

# Legal Analysis: REAL ID Is Unconstitutional and Coercive

*CCHF-Commissioned Analysis Finds 10th Amendment Violation, Threat to Citizen Privacy*

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EINPresswire.com/ -- Citizens' Council for Health Freedom (CCHF) is releasing a commissioned [legal analysis](#) of the REAL ID Act. Authored by Scott St. John, Esq., former Solicitor General of Louisiana, the analysis concludes that

the 2005 federal law violates the U.S. Constitution's 10th Amendment, imposes billions of dollars in unfunded mandates on the states, and endangers citizen privacy through a nationalized identification and data collection system.



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*Twila Brase, RN, PHN, CCHF  
Co-Founder and President.*

St. John's well-cited legal analysis explains how the REAL ID Act coerces states into implementing an unconstitutional federal identification system: “The REAL ID Act presents a novel form of coercion: if a State doesn't implement an expensive, privacy-destroying policy, that State's citizens must obtain a passport in order to travel by air or to access many federal facilities.”

“We commissioned a legal analysis of the REAL ID Act to expose the law's troubling requirements and unconstitutional violations, including federal

commandeering of the states,” said Twila Brase, RN, PHN, Co-founder and President of CCHF. “The federal government is nationalizing identification, establishing a national facial recognition system, and laying the groundwork for a digital biometric-controlled social credit system.”

The 10-page legal memorandum finds that:

- REAL ID is a multi-billion-dollar, unfunded mandate. DHS's own estimates show more than \$14

billion in state and citizen costs.

- REAL ID sets a precedent for circumventing the Constitution. The Act forces states to implement a federal program using an approach described by St. John as “a novel and extraordinary affront to the Tenth Amendment.”

- REAL ID fails in its stated purpose. The system neither prevents illegal immigration nor strengthens airport security, as illegal aliens can still obtain REAL IDs or non-REAL ID licenses in numerous states.

- REAL ID endangers citizen privacy. This federally controlled ID, which DMVs expect to be “updated in real-time” along with its “vast, centralized collection of personal and biometric data” will become the “de facto identification required for everyday life.”

“REAL ID is a federal ID masquerading as a state ID,” Brase added. “The REAL ID law empowers the federal government to expand its “official purposes” to restrict all access, movement, and transactions in life. REAL ID is well on its way to becoming a digital, federally controlled, domestic passport to all of life, but Americans have no idea. The truth about REAL ID must be exposed.”

On Monday, November 6th, CCHF sent a [coalition letter](#) with 75 signatures to U.S. Senator Rand Paul (R-KY), chairman of the U.S. Senate Committee on Homeland Security and Governmental Affairs, asking him to hold a hearing on his bill to repeal the REAL ID Act, the Safeguarding Personal Privacy Act (S. 2769). CCHF’s nationwide campaign to stop REAL ID also urges citizens to learn the truth about REAL ID, switch from a REAL ID to a standard state driver’s license and register their switch at [RefuseREALID.org](#).

For additional information or to schedule an interview with Twila Brase, contact [media@cchfreedom.org](mailto:media@cchfreedom.org).

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About Citizens’ Council for Health Freedom: CCHF has existed since 1998 to protect patient and doctor freedom. As a national, independent, non-partisan, non-profit health freedom organization, CCHF maintains a patient-centered, privacy-focused, free-market perspective. For more information, visit: [www.cchfreedom.org](http://www.cchfreedom.org). □

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