

Missouri appears most entrenched holdout on Real ID mandates

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By KATIE KULL

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JEFFERSON CITY, Mo. (AP) — Some Missouri lawmakers are so concerned about stricter driver's license requirements mandated by the federal government that they're determined to defy the standards, risking new hassles next year for residents trying to fly or enter military installations.

Of the handful of states that haven't fully enacted key provisions of the 2005 Real ID Act, Missouri appears to be the most entrenched holdout as it doesn't even offer residents an enhanced ID to circumvent some of the potential penalties for noncompliance. Besides the new license standards, the federal law — approved in the wake of the Sept. 11, 2001, terrorist attacks — requires states to keep a database with original source documents such as copies of birth certificates and license photos.

Former Missouri Gov. Jay Nixon, a Democrat, signed a measure in 2009 that prohibits the state from complying with the federal law, citing privacy concerns. He later changed his position and encouraged lawmakers to pass a compliance measure. But this year's proposal hasn't reached a vote on the Senate floor even after the GOP-led House passed it in March.

Starting Jan. 22, Missouri residents would not be able to use their state-issued licenses to board an airplane. They're already barred from entering federal facilities, including military bases. Some places, including Ft. Leonard Wood in Missouri, allow people to use a noncompliant ID with extra identification such as a birth certificate or Social Security card.

The U.S. Department of Homeland Security's website lists only four states including Missouri that haven't yet complied or been granted an extension for taking steps to comply with the law.

Maine and Montana recently passed legislation that brings them one step closer to meeting federal standards, and Minnesota gives people the option to apply for an enhanced ID that would allow them to fly and enter federal facilities.

Blue states such as Minnesota and Washington delayed passing Real ID over concerns about a clause denying licenses to undocumented immigrants. The opposition in red states, such as Missouri and Montana, has largely stemmed from privacy issues.

Most Missouri lawmakers say they've been feeling the heat this year from residents in their districts concerned about whether the state's inaction will affect their ability to board an airplane next year. But a cohort of conservative lawmakers have stood firm against a proposal that would allow people to choose whether they receive a compliant or noncompliant license.

Republican Sen. Will Kraus, one of the state's staunchest opponents of the Real ID Act, said that the federal government is presenting people with a "false choice" for whether they should relinquish their documents. In the Real ID law, the federal government left it up to the states to decide whether to issue compliant licenses.

Kraus said that punishing people for not complying essentially forces them to change the rules.

"If a terrorist had a gun on two people that you loved and said, 'You choose (who I shoot).' Is that a choice?" he said. "The federal government is saying give us your documents, give us your paperwork, or you can't fly on an airplane. It's a false choice."

He also raised concerns about creating another database that could be used as a "one stop shop for identity theft" for people's personal source documents.

Some House members were so opposed to the measure that one lawmaker, Republican Rep. Robert Ross proposed an amendment requiring lawmakers supporting Real ID to declare on future election documents that "I WOULD RATHER KNEEL TO THE FEDERAL GOVERNMENT THAN STAND STRONG PROTECTING MY CONSTITUENTS' RIGHT TO PRIVACY."

Supporters of the proposal said that people will have an option to preserve their privacy — to decide whether to apply for a Real ID compliant license and put their information into a database, or to receive a noncompliant ID and use alternative identification to board airplanes and enter federal facilities.

Lawmakers have reached out to President Donald Trump and signed petitions encouraging the Missouri attorney general to push a rules change. But that's not likely to happen before the January deadline, Kraus said.

Sen. Ryan Silvey, who sponsored the proposal, said in a floor debate that while people may have concerns over the freedom to fly without an enhanced ID and qualms about federal overreach, forcing people to endure hassles isn't the best solution.

"The ultimate freedom is to choose for yourself — not to be bound by the decisions of those sitting in this room," Silvey said.