

Akaka Introduces Legislation Repealing the REAL ID Act

December 11, 2006

Washington, D.C. - Senator Daniel K. Akaka (D-HI) and Senator John E. Sununu (R-NH) introduced legislation last Friday to repeal Title II of the REAL ID Act of 2005, which they believe places an unrealistic and unfunded burden on state governments and erodes Americans' civil liberties and privacy rights.

The Identification Security Enhancement Act (S. 4117) replaces REAL ID with language from the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458), which took a more measured approach in mandating tougher standards for drivers' licenses and identification cards by requiring that the new guidelines be developed by a shared rulemaking process that would involve all key stakeholders, including state governments and privacy experts.

Senator Akaka introduced the legislation to demonstrate his serious concerns with regulations being developed by the Department of Homeland Security. "The Identification Security Enhancement Act sends a message that the intent of Congress is not reflected in the REAL ID Act," said Akaka. "We can have security without sacrificing privacy and unduly burdening the states. I urge DHS to consider that as regulations are finalized."

"I will review the forthcoming REAL ID regulations before pursuing any action on my bill. I am hopeful that this new legislation will not be necessary. However, if our personal privacy is not protected and the burden placed on states is too great, I will not hesitate to pursue a legislative change to REAL ID."

In addition to replacing Title II of the REAL ID Act, the Identification Security Enhancement Act will:

- Authorize \$300 million annually for driver's license and ID card security implementation;
- Extend the compliance deadline for states; and
- Ensure that federal and state privacy laws are protected.