

# WebMemo



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## DHS Gets Real ID Right

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Since passage of the Real ID Act of 2005, which establishes voluntary national standards for the format, issuing, and monitoring of state-issued identity cards (like driver's licenses), some states have been reluctant to participate in the program; most cite the potential costs of implementation. The Department of Homeland Security (DHS) answered these concerns with its final implementation plan, released on January 11. The plan designates an additional \$48.5 million for assisting states with implementation. It also gives states the option of seeking an extension of the compliance deadline to May 11, 2011. It is time for states to accept the responsibility for implementing Real ID. The law's commonsense standards will better protect and respect private information of individual citizens and will offer greater surety in identity documents to combat fraud, identity theft, and other crimes.

**The Real ID Rebellion.** Seventeen states have passed legislation against Real ID. Some opponents claimed that the bill would saddle state governments with a \$14 billion unfunded mandate. Others expressed concern about infringement of civil liberties. The latter charge is patently untrue. Under Real ID, the federal government does not get more access to personal information, nor does Real ID create a national database. Sensitive information will stay within state databases. States retain their sovereignty and traditional responsibilities.

The cost issue, however, was a valid concern. Fortunately, DHS has met its obligation to address that issue.

**More Money, More Time.** DHS recognized that states like Montana, Colorado, and Washington needed more time, funding, and persuading before complying with the federally mandated law. In the fiscal year 2008 omnibus appropriations bill, signed on December 27, 2007, Congress authorized an additional \$48.5 million to assist states with Real ID implementation. These grants will improve driver's license and identification card issuance capabilities and will facilitate collaboration between states in the development of more secure systems that verify applicants' identity while protecting their personal privacy.

These modifications demonstrate that DHS and Congress understand states' concerns. The plan's rules are malleable, to help states implement the program successfully. Implementation has already been delayed until 2009. With the new grants and deadline extensions that will soon be made available, states no longer have any valid reason to push back.

**Moving On.** Creating a secure identity document is needed to help keep America safe, free, and prosperous. States should put the interests of their citizens first and implement Real ID. Congress and

This paper, in its entirety, can be found at:  
[www.heritage.org/Research/HomelandSecurity/wm1801.cfm](http://www.heritage.org/Research/HomelandSecurity/wm1801.cfm)

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DHS can help speed the process by moving the first eligible states into the system as quickly as possible. Michigan, California, and North Carolina have set an example thus far. Once compliance is underway, momentum will build for other states to join; citizens will not want to be left out of a program that contributes to their safety and prosperity while protecting individual freedoms.

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