

DOUG MacEACHERN  
EDITORIAL WRITER



## A look back at real history of Arizona's REAL ID bill

**T**he Arizona Legislature's 2015 journey of self-discovery and enlightenment about the true meaning of federal mandates actually began seven years earlier — in 2008, when Janet Napolitano was governor, the Great Recession had not yet had its way with the Arizona economy, and sunshine bathed the Earth.

It was a time of innocence.

The general fund budget then was \$10.6 billion, the state's highest ever. The governor and Republicans had just passed a \$500 million tax cut. The state bank accounts still had most of a \$1.5 billion surplus from 2006 sitting around gathering interest and waiting to be spent.

And everyone felt really confident about telling the federal government to go hang itself over this new Department of Homeland Security requirement that all state-sanctioned forms of ID, including drivers' licenses, needed to meet federal fraud-proof standards.

After many years of rubbing elbows with Republican legislative leaders, the Democratic Gov. Napolitano by 2008 had "gone native." In addition to passing tax cuts, she was scoffing, GOP-ishly, at the feds' so-called REAL ID proposal: "Just another unfunded federal mandate," she sniffed after the Legislature overwhelmingly passed a proposal that forbid complying with Washington's anti-terrorism ID plan.

Despite actually having signed an agreement in 2007 with the federal DHS to initiate compliance with the REAL ID requirement, Napolitano a year later chose to flex her states-rights muscles, instead. And why not? Democrats as well as Republicans were piling on in opposition to what they all deemed an obnoxious federal demand.

It wasn't just conspiracy types like Sen. Karen Johnson, who refused "to buy that terrorists took the twin towers down." Johnson insisted (with lots of company) that REAL ID was just the first step toward the much-despised plan for a national ID card that would

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THE ARIZONA REPUBLIC  
Even Janet Napolitano could wag her finger at the federal government back in her days as governor of Arizona.

# MacEachern

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track every freedom-loving Arizonan's move, from Kingman to Quartzsite. Democrats were talking that way too.

As written by Johnson, House Bill 2677 was a fire-breathing, paranoid work of art.

Not only did it forbid REAL ID cards from being issued, it invited state bureaucrats to turn on their federal counterparts, like prison snitches selling each other out for cigarettes: State employees, the bill said, were to "report to the governor and the Legislature any attempt by agencies or agents" of Homeland Security to enact the REAL ID plan in some backdoor way.

No, it was Democrats, too, many of whom saw rejecting REAL ID as an opportunity to prove that they did not jump on every federal-mandate bandwagon to issue forth from Washington.

The bill was co-sponsored by then-Rep. Kyrsten Sinema, who at the time was the darling of local liberals, and then-Rep. Russell Pearce, who soon

would push through the most notoriously anti-immigrationist state legislation of all time, Senate Bill 1070. The founder of the Arizona branch of the radical anti-war group Code Pink and the John Birch Society's best pal, like, ever, joining arms against the feds. What days those were.

The legacy of HB 2677 is even more abundant of lollipops and unicorns than that. It actually may have represented the pinnacle of bipartisan, liberal-conservative comity in all of Arizona, not just at the Legislature.

Try imagining this happening today:

An American Civil Liberties Union representative who worked with Johnson on the bill's language, Mary Lunetta, exulted once HB 2677 passed that "I think Real ID is done in Arizona." She was joined in that celebration by Michael Hough, who was described in news reports at the time as a coordinator for the conservative American Legislative Exchange Council.

"Even the (George W. Bush) administration has backed off of implementing Real ID," Hough said. "It's not going to happen as it stands now."

Yes. The uber-liberal ACLU and ALEC, that notorious tool of the Koch Brothers, working together to foil a plan

of the federal government. Lambs and lions lying together is right.

Shortly after Napolitano signed HB 2677 on July 18, Homeland Security officials began responding to the bad news from Arizona with warnings that, yeah, we really do mean it. We really are going to do REAL ID.

A Homeland Security spokeswoman (who, ironically, would be working for newly appointed DHS Secretary Napolitano months later) said "the rules are clear," and warned that, pretty soon, Arizonans without federally sanctioned ID would not be allowed into federal buildings or even to board airplanes.

Arizonans, rebels that they were, sniffed at that, too. Dan Pochoda, then legal director of the American Civil Liberties Union of Arizona, laughed at the idea of Arizonans being refused entry into federal buildings and onto airplanes once the federal deadline passed in 2009: "I can guarantee that 25 percent of airline travelers will not be banned from the purchasing of airline tickets in 2009."

And he was right. Arizonans did not start being turned away from federal buildings for lack of proper ID until 2015.