

Transportation and Security

Jennifer Cohan
NASTO Conference
Quebec City, Quebec
June 6, 2016

1

What is the Real ID Act



2

What Does REAL ID Do?

- ▶ Implements 911 Commission recommendation: Improve “system” to secure state/territory DL/IDs
- ▶ Intended to make the nation stronger, safer & better protected against terrorism & identity theft
- ▶ Sets minimum standards for and increases the security & integrity of state/territory-issued DL/IDs
- ▶ Increases nationwide confidence that people are who they claim to be

3

REAL ID Act of 2005:

- ▶ Federal Government may not accept non-compliant DL/ID cards “for any official purpose” beginning
 - Accessing Federal facilities;
 - Boarding Federally regulated commercial aircraft;
 - Entering nuclear power plants; and
 - Any other purpose that shall be determined by DHS
- ▶ DHS issued minimum standards for States
- ▶ DHS authorized grants to States

4

Scope of REAL ID:

- ▶ Applicants (approximately 240M DMV Customers)
 - Required identity documents
- ▶ 56 State/Territory DMVs
 - Enrollment process
 - Card security & production processes
 - Fraudulent document recognition training
 - Security
- ▶ Federally-sponsored databases for document verification
- ▶ State data exchange requirements

5

Material Compliance Benchmarks

Does the State:	
1.	Subject each applicant to a mandatory facial image capture and retain such image even if a driver license (DL) or identification card (ID) is not issued
2.	Have each applicant sign a declaration under penalty of perjury that the information presented is true and correct, and retain this declaration pursuant to § 37.31.
3.	Require an individual to present at least one of the source documents listed in subsections 37.11 (c)(1)(i) through (x) when establishing identity
4.	Require documentation of: <ul style="list-style-type: none"> • Date of birth • Social Security Number • Address of principal residence • Evidence of lawful status
5.	Have a documented exceptions process that meets the requirements established in 37.11(h)(1)-(3) (if States choose to have such a process)
6.	Make reasonable efforts to ensure that the applicant does not have more than one DL or ID already issued by that State under a different identity
7.	Verify lawful status through SAVE or another method approved by DHS
8.	Verify Social Security account numbers with the Social Security Administration or another method approved by DHS
9.	Issue DL and IDs that contain Level 1, 2 and 3 integrated security features

6

Material Compliance Benchmarks

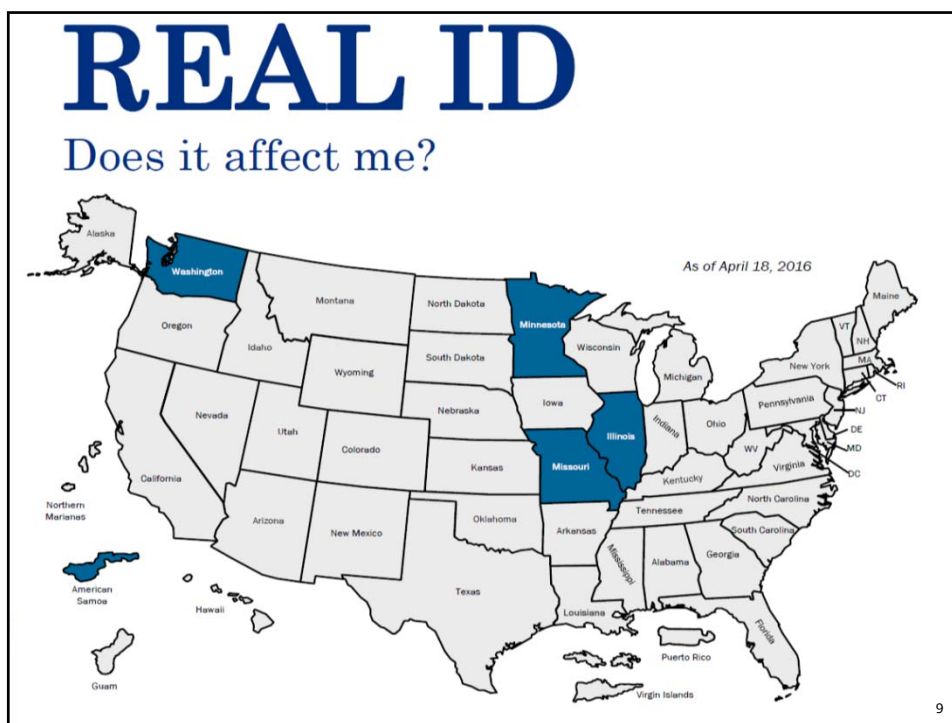
Does the State:	
10.	Surface (front and back) of cards include the following printed information in Latin alpha-numeric characters: <ul style="list-style-type: none"> • Full legal name • Date of birth • Gender • Unique DL/ID number • Full facial digital photograph • Address of principal residence [with exceptions] • Signature [with exceptions] • Date of transaction • Expiration date • State or territory of issuance
11.	Commit to mark materially compliant DL and IDs with a DHS-approved security marking
12.	Issue temporary or limited-term licenses to all individuals with temporary lawful status and tie license validity to the end of lawful status
13.	Have a documented security plan for DMV operations in accordance with the requirements set forth in § 37.41
14.	Have protections in place to ensure the security of personally identifiable information
15.	Require all employees handling source documents or issuing DLs or IDs to attend and complete the AAMVA approved (or equivalent) fraudulent document recognition training and security awareness training
16.	Conduct name-based and fingerprint-based criminal history and employment eligibility checks on all employees in covered positions or an alternative procedure approved by DHS
17.	Commit to be in material compliance with Subparts A through D no later than January 1, 2010 or within 90 days of submission of this document, whichever date is earlier
18.	Clearly state on the face of non-compliant DLs or IDs that the card is not acceptable for official purposes, except for licenses renewed or reissued under § 37.27

7

Implementation Milestones:



8



Effects of Real ID

- ▶ Starting October 10, 2015, visitors seeking access to military bases and almost all Federal facilities using their state-issued driver's licenses or identification cards must present proper identification issued by REAL ID compliant states or a state that has received an extension. When planning a visit to a Federal facility or military base, visitors should contact the facility to determine what identification will be accepted.

Effects of Real ID

- ▶ **Starting July 15, 2016**, TSA, in coordination with airlines and airport stakeholders, will begin to issue web-based advisories and notifications to the traveling public.
- ▶ **Starting December 15, 2016**, TSA will expand outreach at its airport checkpoints through signage, handouts, and other methods.
- ▶ **Starting January 22, 2018**, passengers with a driver's license issued by a state that is still not compliant with the REAL ID Act (and has not been granted an extension) will need to show an alternative form of acceptable identification for domestic air travel to board their flight.
- ▶ **Starting October 1, 2020**, every air traveler will need a REAL ID-compliant license, or another acceptable form of identification, for domestic air travel.

11

Implementation Reality – Delaware

- ▶ First state to fully adopt and become compliant – 2010
- ▶ Five Year Cycle
- ▶ 900,000 driver license holders
- ▶ Front line retraining
- ▶ Wait times



12

Implementation Reality – Delaware

- ▶ Non citizen issues
 - Increase in accidents
 - Increase in uninsured motorist
 - Public backlash



13

Implementation Reality – Delaware

- ▶ Documentation Scramble
 - Social Security Cards
 - Birth Certificates
 - Proof of address



14

DHS on Border Security

- ▶ America shares 7,000 miles of land border with Canada and Mexico, as well as rivers, lakes and coastal waters around the country. These borders are vital economic gateways that account for trillions of dollars in trade and travel each year. They are also home to some of our nation's largest - and safest - cities and communities. Protecting our borders from the illegal movement of weapons, drugs, contraband, and people, while promoting lawful entry and exit, is essential to homeland security, economic prosperity, and national sovereignty.



15

What The ??



16

