REAL ID
The Effect on International Clients

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REAL ID Act

- Passed by Congress in 2005
- Federal Government may not accept a DL/ID cards for any official purpose unless it is meeting the requirements of the Act. Official purpose include:
  - Accessing Federal facilities;
  - Boarding Federally regulated commercial aircraft;
  - Entering nuclear power plants; and
  - Any other purpose that the Secretary shall determine.
- Standards include:
  - Card security features to deter and prevent fraud;
  - Verification of the identify and lawful status of an individual before a card can be issued;
  - Security requirements for facilities and protection of personal data.
What Does REAL ID Do?

- Implements 911 Commission recommendation: Improve "system" to secure State/Territory DL/IDs
- Makes 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 confidence that people are who they claim to be
- Respects the authorities & functions of States/Territories
What REAL ID is NOT!

- Not a National ID
  - States & Territories are still responsible for issuing their own unique DL/IDs and retain flexibility with regard to design, specific security features, data capture, and storage
  - A State issued REAL ID is not the sole identification credential accepted by the Federal government or any other entity
  - States & Territories can still issue unique DL/IDs that are not REAL ID compliant if they choose

- Not a National database
  - Federal Government is not collecting information on individuals. States will continue to own and operate databases for DL/ID issuance
  - As they do now, only authorized DMV officials and law enforcement personnel will have access to DMV records
  - DHS is assisting States to build a “verification hub” to facilitate the capability to verify an applicant’s identity documents, date of birth, Social Security Number, lawful status, and State-to-State check for a REAL ID
What REAL ID is NOT!

- Will Not Diminish Privacy
  - Requires enhanced security to protect personal information gathered by the States from insider fraud and other vulnerabilities
  - States maintain responsibility for protection personally identifiable information

- Not an Unfunded Mandate
  - Homeland Security Appropriations Act of 2006 allows for $31.3M in grant funding; Omnibus Appropriations Act of 2008 allows for $48.5M [The application process closed April 7, 2008, and the awards are currently under review.]
  - President’s FY 2009 budget request includes up to $150M in grants for States and $50M for a State owned and operated verification hub
  - States may use up to 20% of the State Homeland Security Grant Program (SHSGP) for REAL ID implementation
Scope of REAL ID

- Applicants (approximately 240M DMV customers)
  - identity documents required
  - qualifications & types of licenses

- 56 state/territory DMVs
  - enrollment process
    - data capture & storage
    - applicant & document authentication
    - data verification
  - card security & production processes
  - fraudulent document recognition training
  - security
    - clearances for employees
    - facilities
    - data
    - systems

- Federally-sponsored databases for verification

- State data exchange requirements/needs
  - state/territory queries to federally-sponsored databases
  - jurisdiction-to-jurisdiction data exchange
Applicant Requirements

- Mandatory Facial Image Capture
- Sign a Declaration of penalty of perjury that information presented is true and correct

Must Present
- Identity source document
- Date of birth
- Social Security Number
- Address of principal residence
- Evidence of lawful status
Data & Document Verification

- Verification of:
  - Identity (name + date of birth)
  - Lawful status
  - SSN
  - Address of principal residence
    - *State residency requirements vary from state to state*

- Identity documents (at least one is required):
  1. U.S. Passport
  2. U.S. Birth Certificate (certified copy)
  3. Consular Report of Birth Abroad (FS-240, DS-1350 or FS-545)
  4. Permanent Resident Card (I-551)
  5. Certificate of Naturalization (N-550 or N-570)
  6. Certificate of Citizenship (N-560 or N-561)
  7. Employment Authorization Document (I-766 or I-688B)
  8. Foreign Passport + U.S. Visa + I-94
  9. REAL ID DL/ID