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NYCLU Blasts Draft DHS Regulations on Real ID Act *Calls on Gov. Spitzer to Reject Red Tape, Huge Costs, ID Theft Risk*

FOR IMMEDIATE RELEASE

March 3, 2007 -- The New York Civil Liberties Union today slammed draft regulations for the implementation of the Real ID Act released by the Department of Homeland Security, calling the implementation of those regulations a “real nightmare” that would ensnare New Yorkers in red tape, cost the state hundreds of millions of dollars, and expose every ID holder to the risk of identity theft.

Implementing the regulations, the NYCLU said, would create a national identity card system, damage thousands of immigrant New Yorkers, and send driver’s license fees soaring. Little or no federal funding would be provided to cover the costs.

“Real ID is a real disaster for New York -- and these regulations rub salt in the wound,” said Donna Lieberman, NYCLU Executive Director. “The Real ID Act would strip funds from essential state services and security initiatives and funnel them into an ineffective national ID card system that would do nothing to protect New York from terrorism. New York must join states across the country in saying loudly and clearly that we will not implement Real ID.”

In response to the long-delayed release of the DHS regulations, the NYCLU called on Governor Eliot Spitzer to announce his opposition to the Real ID Act and reaffirm the State’s commitment to security, privacy, civil liberties, and immigrants’ rights.

“Governor Spitzer must be a national leader in rejecting implementation of the Real ID Act.” Lieberman said. “This is the Governor’s time to show the rest of the country that New York puts the basic interests of its residents above all else.”

The Real ID Act, a national ID card system that would federalize and standardize state driver’s licenses, was forced through Congress in 2005 as part of a must-pass military appropriations bill. Congress did not hold a single hearing on the legislation.

The NYCLU’s concerns about the regulations and about Real ID in general include the following:

- **Real ID would cost even more than anticipated.** The Department of Homeland Security concedes that the cost to the states would range from \$10.7 billion to \$14.6 billion, and adds that individuals would have to cover an additional \$7.8 billion in costs, raising the price tag for Real ID to a whopping \$23 billion nationwide.
- **Real ID would facilitate ID theft.** Identity theft is about to get a whole lot easier and more lucrative. Sensitive and personal documents, such as bank statements and tax

records, would have to be scanned and stored by the DMV. Phenomenal damage could be done with that information by a hacker or corrupt DMV official.

- **Real ID would turn DMVs into immigration enforcement agencies.** The Act bars non-citizens from receiving driver's licenses unless they can prove their lawful immigration status and identity. It turns DMVs into sub-branches of the immigration service, forcing clerks to decide who can or cannot be given a license -- despite the complexity of our immigration laws, which rivals that of our tax code. Moreover, any citizen who speaks with an accent or is not fluent in English would suffer discrimination.

A growing nationwide rebellion against the Real ID Act is underway among states. In January, the Maine state legislature passed legislation rejecting participation in the ID scheme, and similar legislation has been passed by one chamber in the legislatures of eight other states. Bills rejecting Real ID Act implementation have also been introduced in 14 other states, with more expected in the coming weeks.

In New York, the NYCLU is part of a growing statewide coalition of labor unions, immigrants' rights groups, civil libertarians, and security experts who are working together to stop New York from implementing the Real ID Act.

In Congress, Senators Daniel Akaka (D-HI), John Sununu (R-NH) and Representative Tom Allen (D-ME) have introduced legislation that would add important privacy and civil liberties safeguards to the Real ID Act. Their bills would eliminate most of the requirements that laid the foundation for a national ID card. The bills would prohibit the use of license data by third parties, require data encryption and preserve any state privacy laws that may provide greater protections. The NYCLU called on the New York congressional delegation to lend its vocal support to both the Akaka-Sununu and Allen bills.

More information about Real ID, including information sheets in English and Spanish and the text of the law, is available at www.realnightmare.org.