

Federalism

Essential Question

Is the federal system the best way to govern the United States?

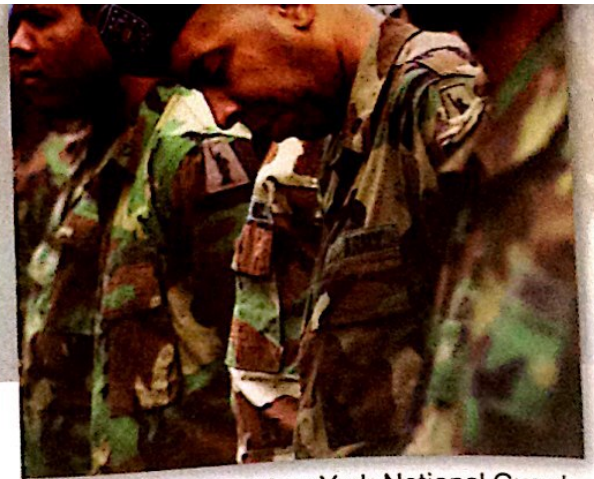
Section 1: Federalism: Powers Divided

Section 2: The National Government and the 50 States

Section 3: Interstate Relations

SECTION 1

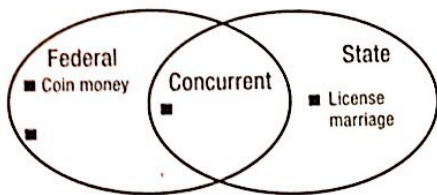
Federalism: Powers Divided



▲ Members of the New York National Guard

Guiding Question

How is power divided between the federal government and the states? Use a Venn diagram like the one below to take notes on the powers of the federal and state governments.



Objectives:

- Define federalism and explain why the Framers chose this system of government.
- Identify powers delegated to and denied to the national government, and powers reserved for and denied to the states.
- Explain the differences between exclusive and concurrent powers.
- Examine how the Constitution functions as "the supreme Law of the Land."

Federal laws, along with state laws, make the rules for most Americans. Federal laws apply to everyone in the country. For example, according to federal law, no person can be denied a job on the basis of his or her race or ethnicity. State laws regulate matters such as the age to obtain a driver's license. In this section you will read about the important arrangement between the national government and the 50 states.

Why did the Framers choose federalism?

The Constitution was created based on the idea of federalism. Under this system of government, power is divided between the national government and the states. Both levels have their own agencies and officials. Both levels pass laws that directly affect citizens. Most of the Framers of the Constitution did not favor the British model of government. The Revolutionary War was fought to free the colonies from strong British rule. The Framers believed that a government with divided powers would prevent the abuse of power.

What is federalism?

Federalism is a system of government with a **division of power** between the national government and several smaller governments, such as those of the states. The Constitution provides for this division. Each level of government has its own powers, ruling bodies, officials, and laws.

Each level has power to do things the other level cannot. For example, the federal government takes care of foreign policy. The state legislatures can decide on punishment for certain crimes and set some voting requirements.

The national government has **delegated powers**. These powers are created by the Constitution. The three types of delegated powers are expressed, implied, and inherent.

The **expressed powers** are those described plainly in the Constitution. Most of them are written in Article I, Section 8. This article gives 27 powers to Congress. For example, Congress may collect taxes, declare war, and coin money. Other expressed powers are in Article II. These powers relate to the President. They include the power to make treaties, appoint federal officials, and do other things. Article III gives powers to the Supreme Court and other federal courts. A few expressed powers are found in the amendments.

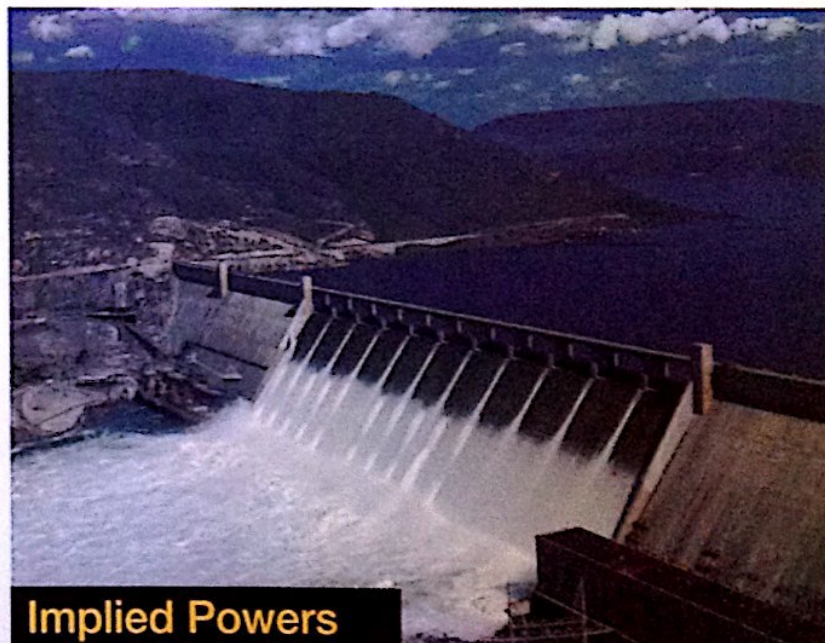
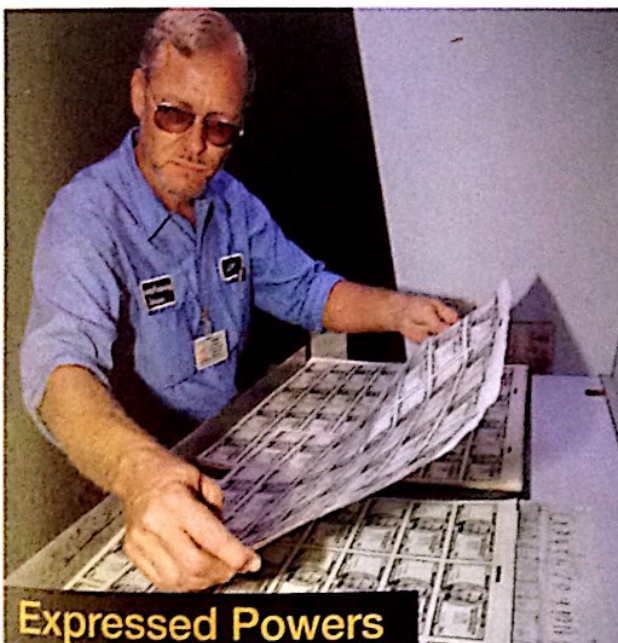
Delegated powers

Those powers—expressed, implied, or inherent—granted to the national government by the Constitution

Expressed powers

The delegated powers of the national government that are written plainly in the Constitution

Fig. 4.1



.....

Reading Strategy
Text Structure

Compare and Contrast:
Notice what is alike and what is different between expressed and implied powers.

.....

Implied powers

Powers of the national government that are suggested by the expressed powers set out in the Constitution

Inherent powers

Powers the Constitution is presumed to have given to the national government because it is a government of a sovereign state within the world community

Implied powers are not directly stated in the Constitution. Rather, they are suggested—or implied—by the expressed powers. (See **Figure 4.1** on page 79.) The basis for the implied powers is found in Article I, Section 8, Clause 18—the Necessary and Proper Clause. This clause is sometimes called the “Elastic Clause” because its meaning has been stretched many times. This has been done to meet the needs of the country as it grew. The clause begins by saying Congress has the power “to make all laws which shall be necessary and proper . . .” Take, for example, the expressed power of Congress to regulate interstate commerce. Interstate commerce is business between states. Under this power, Congress has exercised many implied powers. It has made federal crimes of such acts as moving stolen goods and kidnapped persons across state lines. It has prohibited racial discrimination by granting all people access to public places. Congress has also provided for the building of the 42,000-mile interstate highway under its commerce power.

Inherent powers exist because the United States is a sovereign state. The Constitution does not put them in words, but these powers exist by tradition. For example, the government can regulate immigration, acquire territory, and protect citizens against rebellion and terrorism. (See **Figure 4.2.**)

✓ Checkpoint What are the three types of delegated powers of the national government?

Fig. 4.2



▲ President George W. Bush meets with Chancellor Angela Merkel of Germany at the 2007 G8 Summit as part of his diplomatic role.

What powers are denied to the federal government?

The Constitution denies the federal government certain powers. It does this to preserve federalism. Most of these powers are listed in Article I, Section 9 and in the 1st through the 8th amendments. Among the powers denied to the federal government are the power to charge taxes on exports, or to prohibit freedom of religion, speech, press, and assembly. There are other powers denied to the federal government. For example, the federal government cannot deny a speedy and public trial to a person accused of a crime.

Many other powers are not given to the federal government because the Constitution does not list these powers. The federal government does not have the power to set up a public school system or to set up units of local government. Also, the federal government may not tax any state or its local units of government. This power is denied to prevent the government from bankrupting one or all of the states.

✓ **Checkpoint** What are two powers that are denied to the federal government?

What is the role of the states in a federal system?

The 50 states play an important role in the government of the United States. The individual state governments balance the power of the federal government. The states are governments of **reserved powers**. These are powers that the Constitution does not grant to the national government and does not deny to the states. For example, any state can require doctors, lawyers, or plumbers to be licensed. States can establish public schools and regulate public utilities, such as electric and gas.

The area of reserved powers is huge and also includes the important police power. This is the power of states to protect public health, safety, and welfare.

The Constitution does deny some powers to the states. Some are denied expressly. For example, no state can enter into a treaty with a foreign country. No state can print money or deny a person due process of law. Other powers are denied inherently. Because there is a federal system, for example, no state can tax the national government.

✓ **Checkpoint** What are reserved powers?

Reserved powers

The powers that the Constitution does not grant to the national government and does not deny to the states

Exclusive powers

Powers that are only given to the federal government

Concurrent powers

Powers that the national government and the states share



Reading Strategy
Text Structure

Identify words in this paragraph that tell the meaning of concurrent powers.

What are exclusive and concurrent powers?

The national government has many **exclusive powers**. These are powers given only to the federal government. The states may not use these powers. Examples of exclusive powers are making treaties with other countries and collecting taxes on imports. The federal government always controls interstate commerce. This power is expressly denied to the states.

Concurrent powers are powers that the state and federal governments share (Figure 4.3). For example, both the federal government and state governments collect taxes. Both governments also set punishments for crimes. Figure 4.4 on the next page shows the division of powers between the federal government and the 50 state governments.

We often think of the United States as having three levels of government: national, state, and local. However, there are really only two levels of government in a federal system: the national government and the state government. The 87,000 local units of government have only the powers granted to them by their states. Because of this, each state is said to have a unitary form of government.

Fig. 4.3

Concurrent Powers
Sharing Responsibility

Some powers are exercised by both levels of government, as you can see in the circle. *Why do both levels of government have the power to establish law enforcement agencies?*



An Idaho state trooper patrols a STATE highway.

FBI agents and volunteers look for evidence of a FEDERAL crime.

Federal Powers	Concurrent Powers	State Powers
<ul style="list-style-type: none"> • Coin money • Control commerce with foreign nations • Determine standards of weight and measure • Declare war • Make laws that are "necessary and proper" • Regulate interstate commerce • Control immigration • Acquire territory • Conduct diplomatic relations with other countries 	<ul style="list-style-type: none"> • Levy and collect taxes • Borrow money • Establish courts • Define crimes and set punishments • Claim private property for public use • Set environmental and health standards 	<ul style="list-style-type: none"> • License marriage • License professionals • Establish public schools • License drivers • Regulate elections • Oversee intrastate commerce • Set speed limits • Exercise those powers not given to the federal government and not restricted by the Constitution

A clause in the Constitution that states that the Constitution is above all other laws

What is the supreme law of the land?

Conflicts between the federal government and the state governments do arise from time to time. The Framers knew this would happen and wrote the **Supremacy Clause** into the Constitution. It states in part, "This Constitution, and the Laws of the United States . . . and all Treaties . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby." This clause states that the Constitution stands above all other laws. Acts of Congress and treaties fall immediately below the Constitution. (See **Figure 4.5** on page 84.)

In 1819, the Supreme Court first settled a dispute between a national and state law. The State of Maryland had placed a tax on the Baltimore branch of the Second Bank of the United States. Congress had created the bank and many people opposed it. The Maryland legislature hoped to destroy the bank. When a bank cashier refused to pay the tax, the Maryland courts convicted him. The Supreme Court cleared the cashier of all charges. The Court said the State of Maryland had no right to tax the federal bank, and it based its decision on the Supremacy Clause. Over the years, the Supreme Court has found thousands of state and local laws to be unconstitutional. It has also ruled that thousands of others were constitutional.

Checkpoint What is the Supremacy Clause?

Word Bank

concurrent powers
exclusive powers
expressed powers
implied powers

Quick Write

Compare and contrast state powers with the powers of the federal government. Research and take notes on the various powers held by the states and the federal government. Write about any powers that might have surprised you.

1. **Guiding Question** Use your completed Venn diagram to answer this question: How is power divided between the federal government and the states?

Key Terms and Comprehension

On a sheet of paper, write the words from the Word Bank to complete each sentence correctly.

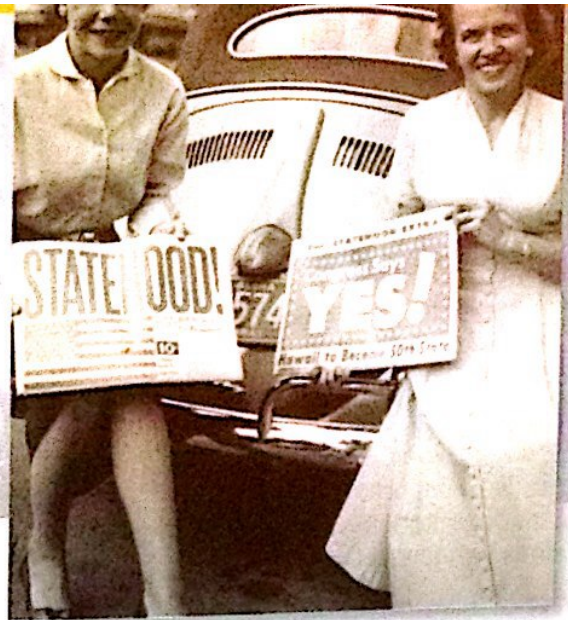
2. ____ are powers only given to the federal government.
3. ____ allow state and federal governments to share the same power.
4. ____ are powers that are suggested by the expressed powers in the Constitution.
5. ____ are powers directly stated in the Constitution.

Critical Thinking

6. **Make Inferences** Why did the Framers want to reserve some specific powers to the states?
7. **Draw Conclusions** How does the Supremacy Clause support the system of federalism?

SECTION 2

The National Government and the 50 States



▲ Residents of Hawaii celebrate their newly acquired statehood in 1959.

Guiding Question

According to the Constitution, what must the federal government guarantee to each state? Use a chart like the one below to take notes on the federal government's responsibilities.

Responsibilities of the Federal Government		
Republican form of government	Protect states	Respect each state's territory
■ ■ ■	■ ■ ■	■ ■ ■

Objectives:

- Summarize the responsibilities that the Constitution places on the national government for the benefit of the states.
- Explain the process for admitting new states to the Union.
- Examine the many and growing areas of cooperative federalism.

Have you ever focused on the words "United States"? What do they really mean? The Framers of the Constitution created a union of states and wanted to keep those states united. In order to do so, the Constitution requires the national government to guarantee certain things to the states. The Constitution also allows the national government to do certain things for the states.

What are the nation's obligations to the states?

The Constitution places several obligations on the national government to benefit the states. Most of these obligations are found in Article IV. This article states that the federal government guarantees each state a republican form of government. Although the Constitution does not explain what a republican form of government is, it is understood to mean a "representative government." Just as in the federal government, the leaders of the state are elected by the people and speak for the people of that state.

Article IV also promises that the federal government will protect each state from invasion and internal violence. Today, invasion is understood to mean an attack on the United States itself. However in the late 1780s, it was not certain if the original 13 states would join together if one state were attacked. So, before the states agreed to give up their war-making powers, they wanted to be guaranteed that an attack on one state would be considered an attack on all of the states.

✓ **Checkpoint** What is a republican form of government?



Reading Strategy Text Structure

Notice that the section headings are written as questions. After you read each section, try to answer the question asked in the heading.

Enabling act

A congressional act directing the people of a territory to write a state constitution as a step toward admission to the Union

Act of admission

A congressional act admitting a new state to the Union

The federal system assumes that each state will keep peace within its borders. Therefore, the primary responsibility for preventing and stopping internal disorder rests within each state. In some situations, however, a state may need help. The Constitution guarantees protection against internal disorder, which it calls "domestic violence." The use of federal force to restore order in a state has been rare. It did happen in 1967 when racial unrest caused rioting in Detroit. President Johnson sent units of the United States Army to help state police. Chicago and Baltimore also needed help to control riots after the assassination of Martin Luther King, Jr. The federal government has also helped states during hurricanes, floods, and other natural disasters.

Finally, the national government is required to protect each state's legal existence and recognize each state's physical boundaries. In Article I, Sections 2 and 3, the Constitution declares that Congress must include members chosen from each of the states. Article V of the Constitution declares that no state can be denied equal representation in the United States Senate without its own consent.

How are states admitted to the Union?

The leaders of the new nation knew that more states would soon join the Union. To help that happen, they passed the Northwest Ordinance of 1787. The law focused on the Northwest Territory. This was the land north of the Ohio River and west of New York, Pennsylvania, and Virginia. The ordinance said that any area that had a population of 60,000 could become a state. Provisions were made for local government and for education.

When writing the Constitution, the Framers gave Congress the power to admit new states. Over the years, Congress has acted 37 times to admit new states to the country. In some cases, old states were divided to create new ones. Texas and Vermont were independent republics before they joined the country. Other states were formed from territories the United States acquired by wars and treaties. In fact, most states began as territories (**Figure 4.6**). To become a state, a territory applies to Congress for admission to the United States. If Congress agrees that a territory is ready to become a state, it passes an **enabling act**. This act directs the people of the territory to write a state constitution. The territory and Congress must approve the constitution. If the constitution is approved, Congress passes an **act of admission** to create a new state. If the President signs the act, the state is admitted to the United States.

What are the conditions for admission?

Congress has often set conditions a state must follow before being admitted to the Union. Alaska was admitted as a state with a condition concerning Native Americans. Alaska was not allowed to claim any lands held by any Native American. Congress cannot, however, set conditions of a political nature. When Oklahoma became a state in 1907, for example, Congress said the capital could not be moved from Guthrie until 1913. A few years later, however, the capital was moved to Oklahoma City. The move was challenged in the Supreme Court. The Court ruled in favor of the state of Oklahoma, saying that Congress must not interfere with a state's ability to manage its own affairs.

Fig. 4.6

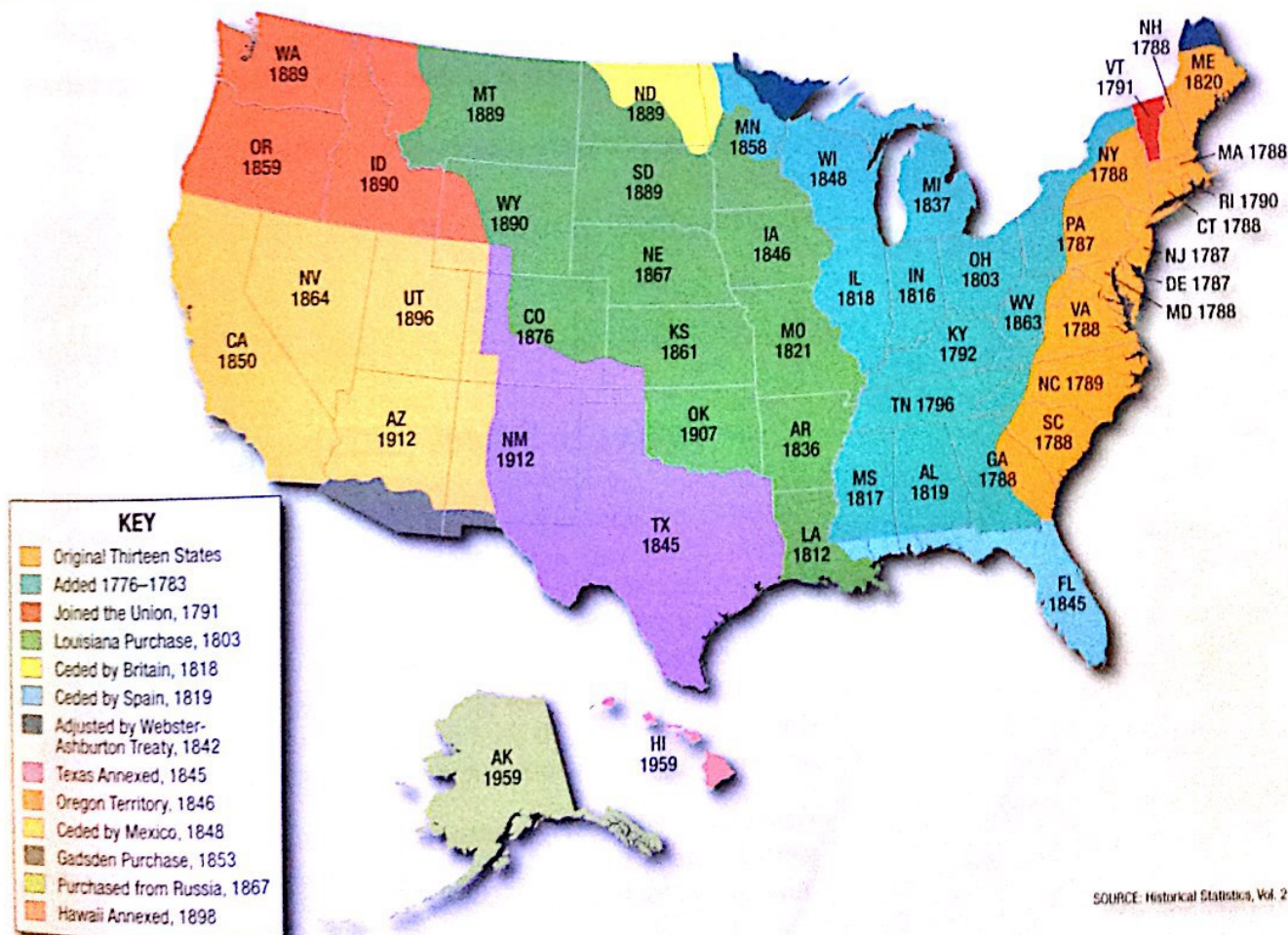
Territorial Expansion of the U.S.

GOVERNMENT ONLINE

Audio Tour

Listen to a guided audio tour of American expansion at PearsonSuccessNet.com

Analyzing Maps Until the early 20th century, the federal government steadily acquired land and admitted new states (indicated by years). **From which 19th-century acquisition were the most states created?** ▼



SOURCE: Historical Statistics, Vol. 2

Grants-in-aid program

Grants of federal money or other resources to states, cities, counties, and other local units

Reading Strategy
Text Structure

As you read, look for descriptive words that help answer the question: what is cooperative federalism?

The federal system is based on two levels of government (federal and state) working at the same time. This system means that power is often shared as the two levels of government cooperate. Federal **grants-in-aid programs** are a good example of this cooperation. Through these programs, money or other resources, such as land, is given to the states. These programs began with the Northwest Ordinance of 1787. Congress provided for the government of all territory beyond the Ohio River to set aside land for the support for public education there.

Federal lands were granted to the states throughout the nineteenth century. The land was used for schools and universities, roads, and other purposes. In 1808, Congress started to provide grants of federal money. Some of this money was used by the states to support the militia. The militia later became the National Guard, which is still in operation today. In the Depression years of the 1930s, Congress provided cash grants to states to help with the economic crisis. Since that time, Congress has set up hundreds of grants-in-aid programs. These programs help states in the areas of education, mass transit, highway construction, healthcare, and others. They account for about 25 percent of all state and local spending each year.

Some people do not like grants-in-aid programs. They say the programs cause interference in state affairs by the federal government.

Checkpoint What are grant-in-aid programs?

Government in Your Life

Safe Routes to School (SRTS)

The SRTS is a federally funded organization that provides money to state Departments of Transportation through grants. The grant money is used for improving the school environment. The focus is on schools that serve kindergarten through the 8th grade. The goal of this organization is to encourage children to walk or bike to school. In order for children to do this, the routes they use must be safe. Often the routes need to be improved or built, especially if there are no bike paths. The school routes also need to be maintained.

Funds are available for construction, planning, and maintenance of school routes through SRTS. The states must apply to the federal government for the grant money.

some freedom in using the money. **Project grants** are often made to support specific projects, like medical research. The Department of Health and Human Services makes many of the project grants. State and local governments may ask for these grants to pay for job training and other employment programs.

✓ **Checkpoint** What is a block grant?

How do states help the national government?

State governments help the national government in several ways. National elections are run by the states and funded with local money. States also take care of the naturalization process. Aliens who wish to become citizens must go through the naturalization procedures. These procedures take place most often in state courts. The federal government helps the states in other ways as well. For example, the FBI helps state police, and states rely heavily on Census Bureau data.

government for some particular but broadly defined area of public policy

Project grants

Grants made by the federal government for specific projects to states, localities, and private agencies that apply for them

SECTION 2 ASSESSMENT

Essential Questions
Journal

Go to your **Essential Questions Journal** to work on this chapter's Essential Question.

The Environment and States' Rights

»» Track the Issue

Over time, the federal government has taken steps to protect the environment. Many of these steps have been controversial.

1872 Congress sets aside land in three states for Yellowstone National Park. Yellowstone was the country's first national park.

1907 President Theodore Roosevelt sets aside 16 million acres of new forest preserves.

1948 The Clean Water Act is passed by Congress. It is amended in 1972 and 1977.

1963 The Clean Air Act is passed by Congress. It is amended in 1970 and 1990.

2004 The Supreme Court rules that the EPA can override states on issues of the environment.

EPA Administrator
Stephen L.
Johnson



»» Perspectives

In 2008, California sued the Environmental Protection Agency (EPA) over the state's rights to restrict air pollutants. The state wanted stricter rules than the federal government had for air pollutants. The EPA, which controlled such restrictions, denied California's waiver. The case focused on this question: Should the federal government regulate environmental issues, or should the states make their own rules? California's governor, Arnold Schwarzenegger, and EPA Administrator, Stephen L. Johnson, disagree on the issue. Below are both arguments.

For State Control

"The authority of states to address greenhouse gas emissions from motor vehicles has been clearly and unequivocally [unmistakenly] supported—by the Supreme Court, a federal court decision in Vermont, and in December by a federal court here in California. On this issue, the U.S. EPA has failed to lead, it has failed to follow the states' lead and we are prepared to force it out of the way in order to protect the environment."

—Governor Arnold Schwarzenegger,
April 2, 2008

For Federal Control

"I believe that Congress by passing a unified federal standard of 35 mpg [miles per gallon] delivers significant reductions that are more effective than a state-by-state approach. This applies to all 50 states, not 1 state, not 12 states, not 15 states. It applies to all 50 states, and that's great for the economy, for national security and for the environment."

—EPA Administrator
Stephen L. Johnson

Connect to Your World

1. Why does Governor Schwarzenegger believe that states should control this issue? Why does Stephen L. Johnson believe that the federal government should control the issue?
2. Who do you agree with? Explain your answer.

GOVERNMENT ONLINE

In the News

For updates on environmental cases, visit
PearsonSuccessNet.com

SECTION 3

Interstate Relations



▲ A person stands where the borders of Utah, Colorado, Arizona, and New Mexico meet to create the "Four Corners."

Guiding Question

How do the states work together to preserve the Union?

Use an outline like the one below to take notes on how the states cooperate.

I. All States Work Together

A. Interstate relations

1. _____
2. _____

B. Full Faith and Credit

1. _____
2. _____

C. Extradition

D. Privileges and Immunities

Objectives:

- Explain why states make interstate compacts.
- Understand the purpose of the Full Faith and Credit Clause.
- Define extradition and explain its purpose.
- Discuss the purpose of the Privileges and Immunities Clause.

The states must interact with one another on many issues. Often this interaction causes conflicts. The Constitution contains provisions that help the states avoid and solve those conflicts. In this section you will read about those provisions and interstate compacts.

What are interstate compacts?

Interstate compacts are agreements the states make with one another and with foreign states. This provision is found in Article I, Section 10 of the Constitution. Congress usually must consent to all interstate compacts. By 1920, the states had made only 36 compacts. Since then, the number of interstate compacts has been growing. This began in 1921, when New York and New Jersey created the Port Authority of New York and New Jersey. The harbor serving both states is managed by both states.

Some interstate contracts involve several states. For example, the Compact on Juveniles allows all 50 states to share law enforcement data. Other compacts control tax collections, use of public universities, and conservation of wildlife.

What is the Full Faith and Credit Clause?

The Constitution declares that the laws, records, and results of court cases of one state are valid in all other states. This is the **Full Faith and Credit Clause**. If a person is sued in a state, he or she cannot flee the state to avoid paying damages. All states in our country recognize and obey the results of lawsuits in other states. Also, all documents issued by a state are recognized by all other states. These documents include birth certificates, marriage licenses, and titles to property.



Reading Strategy

Text Structure

Preview this section.

Notice the headings, features, and boldfaced words.

Interstate compact

Agreement made between two or more states

Full Faith and Credit Clause

Constitution's requirement that each state accept the public acts, records, and judicial proceedings of every other state

Extradition

The legal process by which a fugitive from justice in one state is returned to that state

Privileges and Immunities Clause

Constitution's stipulation that all citizens are entitled to certain "privileges and immunities" regardless of their state of residence

There are exceptions to the Full Faith and Credit Clause. The first is that the clause applies only to civil matters. One state cannot enforce the criminal law of another state. The second exception relates to divorces. Certain divorces cannot receive full faith and credit in other states. Same-sex marriages are only recognized in some states. This causes problems when same-sex couples move to another state. Often the other state does not recognize the marriage. The Defense of Marriage Act, passed in 1996, declares no state can be made to recognize a same-sex marriage performed in another state.


What is extradition?

Article IV, Section 2, Clause 2 refers to **extradition**. It is the legal process by which a person fleeing justice in one state is returned to that state. Extradition prevents a person from fleeing a state to avoid being charged with a crime. A governor usually returns a fugitive without delay. Some requests are challenged, however. This often happens in cases concerning race, politics, or disputes over child custody. Before 1987, the Supreme Court had held that the government could not make a governor return a fugitive. Then, in 1987, the Court reversed its ruling.

What are privileges and immunities?

Citizens are protected by the **Privileges and Immunities Clause**. The clause forbids any state to discriminate unreasonably against people from other states. This means that any American may travel or live in any state. It also guarantees that any citizen, no matter where he or she lives, may use the courts in any state. The citizen may buy, own, rent, and sell property. Employers cannot be required by a state to hire only residents of that state. The Supreme Court has upheld this clause many times.

In some matters, such as voting, holding public office, or obtaining a license, a state can make rules based on a person's residence. For example, people must be residents for a specified length of time before running for public office. In most states, nonresidents have to pay higher fees for fishing and hunting licenses. This is because state residents pay taxes to maintain these natural resources. Also, out-of-state students usually pay higher tuition to attend state colleges or universities.

 **Checkpoint** In which matters can states discriminate between its residents and those from other states?

Clark Barnes (1950-)



West Virginia Senator Clark Barnes

is the minority whip in the West Virginia state Senate. He is a Republican representing Randolph County. He serves on the Natural Resources, Education, Transportation and Infrastructure, Labor, and Judiciary committees. He is a member of the NRA, the West Virginia Education Association, and the United States Chamber of Commerce. He received his degree from West Virginia University.

Barnes introduced a bill in the West Virginia Senate in January 2008 intended to block the federal Real ID Act. The act set up new national standards for drivers' licenses (see page 95). He had 15 cosponsors. Barnes is quoted as saying, "The Real ID gives the [federal] government access in one fell swoop to a lot of our information. . . the government hasn't told us exactly what they want to do with all the information." Barnes says that privacy rights are a constitutional guarantee. They are viewed by West Virginians as "sacred."

Barnes lives in Elkin, West Virginia, with his wife, Deborah. They are the parents of four children.

Chapter Summary

Section 1—Federalism: Powers Divided

- The United States has a federal system of government that divides power between a national government and state governments.
- The national government has three types of power: expressed, implied, and inherent.
- The state governments balance the power of the federal government. The states are governments of reserved powers.
- The federal government has many exclusive powers that may never be used by the states.
- Concurrent powers are those shared by the national government and the state governments.
- The Supremacy Clause declares that the Constitution and treaties are above all other laws.

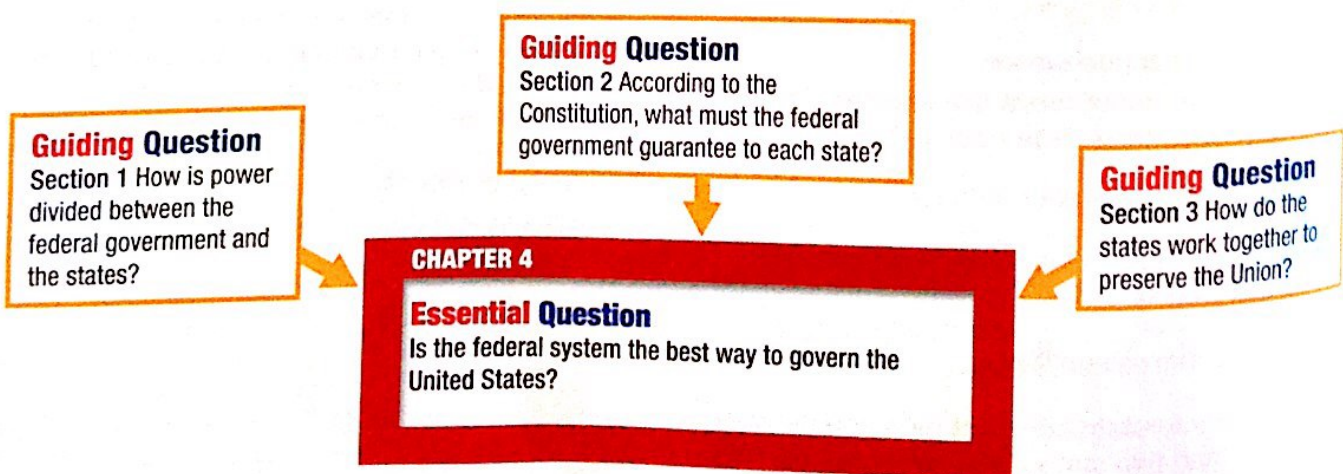
Section 2—The National Government and the 50 States

- Article IV of the Constitution guarantees the states a republican form of government and protection by the national government.
- Congress admits a state to the union after approving a constitution written by the state.

- Under cooperative federalism, the federal government cooperates with state governments through grants-in-aid programs.
- The states aid the national government by carrying out certain duties. For example, states run national elections for the federal government.

Section 3—Interstate Relations

- Interstate compacts are made between states. These compacts are made to take care of matters shared by some states.
- The Full Faith and Credit Clause in the Constitution declares that each state must recognize the laws, records, and rulings of other states.
- Extradition is the legal process by which a fugitive from justice is returned to his or her home state. The extradition clause is part of Article IV in the Constitution.
- The Privileges and Immunities Clause allows Americans to travel, live, and do business in any state. A state cannot unreasonably favor its own residents over residents of other states.



Document-Based Assessment

4

The REAL ID Act of 2005

The REAL ID Act of 2005 is a United States federal law. The Act established new national standards for driver's licenses and identification cards. The Act states that these standards must be met for people to use these cards to board commercial airlines. In 2008, Michael Chertoff, the former United States Secretary of Homeland Security, made remarks about the ID Act and what it means for the United States.

Document at a Glance

- Speech by Michael Chertoff
- REAL ID Act of 2005
- Obligation to Set National Standards

One of the biggest concerns we've had for the last several years . . . at the Department of Homeland Security is how we promote a secure form of identification across America . . . Congress has spoken to this by passing the REAL ID Act several years ago which provides that we have the obligation to set uniform security standards for . . . state driver's licenses . . . That is why the 9/11 Commission recommended that we enhance [improve] the security of our driver's licenses as a counterterrorism measure . . . First . . . secure identification is an essential way of ensuring that people are who they say they are . . . Second, secure identification [can] prevent illegal immigrants from pretending to be American citizens . . . Third . . . [it] protects us

all from the . . . plague of identify theft.

. . . under the rule, people seeking driver's licenses must provide their state Department of Motor Vehicles documents that prove who they are and . . . that they are in this country legally. [The DMV] offices must verify that the documents . . . are legitimate . . . States have to work together to assure that individuals are not able to obtain driver's licenses from multiple states in an improper manner.

What is the cost going to be? . . . we estimate that the average cost for . . . a Real ID license will be about \$8 per license . . . [A] a four-year license [will cost about] \$2 a year.

Document-Based Questions

1. What are two of the reasons the 9/11 Commission recommended the higher standard for driver's licenses?
2. What does Chertoff say the cost will be per year for each person getting a four-year license?
3. What is the goal of the REAL ID Act?
4. What must those seeking licenses provide for the states' Department of Motor Vehicles?
5. **Text Structure** Does this document compare and contrast or present problems and solutions? Explain your reasoning.

SOURCE: http://www.studentnewsdaily.com/daily-news-article/real_id_implementation_delayed