

## *REAL ID Background and Issues*

*Compiled by Eileen Snyder, October 2006*

<http://www.legis.state.wi.us/lrb/pubs/tapthepower.htm>

On May 11, 2005, President Bush signed the "REAL ID Act of 2005" into law as part of a larger appropriations bill. It mandates federal standards for state driver's licensing by May 2008. Licenses from noncomplying states will not be accepted as identification for purposes of airline travel or entering federal buildings. The standards have not yet been issued, and state governments argue that the funding provided for the program is inadequate. These factors are causing states to fear that they will be unable to comply with REAL ID by the deadline. Meanwhile, advocates of the law claim that the act is vital to border security and the fight against terrorism.

**Border Security: Continued Weaknesses in Screening Entrants into the United States, Testimony Before the Committee on Finance, U.S. Senate / Statement of Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, U.S. Government Accountability Office. August 2, 2006.**

[www.gao.gov/new.items/d06976t.pdf](http://www.gao.gov/new.items/d06976t.pdf)

**Cost Estimate: H.R. 418, REAL ID Act of 2005, as Introduced January 26, 2005 / U.S. Congressional Budget Office. February 7, 2005.**

[www.cbo.gov/showdoc.cfm?index=6072&sequence=0](http://www.cbo.gov/showdoc.cfm?index=6072&sequence=0)

**Do We Need a National ID Card? No. / Jim Harper, Cato Institute. August 8, 2006.** The author argues that identity-based security would not be effective against terrorists because "knowing who a person is does not reveal what they plan to do."—Article [www.cato.org/pub\\_display.php?pub\\_id=6581](http://www.cato.org/pub_display.php?pub_id=6581)

**"Driven to License" / Mark Stencel, Governing, May 2006, v.19, no.8, p.72. (321/C761/2006/v.19/no.8)** "A federal mandate that states love to hate, Real ID may also harbor some hidden opportunities."—Article [www.governing.com/articles/5tech.htm](http://www.governing.com/articles/5tech.htm)

**Driver's License Integrity / National Conference of State Legislatures and Council of State Governments. [2002].** Discusses state efforts to improve driver's license integrity following the September 11, 2001 attacks. [www.ncsl.org/statefed/DLRCSG.htm](http://www.ncsl.org/statefed/DLRCSG.htm)

**"Identification Requirements for Immigrants" / Wisconsin Legislative Reference Bureau, Legislative Briefs, June 2006. (LRB/L/06-6) (noncirculating)**

[www.legis.state.wi.us/lrb/pubs/Lb/06Lb6.pdf](http://www.legis.state.wi.us/lrb/pubs/Lb/06Lb6.pdf)

**Identification Security: Technology and Policy Issues / National Conference of State Legislatures. February 2005. (342.43/N213b)** The report of a special NCSL project to study policy issues surrounding identity security.

**"Identity Security" / Blake Harrison and Pam Greenberg, NCSL Legisbrief, November/December 2003, v.11, no.43. (328/N21h/pt.4)**

**IDs – Not That Easy: Questions About Nationwide Identity Systems / Edited by Stephen T. Kent and Lynette I. Millett, National Research Council. 2002.** The book examines the issues and concerns surrounding the creation of a national identification card. Full-text is available online; a library copy is on order. [www.nap.edu/catalog/10346.html](http://www.nap.edu/catalog/10346.html)

**"Illegal Immigration: Do Illegal Workers Help or Hurt the Economy?" / Congressional Quarterly, Inc., CQ Researcher, May 6, 2005, v.15, no.17. (326/C762g)** Includes a discussion about how the REAL ID Act will affect immigrants ("Immigration Debate Moves Behind the Wheel," p.398-399).

**Immigration: Analysis of the Major Provisions of the REAL ID Act of 2005 / U.S. Congressional Research Service. Updated May 25, 2005.** [http://digital.library.unt.edu/govdocs/crs//data/2005/upl-meta-crs-6691/RL32754\\_2005May25.pdf](http://digital.library.unt.edu/govdocs/crs//data/2005/upl-meta-crs-6691/RL32754_2005May25.pdf)

**"Kentucky Leads the Nation in Developing New ID System" / Techlines: Commonwealth of Kentucky Technology News, January 2006.** <http://techlines.ky.gov/2006/jan/real-id.htm>

**The 9-11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States, Official Government Edition / National Commission on Terrorist Attacks Upon the United States. 2004.** The REAL ID Act was a result of the recommendations contained in Chapter 12 (s.12.4, p.383-391) of this report. [www.gpoaccess.gov/911/index.html](http://www.gpoaccess.gov/911/index.html)

**"REAL ID" / Bruce Schneier, Schneier on Security: A Weblog Covering Security and Security Technology, May 9, 2005.** The author, a security expert, discusses the pitfalls of the REAL ID Act. [www.schneier.com/blog/archives/2005/05/real\\_id.html](http://www.schneier.com/blog/archives/2005/05/real_id.html)

**REAL ID / National Conference of State Legislatures. March 8, 2006.** A four-minute Podcast about the obstacles states face in implementing the law. [www.ncsl.org/programs/press/podcastCR.htm#real](http://www.ncsl.org/programs/press/podcastCR.htm#real)

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**“REAL ID – A Profile of Opportunities and Issues” / *Techlines: Commonwealth of Kentucky Technology News*, September 2006.** Summarizes an interview with Kentucky’s CIO and Executive Director of the National Association of State Chief Information Officers about potential opportunities and pitfalls of REAL ID in Kentucky. [http://techlines.ky.gov/2006/sep/real\\_id.htm](http://techlines.ky.gov/2006/sep/real_id.htm)

***The Real ID Act: National Impact Analysis / National Governors Association, National Conference of State Legislatures, and American Association of Motor Vehicle Administrators*, September 2006. (380.723/N211)**

[www.nga.org/Files/pdf/0609REALID.PDF](http://www.nga.org/Files/pdf/0609REALID.PDF)

***REAL ID Act: State Implementation Recommendations, Executive Summary / National Governors Association, National Conference of State Legislatures, and American Association of Motor Vehicle Administrators*, April 26, 2006.**

[www.nga.org/Files/pdf/0604REALIDRECOMMEND.PDF](http://www.nga.org/Files/pdf/0604REALIDRECOMMEND.PDF)

***REAL ID Act of 2005: Driver’s License Title Summary / National Conference of State Legislatures*, [2005].**

[www.ncsl.org/standcomm/sctran/realidsummary05.htm](http://www.ncsl.org/standcomm/sctran/realidsummary05.htm)

**“REAL ID: Challenges – and Opportunities” / Zach Patton, *Governing.com*, June 21, 2006.** A summary of a panel discussion about REAL ID at *Governing’s* annual Managing Technology conference. [www.governing.com/conf/mtech6na.htm](http://www.governing.com/conf/mtech6na.htm)

**“REAL ID – Real Questions” / William T. Pound, *Stateline.org*, February 24, 2006.** A brief summary of the issues surrounding the REAL ID Act by the Executive Director of the National Conference of State Legislatures. [www.stateline.org/live/ViewPage.action?siteNodeId=136&languageId=1&contentId=91477](http://www.stateline.org/live/ViewPage.action?siteNodeId=136&languageId=1&contentId=91477)

**“States Slow to Give Driver’s Licenses to Illegal Aliens” / Kathleen Hunter, *Stateline.org*, July 1, 2004.** Discusses the risks and benefits of denying driver’s licenses to illegal aliens. [www.stateline.org/live/ViewPage.action?siteNodeId=136&languageId=1&contentId=15696](http://www.stateline.org/live/ViewPage.action?siteNodeId=136&languageId=1&contentId=15696)

***Summary of State Laws on the Issuance of Driver’s Licenses / U.S. Congressional Research Service*, October 27, 2003.** Includes a state-by-state summary of laws on issuing licenses. [www.cdt.org/righttoknow/crsreports/RL32127\\_20031027.pdf](http://www.cdt.org/righttoknow/crsreports/RL32127_20031027.pdf)

***Who Goes There? Authentication Through the Lens of Privacy / National Research Council, Computer Science and Telecommunications Board*, 2003.** “This report explores the interplay between authentication and privacy. It provides a framework for thinking through policy choices and decisions related to authentication systems.”—Executive summary <http://newton.nap.edu/html/whogoes/index.html>

### **Related Web Sites**

[www.aifl.org/lac/lac\\_realidresources.shtml](http://www.aifl.org/lac/lac_realidresources.shtml) – The American Immigration Law Foundation, “REAL ID Act Resources.”

[www.securelicense.org/site/PageServer?pagename=homepage](http://www.securelicense.org/site/PageServer?pagename=homepage) – Coalition for a Secure Driver’s License. A New York-based group (which includes some 9/11 families) that advocates tighter identity security laws.

[www.digimarc.com/policy](http://www.digimarc.com/policy) – Digimarc. A private corporation providing secure identification technology to state and federal government. Under their “Public Policy” section, they provide information about implementation of REAL ID, as well as information about homeland and border security.

[www.epic.org/privacy/id\\_cards](http://www.epic.org/privacy/id_cards) – Electronic Privacy Information Center. Provides a brief history of the REAL ID Act and a comprehensive list of articles and resources about it.

<http://civics.typepad.com/realid> – “MIT Online Forum: The Real ID Act of 2005.” A forum held by MIT in 2005 to discuss issues related to the REAL ID Act, from privacy to security to practical issues for the states. The site includes links to resources outlining the various sides of the debate over the law.

[www.ncsl.org/programs/lis/privacy/idsystems.htm](http://www.ncsl.org/programs/lis/privacy/idsystems.htm) – National Conference of State Legislatures, “ID Systems.” This Web site includes links to NCSL resources about ID systems as well as resources from other groups.

[www.nilc.org/immspbs/DLs/index.htm](http://www.nilc.org/immspbs/DLs/index.htm) – National Immigration Law Center, “Immigrants & Driver’s Licenses.” Includes resources about the impact of REAL ID on immigrants and comparisons of state driver’s license legislation and current requirements.

[www.numbersusa.com/hottopic/0125sensenbrenner.htm](http://www.numbersusa.com/hottopic/0125sensenbrenner.htm) – NumbersUSA. Web site of a group that supports REAL ID and immigration reform.

**BadgerLink: [www.badgerlink.net](http://www.badgerlink.net)**

Since many of the issues surrounding REAL ID are still evolving, some of the best information about individual state responses is in journals and newspapers. A search via BadgerLink of the ProQuest Newspapers and EBSCOHost magazines databases will help locate full-text articles on the subject. Suggested search words: “REAL ID,” “driver’s licenses,” and “secure identification.” To search government journals in EBSCOHost, select “Military and Government” on the “Choose Databases” page.

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