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## REAL ID not a real threat for Idaho ... at least for now

By Mitch Coffman  
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New license not part of REAL ID

The Idaho Transportation Department (ITD) announced in January that the state would be changing to a new driver's license. Officials say the new license will reduce time spent at the Department of Motor Vehicles, annual operating costs won't be as much, and the number of fake IDs will go down.

The new licenses have had some people worrying that Idaho has incorporated aspects of the federal REAL ID Act into them. According to Ed Pemble, ITD's driver services manager, that is not the case. "Idaho is not a REAL ID state and there are no plans to be one. REAL ID has a lot more to do with what is required to get a license than the card itself." The Idaho Legislature three years ago passed legislation forbidding the state from complying with REAL ID.

Still, REAL ID was passed by Congress as a national security measure and there are some in Congress who are demanding that states comply with the law and that the federal government force its implementation. By contrast, the Cato Institute, a public policy think tank dedicated to limited government and individual liberty, is adamantly opposed to REAL ID.

Twenty-four states are refusing to comply with the REAL ID regulations, according to the National Conference of State Legislatures. The law, passed by Congress in 2005 on the recommendation of the Sept. 11 commission that investigated the 2001 terror attacks, aims to prevent terrorists from obtaining valid driver's licenses and ID cards. But the Bush administration delayed the program's original May 2008 compliance deadline amid claims that it was an unfunded federal mandate that would cause major disruptions in air travel,

limit access to federal facilities like courthouses and infringe on Americans' privacy rights. Since then there have been two more delays, the latest from the Obama administration. It postponed enactment until January 2013. The program is estimated to cost \$17 billion to implement.

Some confusion may have stemmed from the more uniform look of the new licenses. Idaho, along with other states, has taken the recommendations of the American Association of Motor Vehicle Administrators, which include having licenses from each state be as close as they can be as far as layout and where to look for certain information. The idea is that law enforcement officials don't have to search for information about the motorist, they can know exactly where to look for the information.

Among the things required for REAL ID is proof of identity. If Idaho were to ever become a REAL ID state, every person who currently has a driver's license would be required to go through the process of proving his identity. Pemble said for that to happen the current law rejecting REAL ID would have to be changed, and he does not believe that is going to occur.

REAL IDs also have a small computer chip in them to store information. Pemble said the new driver's licenses are much more secure than Idaho's previous ones, but it was done mostly to prevent counterfeiting, and there is no chip in them like the REAL IDs have.

However, while Idaho and 23 other states are on record opposing implementation of REAL ID, the fight is not over even with the delay by the Obama administration. The concern by some in Congress is that not having the REAL ID system could allow terrorists to move about the country undetected. "The timing for such a delay is worse than ever," Texas Rep. Lamar Smith, chairman of the House Judiciary Committee, said in a statement. "The administration should not prolong REAL ID implementation. By doing so, they disregard the law of the land. Delaying REAL ID unnecessarily places Americans' lives at risk and threatens national security."

But the National Governors Association welcomed the extension. "Protecting the security and integrity of drivers' licenses and state identification cards is a top priority of the nation's governors. However, REAL ID presents significant operational and fiscal challenges to states," the group said in a statement. "Governors have long said that REAL ID, in its current form, is unworkable. That has not changed." It added: "Extending the compliance deadline allows states and the federal government more time to find solutions that work," adding, "Arbitrary deadlines that only keep people from boarding an airplane do not make the impossible possible."

For the Washington, D.C.-based Cato Institute, the problem with REAL ID is its assault on what it calls "the rights of every American." Says Cato policy analyst Jim Harper: "It (REAL ID) mandates that every state's database – containing Social Security cards, copies of birth certificates, etc. – be linked and accessible to tens of thousands of DMV employees.

"By making our personal information accessible to countless individuals across the country, REAL ID exposes it to misuse and identity theft. In addition, the new driver's licenses created by REAL ID will contain a machine-readable component, allowing the government to track and monitor law-abiding citizens like we are criminals on parole. Any way you look at it, the REAL ID national ID scheme is a bad law that needs to be scrapped. It is enormously expensive, offers little to no benefits, and places our personal information at risk for use in identify theft," said Harper.

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