

HOUSE CONCURRENT RESOLUTION NO. 1009

A CONCURRENT RESOLUTION, Urging the federal government to honor tribal identification cards.

WHEREAS, tribal nations bear the same responsibilities as other jurisdictions for identifying and protecting tribal citizens, as well as preparing for and responding to natural disasters, terrorism, and other homeland security related events; and

WHEREAS, the United States government has the responsibility to protect tribal sovereignty and to fulfill its trust obligations to Native American tribes and people; and

WHEREAS, the federal REAL ID Act mandates federal standards for state driver licenses and identification cards and specifies the documents that states must require to issue driver licenses, as well as placing uniform information on every driver license in a standard format. The act also prohibits federal agencies and federally-regulated commercial aircraft from accepting a driver license or identification card issued by a state that has not fully complied with the act; and

WHEREAS, as a result of several post-9/11 laws, such as the REAL ID Act, the Western Hemisphere Travel Initiative, and the Help America Vote Act, identification cards have been required for a number of purposes, including obtaining Medicare benefits, voting, flying domestically, obtaining a driver license, and entering federal facilities; and

WHEREAS, federal requirements relating to these laws have required the use of increasing levels of technology and security measures in producing identification cards at the state level and the use of additional documentation necessary to verify identity; and

WHEREAS, most Native American tribes issue tribal identification cards to their members. Many tribal citizens do not have state or federal ID but have tribal identification; and

WHEREAS, the State of South Dakota currently allows the use of tribal identification cards for a number of purposes, including voting, banking transactions, cashing checks, and tobacco purchases; and

WHEREAS, many tribes are not currently able to issue identification cards that meet federal requirements and will need federal assistance in acquiring the equipment and technology necessary to comply with federal requirements relating to identification documents:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South Dakota Legislature calls upon Congress and all states to recognize valid tribal government identification cards for all official purposes for which identification cards are required, including voting and obtaining driver licenses; and

BE IT FURTHER RESOLVED, that the Legislature requests the United States Congress and the Department of Homeland Security, as part of their federal trust responsibility, to provide the necessary technical assistance and resources for development and issuance of tribal identification cards that meet appropriate technological and security standards.

Adopted by the House of Representatives,
Concurred in by the Senate,

February 22, 2012
February 24, 2012

Val Rausch
Speaker of the House

Karen Gerdes
Chief Clerk of the House

Matt Michels
President of the Senate

Fee Jacobsen
Secretary of the Senate