No. 24

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

1716H.011

1           **WHEREAS**, in May 2005, the United States Congress enacted the REAL ID Act of 2005  
2 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on  
3 Terror, and Tsunami Relief Act (PL 109-13), which was signed by President Bush on May 11,  
4 2005, and which became effective May 11, 2008; and

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6           **WHEREAS**, the REAL ID Act of 2005 was developed & enacted in an attempt to thwart  
7 terrorism; and

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9           **WHEREAS**, the REAL ID Act of 2005 was statutorily created as a voluntary program;  
10 and

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12           **WHEREAS**, in 2009 the Missouri General Assembly took action, protecting Missourians  
13 from Federal overreach and the obvious invasion of privacy from the provisions of the REAL  
14 ID Act. In 2009, the Missouri General Assembly enacted section 302.183, which prohibits the  
15 collection of biometric data and the Department of Revenue from amending procedures to  
16 comply with the REAL ID Act of 2005; and

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18           **WHEREAS**, surveillance on law abiding citizens was significantly increased during the  
19 Obama Administration's expansion of cell phone, email, and personal data collection and under  
20 the authority of the National Security Agency; and

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22           **WHEREAS**, in 2013 the Missouri General Assembly enacted section 302.189 to stop  
23 the Department of Revenue from collecting and requiring source documents from our citizens  
24 to procure a driver's license; and

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26           **WHEREAS**, the Federal government has recently resorted to using noncompliance as  
27 a tool to harass law abiding Missouri citizens, including restricting access to military installations  
28 and threatening to prevent citizens' ability to board aircraft and travel commercially; and

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30           **WHEREAS**, the REAL ID Act of 2005 has been ineffective in preventing terrorism or  
31 safeguarding the American public in states that have fully complied with the act; and

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33           **WHEREAS**, in Missouri, privacy is held in high regard by our citizens and legislators  
34 alike. In 2014, Missourians adopted Constitutional Amendment No. 9 by an overwhelming 3  
35 to 1 margin, protecting citizens' electronic data or effects in the same manner as citizens'  
36 historical effects are protected:

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38           **NOW THEREFORE BE IT RESOLVED** that the General Assembly of Missouri  
39 maintains the REAL ID Act of 2005 is a direct assault and infringement on the constitutional  
40 rights of our citizens as guaranteed in, but not limited to, Article I, Sections 8, 9, and 10 of the  
41 United States Constitution, as well as the first, fifth, ninth, and tenth amendments of the United  
42 States Constitution, historically referred to as the Bill of Rights; and

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44           **BE IT FURTHER RESOLVED** that the General Assembly of Missouri is adamantly  
45 opposed to the coercion of the federal government and the Department of Homeland Security in  
46 the implementation and execution of the REAL ID Act of 2005; and

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48           **BE IT FURTHER RESOLVED** that the General Assembly of Missouri is committed  
49 to the protection of our citizens' constitutional rights; and

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51           **BE IT FURTHER RESOLVED** that the members of the House of Representatives,  
52 Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein,  
53 recognizing that the REAL ID Act of 2005 has proven ineffective in protecting our citizens from  
54 the threat of terrorism and is a considerable, intrusive, and unnecessary invasion into the private

55 data and information of our law abiding citizens, do hereby urge the Federal Government to  
56 repeal the Real ID Act of 2005, allow our citizens with a valid Missouri identification to access  
57 military installations, and instruct the Transportation Safety Administration and other security  
58 agencies that citizens possessing a valid Missouri identification are allowed to access Federal  
59 building and travel commercially; and in the event that any of the preceding does not occur,  
60 would further urge the Department of Homeland Security to grant a permanent waiver for the  
61 State of Missouri, while we continue protecting our citizens and their privacy in noncompliance;  
62 and

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64 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
65 Representatives be instructed to prepare properly inscribed copies of this resolution for the  
66 President and Vice President of the United States, the President and the Secretary of the United  
67 States Senate, the Speaker and the Clerk of the Unites States House of Representatives, and each  
68 member of the Missouri Congressional delegation.

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