



## The real deal on REAL ID

*OMV commissioner explains move to new identification document*

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There is concern that legislation scheduled to be heard in the Senate today would cause driver's licenses to morph into a national ID that will allow for data sharing.

Known as REAL ID, critics have said it will have financial and privacy while proponents argue it is a way to tighten identification standards to meet federal guidelines.

House Bill 907 would require the issuance of REAL ID-compliant driver's licenses and special identification cards. The bill has passed the floor of the House and Senate transportation committee. It is expected to go before the Senate floor on Monday.

"I've been listening to the debate, it's been something that deals with people's privacy and this is not going to be done quickly and it could change on the Senate floor. But right now, the way it's been structured and amended, I feel comfortable with it as it is now," said Senator Barrow Peacock, R-Bossier City.

REAL ID was created in 2005, in the wake of the Sept. 11 terrorist attacks, as a mechanism that would stiffen identification standards.

The state legislature took exception to the law that passed Congress, which mandated that all REAL ID documents contain a RFID computer chip, retinal scan image, and machine-readable fingerprint. Those mandates have since been removed from the federal legislation.

"The (state) legislature, rightly so, said, 'We're not gonna do it,' and the federal legislature changed it and now it's gotten to a point where we can give people an option," said Peacock.

A 2008 bill prohibited compliance with REAL ID and blocks the Office of Motor Vehicles (OMV) from making drivers licenses REAL ID compliant. HB 907 would undo this block.

"The Department of Homeland Security is not saying you must have a REAL ID document to board an aircraft. When you go through a TSA checkpoint, you are asked for photo identification such as a driver's license or state issued ID card, and every day, people board aircraft using a photo library card," said Commissioner of Motor Vehicles Stephen Campbell. "You can do that

if the Department of Homeland Security people choose to accept that and can verify that identification proves you are who you say you are.”

Cambell said the state’s current identification documents would satisfy many of the federal requirements, but do not have the required safety elements, mainly that identification be REAL ID compliant — which is proved with an image of a gold star on the document.

He said any fears that the data used on REAL ID documents would be used for data mining or shared among government entities is false.

“Any information on REAL ID documents provided to the OMV are protected according to federal standards and that info remains in the state’s OMV database that will only be shared with law enforcement in case of an investigation,” said Campbell.

Furthermore, he noted that REAL ID-certified identification is not mandatory.

“We’re allowing Louisianans to opt out of receiving a REAL ID drivers license, with the legislation requiring that any applicant must be told they do not have to accept a REAL ID document,” Campbell pointed out.

He also explained there would be no cost to update the OMV system to be REAL ID compliant. Peacock explained HB 907 has a fiscal note that says there will be no anticipated cost.

“This change to REAL ID can be handled in the OMV’s regular state revision of the drivers license,” said Campbell.

Lastly, HB 907 features a provision that says if the federal government changes REAL ID regulations, the state legislature would have to adopt those changes through the full legislative process.

A May 2014 CATO Institute report cited by REAL ID critics says the Department of Homeland Security reported only 13 states were REAL ID compliant as of January 2013.

Furthermore, that report noted that a 2007 DHS economic analysis of REAL ID put the cost at \$17 billion, with \$11 billion of these costs being fronted by the states.

Campbell pointed out this report is based on the initial, now outdated, legislation that has since been altered by Congress.

“This is not a national ID, there is no federal agency looking over our shoulders. This is a Louisiana document that meets federal requirements,” said Campbell.

Representative Henry Burns, R-Haughton, was one of the dissenting votes of HB 907 in the House.

“We’ve been very hyper active this session to guard data and information with our children, it’s interesting we got on one accord for that and we don’t want to do the same for the adults,” Burns said.

He acknowledged that the push for REAL ID is that it will be mandatory to obtain a passport and for air security, but Burns points out the system has been delayed many times with several states failing to comply.

“It’s never actually been implemented as a policy and keeps getting delayed. Many other states have opted out of the REAL ID,” he said.

HB 907 can be viewed online [HERE](#).