



May 5, 2021

WHAT YOU NEED TO KNOW ABOUT REAL ID

PRO POINTS

- ❖ **The Department of Homeland Security has said Americans have until May 3, 2023, to obtain REAL ID cards that they will need to fly on commercial domestic flights.**
- ❖ **DHS has repeatedly extended the enforcement deadline for REAL ID due to low compliance levels. To date, only 43 percent of eligible adults have a REAL ID-compliant driver's license or identification card.**
- ❖ **State officials have said licensing agencies will need more time to recover from the impacts of the pandemic, promote REAL ID adoption and make changes that would streamline the application process, such as creating systems to accept some required documents online ahead of in-person visits.**

HOW WE GOT HERE

Congress enacted legislation in 2005 that codified a 9/11 Commission recommendation for the federal government to establish uniform security standards for driver's licenses and other state-issued forms of identification. Under the REAL ID Act, any American or legal resident over the age of 18 is required to show a REAL ID card when boarding a domestic flight or entering a federal facility.

The task of implementing that requirement fell to the then newly formed Department of Homeland Security. Over the years, DHS has struggled to bring states into compliance with the law, which requires the establishment of a REAL ID application process and to collect copies of documents, such as passports and permanent resident cards, that DHS has determined meet federal security standards. That slow progress has forced DHS to extend the REAL ID deadline several times.

REAL IDs carry a slew of enhanced security features

OVERT FEATURES

Polycarbonate card is durable and resistant to tampering.

ID bar code on back of card.

Star indicates REAL ID compliance.



Laser engraving protects against forgery or manipulation.

Raised text makes any modifications difficult.

Laser image can have multiple images in the same area.

COVERT FEATURES

ID might include one or more of the following: micro text; UV, holographic, embossed or ghosted images; embedded technologies.

Sources: PennDOT, Maryland DOT, Thales, AlphaCard



Currently, 50 states, the District of Columbia, and four of five U.S. territories are compliant and issuing REAL ID cards, according to the latest DHS data. However, less than 50 percent of eligible U.S. adults have REAL IDs. The pandemic — which has forced many state licensing agencies to operate at limited capacities — has only added to the challenges federal and state officials face in getting more Americans to apply for the cards. DHS has extended the deadline twice since last March, most recently pushing the cutoff date to May 3, 2023.

Homeland Security Secretary Alejandro Mayorkas said the latest extension will allow the department more time to enact changes intended to streamline the application process and speed up the issuance of the cards, including allowing state agencies to collect some application materials online prior to in-person visits. DHS also recently announced it would seek public comment on how it might create minimum security standards for digital and mobile versions of REAL ID cards ahead of an upcoming rulemaking that would allow people to present the cards on phones and other devices.

WHAT'S NEXT

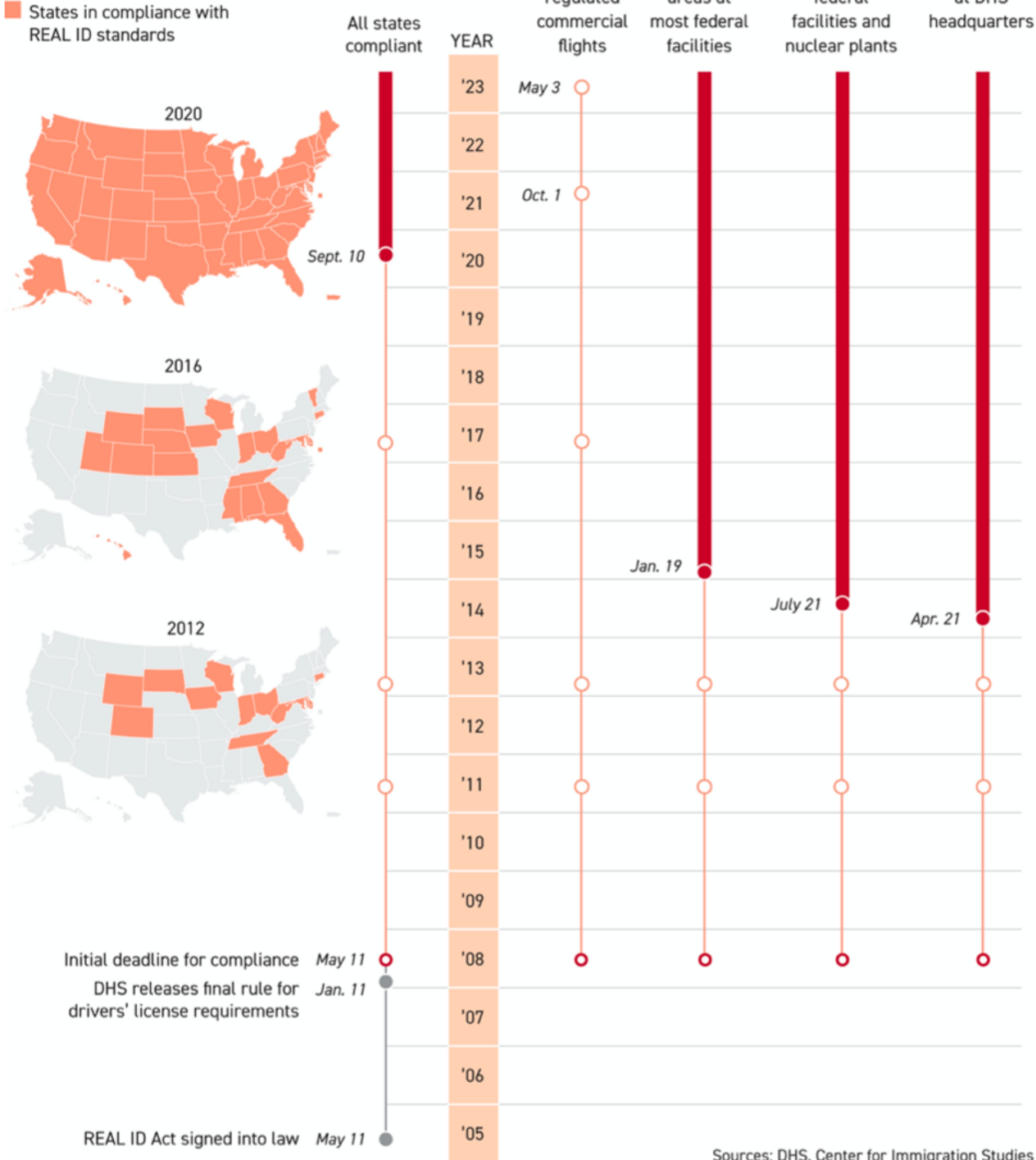
As vaccinations increase and state licensing agencies loosen restrictions on the number of visitors permitted inside buildings, there may be an uptick in people applying for REAL ID cards. DHS also announced last year that it would allow state licensing agencies to begin accepting some required documents online ahead of in-person visits, which could help boost numbers.

However, the travel industry has continued to criticize the requirement to apply for the cards in-person as burdensome. Groups like the U.S. Travel Association have urged DHS to allow air travelers through checkpoints with digital REAL ID-compliant cards instead of hard copies obtained from a licensing agency. DHS has signaled that it is at least open to the idea and is requesting public comments ahead of an upcoming rulemaking. However, the department has yet to say when it might issue a rule on mobile REAL IDs or if it would be before the new May 2023 deadline.



Slow compliance for REAL ID

- Deadline extensions
- Full compliance
- States in compliance with REAL ID standards





POWER PLAYERS

- **Alejandro Mayorkas:** As head of DHS, Mayorkas is responsible for overseeing the implementation of REAL ID policies at the federal and state levels and for the latest deadline extension. He has pledged to work closely with states as they recover from the pandemic, which has forced many licensing agencies to operate at limited capacity.
- **Rep. Bennie Thompson:** Thompson is chair of the House Homeland Security Committee. Prior to the pandemic, Thompson threatened congressional action if DHS was unable to get more people signed up for REAL ID ahead of the deadline. He has supported DHS' decision to, again, extend the deadline because of the pandemic and said that "Americans should still not have to put themselves at risk by rushing to their DMV."
- **Roger Dow:** Dow, the U.S. Travel Association president, and Tori Emerson Barnes, the group's executive vice president of public affairs and policy, have been pushing DHS to adopt more tech- friendly tools to speed up REAL ID enrollments, including allowing travelers to use digital identification cards presented on their mobile devices. U.S. Travel, along with other airline and airports industry groups, has warned that millions of Americans could be barred from domestic flights if compliance levels remain low.