

Written by Gun Owners  
Thursday, 15 October 1998 00:00

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### **Gun Owners of America comments on the National Highway Traffic Safety Administration proposed regulations to implement section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996**

Gun Owners of America (GOA), a not-for-profit association of more than 200,000 Americans devoted to preserving their firearms rights, submits the following comments on the National Highway Traffic Safety Administration (NHTSA) proposed regulations to implement section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Our first question to you is a simple one:: Have you never read the Constitution of the United States?

In Article I, Section 8, the Constitution delineates the limited powers delegated to Congress and, through it, to the federal government. The Tenth Amendment clinches this constitutional scheme of limited federal powers when it provides: "The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

Over the past few years, the courts have been increasingly aggressive in striking down Congressional enactments (and regulatory schemes purporting to implement them) which attempt to compel states to act in a way which infringes on the states' role under the Constitution.

Thus, the federal courts have held that Congress cannot:

- compel state law enforcement officials to be data collection agencies under the Brady Law;
- create "gun-free school zones" around American schools; and
- order state and local law enforcement agencies to fire officers convicted of domestic misdemeanors, while not doing the same for officers convicted of felonies.

Even more recently on point, the United States Court of Appeals for the Fourth Circuit, on September 3, declared unconstitutional a federal statute requiring states to limit public access to driver's license information.<sup>1</sup> It is virtually inconceivable that this unconstitutional enactment can be distinguished from the regulations which you are now proposing.

## Comments To NHTSA Regarding The National ID Card - Gun Owners of America

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Among other things, these driver's license and anti-gun statutes were overturned because they required the states to engage in costly actions (similar to adding safety features to driver's licenses or verifying social security numbers) which the federal government refused to pay for, in violation of the Tenth Amendment. If you believe the \$325,000 contained in the Administration's 1999 budget for this purpose will be adequate to pay for the verification of every new driver's license applicant in the United States, let us disabuse you of that notion.

Presumably, you believe your regulations will be distinguished from these cases because your mechanism is to remove property rights (i.e., "entitlements" which the applicants have paid for through their tax dollars) from mostly low-income persons based on your dissatisfaction with the laws of their states. You may want to reread the Fourteenth Amendment and the cases interpreting it before you proceed further with these ill-advised regulations.

Moreover, you may or may not be aware that low-income persons who are most likely to be the beneficiaries of the federal programs requiring the identification requirements you outline are also the segment of society most likely to experience problems with the recordkeeping required to comply with your identification standards.

Aside from the obvious constitutional problems raised by these proposed regulations (and the underlying statute), however, your actions raise troubling policy problems as well.

- These requirements of driver's license uniformity in specified respects come unacceptably close to the establishment of a national identification card -- a concept repeatedly and resoundingly repudiated by the American people.
- Your social security requirements are just another step in turning the social security number into a uniform national identification number -- a practice which Congress assured us would never be adopted when it passed the Social Security Act -- and a step which is conceptually and even religiously repugnant to many Americans.

GOA believes it is hardly coincidental that, at the same time you are attempting to turn the social security number into a uniform national identifier through your driver's license requirements, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco and Firearms are also moving to coerce social security numbers from gun purchasers. We have enclosed copies of the [GOA comments on the FBI](#) and [BATF](#) proposed regulations relating to this matter.

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You may rest assured that Gun Owners of America will fight this repressive action in any and every forum possible -- judicial, legislative, and in the court of public opinion.

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<sup>1</sup>*Condon v. Reno*, 97-2554

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**FOR RELEASE:**  
**October 15, 1999**  
**Dick Armey Salutes Ron Paul**  
**Says "good riddance" to the National ID**

WASHINGTON, DC -- House majority leader Dick Armey (R, TX) on Thursday offered his congratulations to US Rep. Ron Paul for his leadership in passing legislation to stop a National ID from taking effect next year.

"This is a classic victory of freedom over "Big Brother." Because we acted quickly, no American will have to carry a National ID Card," Rep. Armey said in a statement Thursday. Last week, the House of Representatives passed the Transportation Appropriation for the fiscal year 2000. The measure included the repeal of a 1996 law which would have created a national ID, requiring that after Oct. 1, 1999, no American without such an ID would be allowed to board an airplane, purchase a handgun, receive federal benefits or get a job.

"A national driver's license with 'biometric identifiers' or social security numbers is more suited to a police state than to a free country. It took three years of hard work, but we finally laid this disturbing idea to rest. I especially want to salute Reps. Frank Wolf (R-VA), Ron Paul (R-TX), and Bob Barr (R-GA.) and Sen. Richard Shelby (R-AL) for their leadership on this issue."

Rep. Paul said he was grateful for the support he had been shown during the process by his colleague, Rep. Armey.

"While this is a great victory, we still have much to do to protect the privacy of Americans," said Rep. Paul. "I look forward to working with Mr. Armey as we continue to defend liberty and the

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principles of constitutional government."

Rep. Armey said he joined other Americans in saying "good riddance to the National ID Card."

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