

Keeping IDentities Safe®



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Keeping IDentities Safe President's Oped: The Pied Piper of Pennsylvania

Lebanon Daily News; Brian Zimmer, 11/6/2016

Sen. Mike Folmer has led the charge in the Pennsylvania legislature against the state's voluntary compliance with the REAL ID Act for nearly a decade. In 2011, he introduced legislation and successfully found support among Democrats and Republicans to get the bill passed and subsequently signed into law by the Governor in 2012, as SB 354, "The REAL ID Nonparticipation Act." The bill's name says it all.

In his Nov. 4 guest column, he listed states taking "similar action" in 2009 to oppose REAL ID compliance. His assertion is incorrect. Fewer than a dozen states enacted binding "anti-REAL ID laws" in 2008 or 2009, and today only Alaska, Minnesota, Missouri, Oklahoma, and Washington State continue to share that distinction with Pennsylvania. Some of the states he listed, notably neighboring state New York, never considered such legislation, and the state Department of Motor Vehicles is on schedule to comply next year!

The neighboring state of Maryland was already moving forward to comply with the REAL ID Act rules in 2009, and was among the first 10 states that the U.S. Department of Homeland Security determined to be REAL ID compliant. Other states were also mislabeled as "taking similar action to oppose REAL ID. In fact some listed by Folmer were among the first states to become "fully compliant" with REAL ID rules including: Nevada, Ohio, Tennessee, Utah, and Wyoming. Wisconsin was the first state to pass legislation embracing REAL ID, in 2008.

Next door Delaware was the first fully compliant state. Today, twenty four states are fully compliant. Four more states - Louisiana, Arkansas, New Mexico, and North Carolina - have submitted compliance document packages to the federal government and may be determined to be REAL ID compliant within the coming months.

Why bother to correct Sen. Folmer's misstatement of facts in his Op-Ed? Because it was his many distortions of both the forty two REAL ID requirements and of the positions of other states toward REAL ID compliance that misled his fellow legislators. They followed his pipe playing over the hill and into a jam for state residents, who will now face the unpleasant consequence of REAL ID enforcement on January 30, 2017.

It was the 9/11 Commission recommendations to Congress that led to the secure driver's license provisions of the 2005 REAL ID Act. The federal regulations that put the REAL ID Act into effect were published in final form in 2008, and available to individual legislators, PennDOT and the staff that advises legislators. Someone should have read them in Harrisburg, and not listened to Sen. Folmer or the American Civil Liberties Union which lobbied for his bill. PennDOT received \$5 million in federal grants specifically tied to REAL ID compliance, and two Governors of Pennsylvania have signed off on four requests for time extensions to comply. Senator Folmer's claims of REAL ID as an unfunded mandate are factually incorrect, as well as misleading to the readers of this newspaper. Meanwhile, PennDOT lost the chance to make gradual upgrades that would only moderately inconvenience driver's license applicants. Now, time is of the essence!

PennDOT has the difficult task of bringing the state into compliance in short order, or Pennsylvania residents will need to buy passports next year in order to pass TSA airport checks in 2018. Legislators and citizens need to stop listening to the Pied Piper of Lebanon County and support secure driver's license practices ASAP.

[Click here for the story](#)

Pennsylvania and the REAL ID Blunder in their Own Words

State newspapers are waking up to the tremendous error by their state legislators. Below is a list of editorials written about the REAL ID conundrum from Pennsylvania papers, as well as a particularly poignant cartoon.

[Pittsburgh Post-Gazette: Get Real on Licenses: Start to Comply with REAL ID, for Citizens' Sake](#)

[York Dispatch: Let's Get REAL ID](#)

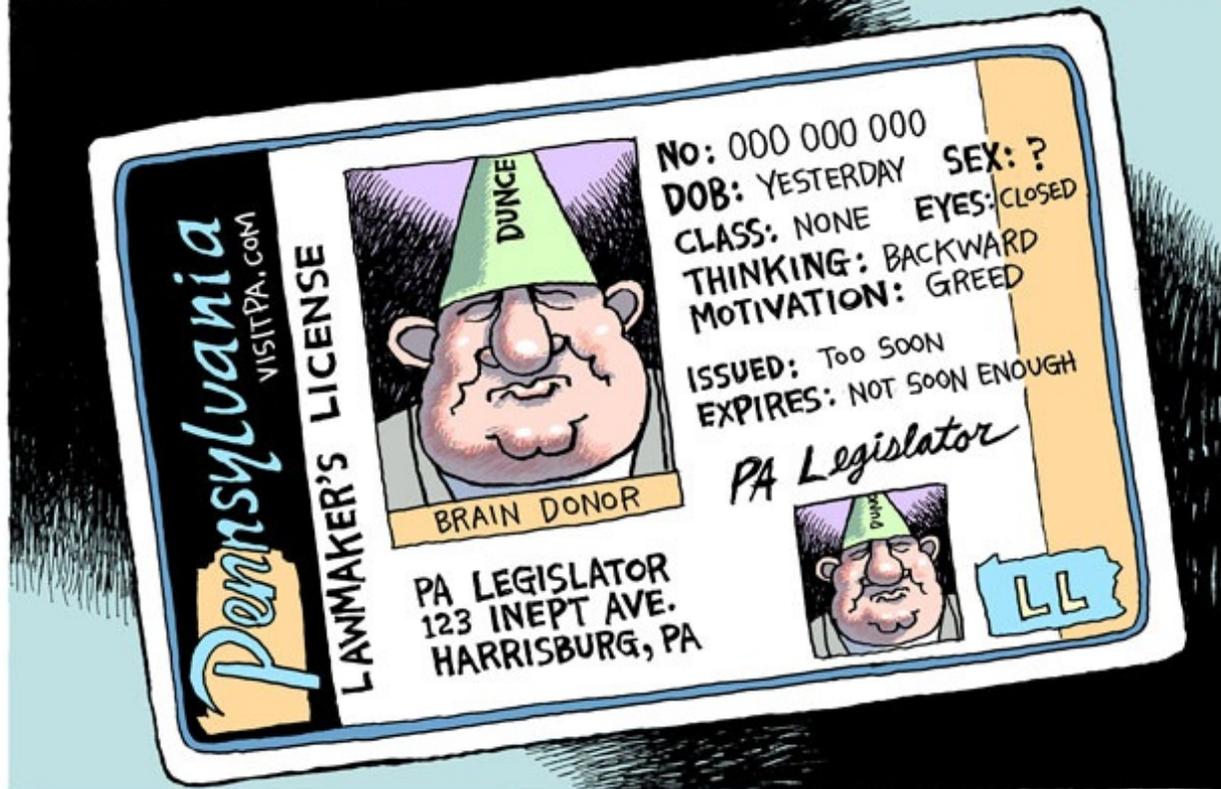
[Erie-Times News: Just Do It](#)

[Morning Call: Pennsylvania Playing Chicken with REAL ID](#)

[Express-Times: PA Needs to Clear Up ID Mess, Get Real](#)

[Reading Eagle: State's Effort to Kill REAL ID Program Doesn't Fly](#)

[Pittsburgh Post-Gazette: Harrisburg Fails Citizens in a Big Way on IDs](#)



From the Pittsburgh Post Gazette

A Second warning to Pennsylvania on REAL ID

By Max Bluestein

The Pennsylvania Department of Transportation [announced](#) that on January 30, 2017, Pennsylvania residents "will need an alternative, secure form of identification to gain admittance to all federal facilities, military bases and nuclear power plants" because their driver's licenses and ID cards didn't meet federal security standards before the REAL ID deadline. The Department of Homeland Security did grant several states extensions to comply with the REAL ID Act, but Pennsylvania was not among them due to its total lack of progress in securing its documents. If the state continues to lag, Pennsylvanians won't even be able to use their licenses to board airplanes in 2020.

The impending calamity is due to a 2012 Pennsylvania state law, [Act 38](#), that prohibited the Governor and Department of Transportation from participating in the REAL ID Act or any of its regulations. The bill was championed by State Senator Mike Folmer, who [incorrectly called REAL ID a national ID](#) and was joined by a chorus of his colleagues who said the law would never be enforced.

Way back in May 2011, [I testified in the state Senate against Act 38 \(then SB354\)](#), trying to help Pennsylvania avoid this exact crisis. Battling a hostile panel of Senators in the Communications and Technology Committee, I argued that the REAL ID Act is not a national ID but a set of best practices to prevent thieves, impostors, and foreign terrorists from using our driver's licenses as weapons. I testified that if this bill passed, it would "remove the flexibility of the Governor and the state executive branch to keep Pennsylvania current with the security

improvements now underway in a majority of driver's license agencies across the country".

I informed the Committee that the bill must be struck down so that "Pennsylvania driver's license will continue to be accepted by the federal government and in all other states as the proof of the bearer's identity". In my testimony, I also predicted that most of the country will move forward on complying with the law in the coming years and, if this bill passes, the other states will leave Pennsylvania behind, along with Montana, Washington, and Oklahoma **(all of which are also noncompliant)**.

However, the Committee didn't listen. No one listened. SB354 moved through the Communications and Technology Committee unanimously, then through the Senate floor unanimously, and finally through the House 189 - 5 until it became Act 38, "REAL ID Nonparticipation".

Now, because of that bill, not only are Pennsylvania's driver's licenses highly vulnerable to fraud and impostors, but they can't be used to enter federal buildings and military bases. But in 2020, it will get worse. Unless the legislature overturns Act 38, Pennsylvanians' driver's licenses will be treated as no identification at all by TSA at airports across the country. That means residents will be forced to get passports in order to fly (tragically, the actual national ID that Senator Folmer warned against). If the Act is repealed, the process to meet the requirements can begin and hopefully Pennsylvania can avoid a travel nightmare.

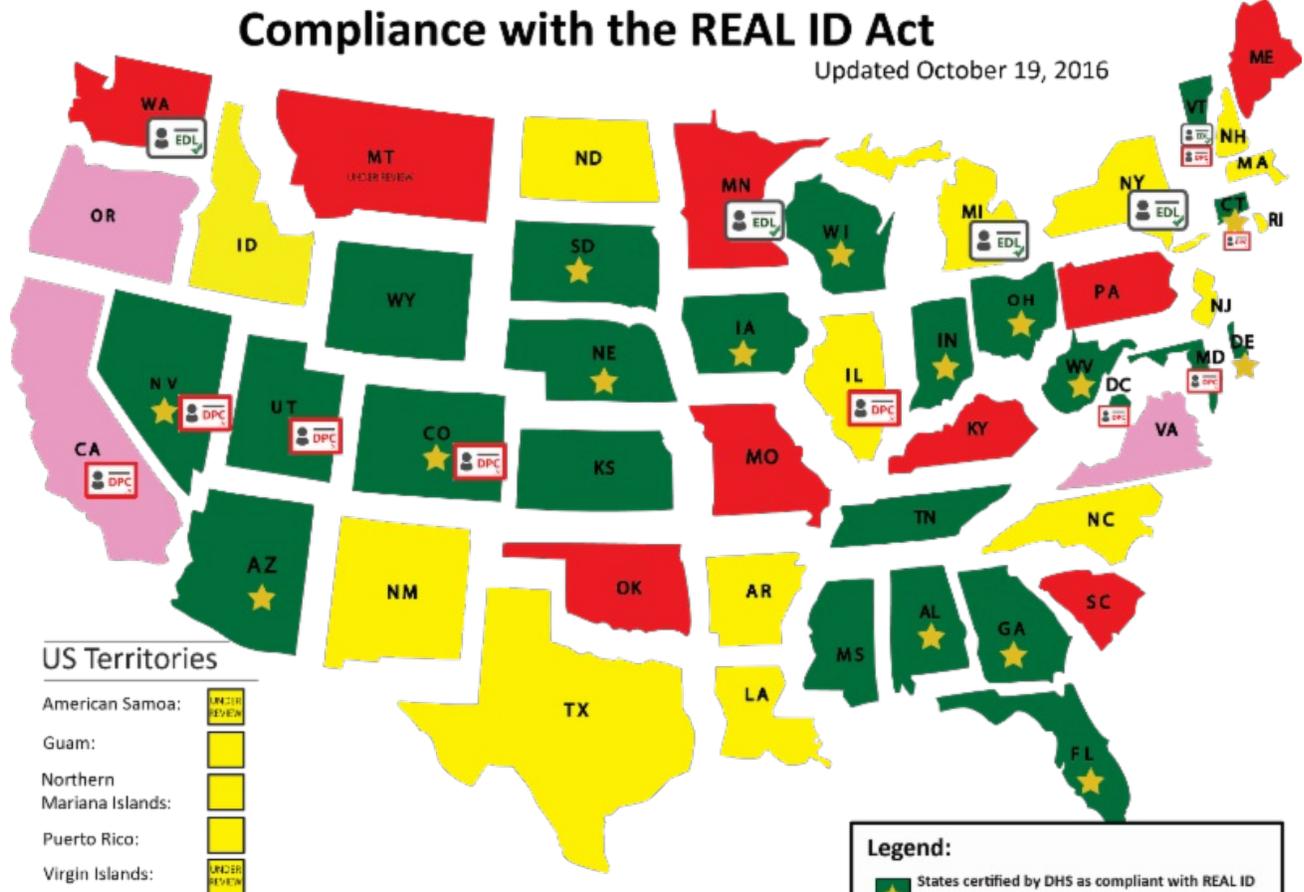
I warned in 2011 that the federal government won't flinch and will enforce the REAL ID Act on Pennsylvania. I hate to say it, but I was right. I'm warning the state again that unless action is taken soon, I will be right again.



Below is our most current map of which states are meeting federal security standards and which are left behind.

Compliance with the REAL ID Act

Updated October 19, 2016



US Territories

- American Samoa:
- Guam:
- Northern Mariana Islands:
- Puerto Rico:
- Virgin Islands:

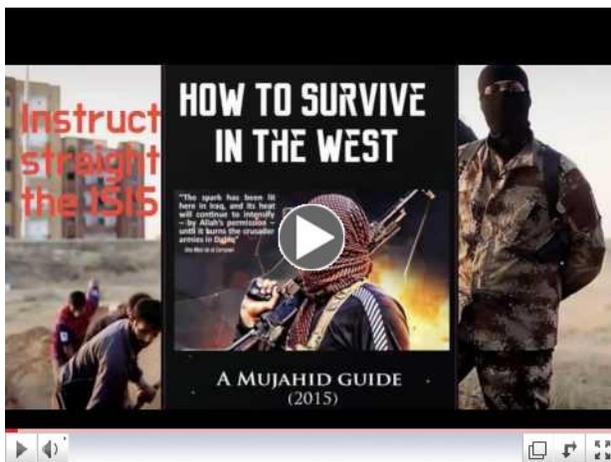
The federal REAL ID Act of 2005 is an anti-terrorism law aimed at making it more difficult for terrorists and criminals to hide their identities by fraudulently obtaining a driver's license. REAL ID prohibits federal agencies from accepting driver's licenses that do not meet certain standards set by the Department of Homeland Security (DHS). There is current enforcement of the REAL ID Act at military bases and restricted federal buildings. States that have been granted extensions will have their statuses reviewed at the deadline.

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Legend:

- States certified by DHS as compliant with REAL ID that have the REAL ID Gold Star on their license
- States certified by DHS as compliant with REAL ID
- States with a time extension to comply with REAL ID lapsing on October 10, 2017
- States with a time extension to comply with REAL ID lapsing on June 6, 2017
- States not compliant with REAL ID whose residents are unable to use licenses for federal purposes
- States offering driving privilege cards or driving only cards to undocumented immigrants
- States that offer Enhanced Driver's Licenses (EDLs) and Enhanced Identification Cards (EIDs) that may be deemed acceptable by the Department of Homeland Security.

Support Keeping Identities Safe



See how we help keep IDs out of the hands of criminals and terrorists!



Check out our Keeping Identities Safe for KIDS program, providing IDs for children!

Keeping IDentities Safe in the News:



MAX BLUESTEIN IN THE DAILY CALLER

Fake IDs and the Truck Attack Threat

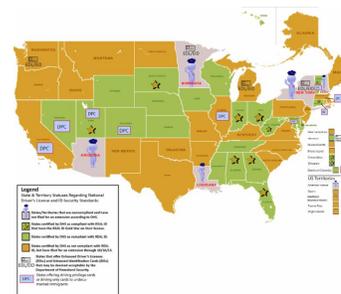


ANDREW MEEHAN IN THE CHICAGO TRIBUNE

2016 a bellwether year for REAL ID

How are we fighting driver's license fraud?

- By raising awareness
 - By working with law enforcement
 - By helping states comply with REAL ID
 - By working with state legislators all over the country
 - By providing research
 - By working every day to protect your identity documents!
- We can only continue to do this with your support*



[Click here for more!](#)

HELP US KEEP FIGHTING FOR YOUR IDENTITY SECURITY

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