

STATEMENT OF THE NATIONAL IMMIGRATION LAW CENTER

**Ill-Considered, Inflexible REAL ID Act Will Harm
Non-U.S. Citizens and U.S. Citizens Alike**

May 12, 2005

The REAL ID Act is sweeping and radical anti-immigrant legislation masquerading as an anti-terrorism measure. It undermines fundamental U.S. values as well as critical protection of national security, and was passed by the House of Representatives and the Senate without hearings, testimony, or public discussion of its extreme consequences.

REAL ID's rigid and unworkable driver's license and identification card provisions will prevent many immigrants (both documented and undocumented) and U.S. citizens from obtaining driver's licenses and IDs. It runs roughshod over states that issue licenses regardless of immigration status as a matter of public safety or that take a rational and practical approach to which domestic and foreign documents they will accept to prove identity.

Driver's license and ID rules should promote issuance of documents that accurately reflect the identity of the bearer. But preventing drivers from obtaining licenses and IDs has the opposite result and will fuel a black market in false documents. Moreover, the REAL ID Act also *requires* an unfettered electronic sharing of each state's motor vehicle database with all other states. This will prove to be a boon to thieves of the identities of immigrants and citizens alike.

The REAL ID Act will make it harder for people fleeing persecution to be granted asylum in the U.S. It also shields immigration decisions from judicial review by stripping the courts of jurisdiction over habeas corpus, mandamus and All Writs Act jurisdiction. This is wrong. Access to our legal system and protection of people fleeing persecution are traditional American values, and justice is not served when injustice is hidden from public view.

"Measures like the REAL ID Act erode rather than promote our national security. We'll be less safe if we succumb to dishonest scare tactics promoting agendas that have nothing to do with preventing terrorism," said Linton Joaquin, NILC's executive director.

Far from solving problems, the REAL ID Act adds to the problems of our immigration system and needs to be repealed, as will become increasingly evident as the law's implementation moves forward. The immigration system is broken, but it won't be fixed by further shattering the hallmarks of a democratic society. Rather, we need comprehensive immigration reform based on economic and social realities and our societal values.

FOR MORE INFORMATION, CONTACT

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