

Testimony of Aaron Bolinger
(Venango County, Pennsylvania)

Before the
Pennsylvania House of Representatives
Intergovernmental Affairs Committee
Hearing on Real ID
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Pittsburgh, Pennsylvania

Honorable Chairman, distinguished committee members, ladies and gentlemen, I thank you for the opportunity to present this day a negative view on Real ID. Coming at this from my background, I ponder in amazement that such a discussion would even be possible in the United States of America.

When Real ID first hit my radar, I was engaged in bible translation and other ministerial pursuits. On discovering the Real ID Act of 2005, I began researching its moral and theological implications for our people, and uncovered some truly astonishing facts.

Real ID has somehow created the most interesting coalition of political partner-opponents ever united against a common enemy. (See appendix 1) I struggle to think of any political issue that could bring together Jewish, Catholic and Protestant faith models. Even normally a-political theologies such as the Amish and Mennonite communities are in the mix against Real ID.

To see theological minds sitting at a table with lobbyists of the American Civil Liberties Union discussing how to best attack the common adversary of Real ID – that my friends is precedent setting. You are in a truly once-in-a-lifetime seat today.

But even outside of theology, wildly diverse views from groups comprising left and right wings of politics are standing united. Concerned Women for America working with the National Organization for women? What in the wild world of sport politics hath Washington wrought with this one? The Southern Poverty Law Center agreeing with the League of the South? People for the American Way allied with the Gun Owners of America? The Service Employees International Union working hand in hand with the John Birch Society? We can only shake our heads in amazement.

What is it about Real ID that has lit such a fire under so many people?

My father's generation did not fight Nazi Germany to have "May I see your papers, please?" become a trade-mark of law enforcement in this nation. That is just the beginning.

In the first hearing of this Committee, PennDOT official Kurt Meyers was asked a question about the state Constitution and Real ID. He replied that he was not a "constitutional expert." A follow up question for him might be to ask how long it has been since he picked up a copy of either the PA or the federal version and read it? There is some fascinating reading in there. I encourage Mr. Myers, and other state officials, to become familiar with our State Constitution. Having taken oaths to it, you should boldly proclaim expertness, Mr. Meyers. You are messing with the religious and civil liberties of our people when you blindly endorse such nonsense as Real ID.

Laws are made by governments to restrain people. Constitutions are written by people to restrain governments. Let's keep that in mind. We are asked to live by tomes of your laws. We ask that you live by ours. Become an expert, Mr. Myers.

The driver's license was not intended to be a glorified form of national or even international identification. It is a document issued proving that a person showing up in a Transportation office has taken tests proving their basic competence to operate an automobile. That's it. That document should NEVER contain federal identification numbers such as Social Security, nor other pieces of unique, personal data that can be compromised in large-scale databases.

And to discover that quietly, behind the scenes, PennDOT has already been biometrically tagging and identifying our citizens with high-resolution photography as part of a \$45.5 million deal with the Viisage Corporation is nothing short of incredible. According to DHS and PennDOT, 11 of the 18 planks of Real ID are already part of the driver's licensing process in this Commonwealth.

That, ladies and gentlemen, is just plain WRONG. The decision whether or not to even participate in Real ID has yet to be made by our policy-making body – this General Assembly. To discover that official Washington is commandeering our internal policing, and that PennDOT is running an end-around our legislature to enable it, is unconscionable – and yet another discussion that should not even be possible. With two bills pending that would prohibit Real ID, and both sides of the Assembly passing resolutions to Congress against it, how is it that PennDOT can see fit to make our state compliant? Again, a question that should not even be capable of being asked.

Funding for police-state surveillance tactics with our law-abiding citizens as the targets should be removed from PennDOT immediately – or at least until the Assembly of our people's representatives have concluded that monitoring the every movement of our people and collecting such personal information on them is even part of the plan for this Commonwealth.

This committee is making a herculean effort to travel from corner to corner of Pennsylvania in an attempt to make public knowledge what the repercussions will be if our state “opts out” of Real ID. Indeed “Intergovernmental Affairs” members are in the unique position of balancing the scales of constitutional rights along with the compelling interests of both state and federal authorities. You folks are, or SHOULD be, a constitutional shield between the people of this state and bureaucrats in PennDOT as well the federal establishment. I ask you all to become constitutional experts, and see if it is right to sacrifice the liberties of those who do not fly on airplanes on the alter of those who do.

If those without a so-called “Real ID” cannot board an airplane, so what? Let the airlines fight the corporate battle with Washington over it. DO NOT compel the vast majority of people of this state to lose their 4th Amendment right so the rich folk who jet set around can do so a bit faster. That is just plain ridiculous. What percentage of the people of this State fly airplanes at least once a year? 5? 10? Would we sacrifice the liberties of 90% of the public to make an “easy pass” lane for the other 10 at the boarding gates of jets?

Did PennDOT make a similar effort to tour this Commonwealth to alert the public about the beginning of the collection of biometric photographs when the people renew or obtain a driver's

license? Where is informed consent? This has been going on, according to the PennDOT/Visage contract, since at least June of 2006! And L-1 Identity Solutions is now boasting to their shareholders about converting thousands of “legacy” images from state data banks every day.

When applying for or renewing a driver’s license, does PennDOT give a person an option whether or not to have their photo included in an international database? Or are the serfs not allowed to make this decision on their own? Does the Nanny State mentality within the PennDOT bureaucracy think they know best?

The former PennDOT Secretary for Security and Administration responsible for this was one Betty Serian. Among anti-Real ID activists, she has become known as “Biometric Betty.” She is now working with the American Association of Motor Vehicle Administrators, encouraging states to use Homeland Security grants to promote these new-fangled driver’s licenses. I say the Assembly should send a letter to Congress, signed by all members of this Committee, telling them to keep their slavery money, and instead take the \$45.5 million FROM PennDOT and publish information in the papers about how Congress would DARE try to commandeer this State’s DOT!

Most people believe the photo taken of them is just put on a fancy, iridescent card and shoved in their wallet. Do they understand that under international treaties, and with the guiding hand of the ICAO and the AAMVA, that their BIOMETRIC PICTURE and other personal data is going out there for all of North America, including Mexico, to access? The FBI is reportedly spending another \$1 billion of federal money on this biometric collection.

No wonder the women’s rights groups are fuming. No wonder the Mennonites are alarmed. No wonder people who study this are in fear for their lives, and for their children. And small wonder that America’s Veterans are blowing gaskets over it. It should never even be capable of being discussed – NOT IN AMERICA, and certainly not in the former Penn’s Woods!

In previous hearings on Real ID in this Commonwealth, Darryl Williams of Homeland Security raised “security” concerns, and as is typical of Washington, has invoked the disaster of 9-11-01 as rationale for surrendering our state and individual liberties.

The Constitution uses the word “secure.” But in that document, the right of the people to be secure FROM government is the context. Under the pretext of 911, government is now asking to be our security blanket – when all the defense agencies in Washington were not capable of preventing 911 in the first place. Personally, I feel more secure with LESS government. Instead, we have yet another agency boondoggling with idiotic, police-state forms of Identification documents. I would like to see Mr. Williams’ papers? I don’t think he knows much about our Constitution either.

I wonder if Mr. Williams, and DHS et. al, is aware of the fact that of the 19 alleged hijackers, at least 7 of them have been proven still alive and wondering about the planet? He says that phony identifications were obtained as a result of lax state security procedures. Yet if the supposed hijackers with fake ID's weren't really on the planes, then what? The whole reason for "may I see your papers, please?" goes out the window.

If the very document released by the Keen-Hamilton Commission is a "571 page lie," then why are we subjecting our nation to the Military Commissions Act, the Patriot Act, extensions of the FISA inquisitions, and of course, Real ID?

Osama Bin Laden has not passed these laws contrary to our religious and constitutional rights – only Congress and our states do such things. So who is the greatest potential enemy of liberty? Throughout history, mankind's greatest enemy has always been their own governments. The pattern is repeating. This Committee can STOP IT, here and now.

Real ID is not about security – it is about making money and controlling our citizens.

First, the money component. L-1 Identity Solutions, the parent company of Viisage (that has the PennDOT contract) has some very interesting members on their Board of Directors. Imagine people like former CIA chief George Tenet, and former #2 man at DHS, Admiral James Loy, now profiting as shareholder/directors of L-1. Though he later left the company, even Louis Freeh, former head of the FBI, left government and became a party to the L-1 clique.

To push for Real ID while in office, then join the company supplying this technology to the states – well, ladies and gentlemen, that just smells to high heaven. And heaven forbid this Commonwealth to partake in this cabal's fascist plan for us.

Maybe it would be more appropriate for Chairman Thomas to subpoena a collection of federal officials, asking them to account for their failures on 9-11-01, and to inquire as to what REALLY happened on that morning. Perhaps the former CIA, DHS and FBI chiefs should answer to questions about profiteering from terrorism via their positions on L-1's Board of Directors. Maybe Mr. Williams should be registered as a lobbyist, to promote L-1's business interests in this Commonwealth, instead of being allowed carte blanche to lie to our people about the "benefits" and "security" of a "Real ID" card.

It also appears a number of people had foreknowledge of the 911 attacks, and then placed "put options" on certain airlines just before the events of that day. So far, no one has been held accountable for that. In Washington, incompetence is greeted with reward.

As for the control grid, it should be obvious to anyone alive that Real ID is about giving federal intelligence agencies and certain elite corporations carte-blanc access to the private information of our citizens. The "common, machine readable" technology being built into these proposed, new licenses enables all sorts of high-tech control mechanisms over our people. Gun

rights groups recognize that it is only a short trip to requiring this card for purchases of guns from federally licensed dealers. Medical professionals recognize it will be possible to swipe the card for prescriptions and medical records. ATM cards could be replaced with the driver's license in the near future.

And what happens when all this medical, biometric, financial and other information gets hacked in a computer system, someone in Mexico cleans out your bank account, and obtains your medication from the pharmacy? Will Mr. Meyers here personally intervene to get your money back and your medications replaced?

Identity theft is already a massive problem. With Real ID, the stakes continue to climb as the amount of information shoved into these data bases rises with it.

As for elected officials who must wrestle with Real ID, the choice seems pretty obvious. The only people pushing for Real ID are those who stand to gain something from it – either the federal agencies who want to snoop into the private affairs of every individual, or the corporations who will financially gain by the sales of technology to the states. Ask the legal question, “que bono?”

On the other side, civil libertarians, theologians, women's rights groups and dozens of activists from left and right, black and white, Republican and Democrat, third parties, and all other forms of intelligent life agree that Real ID is a Real Nutty idea.

Recently coming into the coalition are animal rights activists. It has been discovered that those who wish to implant RFID chips into everything from chickens to dogs to horses are the SAME PEOPLE who sought to include RFID chips in our driver's licenses, and even hospital patients. Opponents of the National Animal Identification System (NAIS) have joined forces with anti-Real ID factions. And though DHS rescinded their previous request for RFID chips to go into these new-fangled driver's licenses, there is no question whatsoever that eventually RFID will mission-creep back into future editions of their regulations. What they cannot obtain today, due to public and state objections, they will reach for again tomorrow. The only thing that makes sense is defeating Real ID, by law, in this jurisdiction.

The American Library Association also recently chimed in, stating about Real ID :

The legislation was poorly conceived, enacted with minimal debate and is generally considered unworkable, expensive, and unfair. In addition, it creates new security and identity theft risks and presents civil liberties, especially privacy concerns. The Act requires the collection of large amounts of personal data, but lacks adequate privacy safeguards; it turns DMV employees into immigration officials; it exceeds 100 times in cost what Congress initially estimated, and instead of increasing security actually creates a greater security risk.

That pretty well articulates the situation. But PennDOT wants all these new technology toys.

From the American Bar Association to the Washington Association of Churches, you are on solid ground by refusing Real ID for the Keystone. Legislators who resist Real ID can come out heros to the people who elected you.

Furthermore, many of our sister states are looking here for the example. Montana & South Carolina might be expected to buck Washington. The action we take, however, might be a bit more significant in the national arena. Will we stand with those courageous Sister States against this Empirical identity crisis, or will our leaders stumble blindly into the ditch?

I commend Chairman Thomas for articulating, in the Harrisburg Real ID hearing, that this State's request for a time extension was NOT to be construed by official Washington as an indication that we are going to implement Real ID. Contrariwise, I can only chastize PennDOT for being 11/18ths there before this Assembly has properly heard and considered the Anti-Real ID bills now before it. However, the political solution is a simple one.

First, we the people must bear a large part of the responsibility for not coming forward sooner. Secondly, the legislature must accept responsibility for not properly directing PennDOT. And finally, PennDOT can say they simply were doing what they thought they had to do, absent a clear policy statement, by law, from this Assembly. We all bear a piece of the burden. But we can undo the damage by dumbing down the high resolution, biometric photographs. We can destroy that data base to protect the rights of the people. And we can all learn a hard lesson about handing the federal government a hankie every time they sneeze.

Give freedom a chance once again. Stop spending on the technology needed to monitor every American from cradle to slave. Station our troops at the southern border. That would be a REAL solution to immigration and other related problems.

On their behalf, I will say that the recent DHS regulations on Real ID evinces a kinder, gentler breed of tyranny. But I also agree with the ACLU who asserts that these new regulations are akin to rearranging the deck chairs on the Titanic. Let's torpedo the sinking Real ID ship one more time, and get it over with. This legislature – THIS COMMITTEE – should act in its fullest sovereign capacity, and stand as a shield between the feds and our citizenry.

The thousands of pages of state criticisms aimed at Real ID's original scope seems to have had only a marginal effect on this Administration. However, and to their credit, Congress recognized their original error, and thus far have not come even close to fully funding Real ID's implementation. Bully for them. This Commonwealth should chide their US Senators for not heeding our resolutions to Congress demanding Real ID's repeal. To that end, I have drafted a model US Senate Accountability Act (see Appendix 2) that this Committee should introduce jointly and pass as an example to Congress that they cannot ignore the 4th branch of federal power – our great sovereign states that created the Federal Government in the first place. Shame

on Congress for ever passing Real ID, the Patriot Act, FISA, the Military Commissions Act, and other such nonsense. This Committee should pass out HB 194, HB 1351, and HR 278 ASAP, sending further messages to Congress that our State's internal policing will not be trampled under their jack boots.

In summary, Real ID has all the elements of the Nanny State run amok. It is an affront to the religious and civil liberties secured by both the Pennsylvania and federal Constitutions. That giant sucking sound is \$45.5 million already going from Pennsylvania's people via a PennDOT conduit into Billerica, Massachusetts, the home-base of Viisage. We are asking our children and grandchildren to pay the debt incurred by the borrowing needed to comply with this unethical, police-state identification system that is neither authorized, necessary nor proper under our Constitutions.

Whatever the consequences for non-compliance, I am willing to pay it on a personal level. If I can no longer board an airplane, so be it. That is a small price to pay for liberty. If I can no longer drive a car, so be it. I will get a horse and live as many Mennonites already live. No big deal. Just don't send in the Agriculture Gestapo to attempt chipping my horse, or my chickens.

As representatives, you have hard decisions to make. Are you willing to give up your liberties, and surrender those of your constituents, to make official Washington happy? The only reason Real ID appears to be constitutional is because it is VOLUNTARY. I ask the legislators of this state to simply decline to volunteer. Revoke the PennDOT appropriations for the Real ID components of the Viisage contract, destroy the existing biometric database, and replace those officials within PennDOT who would treat our biblical & civil liberties so lightly.

Send the feds packing, and may the memory of the peaceful Quaker, William Penn, guide your decisions when you make those of this magnitude. Is there nothing better to with \$45.5 million than pay for our own enslavement? Seems to me that amount of PennDOT pavement would patch a pack of Pittsburgh potholes!

Finally – perhaps there is a Divine hand steering the American ship of state in this international arena, and Providential Judgement coming upon certain people of the world. If that be true, we must deeply and succinctly ask yet another question of ourselves. If the Author of the world will Judge nations, who then will help us when He pronounces yet another Judgement on leaders who have both abandoned and forgotten His people here? Implementing Real ID amounts to persecuting those with biblical models of faith. I would not want to be on the receiving end of His rod of judgment for doing such a thing in this Commonwealth.

Respectfully,
Disciple Aaron Bolinger of Venango County

(Appendix 1)

Opponents of Real ID: A Partial List

The following organizations, either via official position papers or commentary, express at least some sense of objection to the implementation of the Real ID Act of 2005. As such, legislators can see that this opposition is a broad spectrum of the American people, and contains groups from both the "left" and "right" of political thought, as well as crossing partisan boundaries. When such a diverse collection of people stand united for or against any subject, it is a sure bet that the constituents in any given legislative district likewise hold strong and similar views. The Real ID Act is opposed by the vast majority of Americans. Even doing a web search for "Real ID Act" shows that for every supportive article there are nearly 500 opposed.

American Bar Association	Jews for Racial and Economic Justice, New York
American Civil Liberties Union	John Birch Society
American Conservative Union	Leadership Conference on Civil Rights
America: Freedom to Fascism	League of the South
American Friends Service Committee	Lutheran Social Ministries of NJ
American Jewish Committee, National	Liberty Coalition
American Policy Center	Mennonite Central Committee, Pennsylvania
Ancient Order of Hibernian	Mexican American Legal Defense and Educational Fund
Bill of Rights Defense Committee	National Association of Latino Appointed and Elected Officials
Catholic Charities, Hawaii	National Center on Domestic and Sexual Violence
Catholic Charities, West Virginia	National Coalition Against Domestic Violence
Catholic Charities Immigration Clinic, Mississippi	National Law Center on Homelessness & Poverty
Catholic Conference of Kentucky	National Organization for Women
Catholic Immigration Network, Massachusetts	National Taxpayers Union
Catholic Legal Immigration Services, Washington DC	Navaho United Methodist Center, New Mexico
Catholic Social Services, Alaska	Our Lady of Victory and Sacred Heart Churches, California
Center for American Progress	People For the American Way
Center for National Security Studies	Presbyterian Church (USA), Washington DC
Citizens Against Government Waste	Privacy Rights Clearinghouse
Competitive Enterprise Institute	Religious Action Center of Reform Judaism, National
Consumer Action	September 11 Families for Peaceful Tomorrows
Electronic Frontier Foundation	Sikh Coalition, NY
First Presbyterian Church, North Carolina	Southern Poverty Law Center
Florida Catholic Conference	Union for Reform Judaism, National
Gun Owners of America	United Methodist Children's Home, Alabama
Interfaith Refugee and Immigration Ministries Illinois	U.S. Bill of Rights Foundation
Jesuit Refugee Service	U.S. Committee for Refugees and Immigrants
Jewish Community Action, Minnesota	Washington Association of Churches, Washington
Jewish Labor Committee, National	
Jews for the Preservation of Firearms Ownership, Inc. (JPFO)	

(Appendix 2)

Model United States Senate Accountability Act

WHEREAS, the Constitution for the United States of America, at Amendment Seventeen, specifies that United States Senators are "elected by the People" (Clause 1). Said Constitution, in Article V, further states that "no State, without its Consent, shall be deprived of its equal suffrage in the Senate;" and

WHEREAS, Nothing has altered the constitutional responsibility of the United States Senate to be the voice of the states in the federal government. Even though popularly elected following the enactment of the 17th Amendment, United States Senators are, in fact Representatives of the State Legislature of the State from which they are elected, and as such, accountable to the same for their conduct. The will of this General Assembly is to be expressed in the federal government by and through the two United States Senators elected by the People thereof.

BE IT THEREFORE ENACTED by the General Assembly of the Commonwealth of Pennsylvania that the two United States Senators from the Commonwealth of Pennsylvania are forever hereafter summoned to appear before a joint session of this General Assembly each year on the (insert date and time); and be it further ENACTED, that the purpose of this joint session is to exchange information by and between the Commonwealth of Pennsylvania and the United States Congress through its duly elected United States Senators; and be it further

ENACTED, that a joint standing committee is hereby established consisting of 10 members of the House of Representatives and 6 members of the State Senate, and the presiding officer of each House. Such committee shall be styled the "Joint Standing Committee Pertaining to the United States Senate." Upon convening, the members of the said Committee shall appoint two co-chairs, one from each House of this General Assembly; and be it further

ENACTED, that not later than thirty calendar days prior to this annual meeting the United States Senators shall provide to this Committee certified copies of their most recent calendar year voting record on all bills and resolutions on which they voted while serving in the United States Senate, certified copies of the said bills and resolutions, and copies of each bill and resolution known to be under consideration in the Congress of the United States in the immediate upcoming calendar year; and be it further

ENACTED, that each United States Senator shall be eligible to speak to the Assembly to discuss the actions of the Congress of the United States as they pertain to the relationship of the several States to the Federal system, to discuss pending legislation of the United States Congress as it pertains to the same, to justify their actions and voting record as they pertain to the Commonwealth of Pennsylvania and the General Assembly and citizens thereof, and to discuss other matters the Senators wish to convey to the General Assembly; and be it further

ENACTED, that the Presiding Officers of both Houses of this State's General Assembly shall convey to the United States Senators copies of any and all resolutions passed by this General Assembly expressing the ideas, senses or desires of this General Assembly for introduction into the Congress of the United States. The presiding officers of both Houses of the Commonwealth General Assembly shall direct said United States

Senators to introduce and support any such measures to benefit the General Assembly and People of the Commonwealth of Pennsylvania; and be it further

ENACTED, that the first occasion of this annual meeting will occur not more than 90 days following the passage of this act (said date to be provided for by a subsequent resolution), and will then occur on the date and time herein provided for each year forever hereafter; and be it further

ENACTED, that forever hereafter the Senior United States Senator shall maintain routine contact with the co-chairs of the Special Joint Committee Pertaining to the United States Senate for the purpose of ascertaining the sense of this General Assembly as it relates to legislation pending before the Congress Assembled, and treaties and appointments before the United States Senate. To the end that the General Assembly's wishes be represented in the United States Senate, the Special Joint Committee shall, from time to time, poll the members of this General Assembly to ascertain their position on pending considerations before the United States Senate, and convey the results of such polls to the Senior United States Senator from the Commonwealth of Pennsylvania; and be it further

ENACTED, that failure to comply with the directives of this Act by any United States Senator shall constitute nonfeasance of office by the offending United States Senator, and upon conviction thereof in the Circuit Court located in the State Capitol of Harrisburg, said United States Senator shall immediately vacate his/her said office in the United States Senate, and such position shall be filled according to the terms and conditions of Clause 2 of the 17th Amendment to the Constitution for the United States of America; and be it further

ENACTED, that the Joint State Standing Committee Pertaining to the United States Senate be directed to review the performance of each member of the United States Senate from the Commonwealth of Pennsylvania, and to evaluate such performance and voting records to ascertain the member's compliance to his or her Oath of Office and to the terms and conditions of the Constitution for the United States of America. When the record indicates a member has introduced or voted in favor of a bill or bills determined by the committee not in conformity to the Constitution for the United States of America, the Committee shall issue a report to the General Assembly of this State signifying the same. Upon a concurrence of a majority of the members of both Houses of this State's General Assembly, the presiding officers of the Pennsylvania House and Senate shall direct the Attorney General for the Commonwealth of Pennsylvania to bring quo warranto proceedings against said United States Senator. In the absence of a valid response to quo warranto, the Senator shall vacate his seat in the United States Senate, and the Attorney General shall bring criminal charges of Violation of Oath as provided for in the _____ Annotated Code, Article __, Section _____. Any position created by removal from office shall be filled according to the terms and conditions of Clause 2 of the 17th Amendment to the Constitution for the United States of America.