

## Real ID Act About To Go Into Effect For Travelers

October 19, 2012 - For several years now ACCESS has been a vocal critic of the Real ID Act. This piece of legislation essentially turns driver's licenses into a national ID card for those who live in states that comply with the act. The reason for our criticism of it is that because information from driver's license systems across the country will now be available to law enforcement agencies across the country. To accomplish this, the federal government has to establish something akin to a centralized database. And we know from experience, that large government databases containing personally identifiable information on average citizens act like a lightning rod for hackers. Gaining access to one of these databases is the Holy Grail for identity thieves.

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Real ID promises to be a real nightmare for the general public. It will allow anyone with access to track your travel on public transportation, or to see virtually every piece of personally identifiable information that any government agency has on you.

When the law was written, it specifically stated that the states didn't have to comply with the law. Several states have passed laws that make it illegal for them to participate. But if you live in a state that doesn't participate then the feds won't allow you to use your driver's license as an acceptable form of ID for any reason. The same is true for those who live in states that have said they will participate but which are not in compliance with the program.

This means that if you live in a non-participating or non-compliant state, you won't be able to use your driver's license to board a plane. You would be able to use it to enter a federal building or to apply for any federal benefits. Your only alternative is to get a passport.

The deadline for implementing Real ID is January 15, 2013. It is already creating issues in a number of states. New Mexico may wind up a non-compliant state because they are currently one of the few states that issues driver's licenses to illegal aliens. Louisiana, Montana, Washington, Oklahoma and eleven other states all have laws preventing implementation of the federal law. That means that nearly 20% of people nationwide could be living in an area that Real ID will really impact them.

Earlier this month, the ACLU released a statement saying the Real ID is dead and that states not in compliance would not have an issue. That may be true. The implementation deadline has come and gone before. Each time, it has been extended. But for its part, DHS is saying that they are not planning on waiving the deadline again. States that publically agree to come into the program can get a one year waiver until 2014. But those that don't agree may not be so lucky.

Unfortunately, living in a state that is non-compliant may not offer you a lot of privacy or identity theft protection if you do travel. That's because if you get a passport, all of the information that the feds would have gathered and stored on you through your state's driver's license will simply be obtained through the process of having you apply for a passport. So all of the inconvenience you are going to experience may be for absolutely nothing.

byJim Malmberg

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