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## **R.I. should rebuff national ID plan**

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Last fall, the U.S. Department of Homeland Security began a major effort to move more states into compliance with the REAL ID Act, a federal law designed to create a national ID system. Rhode Island state representatives Doreen Marie Costa, Robert Nardolillo, and Sherry Roberts are pushing back. In recently introduced legislation (H-7798), they rightly denounce the federal government's national ID efforts. As these state representatives ask, Rhode Island's congressional delegation should oppose REAL ID and seek to suspend its implementation.

Passed in 2005, the REAL ID Act is a federal law designed to coerce states into adopting uniform standards for driver's licenses and non-driver IDs. Compliance also requires states to share drivers' personal data and documents nationwide. If fully implemented, REAL ID would create a de facto national ID card administered by states for the U.S. Department of Homeland Security. And the back-end database system the law requires would expose data about drivers and copies of basic documents, such as birth certificates and Social Security cards, to hacking risks and corruption in any motor vehicle department across the country.

Congress passed REAL ID without any hearings and without an up-or-down vote in the Senate. The law repealed federal legislation dealing with the security of identification documents that was passed in response to the 9/11 Commission report, and it canceled a "negotiated rulemaking" that was bringing together federal and state security officials, as well as civil liberties and privacy groups.

When states realized the costs and consequences of REAL ID in the mid-2000s, many rebelled. More than half the states in the country passed resolutions, such as the one currently in the Rhode Island House, or they outright banned themselves from complying.

The hook that the REAL ID law uses to encourage compliance is the threat that DHS will refuse drivers' license and IDs from non-compliant states at Transportation Security Administration checkpoints. But DHS can only threaten; it has never made good on the threat and it never will. That is because DHS itself would take all the blame if it started refusing Americans their right to travel. Multiple DHS-invented "deadlines" have come and gone since the original deadline set by

the law in 2008. In January, DHS backed off from a claim made last fall that it would start refusing many states' licenses in 2016.

But DHS bureaucrats have been working hard for nearly a decade to undercut state resistance. Using a pared-back "material compliance checklist," they have been claiming widespread compliance. By DHS's improvised standards, 22 states and the District of Columbia are on board with the national ID program. Rhode Island is not one of them. DHS has graciously granted the state an extension — because even a small state's residents have a right to travel.

In truth, no state is compliant with all the terms of the REAL ID Act, because the law requires that nationwide information sharing network, which DHS downplays to get states on board. After the states agree to compliance, the goalposts will be moved and DHS will require states to open their databases to every other state. REAL ID compliance also means expensive design changes and new materials for cards, higher costs for IDs, and longer lines at divisions of motor vehicles. Rhode Island is already using facial recognition systems to analyze the digital images it captures when it licenses drivers.

That's why refusing REAL ID compliance is a good idea right now. Rhode Islanders should support this effort to fight REAL ID and thank Representatives Costa, Nardolillo and Roberts for taking the lead.

When Congress passed REAL ID in 2005, its purpose was ostensibly to fight terrorism, but if the federal government's national ID program is implemented, the result will be greater tracking and control of law-abiding Americans. That's a threat to Rhode Islanders' — and all Americans' — privacy and liberty.

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