



DHS Issues Proposal for States to Enhance Driver's Licenses

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Notice of Proposed Rulemaking: REAL ID

The Department of Homeland Security (DHS) announced today its proposal to establish minimum standards for state-issued driver's licenses and identification cards in compliance with the REAL ID Act of 2005. The REAL ID requirements are a result of recommendations made by the 9/11 Commission, which Congress passed into law, and will enhance the security and integrity of driver's licenses.

"Raising the security standards on driver's licenses establishes another layer of protection to prevent terrorists from obtaining and using fake documents to plan or carry out an attack. These standards correct glaring vulnerabilities exploited by some of the 9/11 hijackers who used fraudulently obtained drivers licenses to board the airplanes in their attack against America," said Homeland Security Secretary Michael Chertoff. "We will work closely with states to implement these standards and protect American's privacy against identity theft and the use of fraudulent documents. We are also pleased to have been able to work with Senator Susan Collins, and I believe that the proposed regulations reflect her approach."

The department's proposed regulations set standards for states to meet the requirements of the REAL ID Act, including: security features that must be incorporated into each card; verification of information provided by applicants to establish their identity and lawful status in the United States; and physical security standards for locations where licenses and identification cards are issued.

As proposed, a REAL ID driver's license will be required in order to access a federal facility, board federally-regulated commercial aircraft, and enter nuclear power plants. Because states may have difficulty complying before the May 11, 2008, deadline, DHS will grant an extension of the compliance deadline until December 31, 2009. States that have received extensions will, over the course of the waiver period, submit proposed timetables for compliance.

DHS also announced that up to 20 percent of a state's Homeland Security Grant Program funds can be used to help implement REAL ID. This additional flexibility will be made available during the current 2007 grant cycle.

In May 2005, President Bush signed the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act" into law. Among the provisions contained in the law was the REAL ID Act.

The proposed regulations have been submitted to the Federal Register for a 60-day public comment period. To view the proposed regulations, go to www.dhs.gov.