

REAL ID
South Carolina Briefing

December 5, 2016



Agenda

- **REAL ID Act Overview**
- **Enforcement Overview**
- **Compliance/Extensions**
- **REAL ID Status of States**

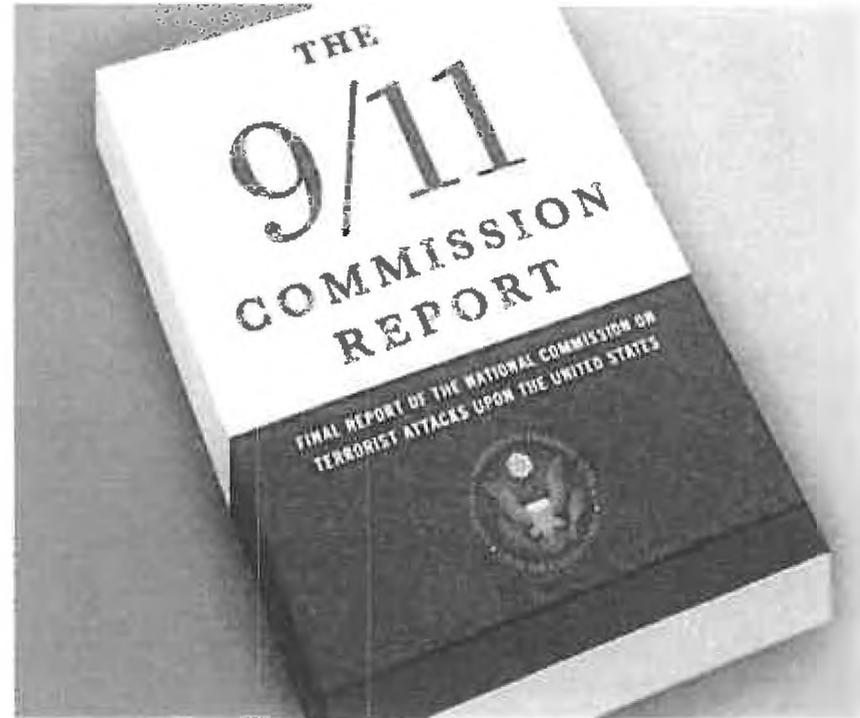


REAL ID Act Overview

“The federal government should set standards for the issuance of birth certificates and sources of identification, such as driver’s licenses.

Sources of identification are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists.”

*--9/11 Commission Report
p.390*



REAL ID Act Overview

- ❑ Covers 56 jurisdictions.
 - *50 states, 5 territories, and DC*
- ❑ Establishes minimum requirements for the secure issuance and production of state-issued driver's license and identification cards.
- ❑ Authorizes DHS to determine compliance, grant extensions to noncompliant states, and to provide grants to states.
- ❑ Prohibits Federal agencies from accepting for official purposes driver's licenses and identification cards from non-compliant states. These purposes are:
 - *Accessing Federal facilities;*
 - *Boarding federally regulated commercial aircraft;*
 - *Entering nuclear power plants; and*
 - *Any other purpose that the Secretary [of Homeland Security] shall determine.*



REAL ID Act Overview

DOES:

- ❑ **Requires Proof of Identity & Lawful Status Presentation & verification of documents showing:**
 - *Full legal name;*
 - *Date of birth;*
 - *Social Security Number;*
 - *Address of principal residence; and*
 - *Lawful status.*
- ❑ **Requires Card Design to Include:**
 - *Biographic information, digital photo, signature, & card number;*
 - *Physical/Anti-counterfeit security features; and*
 - *Common machine-readable technology.*
- ❑ **Requires Safeguards for the Issuance and Production of Licenses**
 - *Copy & retain source document information;*
 - *Secure production facilities & document materials; and*
 - *Background checks & fraudulent document training for employees.*

DOES NOT:

- ❑ **Does not create a national ID card, a Federal database of driver information, or new Federal access to state data.**
- ❑ **Does not authorize DHS to regulate issuance of driver's licenses and identification cards by states.**
 - *State participation is voluntary.*
 - *Consequences for not meeting the standards.*
- ❑ **Does not prevent any state from issuing noncompliant driver's licenses or identification cards.**
 - *Noncompliant cards must incorporate a unique design and clearly indicate that the document may not be accepted for official purposes.*



Enforcement Overview

- ❑ **Phases 1-3 – accessing Federal facilities and entering nuclear power plants.**

- *Currently in effect for noncompliant states (Minnesota, Missouri, and Washington).*

- ❑ **Phase 4 – Boarding Commercial Aircraft.**

- *Announced on January 8; 2016.*

- *January 22, 2018: TSA will only accept driver's licenses and identification cards issued by REAL ID compliant states or noncompliant states that have received an extension from DHS. (“State-based enforcement”)*

- *October 1, 2020: TSA will only accept driver's licenses and identification cards that are compliant with the REAL ID Act. (“Card-based enforcement”)*



Compliance/Extensions

❑ **Status of Implementation**

- *25 compliant states and 17 states/territories committed to compliance.*
- *Across all jurisdictions: 85% of requirements are implemented and 12% are planned.*
- *Jurisdictions without extension have implemented or plan to implement 84% of requirements.*

❑ **Extensions allow noncompliant states and territories additional time to comply with the Act.**

- *Federal agencies may continue to accept for official purposes under the REAL ID Act driver's licenses and identification cards from noncompliant states/territories with valid extensions.*
- *Extensions are not an alternative to compliance with the REAL ID Act.*
- *Extensions can be granted at any time, are valid for a maximum on one year, and expire no later than October 10th of each year.*



Compliance/Extensions

□ For the 2016-17 extension cycle, DHS:

- *Granted **full extensions** through October 10, 2017 to states/territories that committed to meet all the requirements of the Act and regulations;*
- *Granted **limited extensions**, through June 6, 2017, to states committed to eliminating barriers to compliance; and*
- *Did not grant any extensions to states that have not committed to eliminating barriers to compliance.*

Status of State	Extensions Expire	Grace Period	Enforcement Begins
No Extension – Previously No Extension	N/A	N/A	Ongoing
No Extension – Previously Full Extension	10/10/2016	~3 months	01/30/2017
Limited Extension	06/06/2017	~1 month	07/10/2017
Full Extension	10/10/2017	N/A	N/A

□ Grace Period:

- *Allows Federal agencies to accept for official purposes driver's licenses and identification cards issued by a covered state/territory; and*
- *Provides the opportunity for the state/territory to take corrective action, affected residents to obtain alternative means of identification, and agencies to update their procedures and training.*



REAL ID Status of States

As of November 23, 2016

