

REAL ID National Town Hall By the Department of Homeland Security

DHS Panelists

Richard Barth
Assistant Secretary, Policy Development

Darrell Williams
REAL ID Program Director

Jonathan Frenkel
Law Enforcement Policy Director

Moderator

Charles Brownstein
Homeland Security Institute

Location & Audience

May 1, 2007 from 10 AM to 2 PM PDT, Freeborn Hall at the University of California, Davis. Broadcast over internet at www.realidtownhall.com

An estimated 350 live audience members and 1,600 online audience participated in the four-hour live event

START TRANSCRIPT:

>>CHARLES BROWNSTEIN

Good morning. Welcome to everyone here at Freeborn Hall on the University of California Davis campus and welcome to everyone out on the web from across the nation. Thank you all for participating in this national Town Hall Meeting on REAL ID co-sponsored by the California Department of Motor Vehicles and the US Department of Homeland Security. I'm Charles Brownstein from the Homeland Security Institute. I'll be moderating today's event. With us here today on the podium are Mr. George Valverde, Director, California Department of Motor Vehicles and from DHS, Richard Barth, Assistant Secretary for Policy Development. Next to him Darrell Williams, Director of the REAL ID Program Office and next to him Jonathan Frenkel, Law Enforcement Policy Director who's guidance in forming the development of the proposed rule. Now, I would like to ask our host to give a welcome, then I will tell you how we plan to proceed and after that, the floor will be open. Mr. Valverde.

>>GEORGE VALVERDE

Thank you Chuck. I want to thank Homeland Security for proposing this event and for everybody that's participating today. I'm George Valverde, the Director of the California Department of Motor Vehicles. I hope for a very positive, lively event today. On behalf of the state of California, and in particular the Department of Motor Vehicles, I want to personally welcome all of you to this Town Hall Meeting.

>>CHARLES BROWNSTEIN

Thank you. Richard?

>>RICHARD BARTH

Yes. Thank you on behalf of the Department of Homeland Security for hosting us here today and bringing us wonderful weather and a fairly decent turn out from the public. We appreciate that.

This is an opportunity for us to hear your thoughts, concerns, about the REAL ID program and we'll be listening with all of our attentiveness to make sure we take on board your comments. Thank you, Director Valverde for hosting us once again.

>>CHARLES BROWNSTEIN

The REAL ID legislation of 2005 mandated national standards for the issuance of state driver's license and identification cards which would be accepted as personal identification documents for various federal purposes. It gave the Department of Homeland Security the responsibility of implementing legislation. A major step towards implementation is to get comments on proposed rules and plans developed by the department. Our representatives from the Department of Homeland Security have been reaching out to gather views on how to best implement this act, to listen, learn from all the stakeholders; you the public, professional and public interest groups, state driver's licensing and Homeland Security authorities, state and national lawmakers. We scheduled four hours for this Town Hall Meeting. A format we would like to follow is as follows: first, we'll have short presentations from our DHS and California DMV representatives present here. Then the floor will be open for comments live from here, and by e-mail from the net. That portion is planned to last

for three and a half hours. With that in mind, we invited everyone here in the auditorium to offer their comments live or in written form. We have been provided a way to do that when you walked in, if you take a look at that you can see how to get those to us. For those out on the net viewing the proceedings, please e-mail your comments from the webcasting viewing page. As may be appropriate, we'll have the panelist's reactions or clarifications, all in the interest of airing issues that may require resolution, sharing concerns and building a public record. Now, given the range of matters that could be discussed we thought we would attempt a little structure just to help us queue up the comments as they come and to give everyone some idea of what would be discussed and wherein this lengthy program. We would like to take comments in order by the following topics and get as many of them before a panel as we have time for. We will reserve ample time near the end to hear about topics that don't fit readily in these categories. Our plan is as follows. From now until 11:30, we'll consider consumer and personal impacts and privacy and security matters. From 11:40 to 12:50, we'll consider electronic verification systems and matters of funding, program implementation and time frames. From 1:00 to 2:00, we would like to consider law enforcement issues and concerns and open the floor for comments that don't fit these categories or are for general follow-up as the audience here and out on the web desires. For the convenience of those in the auditorium, to avoid long lines at the microphone, I will periodically invite those that registered with the folks at the desk outside to come to the microphone located down here in front to my right. Please wait until your name is called before getting in line to speak. Please, appreciate, there are many people waiting to speak here and on the internet, so in fairness, please keep your comments brief and to the point. We're hoping about 3 minutes. I will let you know when the time is almost up. For those on the web, please, at any time during the web cast, submit your comment using the e-mail interface and I'll read them. The interface on the web page has dropped down menus with topics we would like to try to stage. They'll be shown to us on the subject line on the message we receive from you. All of the comments will be collected and forwarded to me to read or invite people live at the meeting to offer to the panel. We will take as many as time permits. We'll keep all that are offered as part of the record for the Town Hall Meeting. In addition, a transcript of the proceedings will be included in the public docket for rulemaking actions. I will try to get everyone that wants to comment on the microphone and to represent all the comments we get from the web. I have no idea how many we'll get in. Please note you can submit comments in other ways. They can be submitted here at the meeting, at a table at the front of the auditorium, directly to the DHS as indicated on the web page and on the screen behind me. You can do that through the internet at the federal rulemaking portal at www.regulations.gov. It's very easy to use. You can send them by fax to 866-466-5370. You can certainly mail them to the Department of Homeland Security ATTN: NAC1-12037, Washington DC, 20528. To ensure proper routing, please note on all submissions the DHS docket number, DHS-2006-0030. It is near the end of the 60-day comment period on the proposed rule. Your comments must be received by May 8th. Please remember, the proposed rule is just that, proposed. That's why the comments are so valued and your participation here today is so appreciated. Thank you once again for joining us. Without further adieu, let's turn now to Assistant Secretary Richard Barth for a short comment on REAL ID and immediately after that, to Mr. George Valverde to launch the public portion part of our program, from there, the rest of the day will be devoted to hearing from all of you here and on the internet as the key stakeholders in this effort. Richard?

>>RICHARD BARTH

Thank you, Chuck. Again, welcome to all of you here today with us in person, as well as those tuning in via the internet on this web cast. I want to note at the beginning here that a UPI/Zogby poll released last week shows that 70% of Americans support the introduction of national standards for driver's licenses which are represented by the REAL ID Act. I think that 70% of Americans understand what the 911-commission report stated, that a fraudulent ID card in the hands of a terrorist is a weapon. It is a weapon of choice that allows terrorist to pass amongst us and do things that we would rather them not do in our society. A REAL ID card is designed to try to prevent this and ensure that in the future when your parents, when your siblings, you're your children or spouse get on an airplane, that the person sitting next to them is who they say they are when they have boarded that airplane. That's the crux of the matter for us at DHS as we try to implement a law passed by Congress in 2005 that we believe will largely address the issue of fraudulent ID issuance by the states across this country. The photograph I believe behind me shows one of the 30 some fraudulent IDs that were used by the hijackers when they blew their airplanes into buildings and in the ground as it turned out on 9/11 just a few short years ago. It's taken a while to get to the point where we have issued these proposed rules. We're working with states across the country to make sure that the rules and with individuals, to make sure we take comments from the proposed rules and make sure that the rules at the end of the day do what we want them to do, that's prevent fraudulent IDs from being issued and also are implementable by the states. This is important to us. Setting a goal so high that it is unreachable by the states would not serve anyone's purpose. We have to start somewhere and a program that's never had a national -- a real national footprint before, which is develop a floor, a minimum set of standards that will establish the degree of background checks for DMV employees to make sure that they're not (inaudible) in some way, shape or form to issue a fraudulent ID that provide guidelines for states to protect the card issuance equipment and the card stock used to produce identification cards and driver's licenses so that, again, there are protections against the issuing of fraudulent IDs to be used by terrorists and others. We're trying to set a floor for privacy; all the states have their own privacy standards for protecting people's identification documents, identification data when applying for a license. We're trying to set an appropriate floor so all the states have at least some minimum of protections for the information that you provide when you come to your DMV to try to obtain a new REAL ID drivers licenses sometime on or after May 11th of next year. Those are only some of the floors we're trying to establish to make sure that no state is the weakest link in trying to protect us from having people use fraudulent IDs to do things at the federal level and in most states, if not all, we want to prevent terrorists and others from using fraudulent IDs to do. Whether that is boarding an airplane or any other activity we're trying to prevent. Let me make some comments here in response to many other questions we have had to address over the last few months as I have addressed many different over the country and in Washington on this REAL ID implementation we're pursuing. First off, DHS did not propose a national ID card. In no shape, way, or form are we stepping on state's rights or trying to avoid the fact that states have issued drivers licenses for probably around 100 years and we're not preempting that in any way, shape or form. This is a not a national ID program. DHS did not propose an RFID chip to be incorporated in this card. There is no proposal in any of the hundreds of pages that have been released in this rule that establishes any sort of RFID chip to be incorporated in the card standards that we're proposing. DHS did not propose that only drivers licenses and IDs issued under the REAL ID program will be usable for boarding aircraft or to get into federal buildings.

Today if you go to the airport here in Sacramento, try to board a airplane to go to Washington DC and you present a passport or other forms of ID that are acceptable by the security officials, like a military ID, you will board that aircraft easily, just like if you presented a REAL ID or today, a drivers licenses that's hopefully somewhat secure. The DHS proposals are try to bring all the states up to a level of standardization for the issues I addressed before, privacy, card stock, equipment that produces drivers licenses, background checks of employees and several other factors that we will hopefully dialogue on today. Again, thank you for participating, if you are on the internet, here with us physically today, we're here to take your comments, we're here to make sure that they are on the record, and especially to take your suggestions for improving the proposed rule that is out for public comment and make sure it meets the needs of the citizens of the US, meets the letter of the law, and meets the implementability factors we have been dialoguing on with states for well over two years now. Again, thank you. George, I believe you're the first presenter with comments for the record and we appreciate that very much.

>>GEORGE VALVERDE

Thank you Assistant Secretary Richard Barth and I appreciate this opportunity to speak to the Department of Homeland Security and the audience in general about California and what we have been doing. California has been very active in preparing for the REAL ID since the enactment in 2005. In fact, early on, in 2006, the governor established a steering committee which was made up of the business, transportation, housing agency secretary, as well as all the other programs in the state government that may be affected by the REAL ID. Through that end, we have been able to assess the impact of the REAL ID. We have come up with a broad range of material that outlines our, you know, basic understanding of the requirements of the REAL ID. What it means to real citizens, what it means to the state of California. On a -- just incrementally based on our understanding and preliminary reading of the draft regulations, we estimate that it would impact 2.5 million residents of California on an annual basis that would be required to come in to a field office. From a fiscal standpoint, it costs the state upwards of 500 to 700 million over a 5-year time frame to meet the requirements of the REAL ID Act. From that perspective, what we have been doing, to try to address the impact of our understanding of the act, is to meet with our counterparts in other states. To meet with the Department of Homeland Security and meet with our Congress delegation to work with the various entities to develop a better solution, to develop a better approach, to look at ways of meeting the requirements of the REAL ID that would still be within the context of what we're trying to achieve here. Certainly, I believe, you know, what Deputy Secretary Barth just said, we need to have an implementable solution. We need to provide the background checks; we need to provide a more secure environment for issuance of our REAL ID or drivers licenses. Certainly we believe here in California that many of the things that we do achieve many of those objectives. I would argue today that if you look at California and our issuance process, we have a good issuance process. We require Social Security Number, we do an alien verification, we do a resident requirement. We also do a central issuance process. We have a secure issuance center, we do background checks on our employees as they're employed, in many respects, we meet many requirements that are contemplated by this REAL ID Act. However, based on our reading of the proposed regs, we believe the regs are very prescriptive in nature and that being prescriptive in the way it is proposed would create a very onerous process for the DMV and for California's in general. What we're asking for is a more strategic approach to the implementation of the REAL ID Act. To look at a

phased approach, looking at establishing standards, I think that Secretary Richard Barth talked about a floor with respect to privacy and security. We believe that we have established a relatively secure level of privacy and security and we would say that that should be the level that all states should achieve before we would be willing to share information with other states. We have been saying this to Department of Homeland Security, our Congressional delegation we will include this in comments as we submit our comments on the proposed regs. Again, we believe that there is a better way for us to address the requirements of the REAL ID Act and we're proposing that way as we submit our comments to the Department of Homeland Security. With that, I thank you for the opportunity.

>>CHARLES BROWNSTEIN

Thank you very much Mr. Valverde. We have a question from the web -- comments from the web. This is from Joan McNabb (ph) Chief, California Office of Privacy Protection. She says I'm the Chief of the California Office of Privacy Protection and Education and Advocacy Office and Department of Consumer Affairs. Her comment runs to accountability and redress. She says when problems arise in a complex system, whether as a result of technology failures, human error, identity theft or other forms of fraud, determining the accountability will be very difficult. The result is likely to be finger pointing by the various agencies and organizations involved and a result in a lack of timely redress for individuals that are harmed. The proposed regulations do not contain an explicit requirement for providing redress. This lack will impose significant burdens on Californians that are unfairly denied ID cards leaving them to correct this through multiple jurisdictions. Without an appropriate redress structure, it would be nearly impossible for an individual to correct errors in record and databases and to propagate such corrections through a myriad of systems. Anyone wish to comment on that? Comment.

>>DHS PANELIST

Yes. The Department of Homeland Security has over the past several months established a rigorous, I think, successful process for redress in some of our other existing identity and identification card systems and some of our other databases. We would envision some sort of redress process for the DHS databases in particular, which are required to be checked for legal residency for example, would be a part of the final implementation of the rule. Whether or not it would be specifically addressed in the rule is something yet to be determined. Thank you.

>>DHS PANELIST

If I could add to that, the question showed some complexities of the rulemaking, as she correctly notes in her question, someone could have data issues from a variety of sources, depending what document they use. It is important to recognize some limits of federal rulemaking as well. There could be an issue, for example, with someone's data and Social Security system, the Department of Homeland Security through the proposed rule can't dictate to the Social Security Administration what procedure the Social Security Administration should implement and follow, that's for them to do. Similarly, there is an issue, let's say, if it was with birth certificates issued by the state, there are -- that's not something that the federal government has information on. It is not data that the federal government possesses. It raises an issue of redress in terms of errors in data and we know there are some in birth certificate databases and the records maintained by the states vital records offices. Whether the federal government can impose any particular redress process on the state as a matter

of federalism, we have heard some states say we don't want you to tell us what a redress process should be. We'll establish one. That shows the complexity of the rulemaking. Again, Ms. McNabb is right, clearly, you go to a DMV office, you're unable to get a REAL ID compliant license, you're going to be upset. The reason you may not have been able to obtain that license could be from a variety of reasons, and there may not be just one place you can write to to correct any of the errors. The Department of Homeland Security will not be able, for example, to correct an error in a state database that has a birth certificate in it.

>>DHS PANELIST

Adding on to that response. Jonathan, you're right. Exactly right. One of the things we have done, we have set up working groups with various verification systems managers, in some cases their CIOs for the Social Security Administration, working with their program manager and their CIO staff to identify redress issues. The same with the department of state, so for each of the verification systems, we have been in contact with the system managers to take a look at from a global perspective if by chance redress issues come up, how to look at a coordinated approach. However, as Jonathon suggested, it is the responsibility of each one of the system owners to actually institute the changes that are required for an effective redress.

>>CHARLES BROWNSTEIN

We have some questions to be offered from the floor. I would like to call the following people to come to the mic. While you're coming, I will read another comment from the web. Glennis Bassinger (ph), Neil Barrow (ph), Richard Holiver (ph), Joanna Rasmussen (ph), Anne Evans (ph), Lila Rasavy (ph). While they're coming up, another question from the web from Lawrence Cringer (ph) in Missouri. He asks the question how will people and organizations be able to travel and shop in other states and countries if they don't have this REAL ID? If they can't travel and shop in other places, does that not interfere with the citizen's rights to travel, pursue happiness and their freedom of religion?

>>DHS PANELIST

Just to put a clarification on the record, in response to that question, the REAL ID proposed rules as well as the final rules are definitely being confined to the federal requirements of the REAL ID Act, which do not go to any sort of travel issues across the U.S. other than boarding commercial aircraft which is a point of control that the federal government has. So driving across state lines, using any form of ID to conduct various transactions across the state lines is not a part of the REAL ID Act. Thank you.

>>DHS PANELIST

Also, I think it is worth reiterating, as Assistant Secretary Barth said in the opening, this is an issue of great misunderstanding in the public and doesn't seem to matter how many times we repeat it, I don't think it has sunk in. It is important to distinguish what the REAL ID Act and proposed regulations say and what they don't say. What the REAL ID Act and the proposed regulations say about travel on a commercial aircraft is if, and only if, a person is attempting to use their drivers license as a form of identification they're presenting for what is known in in the act as an official purpose, that purpose is defined both in the act and in the proposed regulations as boarding a commercial aircraft, that form of identification, that drivers license or ID card if you don't have a license from the state must comply with the REAL ID Act. It is not -- the

REAL ID Act is not and proposed regulations do not as Assistant Secretary Barth said earlier do not say that the only form of identification that can be used to board a commercial aircraft, to enter a federal building, to enter a nuclear plant for those that like to enter nuclear plants, is a drivers license, it does not say that. All it says -- it is not insignificant what it says is if you're attempting to use your drivers license or state identification card as that form of ID, after May 11th, 2008 that ID or license must comply with the REAL ID Act. As Rich said, there are a number of other forms of identification that can be used where identification is required. There is nothing in the act itself; there is nothing in the proposed regulations of DHS has published in the Federal Register for comment that restricts the use of other documents to enter federal buildings or board commercial aircraft.

>>CHARLES BROWNSTEIN

Thank you. Let's take our first question from the floor. Miss Bassinger (ph).

>>FEMALE SPEAKER

Yes. I'm Glennis Bassinger (ph) and I have a real concern with addresses on the DL IDs. My concern is personally I have a PO Box. I prefer my PO Box to stay on my DL ID and that does not prohibit me from giving my DL ID to the Department of Motor Vehicles or the United States Post Office which last time I heard was a federal office. So, the federal government already has my physical address. My problem is I don't want everybody else in the world having my physical address. Boarding a plane, or committing an act of terrorism is not going to be dependent on my physical address being on my ID card.

>>CHARLES BROWNSTEIN

Thank you, very much. Does anyone want to comment?

>>DHS PANELIST

I just want to thank the questioner, the commenter and ensure that the comments will go on the record. We will be reviewing all of these comments to see how we can accommodate them to the best way we can. Thank you.

>>CHARLES BROWNSTEIN

Mr. Barrow?

>>MALE SPEAKER

Good morning. I have a comment. The coalition for secured drivers licenses is a 501(c)3 not for profit entity formed in the wake of 9/11. All our efforts are based on the common sense and nonpartisan vision that the American people have necessary expectations of enhancing Homeland Security. Is anyone really happy with the current state of affairs in the following areas where fraud can occur? One, keeping drivers licenses as a means of identity out of the hands of terrorists. Two, protecting voting rights. Three, reducing Social Security fraud. Four, protecting against the illegal purchase of weaponry. Five, ensuring that underage and drunk drivers cannot easily obtain licenses. Six, bringing deadbeat dad's to accountability. Seven, reducing insurance fraud and identity theft in general. The American people are not happy that enough is being done currently to address the above. And therefore, they voted in an April 23 Zogby/UPI poll for a more secured drivers license as a means of identity with a sustaining 70% majority. That is the sensible center of the American people speaking, those that know and feel that this disquiet of a society with a basic means of

trust are breaking down. We live in the 21st century, in an age of terrorism and time of technological abuse. The bad guys over the board are taking advantage of America, that great openness to commit all matters of crime facilitated through false and fabricated identification. As we all know, the drivers license is our lynch pin identification, it has been for decades and will likely continue. America does not have nor is likely to have a national identity card. The state issued drivers license is far more in function than a license to operate a motor vehicle. It is the license to enter the mainstream of American society in so many ways. The closest document in utility to the drivers license is the passport. The true identity document of any country. Yet, in America, only some 26% of the American people own such a document which is up sharply from 22% before the passport was required for cross border Canadian and Mexican travel. Indeed America is one of the few liberal democracies that does not have other state issued identity documents. Many if not most Americans have no problem with that. Yet, as the national poll of barely a week ago reflects Americans understand this centrality of the drivers license, the centrality of it's common utilization as well as a necessary and likely feature unlike the passport of being on their person every day. At present, each of the 50 states utilize particular regulatory aspects to the issuance of a drivers license. The regulations range from strong to lax. This has proven dangerous to the American people. The 9/11 hijackers determined that they could apply and receive easily drivers licenses including multiple drivers licenses particularly from states with lack standards. The 9/11 commission so noted the utility and valuable nature of the drivers license as identification and travel documents. As present, that variety of issuing standards continues. On the profound issue of Homeland Security alone, the thesis of the Coalition for Secure Drivers Licenses, America must move from the current inadequate hodge-podge system to a uniform strengthened standard of a drivers license.

>>CHARLES BROWNSTEIN

One more minute, please.

>>DHS PANELIST

There has been much conversation about state's rights and lectures about the 10th Amendment. Those would be compelling arguments were not the drivers license so necessary a means of identification and therefore so needing to be secure. We're not talking about fishing licenses. Rather the central license that 245 million of us carry. After all, we're only as strong as our weakest link; therefore, all states should carry the same strength of issuing standards. Variety is great in rooting for favorite sport teams, variety could mean tragedy in Homeland Security represented by the drivers license. In point of fact, REAL ID is a reminder that our world changed on 9/11. It is a dramatic improvement over the current 50 state systems.

>>CHARLES BROWNSTEIN

Thank you. Thank you for your comments. They'll appear on the record as a result of this event today. We also invite you, sir, and all the others in the room to feel free to submit comments per the other routes being presented in the beginning of this program. Thank you, again.

>>DHS PANELIST

I want to return just a -- just one moment. If I have your name, right? Questions you asked, about the PO boxes. Two issues to add one, the law requires four pieces of information to be verified by the state to get a REAL ID. One specified in the law is an

address of principal residence. That tends to point to an actual physical address rather than a post office box. Second, you talked about the federal government already having your address; the federal government under the proposed rule is not collecting your address. The Department of Homeland Security is not collecting information from the states. The Department of Homeland Security is not collecting information out of the databases. There is no federal database in which -- even if Social Security Administration, even if the US Post Office may have your address, that's not information that comes into the Department of Homeland Security. Department of Homeland Security is not looking to obtain that information. I just wanted to clarify that from a question ago.

>>CHARLES BROWNSTEIN

Thank you. Mr. Holiver?

>>MALE SPEAKER

Good morning. My name is Richard Holiver. I'm the Executive Director of the Consumer Federation of California. We have worked mainly in California but also at the federal level on a great many privacy issues. California really has led the nation in protecting privacy. Unfortunately, much of what we are able to achieve here in California is undone at the federal level. We're very concerned that these proposals will jeopardize privacy. Now, there are two issues that are often intermingled, those are privacy and security. Security of people's records, that's generally viewed as a technical issue, how do we make these record tamper proof. We believe that the more records are aggregated. The more you are compiling all kinds of bits and pieces of information about people, their banking records, their Social Security Numbers, their birth records, other records about them, into a single databases, that very act of aggregating records, creates new opportunities for identity theft. That this proposal will create a potential one-stop shop for identity thieves. The regulations are silent on the question of certain data, but we believe it is likely that most states will scan and save electronically all source documents, birth certificates, proof of address, et cetera, making this information part of state databases as well. The creation of a massive national database loaded with American's personal information would be a dream come true for identity thieves. Databases that contain Social Security Number, birth dates, certificates, other personal information, the regulations suggest using a monthly bank statement, and a yearly financial statement to verify your address, so that means that these records will also contain your personal banking and tax information. This information is all that a criminal needs to steal someone's identity. Instead of remaining under an individual's control, they'll be housed in the DMV at risk of being taken by hackers, burglars, or the way much identity theft occurs, through inside jobs. Because they're stored as digital images, anyone with a color printer will be able to produce high quality forgeries of these documents. REAL ID database systems will not only store all the information on nearly everyone in America. It will offer access to millions of federal, state, local, government employees around the nation. A single break in the security of the system at any of the thousands of DMV offices around the nation could potentially compromise the personal information and the documents of 240 million Americans. Worse, there is no mechanism in the regulation for states to ensure that officials in other states are properly protecting personal information. Nor do the regulations provide any guidance besides the meaningless phrase best practices for how states are to safeguard their databases. Personal information will only be as secure as the state with the weakest security. There are no requirements for encryption of records. We're extremely worried that rather than safeguarding

security, the more identity thieves can get their hands on aggregated records, the more there will be identity theft and that will be by not only common variety criminals, but by terrorists as well. We're opposed to these regulations. This one hearing, I believe the only hearing in the nation that's open to the public, we had information about this on 8 days notice. Wholly inadequate for an item that's of tremendous concern to the American people. Thank you. (applause)

>>DHS PANELIST

Thank you, sir, for your comments. Again, they will appear in the record as a result of this event. I'm sure you will submit them for comment for the record also in writing. I hope that we receive them. Thank you very much. To the specifics of your comments, I want to address one particular point which is that there is nothing in the proposed rule that calls for a federal database, the aggregation of this information, the federalization of this information, or any other central repository for all the data and copies of records that you referred to. Those records have been and will continue to be collected and stored at the state level. Thank you. (applause) (inaudible - off mic chanting)

>>CHARLES BROWNSTEIN

There are many means of public expression, we have a short demonstration occurring which will continue for a couple of minutes. (inaudible - off mic chanting)

>>CHARLES BROWNSTEIN

Thank you for your cooperation. We have a few more people waiting to speak if we had the courtesy of the demonstrators for those people, it would be much appreciated. We have waiting at the mic, Joanna Rasmussen (ph), Anne Evans (ph), Lila Rasavy (ph). Two other people can come up. Lennie Goldberg (ph) and William Pennfield (ph) and we'll proceed. Thank you.

>>FEMALE SPEAKER

Can everybody hear me? Thank you. Some of the people you will hear speaking tonight are -- or today rather, represent various interests, political interests, business interests, and they have walked in their shoes. I would hope that there would be some recognition of the shoes that the 35,000 to 70,000 transsexuals in this state walk in. The REAL ID Act is going to be a real bomb in the middle of our small community. We, as a community, live in a tenuous world. We start out very troubled, finally we realize who we are and we assume the gender, not the sex, but the gender of that person. It calms us down, makes us so we can function. Makes us so that we can effectively do the things we need to do in our society. It is a medical problem. Specifically the problem is -- the problem I'm addressing here is with the sexual markers that appear on drivers licenses because federal government requires that they be interlinked with the sexual markers on other federal documents. Mainly, the drivers license is linked with Social Security. That can be a real problem. Now, the Social Security Administrations some time ago, all of a sudden they made an out of the blue sky determination that if a transsexual was going to be able to change their gender marker that they would have had to have gone through the surgery. Approximately 3 to 5% of us will ever go through the surgery. That leaves the rest of us out there in a state of limbo. That limbo causes real hell when we go out, try to -- try to get on an airplane, they look at you, they say this isn't you. This person is such and such. Believe me, if you haven't done it, you don't know what it is like to be carted off out of the security line by a couple of burly cops. So, what I'm here to say is that

there are reasons for us to continue -- reasons for us to look seriously at the use of the gender marker. I'm not sure we really need that on ID. But, if it is so, then there should be provisions made for those seeking to change their gender. Mind you, this is not their sex; sex has to do with biology. Gender has to do with how you present yourself. So, there is only 3 to 5% of us that will ever have this surgery to change our sex. To comply with the REAL ID Act, that means that 69,000 to 34,000 transgender people in the state of California will not have that opportunity and are at higher risk for losing jobs, suicide, other things. Briefly, we oppose the regulations until they recognize our needs, our particular needs. Thank you.

>>DHS PANELIST

Again, thank you for your comments. It is exactly for these kinds of reasons, a learning tool that we're here in Sacramento today getting data points that we didn't have when we constructed the regs in a proposed format. All the comments stated here will be put on the record and will -- we're looking for people to put on the record through other means that we have already made available to you, put on the record proposed solutions for some of the issues that are raised today and have been raised in the past. While some of these issues are new, the solutions may not be immediately obvious to it -- to us. Again, thank you.

>>CHARLES BROWNSTEIN

Thank you. Anne Evans.

>>FEMALE SPEAKER

Thank you for having this hearing today. I'm sorry we don't have a full house. In particular, I'm disappointed that many more seniors and disabled advocates and persons are not here. I'm a disabled senior myself, an advocate for my 50-year-old developmentally disabled sister whose been a resident for more than 30 years in California. In the early 1980's she had a California ID which now as you know is needed for banking, medical care, transportation, many other day-to-day routines. My sister does not drive, never has, doesn't have a passport. A few months ago, I took my sister to get a renewal of a California ID. After a long wait, not enough chairs, her name was called. From the very beginning, the DMV worker was not very helpful. We were told that she was not in the system even though for more than 30 years she'd received regional center service, medical care, worked at a shelter workshop and lived in the same community. My sister is not a security threat, rather a disabled adult with limited reading, writing skills. She's trying to live a meaningful, productive life among the many hardships in our community, our nation. My sister cannot understand why getting her renewal would be so difficult. She cried, I had to make three trips to DMV. Her renewal was needed to have a current ID for medical care which was going to be denied. I had the original IDs with me. The payment receipts since 1982. I returned with the original birth certificate that we had in our security box for 50 years. The state worker complained saying it was not authentic even though it had the Virginia seal. It was our original copy. We had to order another Virginia birth certificate. The DMV worker was rude; she even made the comment that she would put -- note our record as questionable. Our ancestors came to Virginia, Jamestown in 1607. My sister is not a security threat. She has had state and federal services since her birth. No doubt in my mind the person with the fake ID probably got better service than we did. The DMV staff, they're not really trained to -- I think be respectful and helpful enough to disabled persons and seniors. I believe there should be a separate service line in dealing with the California ID. That disabled persons and seniors cannot handle this

kind of rude treatment. This kind of -- what we have to make three trips, when one trip could have worked to get the job done properly. One other comment, on protecting victim's ID. Often seniors are victims of crimes and disabled people are victims of crimes, how will this REAL ID protect the identity of those that have been victims of crime? We often hear about criminals but we rarely hear about the disabled people being victims of that. I don't see many disabled, senior people here today. I hope that we'll be on the top of your list of concerns.

>>DHS PANELIST
Thank you.

>>DHS PANELIST
Thank you for your comments. I believe there was a mix of comments to both the federal level proposed rule, which is out for comments as well as to the state DMV officials that are here with us today. I'm sure that they have both heard you. Again, appreciate you putting your comments on the record. Miss Rasavy? Mr. Goldberg?

>>MALE SPEAKER
Thank you. I'm Lennie Goldberg (ph). I represent and work with the Privacy Rights Clearing House and Consumer Action, we appreciate that California, the Department of Motor Vehicles sought to hold this hearing, I have participated in meetings where many of these issues were laid out. I will say that my organization has submitted records with comments and served on the privacy and security task force of the DMV. So, with those specific comments I want to step back a little bit and speak to the notion that there is a huge disconnect here between the issue of national security, which everyone is concerned about and the Department of Motor Vehicles as the implementer of the national security system. That is where we're seeing this -- all these difficulties with implementation of REAL ID, that's where we're seeing the state say pull back, change the legislation, go back to a different system. National security is a federal responsibility, I have a passport, people do not want a national ID, but that's really what we're talking about in getting to. Now, from the consumer perspective, I have been a consumer advocate for a number of years, we're clearly going to see increased fees for our drivers license, everybody will be shelling out far more money to pay for the costs of the program at the DMV. Taxpayers, according to Mr. George Valverde, 500-700 million, we think it will be likely to be over a billion by the time we get through the IT requirements, unpaid for, mandated by the federal government, an issue for the state legislatures and for many state legislatures. I appreciate the comments that there is huge, long lines at the DMV, in California, we hated the DMV, it was a disaster, we then went to simplified, streamline processes with online applications, mail applications, if we hated the DMV then, we'll hate it again, we'll have long lines, the DMV talks about portables, if a disabled, senior person has to go back three times, many of us will have to go back three times. For what? The DMV is -- has many important responsibilities, to put an overlay of national security on that is going to cause a number of problems. I will speak to a couple. Obviously, Richard Holiver earlier spoke to the identity theft issue, privacy rights clearing house is a database of millions, tens of millions of data breaches. If you go on our website, you can see all those data breaches. To try to say we will have a secure ID in a national linked database where anybody, many of the breaches that we have seen have been inside jobs, the national linked database, technologically, I can't speak to, but we can be sure that it will be way over cost, over budget and overtime. But, we can all say that the security and linkage there, something that endangers us

all. The ability to counterfeit, a drivers license, means that this so-called more secure document will just be accepted more as part of -- in an identity theft and fraud scheme. One of the things we commented on to be constructive here, to say that any linked database must have between the states only a yes, no, is this person registered in your state or not, not an ability to access any of that data from any DMV anywhere in the country. So, that's something we have commented on, we have commented on RFID and those comments were accepted. But, we see that this process should go back to the Congress, as many states have suggested. Shall look at what was going on before and negotiated rulemaking, a much, much broader public discussion than the way REAL ID has been jammed through. We're looking at a 2008 implementation date; we know that's not possible, given the time it has taken. We know that we'll be in a mess with the DMV and our privacy and security concerns will be paramount as this process goes on. We need to go back to the Congress and start again. Thank you very much.

>>DHS PANELIST

Thank you Mr. Goldberg. Thank you for the comments. There is one of the many issues you raised that I would make a comment on. That is the fact that as the organization has figured out, many others have, there is a problem with insider perpetration of some sort of fraudulent activity. That is something that has concerned the Department of Homeland Security also. As many of you probably are aware, it is a federal crime for DMV workers to misuse information or to craft fraudulent IDs. I have raised in several forums recently that we should make common calls with respect to that problem. Many of the privacy community folks have told me that that is the number one problem for identity theft, et cetera, et cetera. Perhaps we need to make common cause and get the penalties for such actions to be raised substantially so that it is no longer \$1,000 payment to a DMV worker to get a fraudulent ID. Raise the penalty to where that thing costs a lot of money because the consequence of being caught for a DMV worker is such that they probably wouldn't want to engage in the fraudulent activity. So, there is common ground amongst us. I hope we can find additional areas where we can improve identification, security, and reduce identity theft. Thank you.

>>DHS PANELIST

I would like to perhaps maybe broaden your comments and add a bit to that. You mentioned, you inferred in your comment about the REAL ID being somewhat of a -- the state's issue, some of the things that may occur within a state. One of the reasons we're looking at this from a national perspective, I have talk today a number of DMV chiefs, they suggest as other states surrounding their state improves their security, their card, their processes, more criminals leave those states that have improved to come to states with less secure processes and IT. We take a look at some of these problems, these are national problems. Terrorism and ID theft is a national problem which requires a unified solution as oppose to a single state solution. For example, you look at the terrorists that drove the planes into New York; they were not from New York. So, even if New York had improved their processes, these individuals boarded planes from outside of that state. So, again, we're trying to address this from a national perspective, it requires a unified response, not an individual state's response.

>>DHS PANELIST

An additional comment on the privacy as well. I think you correctly point out a fear of if any DMV employee anywhere in the country could access records in another state

that would indeed be a real problem. The law does talk about state-to-state access. I think we'll try, especially in light that have comment, others, that you will see, we have said a number of times that there is no intention whatsoever to permit that to happen, fishing expeditions from one state to the other. The state to state exchange of information is intended for if you were to move from California to a different state, that state has to have a way -- the state in which you moved has to have a way of going back to California to say do -- did you have a Mr. Goldberg with this information. There is no intention to set up a system where DMV employees around the country can simply access other state's databases willy-nilly. There is no intention whatsoever to do that. We'll make that very clear in the final rule based on the comments we have received during the commentary period.

>>CHARLES BROWNSTEIN

Thank you. We have a good many people that would like to come up to the mic. We have a number of questions from the web as well. Is Mr. Pennfield here? While you're getting up, I will call up the next five people. Mr. Stoudenbraust (ph), Karen Savage (ph), James Dempsey (ph), Kavita Shreharsa (ph), Walter Stanley, III (ph). Come and be seated please. Thank you.

>>MALE SPEAKER

This may be a bit unfair. I believe when you called me up, you called me William Pennfield. My name is John Pennfield. I did write John William Pennfield. I want to point that out because I'm concerned about misinformation. (laughter) (applause) I'm a private citizen. I'm speaking for myself. I would like to also comment on the outset, Mr. Barth, I'm offended by having Mohammed Atta out there with a Florida license plate. We're going through a period of distrust in this country; I want to ask you rhetorically to speculate on perhaps how Mr. Atta got his Florida license plate in Iraq in a meeting in Prague in 2002. I'm really concerned about the short notice here. You know, there is a lot of professional people here, I know a lot of professional people didn't even show up, mean professional advocates. There are 8 days worth of notice. I don't know if the press is here. This is the only meeting in the U.S. At the start of this, I heard you say you're reaching out. That's great. You reached out to DMV's but you have to reach out to the people of the United States because the people of the United States are concerned about these things and there is a lot of fear mongering and they're concerned about security and concerned about their privacy rights. I think if you really wanted input you may ask, set up meetings in Maine, Washington, Montana, Idaho, and Oregon. I went online; I noticed there is a bill introduced in Oregon where they may not want to comply with this. You may get valuable input from those states. (applause) You say that this is not a national ID card. I would be happy to, you know, I have never been in the ad business, I always wanted to, I will hire myself out, I have some slogans you can use like, "Keeping it real with REAL ID. It is not a national ID card". It looks like a national ID card to me. It looks like a road to a national ID card. What's worse, it looks like a road to a national ID card that's undercover and kind of under the radar. It will be administered by states. You know, we talked about the best intentions in the world. I think we have seen if you pay attention to the news, you have seen a lot of security interests don't really get followed through with in this country. That's a real concern for a lot of citizens. I'm concerned about ID theft, I'm concerned about privacy. You know, I just found out last week there is no national immigration service anymore. You know, we have the Department of Homeland Security, I want to remind everybody, in my mind, this is a silly thing to say, but this is America, this is not the homeland, this is not the

fatherland, it is not mother Russia. (applause) I want you to keep those things in mind. I'm interested in real security, not REAL ID. These are my little talking points that I did at the breakfast table this morning instead of eating breakfast. As far as I know, there is scarce dollars for security, we hear about that. A lot of people don't want to raise taxes. I'm not among them. We hear that a lot. We have scarce dollars for security; I want to know what we're doing to protect the ports against dirty bombs and nukes. I want to know about the food and drugs. Some of us have cats, we know that cat food is adulterated coming in from China. That's a concern. We have to do a cost benefit of protecting the American people and it is a really, cheap easy shot to go off on this terrorism thing that we have seen for the last four years. Americans are concerned about terrorists but their also concerned about, you know, our fundamental rights in the country, Americans have typically always been against national ID cards. So, you know, it is a good time to try to sell one right now, calling it something else. I would like to talk briefly about the burden on real people. I am gainfully employed, an excellent job. I took the day off. It cost me \$500. There is a lot of people with a lot less money than I do, when you go to the DMV, you go back again, it costs them money. They don't all have bosses and the flexibility that I have. They have to make excuses and make pleas to people to get documentation and things done. I was particularly moved about the woman talking disabled, older people, I just turned 55. I would hope that AARP was out here. I am wondering who will help my mother if I'm not around when she's worried about taking the eye test, the driver's test, now she's looking for her birth certificate from Rockpile (ph) California. In conclusion, you know, I have just -- anyone whose ever had a car parked out in front of their house that came from the great aunt to their nephew to their cousin to their daughter, that didn't have a bill of sale, and you wanted to give it to a charity, you just -- how long that car sits in front of the house before you figure out through the DMV how to get it to a charity. Just use that as a metaphor of how this system will work for the average Americans. (applause)

>>CHARLES BROWNSTEIN

Thank you. I was advised I've been ignoring people out on the web; I want to take one of those before we continue on the floor. This is --

>>DHS PANELIST

I would like to address part of what you said. I will suggest to you that AARP is in the house, I'm a member. I'm also 55. But, some of the things that you addressed in terms of short notice, also not necessarily getting the message out, across the US. One of the things I did, in the month of March, actually AAMVA, this is the American -- Association of American Motor Vehicle Administrators hosted me in four different Town Hall Meetings, one in L.A., one in Atlanta, one in Chicago, one in Baltimore. These were four-hour sessions where all the AAMVA members, plus the vendors, other members throughout the region actually participated. Some of those forums held up to as many as 100 people. We have been actually out trying to get the message across to various parts of the region. This was, again, another meeting added on. If you count this one, that's five separate opportunities across the nation where we have gone out to speak. We're really trying to interact with the public, find out what the public concerns are so that we can address the public issues.

>>CHARLES BROWNSTEIN

I have a question from the web from a Representative Brady Wiseman (ph) in the Montana legislature. It is a comment. I sponsored Montana House Bill 287, which

forbids the state of Montana from participating in REAL ID. (applause) That law passed unanimously through both houses of our legislature and is now law. REAL ID was passed with no real debate. We have opened the debate here in Montana and the overwhelming answer is no thank you. This law is an enormous intrusion on our privacy, provides no real security from terrorism or illegal immigration and is likely in violation of the 10th Amendment. We're speaking plainly from Montana. Congress made a big mistake with REAL ID. Congress needs to go back to the drawing board and include the states in the decision-making. (applause) Wait, there's more. Our citizens clearly don't want another digital dossier being kept on them. We don't see how the proposed benefits outweigh the cost. Government should protect our privacy, not invade it. (applause) Let's take another question from the floor. Mr. Stoudenbraust (ph).

>>MALE SPEAKER

Mine is more of a comment than a question. My name is Jeff Stoudenbraust (ph). I'm here today representing the Coalition for Secure Drivers Licenses. I would like to just start by pointing out that the 9/11 commission toiled for two years to come up with this document, this book. 9/11 commission was bipartisan; they had a large staff, a pretty substantial number of hours studying what the terrorists did five year ago. For those of you that have forgotten, those that were not directly impacted by the events of September 11th, let me say for the families that were, they will never forget this. What we learned studying the terrorist attacks is basic, basic, basic things were part of the attack. The drivers license today is an essential terrorist tool. There is no way around it. The bipartisan 9/11 commission, page 390 of this book got us to where we're at today. REAL ID, is part of a very deliberate process, it is not just dropped on us. The point I want to share with you today, is that if you ignore the threat of terrorism. It is wonderful. If you deny it exists, that's fine. You live in a fantasy world. Securing the drivers license with legislation put forward so far is probably the easiest thing we can do in the war against terrorism. Drivers licenses are absolutely essential, not just for driving but for opening up checking accounts, for renting apartments, for doing many of the things that terrorists did. Before this act, the weaker states put the stronger states at risk. California and my state of New York have decent drivers license laws that are fairly secure. But, what you fail to understand, if you don't travel around this country is how other states give official ID to people they don't know anything about. As has been pointed out before, the security chain is only as strong as the weakest link. It is very important that we look at REAL ID for what it is trying to do and not for the hysterical things that have been attributed to it. It has nothing to do with bank information, voting records, these sorts of things. It will cut down on not increase identity theft. It will make it more difficult. Another thing to share with people, when we get into technology, a biometric can be as simple as a digital version of your photograph, a digital picture of your face. Biometrics scare a lot of people. It gets in the world of big brother. One more point, we have a national ID card already, it is called the passport. No one is purporting, no one is suggesting that the drivers license become the passport. We have a passport. The drivers license has got to be made secure and if we have forgotten 5 years after 9/11 how the hijackers used it, I'll close with one question for the audience and for the panel. If a Saudi passport, or if an Iranian passport five years ago didn't raise eyebrows, it certainly would today. If it was presented to board an airplane, to open a checking account or to take flight school. The drivers license is an essential terrorist tool and has to be made secure. This is a compromise. This is the result of years of work and it is the result -- end result of the bipartisan 9/11 commission report. Thank you. (applause)

>>DARRELL WILLIAMS

If I can add one comment. This refers to 9/11, for many, of course, we read about it, saw it in the news media for quiet some time. It is really been the most horrendous things that happened to many Americans and had impact. For me, it was personal. I worked at the Pentagon during that time frame. I left the Pentagon 40 minutes prior to the plane going in. After I left the Pentagon, was notified that the plane had gone in, my wife was still in the Pentagon. It took me over two and a half hours to find out whether or not she was alive and well. For me, it really does have personal impact. To find out later on that one of the primary tools that the hijackers used was a drivers license or identification card really -- I was appalled by that thought. For me, it really does have personal impact, personal feelings, I want to do everything I can to make sure that we improve our credentialing issuing services so that something like that never occurs again.

>>CHARLES BROWNSTEIN

We're going to take a short one from the web. I will continue to call people up. This is from John Pinkuss (ph) in Washington. He says, "The regulations call for copies of source documents to be stored in databases. Given the thefts of databases for DMVs, plus governmental laptops, insider threats, and overall governmental security grade of D, the most recent valuation, isn't this creating an opportunity for identity theft?"

>>DHS PANELIST

That is posed as a question but has many dimensions to it. It is very complicated and many of the aspects of the question have already been addressed. The centralized database concern is a very valid concern that the REAL ID proposals we have made seeks to address by trying to ensure that a centralized database that can be like the V.A. records and reported in the press some months ago that were all collected on the single laptop are just simply not ever available. The current situations are that many DMV's already collect and scan and or copy hard copies of information that you take to the DMV when you try to get or renew your drivers license. We're, again, raising the standards such that all the states have those records and have those copies of those records for a variety of reasons. But, we're also proposing standards for protecting that information, protecting the databases, protecting hard copies behind secure fences that to the best of our ability will protect against any sort of theft as has been identified by the questioner. Again, all proposals, specific proposals for how we can do that job better are certainly welcomed. We do not want to be front-page news next month, next year, or in 2013 that the DHS has created a system that's subject to that kind of abuse. So, please provide us with specific comments and ways we can protect the information that's collected at the state level. Thank you.

>>CHARLES BROWNSTEIN

Miss Savage?

>>FEMALE SPEAKER

Hi. I'm Karen Jean Savage. I see that the technology says MALE SPEAKER. I have been outed by the technology. I myself also suffer from GID, just like Johanna over there, who is standing in solidarity for her. I have those concerns too. Right now, my California drivers licenses because I had a note from my doctor says female. What's going to happen with this thing when it comes down, and says no, we're going to go off your birth certificate. Oh, you were born a male; you have to be a male for the rest of

your life. Do I look male? The prevalence of GID, is about 1 in 2500 males between ages 18 and 65. 1 in 2,500 have had the surgery. That doesn't take in account pre-ops like myself, non-ops. That is about another -- for everyone that's post-op, there are 5 that are pre-op or non-op. What are we going to do when we go get a job, we present our ID, I present an ID that says Karen Jean Savage, sex, male. Okay. Let's put that over here. Lynn Gonnaway (ph) was one of the premier pioneers of the technology that we have today called computer technology. She came up with an out of order instruction sequencing for central processors. It is in all our laptops, our technology today. Then she told her employer, IBM, that she was going to change her sex to female and was promptly fired. She completed her transition and got a job as a contract programmer for IBM and came back and was later hired for IBM. Then, with a colleague proposed very large-scale integration which makes the power in our computers. She did it stealth, which means she didn't let anybody know that she had been a male. What's the REAL ID going to do these days? Is there a way around -- for myself, for Johanna and other people that suffer from gender identity disorder to not be outed every single time we open up a bank account, every single time we apply for a job, every single time we go out and do any sort of thing that requires this state drivers license that conforms to the standards, whatever you want to call it. You know, I don't know. There has to be some way of taking us into account. Thank you very much. (applause)

>>DHS PANELIST

Thank you for those comments. Again, in large part, they were questions, which we appreciate for the record. To the extent that you and others that want to put on the record some specific proposals for addressing the issues you raised, we'll definitely welcome that. Thank you.

>>CHARLES BROWNSTEIN

Thank you. Mr. Dempsey.

>>MALE SPEAKER

Good morning. Thank you for convening this Town Hall Meeting. My name is Jim Dempsey. I'm Policy Director for the Center for Democracy and Technology and head of CDT's new office in California, CDT West. Today I have a written statement which I will submit for the record; also CDT will be submitting more extensive comments through the online process for the May 8th deadline. Center for Democracy and Technology supports the goal of improving the issuance of state drivers licenses in order to make the drivers licenses more secure and more reliable as a form of identification. CDT wrote their first report on this issue over 3 years ago in which we pointed out some of the flaws in the issuance of the drivers licenses at the state level. I have to say, that the REAL ID Act, the proposed regulations would not well serve the goal of improving the security of the drivers license as a form of identification. The aft and regulations are so flawed and have so many privacy and security problems that they will undermined the stated goal. I think it is important that we be careful about drawing the wrong conclusions from 9/11. We certainly want to prevent another terrorist attack like that. Some of the 9/11 hijackers were using drivers licenses in their own names. In their true names. They had a state issued verified accurate drivers license. The problem was, we didn't have the ability to check names of passengers against watch lists and the CIA and FBI had not cooperated well in sharing information with each other and putting those people on the watch list. That's a difficult problem, one we're trying to address. Improving the security of the issuance of a drivers license

would not have solved that problem. There are three main concerns that we have with the REAL ID. First, the electronic access of provision. The act requires states must provide to all other states electronic access to information contained in the motor vehicle a database of each state. Now, it is incumbent on the DHS to limit that to make it clear that we're not talking about giving one state online access to reader documents and copies of all the material in the state database. That would be a security nightmare. The regs don't address that issue now. They say you must give electronic access pursuant to requirements to be established by DHS. It is time for DHS to establish those requirements. Secondly, centralization. Despite everything that DHS has said, this is a centralized system as currently proposed. Regs talk about creating a centralized point of system, of information used to link state databases and there's no prohibition against using that to link non-drivers license databases and other databases through that pointer system. We can check to make sure that a person doesn't have a license in another state without creating that centralized database. Thirdly, the drivers license is supposed to be a form of identification, not a tracking device. Yet, this regulation has nothing to prohibit the use of the information on that card from being used like the new Social Security Number, to compile data about your travel, about your movements. The machine-readable zone on the back of that card, the information can be scanned and there is no limitation on who can scan it. People say, well, other democratic countries have national ID cards and they do just fine. Every other democratic country has a comprehensive privacy law except the U.S. We're setting up a national ID card without the privacy framework. That's not something you can add on after the fact. We need to put the privacy rules first and limit how this can be used, otherwise we're heading right into a privacy and security nightmare. Thank you. (applause)

>>CHARLES BROWNSTEIN
Miss Shreharsa (ph).

>>FEMALE SPEAKER

Good morning. I represent the Immigrant Women Program of Legal Momentum. My comments today address the proposed regulations from the victim safety perspective; specifically we're concerned that the REAL ID could potentially compromise the safety of the domestic violence, stalking, sexual assault and human trafficking victims. As such, we oppose the passage of the REAL ID. However, we'd like to take this opportunity to help DHS reconcile national security issues with victim safety. First, REAL ID proposed regulations could prevent victims from immediately obtaining the ID they need and thus risking their own personal safety. I'm sure you're aware that in personal crimes perpetrators often control their victims documentation and sometimes threaten and also destroy those documents. A victim may need immediate access to board a plane, to flee a dangerous situation, find a safe home, to appear in a court in another jurisdiction. Victims need access to federal buildings, including the Social Security Administration, possibly to get a replacement Social Security card. As well as U.S. Citizenship and Immigration services for -- to obtain immigration relief that's available to them as victims of these crimes, as well as federal courts possibly as a victim witness. As an example of what could happen, Kelly and Damon are U.S. citizens, and were married three years earlier. One day Kelly -- Damon threw a pregnant Kelly down the stairs after an argument. She was taken to the hospital where she was given domestic violence resources. Unfortunately, the local shelter was full. So, her only option was to stay with a friend who lived out of state. Unfortunately, all she had was her old drivers license that did not comply with the

REAL ID regulations. She had to replace that with a new REAL ID certified by the state. She went to the DMV, but she didn't have a Social Security card or proof of domicile. Indeed, she didn't even have a domicile at that point. She tried to obtain a new Social Security card but she was not allowed to enter the building. Her money was running out, not knowing what to do, she returned to Damon. Obviously, we're concerned about the immediate access issues. We're also concerned that the database will include information putting victims at long-term risk. For example, victims will find that their name change applications with the court have been mute if that information is in the database. This new database, even if it is not a national database creates an unprecedented amount of access points. States also are encouraged to create their own safety mechanism but we're worried about the discrepancies that could happen from state to state. We're concerned that states lack the expertise to ascertain victim's safety and the lack of uniformity will allow increased accessibility with the least stringent states rules. Ultimately, a perpetrator only needs to be a law enforcement officer or a DMV employee or even just know one to compromise safety. We plan to submit detailed written comments that will include specific suggestions, but at a minimum, we request that DHS consult with the NGO (ph) community like ourselves to provide tools that will limit victim safety risks. Thank you. (applause)

>>DHS PANELIST

Thank you.

>>DHS PANELIST

Thank you. I just want to note, as well, I'm sure you recognize, one area in the proposed regulations, we specifically address victims, especially domestic violence and others, is on the address issue, going back I think to the first question that was posed from the floor. In the proposed rules, DHS is proposing that a precisely those categories of individuals be exempt from having their physical street addresses be listed on the license and that their address be protected for their safety.

>>CHARLES BROWNSTEIN

Let me read one from the web. We have a lot of people waiting out there. Then we'll -- we'll get to the last person that was called up. Janice Keppar (ph) from Virginia, a former council of the 9/11 commission. She says the following. The new Zogby poll that came out last week said 70% of Americans are in favor of a secure ID. Seems that most Americans understand that having a more secure ID is not just about dealing with terrorists taking advantage of weaknesses in the state by the issuing this system. But, also, about strengthening identity verification, document authentication, with tighter constructs on information flows to protect identity and privacy and creating a stronger card that is less likely to be counterfeited. These are strong goals for not only for national security but to curtail ID theft counterfeiting, help the cop on the beat do a better and safer job, keep dead-beat dads and criminals from holding multiple identities and help stem underage drinking and driving. These goals are important to every American. What's DHS doing to help streamline compliance for the states? What can Congress do to ease the financial burden on the states? Will you take those as rhetorical questions or would you like to comment?

>>DHS PANELIST

Thank you for the question. I will answer the last one first. The cost of implementation is substantial. DHS recognizes that in our constant dialogues with the national

governor's association, the state legislatures we recognize that the burden on some states is substantially more than on other states. States like California, New York, others, have recognized the need to improve the security of their systems, networks, and people background checks, and have made substantial investments on their own based on a desire on their own to recognize the risks here and invest to make sure that their state is not the weakest link and DHS, others at the federal level recognize that and appreciate it. For those states that have not made the investment, we recognize that they need to come up to the minimum floor level in all these arenas we have talked about. We believe that the amount of money we currently have to help pay for such costs, which is less than \$40 million at present is nowhere enough to near with the cost issue. We recognize that the states have strong relationships with their members of Congress. As I have stated in public testimony, in no way will we try to block or in any way diminish the impact of the cost and therefore, to the extent that the states and their representatives come to the Congress, asking for federal money to mitigate the costs of implementation, that's not particularly a DHS issue per say. The cost estimates we have put it on the record, would support federal dollars going in that direction, it is the matter of the states, representatives, and the Congress to decide how far to go in that direction. With respect to the implementation of the rules, as you note, we're trying to meet many goals here, there will be many goals, societal goals met by implementing the REAL ID reg, but the underlying reason that the law was passed is that the 9/11 commission recognized that the drivers license is a tool in the hands of terrorists and our goal is to try to mitigate, if not eliminate that as being an effective tool in the hands of terrorists. The additional benefits of reducing ID theft, which we believe that's an outcome of effectively implementing this law, reducing incidents of underage drinking, many other things that were pointed out, those are ancillary but are good societal outcomes from implementing the rule effectively protecting privacy, protecting all the rights of the people that we hope to achieve with your help and your comments as we move forward. Thank you.

>>DHS PANELIST

I'd like to add one comment. I had the opportunity, the privilege and pleasure to actually go out, speak to a number of DMV chiefs over the U.S. So far, to a person, each chief that I met with all talked to, talked to the need to improve security, improve their issuance of drivers licenses, card security, improve security associated with the people that work at, handle identification cards so a lot of that information is not necessarily coming from within DHS but what the DMV chiefs are suggesting that they need to improve their DMV operations. And we have listened to them over a couple of years and will continue to listen as we're now and will in the future. Again, a lot of the suggestions, recommendations to strengthen the DLS, drivers licenses issuance process, that comes from experts, these are DMV individuals in the field who make contact with the American citizens on a day-to-day basis. These are the frontline troops of improving our card issuing processes. Those are the ones that communicate to us that there is a definite need for a strengthened security issuance process for drivers licenses.

>>CHARLES BROWNSTEIN

Waiting patiently has been Mr. Stanley. If you'd come forward now. After that, we'll take a short break for 10 or 15 minutes. Thank you.

>>MALE SPEAKER

Hello everybody. My name is Walter Stanley. Americans have resisted the implementation of a national ID card for years prior to 9/11. It seems that the fear mongering have gotten the best of some of us, at least the 70% in the Zogby poll. I have a couple of questions and a few comments to make. First of all, I don't know if all of you are aware of the fact that there is a seriousness about this issue and I would like to know why did the ID requirements get attached to an emergency military spending bill. (applause) Everybody remembers -- everybody remembers the \$82 billion military spending bill that President Bush signed into law. This includes funding for the troop overseas in Iraq and Afghanistan, funds to cover ammunition, weapons, combat vehicles, aircraft, troop housing, death benefits, and a REAL ID card? Seems kind of odd and it also seems that these are leaders throwing in legislation that's been resisted in the past. Basically, it is a clever way to implement this plan because of the fact of who's going to vote against funding the troops and keeping our troops safe overseas. Another thing that is concerning me is the fact that the woman that was up here, the elderly woman from Virginia originally, that came in, the three different times to the DMV , at this point in time, we have to show up with just something like what she showed up with to prove who she is, one document. Now, it is going to change, you will need to bring a photo identity document, documenting birth date, address, show that your Social Security Number is what you had claimed it to be. U.S. citizens will have to prove that status and foreigners will have to show a valid visa. My concern with that is the outsourcing, compiling of information on citizens, state DMVs will have to verify these identity documents and make sure that they're legitimate. They'll have to digitize them, store them permanently. I want to know if the DMV has the resources and the manpower to obtain these goals without outsourcing the information, the private information to private organizations such as XEM (ph) and Choice Point (ph). I don't see how we work around this banner up here, it says REAL ID. I think that's not stating all of the facts. This is nothing more than a national ID card. I mean, people, we need to get real about this. We're losing our rights. We need to stand up as Americans, we need to preserve and protect the Constitution and the Bill of Rights. We do not give up liberty for security. Okay. (applause) Thank you. I think that we're on the right track. I think a lot of people have come up here, spoke from the heart like constitutional patriots should. Hopefully those people -- their voices will be heard in the end. Once again, the drivers license will have to be reissued to meet federal standards. That's a federal national ID card. Thank you very much. (applause)

>>CHARLES BROWNSTEIN

Thank you very much. Let's take a short break. 10, 15 minutes and we'll resume. Thank you.

>>CHARLES BROWNSTEIN

We have a lot of questions from the last segment still waiting. But we have a bunch of questions for the new segment that we advertised in the agenda. So we're going to start with the new segment and we'll get back to the ones we have as time permits. All of the comments that have been submitted, as I would remind you are going to be taken back to DHS and become part of the record. If you have more extensive comments, please, take the time to write them out, and put them in the boxes that are available or go off to the website or mail them in as we indicated so that those things will be considered. Just to start this off for those of you that just arrived, I'm Charles Brownstein from the Homeland Security Institute, your moderator. Our panelists, and a row down from me, are Darrell Williams, Director of the REAL ID Program Office,

Richard Barth, Assistant Secretary, Policy Development and Jonathan Frenkel, Law Enforcement Policy Director. We're accepting comments from the audience if you fill out our little form that's available in front, we'll call you up to the mic to avoid long lines, that's not been a problem. It has been working very well. We're accepting comments from the web and we have a bunch of people waiting. So, let's get started now on our next segment. I believe it deals with electronic verification systems and a variety of issues of implementation.

>>DARRELL WILLIAMS

Actually, Chuck, while waiting for this to get started. One thing I should make clear, one individual asked me at the end of the last segment if my wife survived in the Pentagon. The answer is yes. If I didn't make that clear, let me make that clear, she did survive, she was fine.

>>CHARLES BROWNSTEIN

I'm taking some questions from the web. As I do let me ask a number of people that submitted comments to present in the audience to come forward. Mr. White, Mr. Smith, Mr. Slater (ph), Mr. Goldman or Coleman, I can't read the writing. Miss Lewis and Tom Klinkensbeard (ph). From the web, from the Hawaii, Criminal Justice Data Center, LeAnn Moreoma (ph) asks will the various federal systems such as SAVE, ASSAF, EVVE, NASA, US VISIT, et cetera, be ready, or enhanced for the increased access by the states to verify documents? Is there any consideration for access to these federal systems to be of no charge for the states?

>>DHS PANELIST

I will begin to try to answer that factual sort of question. Some of those databases and access to them already exists, for example, the Social Security database available to the states and 47-48 of the states already access it on a regular basis. The verification of legal residency, eligible for drivers licenses, through the Department of Homeland Security, the last statistics I saw showed that about 22 states are already live and accessing that database. And I believe that the rest of the states have an MOU (ph) in process or assigned to move forward in getting access to that database. The electronic verification of vital records is in a pilot mode right now, to the extent we could use our grant money, which we're certainly hoping to do so in the future, to go from 3 states that are in the pilot currently accessing the DMV for those purposes, the birth records, some cases death records of individuals among the states, we will use our money to try to make sure that all the states will be accessing that data as soon as possible along or shortly after May 11th, 2008, the first real implementation date. The passport database, in existence, that's very accessible when DHS at the border, at the land border in places, at the airports, in all cases, scans your passport to come back to the country, it's accessing the State Department database to say that you are who you say you are. That database is not currently tooled if you will to have all the states and the 7 territories access that same information. It is there but not engineered to have that access. We're working closely with the State Department to get that access and looking at a fall back. Since we have hundreds of locations, we DHS, hundreds of locations over the country that access the State Department's database we're looking for way to provide the states with access through our access to avoid any possible delay for implementation as we're close to May 11th, 2008. So, the specific one on one if you will database accessibility is in place, available, soon to be available and we're hoping to invest to make sure they're available as soon as possible. Regarding the costs, making that free to states, some of those costs, they're very low as well as I

think 23-cents per query of the DHS database. The cost issue, is one that we as a program, a rule writing body, a program implementation group, the cost issue is not one that we're currently looking at addressing. That's more of a bilateral issue, a multilateral issue between the states and the individuals that hold those databases. Thank you.

>>DHS PANELIST

Let me just -- really for the audience's sake clarify some of the acronyms that were just used and that you will hear more specifically in this section. This is probably the most acronym heavy part; SAVE, SSOLV, EVVE, NAPHSIS, AAMVA. SAVE or SAVE is the Systematic Alien Verification to Entitlement database. It is a database maintained by the Department of Homeland Security, U.S. Citizenship & Immigration Services, CIS, that's actually the component of DHS that administers that SAVE database. That's used to verify a non-citizen lawful status in the U.S. Over 20 states currently issuing drivers licenses are using that SAVE database and all the states entered into an agreement with DHS to do so for the REAL ID Act purposes. SSOLVE, is Social Security Online Verification. That is the database used by the Social Security Administration where DMVs verify that the Social Security Number presented is actually the number given by the Social Security Administration. Only a handful of states do not currently use SSOLVE right now. It is about 47 jurisdictions that are already using SSOLVE. EVVE, the Electronic Verification of Vital Events. That is a database which is mostly not available nationally yet unlike the other two which are. That is the name of the database for each states' birth certificate records. Each state maintains that information already in its own state. EVVE is the name of the system that would link the states so that one state could check with another state to say, again, obviously, we have a very mobile country, even within California, we have a lot of natives from California, we have people who move to California from all over the country and will come to the California DMV with a birth certificate from that state. The EVVE system would let California check with that state to see if that birth certificate actually existed in the state database from wherever the person came from. Let's say Missouri. NAPHSIS, I always butcher exactly what NAPHSIS stands for, The National Association of Public Health -- I think Statistics and Information Services. It is essentially an umbrella group of state vital records offices and vital statistics offices. They are the ones that administer the EVVE system and make sure that states have good data in their birth certificate records. AAMVA, you heard in the last section, Darryl mentioned that several times, is the American Association of Motor Vehicles Administrators. That's the umbrella group of DMV, administrators, within the United States and Canada.

>>CHARLES BROWNSTEIN

Thank you Jonathan. Another question from the web, from Ying Que Quam (ph) in the Oregon Department of Administrative Services. How will the technical requirements of REAL ID be subjected to due process whereby comments are formally sought from stakeholders in public, private, academic, and non-profit sectors as would be expected from technical standard with national or international implications?

>>DHS PANELIST

Can you -- Can we have that one again? I'm sorry.

>>CHARLES BROWNSTEIN

How will the technical requirements of REAL ID be subjected to due process whereby comments are formally sought by stakeholders in public, private, academic, and non-profit sectors as would be expected of technical standards with national or international implications?

>>DHS PANELIST

There are some standards already in the proposed regulations which are already open for public comment. So, in that sense, due process, the federal administrative procedure act, that's already satisfied and they're spelled out in the proposed regulations, anyone is free to comment. I think if DHS were to adopt in the final rule specific technical standards that could not be foreseen by -- in the proposed rule, they may have to issue a separate notice of proposed rulemaking to address those particular standards in order to give the public another opportunity to comment on those specific standards.

>>CHARLES BROWNSTEIN

Thank you. I would like to call our next speaker up to the microphone. Mr. White.

>>MALE SPEAKER

(inaudible) I'm Vic Yellowhawk White. (inaudible) My clan is Deer. I'm here representing the American Friends Service Committee who has a 90-year history, noble prize winning service agency. 90 years in the United States. 65 years in this region having been established to respond to another national security concern during the time that the Japanese Americans were placed in interment camps. The problems, some of the problems with the REAL ID Act, some of the problems with the perceived voracity of what we're being told, it seems to be of your own making. When we have immigration, customs enforcement people showing up in neighborhoods, saying that they're looking for three to four felony warrants, they show up with 5 vans, end up taking away and deporting 20, 30, 40 people, separating families, it does not engender trust. Having said that, noting that 4 states have said that they will want the REAL ID Act repealed, numerous cities and counties, we reiterate our opposition to the REAL ID Act and encourage citizens throughout this country to let that be known. Moving on to actually commenting on the proposed rules, and noting that we have panelists that will translate the acronyms, I also want to state that saying that you want solutions and to the extent that we can come up with solutions, we will try to do that, but pointing out problems is our understanding, that you all are charged with finding solutions to those problems. I will begin with the facial image capture requirements that would discriminate against individuals based on religious beliefs. I also want to enter for the record that what I will be entering for the record has been prepared by our policy impact coordinator, the project voice, a person in Washington DC, Sara Abraham (ph). Facial image capture requirements would discriminate against individuals based on religious beliefs. Section 202b5 of the act requires that persons applying for a drivers license or identification be subject to a mandatory facial image capture, it notes the Federal Register volume number, et cetera. DHS proposed the digital photographs comply with current ICAO standards which requires images with "no veil, scarves or head dresses to obscure facial features." As written, this proposal would deny men and women who wear head coverings based on religious beliefs the right to a federally recognized drivers licenses or identification. The rule does not currently allow for accommodations to those religious beliefs. Requirements, marked drivers licenses and identification cards of individuals with approved or pending temporary protective status applications and pending asylum LPR or conditional

permit residence status applications. In affect, this would mark IDs. In practice, it would mean that a mark on an individual's drivers licenses or identification card is temporary. It would show the status of those folks and is subject to misuse. Requirements would exclude large groups of non-citizens from drivers licenses, identification, including visa waiver program participants and Canadians. Proposed rules recognized that the inclusion of a visa alone will leave a large group of aliens, non-citizens lawfully in the United States unable to obtain a drivers license or identification. This exclusion of large groups of non-citizens indicates the impracticability and discriminatory effect of REAL ID requirements for proof of citizenship. Proposed rules assume that individuals in the visa waiver program would use a drivers license from their home country or an international drivers license which would still be eligible for identification not recognized for federal purposes. Furthermore, the proposed rules would make all Canadians ineligible for drivers licenses and identification. The proposed rules offer no alternatives and the proposed rules do not provide alternatives such as provision of foreign passports without visas. One more. Identification requirements could negatively affect livelihoods of asylees (ph), asylum applicants, refugees, individuals with temporary protected status and TPS applicants. The proposed rules recognize that regulatory limitations on an issuance of an employment authorization documents would result in a wait period before individuals, including asylees (ph) and refugees will have acceptable documentation. I will skip the middle of that and go to what I consider the most important. The 1951 convention, relating to the status of refugees. The 1967 protocol which the US has ratified, requires, and these are international documents, that the states shall issue identity papers to any refugee in their territory that does not possess a valid travel document. Thank you very much. (applause)

>>DHS PANELIST

Thank you. Thank you for representing the American Friends Service Committee with those comments. As you state, they'll be on the record. Several of those specific comments with regard to certain categories of residents here who would need some sort of ID or license to move about society legally have been brought to my attention and we understand them and will seek to try to find a remedy, some new ones you identified today, likewise, we'll address seriously in the final rule. Thank you for your comments and inputs to the process.

>>CHARLES BROWNSTEIN

Mr. Smith?

Mr. Slater?

>>MALE SPEAKER

Thank you. My name is Derrick Slater (ph). I'm the Activism Coordinator, with the Electronic Frontier Organization, one of the leading organizations defending civil liberties in the digital age; we're a non-profit, donor supported. We represent over 13,000 individual donating members. As we have said since day one, and as many people have testified today, REAL ID is flawed, there is nothing really that DHS can do to fix that. (applause) As Mr. Dempsey pointed out, a real cost benefit analysis, not the cost benefit analysis that DHS went through, but a real cost benefit analysis would show that it utterly, miserably fails a real cost benefit analysis. If you look at not simply saying hypothetically what it may prevent, looking realistically that this would most shift tactics, delay certain types of criminal activity, still, the financial costs alone far exceed even under generous assumptions, the sort of financial harm that could be prevented,

that's not even talking about the privacy, security concerns that others brought up. Turning to the verification systems, that topic for now. I think you have pointed out a rosy picture of the state of the systems. Right now, these are vapor wear, plain and simple. Period. The Social Security system, while in place, is not ready for the REAL ID. Don't take my word for it. The Director of Government Relations for the National Governors Association said that in recent testimony before Congress. This is simply not ready for REAL ID. If you look at EVVE as the Director of NAPHSIS said in a recent article in CQ Quarterly, millions of dollars short fall in funding, going to be delayed well past the 2008 deadline, potentially into winter and beyond. We don't know when it will be ready. It's going to be a long time. Same can be said about the other databases as far as readiness for REAL ID. Now, until these systems have been built and tested, it is wholly unacceptable policy making. It is not a sound basis for policy to come up with REAL ID on the basis of these systems; they have not been built and tested. There should be no implementation until they have been built and tested. Now, that leaves also the state-to-state data exchange which wasn't really touched on. This is perhaps the most difficult part of the technical implementation. DHS effectively punted on this issue leaving it to the states. We have no real sense of how that will come into action against some of the biggest privacy and security concerns have to do with that state-to-state data exchange. Now, not having a good technical plan raises the stakes in terms of privacy and security. A sloppy technical implementation leads to really sloppy privacy protections in the end. Again, what has DHS said about privacy and security? Have a comprehensive plan, leaves it to the states. Nothing is laid out. No real guidelines there. As was pointed out, it will be the weakest state's guidelines that will lay the basis of protection for privacy for REAL ID. Now, this is just a recipe for disaster. It really sets the cart before the horse. Before any of this has been tested, burdening the states with this huge financial burden, burdening individuals in this country with the privacy burdens, putting privacy at risk, it is simply wrongheaded. Again, DHS's regulations cannot fix the fundamental problems of REAL ID. What's needed is for these -- for the proposed regulations to be withdrawn and legislation to be sought and pursued to repeal the REAL ID and fix the underlying problems. That's what DHS should be doing. Thank you. (applause)

>>DHS PANELIST

Thank you, Mr. Slater for those comments on behalf of DHS. It is good to know that DHS has made a friend of DFF (ph) since you have taken us off the hook for the rules as we propose them. I say that somewhat humorously. I do want to address the cost issue. The cost issue is substantial, as we have already said. In a context of total cost per citizen, for renewing each drivers license that they go in to their DMV for over the course of the next 10 years, the basis that we had to analyze the costs, the cost per person, and this is averaged across all the states, it is different depending on the state you're in. The average cost per person for all the states, less than \$20 each time you go in to renew your drivers license or identification card. Less than \$20 additional over the current costs of obtaining that ID. There is a lot of assumptions in that; all of those are laid out with great specificity in the proposed rule and the economic analysis that accompanied it. But it is our view that -- I think it goes to the heart of the 70% of the citizens that believe this program is worth pushing forward. That cost is relatively modest for some of the protections we believe that it will provide the American citizens. I do also want to comment on the state-to-state connectivity, most of that is in place already for other programs, it worked well for many years. We're building to some extent that we can, on existing systems that exist for that kind of connectivity and to federal databases. Finally, I would note that you point out correctly, that some

of the verification systems are not in place today to do the kind of verification that the law recommends. I will highlight that there is a difference between data verification for which most of the systems are in place and our connectivity to the State Department can provide data verification with the State Department as a link for the states. But what's not there currently, needs to be built in over time, we're partnering to a great extent with the states to accomplish this is verification of the documents. Verification of data of the data on a document that's fraudulently on the document is all we'll be able to do in the beginning of this program. What we need to move towards, we recognize this in DHS and believe it is a federal funding need and we're working toward identifying the costs for future budgets at the federal level is verifying the documents are valid. That the document is shown to us, that shows a birth date of 1949, the city of Philadelphia, Pennsylvania, it matches up with the type of document that was used in the city of Philadelphia in 1949. Those systems are off in the future, it will take a time to build, it is critical to the ultimate success of the program. We believe we have to start somewhere because when you put your spouse, your kids, your parents on an airplane, you want them to know that the person sitting next to them is who they say they are when they presented an ID to get in through security and into that commercial airline. That's all it is about, at its core. Thank you.

>>DHS PANELIST

One other comment. Rightfully mentioning the EVVE system. Garland Land (ph) who is the Executive Director of the EVVE System. Garland and I talk every couple of days, actually had a number of different conversations with Garland last week about EVVE, the fate of EVVE, EVVE's requirements in regards to costs, and we're actually taking a look at coming up with the funding required to help promote that system beyond its pilot stage and full deployment. We're well aware of what the current state of EVVE's capability is as we look at the Kentucky pilot, which is actually testing out a lot of the data exchange capabilities of EVVE. In regards to, like the data exchange information system, we're working that in a vacuum. We have for example, the AAMVA CIO and other AAMVA staff members who have experience in state-to-state data exchange systems participating in our working groups. We have other individuals represented from various states. So, again, all the systems that we're working on, the proposals, alternatives that we're taking a look at, all of these are better informed by a number of state DMV officials participating in that process. (off mic)

>>CHARLES BROWNSTEIN

We have to kind of move on if you want to get back to that comment, we can do that. We want to get everybody in if we can. Mr. Goldman, I think we're waiting for you. And Mr. Paratas (ph), come up, we'll include you as we march through these, thank you.

>>MALE SPEAKER

Thank you. I'm Barry Goldman with (inaudible) Consulting; I'm here representing the Information Technology Association of America the REAL ID task force. I want to state that -- excuse me. We -- our members support the goals of the act for a secure and safe drivers license. We believe that a drivers license presented as an identification credential should be a trustworthy document. It should be able to be authenticated that I was in fact the person that that license was issued to. We believe that they can, and should be made more secure and the technology exists today to do that.

An item up on the list for comment about the verification systems, it is the commercial drivers licenses system. I want to take a minute to talk about that. I was deeply involved in the development and operation of that system as a former employee of the California DMV and working for AAMVA. That system exists today and has existed for nearly 20 years as a safe and secure means of exchanging information between states about commercial drivers. The system has never been hacked, you cannot -- a DMV employee in another state can't go in that system and browse for the names commercial drivers in other states. It simply doesn't work that way. They can go in and verify that a driver has only one license in one state, to promote safety. That system is also governed by the states. It operates in a government structure developed and operated by the states. We believe from the information technology members, that that similar kind of a government structure should be in place for a state-to-state exchange of information between the states in support of the REAL ID Act. Further, the data that's transmitted between states and within states, and the data that resides on databases in states, the personally identifiable information, such as name, address, date of birth should be encrypted and we believe the rules should be expanded to be more specific about encrypting that data so it cannot, if hacked, be used by anybody. We also support the need for flexibility in assuring that states have the capability to implement these systems and implement the commercial -- the REAL ID in a normal renewable cycle, so that a state is not forced to bring in multiple years of drivers outside of their normal renewal cycle. And lastly, we support the addition of funding by Congress to support this national effort. Thank you. (applause)

>>DHS PANELIST

Thank you, Mr. Goldman. With respect to the encryption of data on the 2D bar code on the back, as the Secretary has noted, the data can currently be decrypted by the person reading the front of the card with their two eyes. More importantly though I think, the Fraternal Order of Police, which is strongly supportive of this REAL ID Act and our implementation of it, has made a strong point that encrypting that data makes it harder for law enforcement officials to try to determine if the information on the front of the card match matches the data that's in the 2D barcode on the back of the card. We're trying to balance multiple interests here. We appreciate the comments. Again, thank you.

>>CHARLES BROWNSTEIN

I'm trying to take people in the order I had them. So there's a couple of others were waiting. Thank you. Miss Lewis.

>>FEMALE SPEAKER

Thank you. My name is Ginny Lewis. I'm the Director of the Nevada Department of Motor Vehicles. I want to thank the panel and Homeland Security for facilitating this and George Valverde for hosting this today. The state of Nevada, the Department of Motor Vehicles has compiled our comments and submitted those through AAMVA. If you would allow, I would like to comment on two areas. The first, consumer and personal impact as well as funding, implementation time frames. I believe Nevada is no different than any other jurisdiction, struggling to find a reasonable approach to implementing the REAL ID. Our challenges are consistent across the country. We're extremely concerned over the impact to our customers and the ensuing frustration from those that cannot meet the requirements of the act through no fault of their own. Nevada has just over 2 million drivers and holders of an ID card that will be affected by REAL ID. Because DMV's deal with just about every adult in the state we're a high

profile government agency and represent the front door to state government. Nevada has worked exceptionally hard to find alternatives for our customers to do business with the DMV and bring government closer to the people. These improvements are for not with the implementation of REAL ID. As the draft rules currently are written, DMV's will exemplify bureaucracy at its finest. The public will be frustrated with the requirements and our employees will be the target of that frustration. I don't believe any of us have a real understanding of the public outcry when we roll this out in 2008. (laughter) We have all been living with REAL ID for many years. (off mic demonstrations in background) I truly believe that the public has yet to have it on their radar screen. We ask Homeland Security to give the states the flexibility we need with the exception process so that we can work with our customers and to get them a REAL ID compliant card. Additionally, we recognize the segment of the population who cannot provide documentation required and allow for some exceptions. At one point, there was some discussion of grandfathering in those individuals who were established in a system for an extended period of time, maybe 10 or 20 years. I believe it is incumbent upon DHS to give careful consideration to the final rules and find a balance for implementation. DMVs support the intent of REAL ID however; the plan has to work for all of us. On behalf of Nevada and all jurisdictions, we ask DHS to listen to our comments. Based on the reenrollment deadline of 2013, Nevada drivers will go to a field office to renew their drivers license rather than taking advantage of alternative technologies. Currently, over 100,000 customers use the kiosk, internet, or mail to renew their licenses every year. Under the time frames currently identified in the draft rules, Nevada is anticipating over 100,000 individuals in our offices each year. We expect longer transaction times for processing these customers and overall longer wait times for those customers requesting DMV services other than drivers licenses. To address this influx of additional customers in our offices, and minimize the impact on the public, our budget proposes to extend the hours in our metropolitan offices and includes over 100 new employees to provide adequate coverage. This component represents over \$25 million during the enrollment period and is about 50% of our REAL ID budget. Nevada is no different than any other state and hopes that DHS recognizes the fiscal impact of the 2013 deadline. In the absence of federal funding from the federal government, Homeland Security needs to extend the reenrollment period which will minimize the impact on the public and reduce the tremendous fiscal burden on the states. Thank you.

>>DHS PANELIST

Thank you very much. The Secretary, when he rolled out the REAL ID program, the NPRM some weeks ago now, March 1st actually, they commented quite a bit on the fact that this was being implemented in partnership with the states, not against the states or in opposition to the states rights and state views. I just want to reemphasize that, that the partnership with the states, legislative level, governor's level, Homeland Security department levels and certainly the DMV levels, it is critical to the success of this program. Thank you for these comments, thank you for anything you put on the record and these comments and all the comments will be taken seriously as we seek real implementability of this rule by the states and on behalf of the citizens so that they're not unduly in some way, shape, or form, punished by the implementation of the need for secure ID. Thank you.

>>DHS PANELIST

If I can add one comment. One of the things that my team and I have done over the last couple of weeks is visiting various DMVs. What we're doing basically is

assessments. Analysis if you will. Looking at the current capabilities at the DMVs, and the current processes there, and comparing those to what the current NPRM suggests and we think about what kind of changes to consider for the future. Of course, we've asked them also to make comments to the public record. We're doing it from an operational perspective, to find out what the operational impact of the reg may be upon the state's operations. We have not visited, of course, your DMV yet but we have gone to -- we're up to 8 now, trying to get a random sample as to what the overall operational impact will be and certainly if you would like us, we can come out, assess where you are, where you stand in conjunction with the NPR currently proposed and the steps that need to be considered as we go back, look at the changes that are more implementable for you, your state, your people, and your customers.

>>CHARLES BROWNSTEIN
Mr. Klickenbeard. (ph)

>>MALE SPEAKER

I'm Tom Klickenbeard (ph). I'm from Arizona, the home to the soon to be NBA champions, the Phoenix Suns! I'm here representing Stacy Stanton (ph), the Director of the Motor Vehicle Division in Arizona. I will be brief. Arizona, like other states has taken a cautious approach to the implementation of REAL ID. We began the process several years ago when the act was first talked about. We have worked in earnest since the rules came out. We'll certainly request an extension and are continuing to analyze, review the technical part of the proposal. Toward that end, I would ask that DHS consider after the current round of comments have been vetted and published, consider a second comment period based on what was brought forth the first time before the final rule is published. We're watching federal activity very closely, particularly with the verification systems that we talked about earlier. We are already on board with the digital image exchange, Social Security verification, we have a MOU in place with SAVE, and we currently are -- for a number of years, have performed background checks on the vast majority of the employees that the rule contemplates. One of the areas that we do have some concern about is that dealing with source documents, provided by Native Americans. Arizona is -- has a very large and very rural Native American population. We have many, many years of experience in dealing with the exceptions that have to be granted to Native Americans because they don't always have the source documents available to them. That we normally require. There was some discussion in the rule document about meetings between DHS and Bureau of Indian Affairs. Some assessment, some assurance by BIA that Native Americans could obtain the documents that are necessary for a REAL ID compliant license. From the practical, every day standpoint in our state I don't believe that is the case. I would ask that you go back to the Bureau of Indian Affairs, whomever else you think is appropriate to talk to and re-address that issue in the concept of what the states have to deal with on a day-to-day basis when dealing with Native American populations. Finally, I would just like to point out that our concerns, I think, are the concerns of every state in the nation with regard to costs of the process. And the need to identify a secure funding source. I would also tell you that toward that end, the Arizona legislature has drafted, and approved a bill that would prohibit Arizona from participating that's not been transmitted to the governor as of today and, of course, we are going to have to proceed accordingly -- proceed cautiously pending resolution of that issue. Thank you.

>>CHARLES BROWNSTEIN

Thank you. Mr. Paredes, while he's coming up, Miss Hill, you can get in line for the next question. Thank you.

>>MALE SPEAKER

Panel members, thank you for the opportunity to come up, to voice our concerns. The comments that I have, they're kind of a bridge on the security concerns and the electronic verification systems, but not the ones that you're thinking about. I represent an organization called Gun Owners of California and I also represent Gun Owners of America. We find ourselves in a very unique situation here commenting on this sort of a process where we're standing shoulder to shoulder with folks like the American Civil Liberties Union, the other forums, we have, very, very, very broad group of Americans who are very concerned about what it is that you folks are considering. Let me tell you about some of these concerns. Over the last 3 breaches of major database, secure databases that I can remember, pretty recently, it was the FBI, where a laptop with all kinds of information was compromised. It was the University of California system where my understanding was that thousands and thousand of student's Social Security Numbers were taken. There was a story recently about a bank where somebody compromised all the financial information from a lot of customers. Excuse me if being a representative of law abiding citizens throughout America that own guns, using them for all manner of legal purposes, but, we are a little bit concerned. Some might call it paranoid, but I think that our concern is great. Our concern with the security of the database is one of the key things, and, again, we've to experience as law abiding citizens inputting information to another secure database held by the FBI and administered, I guess, jointly by ATF in order to keep the background checks where they do verifications of all kind of information before they purchase a firearm. That system breaks down on a fairly regular basis and it is a small subset of -- well, not small, but it is quite large. But a small subset in comparison to this database. That the intricate web of data bases that you are talking about putting together in order to provide the security net. I can only manage what happens if it breaks down some where through the process, a fraction of the times that the FBI and the ATF database breaks down. Oh, my! Can you imagine how many people going to airports and getting their drivers licenses, their secure drivers licenses swiped, for some reason the system is broken down, nothing can be verified. It may happen randomly throughout the country. All kinds of horror stories come to our mind. Other concerns that we have, is that in reading the regulations, listening to the process that's going through Congress, you know, fighting falling asleep. Trying to pay as much attention as possible. There are no protections that we found against the use of technologies where somebody else might be verifying your electronic data and you not know about it. Now, would you like to have a secure identification card and you walk by somebody and they have not only taken that information that's on your card, but they have actually cloned it and it didn't cost more than \$200 to get the technology to do that. A panel member just pointed out that, you know, there is a balance between encrypting the information and keeping that information on the identification card for law enforcement purposes, well, those of evil intent can also get that information. I will finish with this comment. It seems to me that the direction that this is going in is going -- it is impacting law-abiding citizens in order to put speed bumps in front of terrorists and people who have crime on their hearts. (applause) You know what, America is based on freedom. Any way you look at it, with freedom, there comes some bad people that will take advantage of it but freedom should always come first. Thank you very much for your attention to our comments. (applause)

>>DHS PANELIST

Thank you, sir, for your comments for the record. I'm sure your organization will submit something in writing to DHS. On the issue of the cloned card, that relates to the possibility of those identification documents that may have an RFID chip embedded in them, that's in no way, shape, or form, part of our rulemaking process at this point in time or for the final rule. So, I just want to make sure that point was out there. Thank you.

>>CHARLES BROWNSTEIN

Miss Hill.

>>FEMALE SPEAKER

Well I'm not representing any single group today; I'm a citizen of the state of California, of the United States. I do work for DMV. We try very hard with limited income, with limited resources to provide the services that everybody in the state of California expects and deserves. It is very difficult to do on the budgets that we have. It is becoming more and more difficult every day. I'm concerned, extremely concerned about the lack of funding when we have a federal program saying you will do this. But you will also pay for it. The Department of Homeland Security admitted that the REAL ID is going to cost states and you and I as taxpayers between 17.2 billion and 23.2 billion over 10 years. The implementation costs as Mr. Valverde said earlier in the state of California alone over the next five years alone is \$500 to \$700 millions, yet, Congress has only appropriated less than 40 million for the entire program that doesn't count just California. They said the Department of Homeland Security is saying that the state can use up to 20% of their Homeland Security grant program funding for REAL ID. Well, folks, the cities, the counties in California, they have been clamoring, they have -- they don't have enough money, again, you and I, lower level taxpayers don't have the money to pay for the Homeland Security programs we need to protect citizens and we'll spend it all on an ID card. I believe in the purpose of the REAL ID. I think that it is extremely misguided. I think that it will cost you and I as tax payers we were told less than \$20 each a person, well, if I lived in Montana, that's not a lot of money, in the state of California with the number of people we have here, that's astronomical. That's all I have. Thank you.

>>DHS PANELIST

Thank you. It's good to hear the voice of the DMV workers. You guys are the front lines. I appreciate the comments. Thank you very much.

>>DHS PANELIST

Thank you. We'll take another 15-minute break and we'll be back for the final segment of our program.

>>CHARLES BROWNSTEIN

We're going to try to start up again. For anyone that just joined us, we're still taking questions. You can fill out a form in the lobby. We'll call you up. If you're on the web, you can send us an e-mail, if you're in the room, and wish to talk or have more to say, please put your comments in the box for consideration in the docket. We're ready to move to our final segment. And, I'm going to take just -- read a couple of e-mails on funding before we do that. This is on law enforcement and we'll go through a grab bag of other comments that people offered and return to the ones that we have until we run out the clock. There were two questions on funding that came from the internet. I

don't know if they're still there. From lowrain (ph), Hawaii state government, are there efforts ongoing to the federal level that you can share with us for significant funding states to implement REAL ID. The 20% of funding is not a practical viable solution because those funds are already committed in states for Homeland Security initiatives that equally need funding. The other question in that category, from Andrew in Virginia, what is DHS going to do to help states work with Congress to get the money they need to implement REAL ID?

>>DHS PANELIST

Thank you for both of those questions. We have been giving a lot of thought to the funding issue. We have sort of tried to look at two different buckets of funding that we think in the first instance, there is a clear, compelling reason for federal investment. One area, and then, another Congressional decision making process in the other area. Building out, providing funds to, not doing it ourselves, providing the funds to a group like AAMVA, another enterprise fully represents the state's interests, to build up the networks for the connection of databases in a secure way to protect privacy, build the fire walls that the most secure data networks in America have built in to them we believe could be considered a federal requirement. The individual database connection points that we have already talked about a bit today will be there or expect them to be there shortly after May 11th, 2008. Building this new a user friendly, on behalf of the citizen that wants to go in their library to apply for a drivers licenses or have a system that enables states to reduce their investment and staffing the databases could be a useful investment of federal dollars to cut net costs rather than to have 50 states build their own statements and provide standards and secure and private, privacy capabilities. As a federal billed out funded by the feds, not built by them per say is something we're pursuing, Darryl has referenced the fact that he has a working team in place including all the key stakeholders to look at how one would design such a system. This is not part of the rule actually but a business case implementation of some of the aspects of the rule. Looking at the costs of building out that kind of connectivity, that's something we're looking at right now. To the extent we can identify a good and valid approach to that, that your states largely believe is a worthwhile investment in the federal level, we'll look at the fiscal '09 budget as a vehicle to start to implement that kind of connectivity. So, that's the bucket, if you will, of potential federal investment to make it easier and more cost effective for the states to access the individual databases if they need to prove that you are who you say that you are. This is sort of a second bucket that DHS is not evaluating as a DHS proponent for, goes to the other costs that the states will incur to reach the goals for the floors for the capabilities of REAL ID. This is additional staffing, additional people coming in, this would be the scanners to electronically scan verification documents; this is for the cameras for those states that do not use digital equipment for taking your picture. The production equipment for good tamper resistant drivers licenses and the IDs themselves. All of those encryption costs, virtually every one of the 50 states are at a different place in their investment to acquire those kinds of technologies, capabilities, background investigations for their employees, et cetera. We believe it will be extremely difficult for DHS to propose any kind of funding stream to cover those costs. That's why as I alluded to briefly earlier, this is a good opportunity to build upon it. We're -- we're -- we have identified a lot of these costs, I think we have identified them at the high end. We have certainly not tried to mitigate or hide the costs of this. It is expensive. And we have not done anything to detract from states individually, states through the national governor's association and other associations that seek with their Congress to get money to implement REAL ID. How Congress does that

frankly, as I have said, all the states, at a different point of implementation, how Congress does that equitably and doesn't penalize states like California that have made substantial, tens of millions of dollars in investment as has others, and not disadvantage them while advantaging those that have chosen to sit on the sidelines and watch to see what happens, it is a problem far more complicated than I would hope to resolve. As our Congressional bosses come to us, consulting on these issues, we're happy to remind them that on a per capita basis, the cost is such that the states could find a variety of ways of absorbing, dealing with the cost issues and we're working with some states that found creative ways of doing that mitigate the cost to the tax payer through the tax vehicles and put in a user cost for example on individuals coming in. There are a lot of models out there; we're trying to make sure that all the states understand what the different options are as they move in those cases to implement some more secure ID format. Thank you.

>>CHARLES BROWNSTEIN

I'm going to read a comment on law enforcement from the net. While I'm doing that, would Angela Ramirez -- do I have that correct? Beth McGovern (ph), Rick Altman (ph), Rodger Lee Gardner (ph), Roland Beck (ph), Matthew Van Grundy (ph) come up to the mic and we'll take you in that order as we resume. The law enforcement question comes from Ronald Rossom (ph) in California. He asks the law enforcement enforce the REAL ID Act, how will they go about enforcing the act?

>>DHS PANELIST

Many, many, many hundreds of questions and comments that are made on this act, that's the first. So, let me just note, again, that for state's right reasons, the Congress tried very hard not to over reach in implementing a secure identification document proposal that we have discussed here for some hours today. So, the Congress has not proposed any law enforcement at the state and local level. Any law enforcement activity related to REAL ID. The Congress was specific in addressing issues like getting on a commercial aircraft, we have authorities, getting into federal buildings, just a few other areas, we're sticking to the law there. Not trying to act expansively and propose or impose, certainly not, any requirements that states use this form of ID in any sort of law enforcement way, state, other local level. I think that, again, the simple answer is, does not belong here, not ours, not invented here, we don't plan to propose it. Thank you.

>>DHS PANELIST

Just to add, short answer, no, I think as Rich said. Because, what the proposed rules do is set minimum standards for the states to follow in issuing the drivers license. So, law enforcement doesn't need to do anything towards their own DMV in terms of whether they're complying with standards. There are potential law enforcement issues involved with individuals who are going to present to the DMV fraudulent information and different states already have different practices about what they do for when individuals fraudulently attempt to get an identity document or a license or identification card from the DMV.

>>DHS PANELIST

Thank you. Mrs. Ramirez.

>>FEMALE SPEAKER

Thank you. Hello, my name is Angela Ramirez. I'm a DMV employee. I'm also a job steward with SCIE Local 1000. I'm here today because of, you know, representing 80,000 members within the state of California, we want to know how this is going to impact us directly as you mentioned, DMV, is -- and the workers will be on the frontlines in implementing this. I'm wondering if -- I have a few questions actually. I'm wondering if employees will be -- that are already cleared, security clearance will be required to undergo additional background checks, credit checks, and why. DMV employees, they're already severely impacted with the amount of work, the volume, I mean, I don't believe you can comprehend the number of documentation that we already do process and the backlog and the process that this would just severely set us back if you were to be considering reclassifying our jobs perhaps, Homeland Security analysts. It is a heavy responsibility and a heavy burden that you have placed on the DMV employees. Many of them don't even know, have any idea; many of the managers in the DMV office have no knowledge of what's coming down in the next year as far as this new REAL ID Act. So, I'm concerned about those types of things and information I want to take back to our members.

>>DHS PANELIST

Thank you, Miss Ramirez. Your comments on behalf, SCIU, the issues with respect to the local work force, the state of California, is well represented here today so I'm sure they'll take on board your comments. Reclassifying jobs, differently, certainly an innovation, in some ways, I understand why you're proposing it. One impact that you have your state DMV officials have already said, that potentially, you'll add some new employees to your roles. Beyond that, we know that the communication of what's going on here, has an impact on the workers, the frontline workers, communication to the public, communication for how to obtain -- update your data, getting a certified birth certificate as opposed to just a birth certificate that you got before certified. Very complex issues, some states are already very seriously considering these and dealing with them. To the extent we will work with states on things like best practices, which, while may not be optimal in the absence of huge funding streams, it will help states from learning from one another and take care of some issues you raised, which are all very valid. Thank you.

>>DHS PANELIST

Let me just add, something of concern certainly to your workers, I mean, the employees background checks, remember, what we did in the proposed rule is set a national standard. It is possible that California is already doing things that would meet the requirements of the proposed rule. When you write a proposed rule I can't say California, you don't have to do this, Nevada; you do, Arizona don't; New Mexico, maybe, maybe not. So, as we get that information from the states, it is possible that there is a lot of flexibility from DHS and the application of the requirement to the practice in the state. It is just as you write the rules; you don't always know exactly what every state is doing. Since all the states do it differently, they check different things. That's one of those whereas we get the information from the state we'll be able to apply that to the intent of the proposed rule.

>>DHS PANELIST

We'll add, some reason for the background checks, actually as we have talked to a number of DMV's, expressed their concerns about various personnel that work in the DMV's being susceptible to bribes, for cash, for cards, cash, to help alter identification cards, again, from a fraudulent perspective, but, also a facilitating identity theft. So,

again, some concerns were actually expressed from the DMV's, in regards to helping make the document issuance process more secure.

>>CHARLES BROWNSTEIN
Ms. McGovern.

>>FEMALE SPEAKAER

Good afternoon. My name is Beth McGovern, I'm the Legislative Director for the California Commission on the Status of Women. One of the difficulties that REAL ID could impose for women is that it requires two forms of identification in order to obtain a REAL ID. Women are less likely to put things in their names, like title to property, utility bills, phone bills. That's an initial barrier and a -- a challenge that could be posed to women through the requirements of REAL ID. Another very significant impact on women is REAL ID would increase the already dangerous risks of victims of domestic violence, stalking, and sexual assault. Violence against women is a serious, widespread problem throughout California and throughout the country. One of the problems with REAL ID is that it requires the disclosure of where people live which exposes potential victims of these crimes to attack. The idea of perpetrators obtaining information through the DMV is not just theoretical, there have been a number of cases where identification about victims, where victims live was obtained through the DMV and that resulted in brutal attacks or even murder. California has recognized this danger, and as a result enacted confidentiality programs to protect victims, but those programs would be weakened by the REAL ID -- by the REAL ID if it were imposed in California. And, in other states, where confidentiality programs have not been enacted, those victims would be at a higher risk. REAL ID presents another danger with respect to those victims through the storage of documents and the databases which would be accessible to a huge number of government workers and also possibly vulnerable through hacking. Disclosure of many types of personal information could be harmful to victims of domestic violence or stalking and even those that have taken steps to hide from their abuser like changing place of residence, even changing their name, could find this information being used to locate them in spite of efforts to keep that information private. The REAL ID Act was passed quickly and seemingly without careful consideration of the additional risks that it could pose to many individuals, including victims of domestic violence, sexual assault and stalking. The problems created by REAL ID would certainly make it easier for these criminals to track down their victims. The government should do everything they can to protect victims from crimes rather than imposing requirements to make it more likely for people to be victims of crimes. There are a lot of people who have very good reasons for keeping their personal information private. Victims of stalking, domestic violence, sexual assault have the best reason of all. They are -- it is -- it literally -- their lives depend on it. Thank you.

>>DHS PANELIST

Thank you. As we noted earlier, that's a category of individuals with whom -- we're particularly concerned about, sympathetic towards and a proposed rule, we already took some steps in terms of confidentiality of addresses for victims of domestic violence, certainly open to areas where you mentioned for example I think you said stalking, that's one where despite our best efforts I think we missed stalking in our proposal. We have heard that comment from you and others and that's something we'll certainly take into careful consideration as we do the final rule. If you have other, again, suggestions, of how we can enhance the protection for those categories of

individuals through the regulations, we're open to looking at those and consider them seriously, thank you.

>>CHARLES BROWNSTEIN

Mr. Altman?

>>MALE SPEAKER

Thank you. I'm Rick Altman with (inaudible) Prior to 9/11, I have had an interest in document security. I have spent extensive time on the California, Arizona border, coming back with numerous ID cards found north of the border issued by various agencies. I have here an Arkansas state employee badge for a worker that was sneaking back into the country, lost her ID badge. Two excellent examples of real Mexican ID cards with a voter ID, a commercial drivers license with a picture, thumb print, a signature on them. My favorite, the Mexican military ID card I have found north of the border. I have found excellent forgeries, what I have here, two -- what used to be called green cards, permanent resident alien cards which are clearly forgeries and a Social Security card which to look at it, you would say, absolutely, this is the real document. Now, this hasn't been done. I have to quote one sentence from the 9/11 commission report that says the federal government needs to set standard for issuance of birth certificates and sources of identification such as drivers licenses. We heard earlier that the 9/11 hijackers, between them had about 30 drivers licenses, I have heard as many as 62 drivers licenses. So the estimates vary. One thing we do know, that the 9/11 report on terrorism and travel indicated that the 9/11 hijackers between them had over 480 alias. We have no idea how many drivers licenses they really had. I do not want a national ID card. I do want our ID cards to be secure. I believe that's what the REAL ID does. It requires the states to make sure that their ID cards are secure. As I mentioned earlier today by Mr. Valverde from the California Department of Motor Vehicles, that California has -- substantial requirements -- substantial goes along with the REAL ID Act. That's because, in fact, back in 1993 we changed the law in California to make it more difficult for illegal aliens to get drivers licenses. We wanted to verify who was getting the state documents. It was signed into law. It has been the law since 1994. Since Governor Wilson left office, there has been a continued assault on the California drivers license process. We're now trying to defend ourselves from the 9th attempt to undue what we did in the early 90s to secure our drivers licenses. The 9th attempt by Senators (inaudible) and SB-1160. They have told our senate transportation committee and the media that in order to be in compliance with REAL ID we must reduce the security that we have for the California drivers licenses. So, my question you to is, does California have to reduce their document security so that illegal aliens can have access to the California drivers licenses? Do we have to do that in California to be in compliance with REAL ID? Thank you.

>>DHS PANELIST

Thank you for the comments, sir. The issue of who can get a REAL ID is addressed in the law. It is addressed in the proposed rule. I'm sure it will be addressed in the final rule. It must reflect the law. Those who are not here with a legal reason to be here and therefore are in some way, shape, or form, overstays from a visa that was legally issued, who have come as a student, changed their status without requesting a formal change of status, that's perfectly possible, achievable, those who are crossing the boarder illegally will not be eligible for a REAL ID. Neither the law nor the rule proposed or the final rule I expect will have anything in it that prevents a state that

wants to issue an identification card, drivers licenses to someone that's not legally enabled by the REAL ID Act to have a REAL ID driver's license or identification card. That's simply something we're not engaging in one way or the other. It is a state's right kind of decision. I won't comment specifically on California requirements, whether or not they'll be subject to change. Much of the debate we have talked about today, they're things that we can change and address and deal with. Changing a REAL ID to having it be a card, a document, an illegal alien can acquire while here in the U.S. is not on the table at this point in time.

>>DHS PANELIST

Thank you. Just one other brief comment on birth certificate security. A different provision of the law calling on the Department of Health and Human Services to issue a proposed rule for minimum standards to improve birth certificate security in all the states. I think the expectation is that HHS will issue a proposed rule sometime later this year, perhaps, during the summer.

>>CHARLES BROWNSTEIN

Mr. Gardner.

>>MALE SPEAKER

9/11 touched all of us. Dr. Barth, some of us deeper than others. However, in order to protect the American people one of our federal departments has come out in the guise of that protection with the REAL ID Act. For November of 2006, I was in Scottsburg, Indiana, the DMV, standing in line to renew a license. Two people, elderly people came in, they wanted to go ahead, turn in their outdated drivers license, get a state ID so they could vote. They were turned away; this was because of the REAL ID act. The state of Indiana had upgraded, was enforcing new rules, so for the first time in 50 years, two individuals could not vote. It did not matter that there were at least 3 other individuals inside that office that could verify that they had known them for over 40 of those years. It has been mentioned that the people support national standards for a drivers license. I will concur with that. However, there is a big difference between supporting the national standard for drivers licenses and what there is for supporting a national requirement for an identification for those licenses. The surveys I have taken part in were for things like mandatory training, should this training be provided when the kids are in high school?

How about retesting our senior citizens when they turn 70 for skills tests? Again, when they turn 75. A big difference between the two. The cost to states and the impact to the DMV workers will be enormous. Lines are already long at the DMV. The Department of Homeland Security requested input and also solutions. If you want input, you want solutions; make it mandatory that every citizen have a passport. Currently, there is a law on the books that stimulates that you have to have a passport to reenter the U.S. if you travel between Mexico and Canada. A lot of border citizens have already gotten those passports. I put to you if you make it mandatory for every citizen in the U.S. to go ahead and get a passport, you will receive your input and solutions. Along with that, the cost of the passports will be born by the federal government and individual, not loading up on the state or on the local workers. We have to be very careful with this REAL ID Act. If we the people don't get together, put this down the drain, we're one-step away from having microchips implanted in us at birth to ensure our identities. (applause)

>>DHS PANELIST

Thank you sir. With respect to Indiana, first, I would like to state that since the rule is not final, the state of Indiana was implementing their requirements, not federal requirements and not REAL ID requirements, those requirements are not concluded obviously. That's the reason we're here, to get information on how to conclude them, after that point in time, if the state of Indiana wants to appointed to the federal government of being a cause of making changes, that disabled, disadvantaged those elderly folks, that may be valid, it is not currently a valid assertion. Secondly, with respect to the mandatory passport, I think that the 9/11 commission analysis was pretty clear that the passport document is not one that is used for every day currency throughout our society. The drivers license is. In particular, because of the state's rights and other issues, the Congress didn't choose to impose requirements on the use of that ID when it comes about, hopefully as early as May 11th, 2008. What the Congress did do though was mandate for things, areas within the control of the federal government, such as boarding a commercial aircraft, or getting into a federal facility, in those areas the federal government would decide that drivers licenses were not compliant with REAL ID according to the proposed rule after May 11th, 2013, would no longer be used readily for gaining access to those facilities. Thank you.

>>CHARLES BROWNSTEIN

There was a question on the web that perhaps got answered. If it didn't, you may be able to answer it in a word. From Linda Curry(ph) in California, "If I chose not to obtain a REAL ID, can I use my passport as an official ID for boarding domestic flights and other federal purposes? Will I be in violation of any law if I opt out of a REAL ID card?" Please answer this in the context of a person not being a driver.

>>DHS PANELIST

The answers are yes and no. Yes, you can use a passport. Yes, we encourage the use of a passport. Yes, you can opt out completely. So, no, you're not required to get a REAL ID to board commercial aircraft. You can be a non-driver, non-ID holder from any state in the country and use a passport for most, if not all the purposes that REAL ID will be usable.

>>CHARLES BROWNSTEIN

Mr. Beck.

>>MALE SPEAKER

My name is Roland Beck. I'm a DMV employee, frontline employee of a field office down in Chula Vista, California. Some of the comments, most recent speakers made in my comments, that I will like to reiterate them. I'm concerned about the affect that the REAL ID act will have on the DMV employees, workload and staffing. I speak for the many honest, hard working frontline DMV employees that will bear the brunt of the gridlock caused at DMV locations around our state that this act will cause. We are concerned about our security as employees. I want to thank the Nevada DMV Director for expressing that as a concern for her employees in Nevada. We're also concerned about staffing and pay. We're becoming really immigration agents and a professional document authentication experts. The EVVE system, if operating properly doesn't prove that the person in front of us is the person that they say they are. We are concerned about what can happen to an honest employee who mistakenly accepts a fraudulent document. We're also concerned that the DMV, and I emphasize motor vehicles, has become a quasi-federal agency which attaches issuing drivers licenses which used to be a test of driving ability and knowledge, into a federal

ID issuing agency. DMV employees would love to see standardized driving regulations around the country. That's what DMV should be concerned about. But, we don't favor the way this act is written and we would like to say we want to see it amended or ended. Thank you. (applause)

>>CHARLES BROWNSTEIN

Thank you. Mr. Van Grundy.

>>MALE SPEAKER

Thank you. I'm Matthew Van Gundy (ph). I'm a PhD student here at UCD studying information and security. I have a number of concerns with the proposed regulations and with the legislation, some of which I think you can directly address, others which are more fundamental. My first concern, I would like to underscore what is previously been said about identity theft and privacy. As mentioned, there was a database in which over 40,000 students had their personal information stolen. I was among them. And irrespective of the state to state sharing, I'm concerned about the -- the state DMV offices aggregating all this information that's needed to steal my identity. I don't feel that we currently have the adequate privacy protections in place here in California or in the U.S. to protect individuals and specifically, whenever information is required to be collected, it should be strictly guarded how that information can be disclosed and controlled. I'm not sure that that has been adequately addressed. Furthermore, I feel that your comments on not requiring REAL ID for various official purposes is somewhat disingenuous. That's not the case now, I'm afraid of what may happen looking forward. There may be mission creep in the scope of REAL ID as these more trustworthy documents are trusted by more and more people, they may be required for more and more tasks, eventually making it impossible for people that do not possess them or unable to possess them to function in our society. Furthermore, as they become more trustworthy it also raises -- becoming more trusted by individuals, it raises the consequence for fraud, for forgery and exploitation of loopholes that is are required to allow people who don't have birth certificates or other necessary documentation to obtain these sort of identifications. Lastly, these identification securities is depending on documents that are easier to forge than the REAL ID documents themselves, I don't see that is it necessarily a net gain in security. Ideally, more fundamentally, I feel that REAL ID solves the wrong problem. What we would like to do is ascertain people with malicious intent and to establishing a correspondence between name, address, and a face is not a prerequisite for doing this. I think this was established and illustrated by the September 11th hijackers that did have identification in real names. And, as more and more individuals place more trust in these documents, I feel there will be a deemphasize in determining the intent and if we see this as well as other possible privacy implications, or problems, that could result, I feel that the average American may see a net loss in their actual security rather than improvement. Thank you. (applause)

>>DHS PANELIST

Thank you for those comments. It covers quite a breadth of territory there. I think so did many other commenters today. I want to go to one point however, which I -- you rightfully pointed out, as the Mohammed Atta Florida drivers license pointed out, in some cases these individuals who hijacked airplanes and flew them into buildings and into the ground in Pennsylvania, used their names, used their address or perhaps, one that they were staying at, fraudulently identified at, they went through a series of very, very, very low hurdles to obtain a fraudulent ID. I say fraudulent because I think the

statistics, the analysis by the 9/11 commission showed that 3 of the individuals who obtained a license to drive based on valid visas and valid identification, subsequently went what we call in DHS out of status. Their visas expired. In the old system, there was no way of documenting that, no way of identifying those individuals who are out of status, and should have left the country and so, no way, for the law enforcement officers who pulled them over for vehicular violations to figure out that that driver's license should also no longer be valid. So, one of the floors that we're establishing here, one of the reasons why I believe law enforcement community is pretty passionate about our implementation of this law is that three of those hijackers, after full implementation of this regulation based on the law, based on the 9/11 commission report, three of those hijackers, would most probably would have been stopped, detained, immigration officials should have been called, and ejected from the country and not on board those planes. That doesn't address the other 16 who would have escaped identification, but if it stopped one of those planes from blasting into one of those buildings, that would have been a substantial saving of life, if nothing else. Thank you for the comments again.

>>CHARLES BROWNSTEIN

I have two other questions, in the other category from the net. One is from Jeff Hankins (ph) from Oklahoma, Department of Public Safety. He asks what other documents can be used to enter federal buildings and board commercial aircraft? The rules don't address this.

>>DHS PANELIST

That's right. The rules don't address it and they won't address it because neither the -- as we said in the opening earlier on, neither the REAL ID Act nor the proposed regulations address what those documents are or should be for entering a federal building or boarding a commercial aircraft, again, this is a common question we get, common confusion in the public of what the REAL ID and the regulations, what they do. Really, at root, what they say, if you were using a drivers license, trying to enter -- as your form of identification, to enter a federal building, to board a commercial aircraft after May of 2008. That drivers license or state issued identification card needs to meet the minimum standards proposed in the regulations. Neither this regulation nor probably any regulation, future regulation that would say here are the documents; these are the sole documents you can use to enter a federal building or to enter -- to board a commercial aircraft. I think, as Mr. Van Gundy (ph) pointed out, you probably don't want to have one and only one document that you can use for these purposes. So, it is hard to imagine a future where the federal government, even the state government would say every person needs to use one, only one kind of document for a whole variety of purposes. Again, take especially boarding an airplane, I don't know what the law is in California but there are a number of states that won't issue state identification card to people younger than a certain age. You can get a passport, however, from the time you're born. You know, you have people that are less than a year old who have passports. State Department has different rules about how long the validity period of that passport is, if you're an adult, I think if you're over 16, it's a 10 year validity period; but if you're under 16, only five years. So, you -- documents are used for different purposes, the kinds of documents will differ. It is hard to imagine only one and only one document being accepted for all purposes.

>>DHS PANELIST

One other item of clarification, all federal installations and facilities don't require an identity to enter. REAL ID really addresses only those federal facilities that require that you show an identification if you show your drivers licenses as an identification document. But again, there is a host of other federal installations that don't require an identification to enter and there is no proposed change for those. That would be their independent choice at whatever time they choose to actually require some documentation to enter. I know that's a common misunderstanding that REAL ID will require all individuals to show a drivers license when entering a federal facility, there is no plan for that.

>>CHARLES BROWNSTEIN

The other question, in the other category from the net, it is from Jim Guest (ph), Missouri State Representative. Why do you require a 2D barcode when a 1D barcode would store all the information on the front of the card? You state that you do not like the 1D barcode because it doesn't have the capability to store significant volumes of data.

>>DHS PANELIST

In the notes proposed rule making, we identified the different technologies that we considered to satisfy the legal requirements that each license have a common machine, readable technology. We went through the pros, cons if you will of each of those. So, just, commend the proposed rule again, obviously, people may have different views than the ones we have and different analysis than the ones we had and they're free to put those in comments to us that we will consider. I should just note one additional issue with the 1D barcode, is that our friends, experts, they advise that they're extremely easy to counterfeit.

>>CHARLES BROWNSTEIN

Another other from the floor. Mr. Dan Savage (ph).

>>MALE SPEAKER

My name is Dan Savage. I represent California State Senator Gilbert Sideo (ph), who as was mentioned earlier has a bill to implement the REAL ID Act, the federal REAL ID act in California. We've been working diligently with DMV here in California because we also share a lot of the concerns that many people have raised here today about database security, privacy and of course funding. Senator Sideo (ph) will be submitting written comments at a later date. I just want to get clarification based on testimony that was provided earlier -- a question provided earlier, and I have several questions that I would like to pose to the panel and hopefully get brief answers back to these questions right now. A poor assumption, at least as we read in the proposed regulations, is all states will or at least have the ability to issue both a REAL ID compliant issued drivers licenses and a driving only license, which would be different by design, color, some feature that would make it a driving only license. My question, directly, is would undocumented immigrants qualify for a driving only license? It is our understanding under the federal REAL ID Act they would, they would not be able to get the federal ID compliant license but would be able to get a driving only license from that state. I want clarification on that issue. The other issue, the regs imply, state I believe, the proposed reg, that people may be unwilling or unable to comply with the requirements to get a federally compliant federal ID license. So, have you or any other people -- any other agency done any estimates as to how many people may

default out of the REAL ID license who are citizens that would may otherwise qualify for a REAL ID compliant license but choose to get a driving only license in their state anyway. We think in California, there may be a large population particularly with new passport requirements for travel to Mexico and to Canada. The other question, as California tries to move through and grapple with a lot of issues in these regulations, it would really be helpful to know when DHS anticipates the issuance of the final REAL ID regulations. In California, our budget process is supposed to be over June 30th of this year. Our legislative session ends in September. Without the final REAL ID regs, it makes it difficult for California to move forward. Another thing, it is unclear as we read the classifications of immigrant applicants who would qualify for a temporary REAL ID license, we would like clarification as you move forward in who would actually qualify for a temporary REAL ID license. The phrase is pending legal status, that's vague particularly with the number of immigrants, different statuses in the state of California. It would be helpful as DMV moves forward to understand what immigrant status applicants would qualify for a temporary drivers license in California.

>>DHS PANELIST

Mr. Savage, I think at the end of four hours here, you're running out of our capability to remember all your questions. So maybe we should try answering a few of those first especially since the timer just went off. Those that do not qualify for REAL ID can at the discretion of the states be issued drivers licenses only. That's permitted by the law, permitted by the proposed rule and I doubt that will be changed in the final rule. This proposal for REAL ID is not addressing the status of legal or illegal immigrants here in the U.S. It is addressing who the 9/11 commission thought we should issue high security valid documents to that confirm that that individual is who they say they are. Point two, with regard to your concern about state implementation here in California, I spoke with you briefly about that earlier, we reiterate that again for the record, I understand that concern. Your state cycle is out of cycle with our moving these regs through and it could be a huge difficulty for the state, even if you want fully to comply with REAL ID by May 11th, 2008. It may be a huge lift. All I can suggest, however, is that you stay tuned for the final rule rather than base any decision making on the proposal rule because there may well be that I can't anticipate one way or the other, changes that may make it easier to achieve the rule, someone said before, California, already invested substantially, maybe you will be so close that further legislation won't be required. I will ask my colleagues who are writing furiously as you continue to ask questions to answer either of the other two questions if they can.

>>DHS PANELIST

Sure. Just let me put a gloss on the first one. Eligibility for non REAL ID compliant license is up to the state. There is no federal standard or federal answer to the question of who can get a non REAL ID compliant license. That's up to each state to whom to decide to issue a noncompliant license. In terms of U.S. citizens that are eligible for REAL ID, but may choose for whatever reason not to get one. Certainly, you have heard from some of the state legislatures, around the country, who are -- in various stages of calling on their state's not to comply, urging noncompliance, I think those states, where there'd be an almost legal prohibition for the state to comply, 100% of those people will not get REAL IDs. In terms of other states, it is too early to know. Unfortunately, there is a lot of misinformation about REAL ID, what one would look like, what it means, whether there is an RFID chip in it, is the government going to track you, what have you. All of those things we tried to address today and through the proposed rule. I think as people learn more about it. People will make different

choices and may decide for a variety of reasons they don't want one and really -- that's an individual choice. I think as Rich commented on the final regulations, we'll try to take a look, again, at how we have discussed the temporary REAL ID licenses to see if we can make that clearer in the final rule if you think that it just is not clear enough it in the proposed rule.

>>MALE SPEAKER

Thank you.

>>DHS PANELIST

I have a couple of key points that we pointed out that Jonathan and Rich both pointed out is that the rule addresses the REAL ID compliant drivers license, the state, again, each one has emphasized, really has the discretion for any other type of licenses they choose to issue. If you look at the distinction between something called a national identification versus REAL ID, that alone gives you a distinction saying that a state may choose to have multiple licenses and a number of different forms. That's a state's choice. We, in no way will infringe on that state's choice as what the state chooses to issue.

>>CHARLES BROWNSTEIN

We have exhausted just about four hours. I want to say as the moderator thank you to everyone in the room for making this an easy and interesting, educational session. I will ask Secretary Richard Barth to close the meeting.

>>ASSISTANT SECRETARY RICHARD BARTH

Thank you very much. Impressed with the passion that some of you presented here. I want to assure you that your passions have been absorbed by us, I'm as passionate at making this thing work, as you are passionate about making it work for you. There has been a lot of new information passed on today. Given an environment of infinite time and infinite money, I would host these things all over the country because believe it or not, it has been fun and engaging to meet with you here today. I want to thank Jonathan Frenkel here on my left who's borne the brunt of working up this law into a proposed reg that came out March 1st. He's worked extraordinarily hard, if you knew what I have asked him to do over the coming months, you should send him a token thanks for the work that he's going to do to get this out for the state stakeholders that need to see these final regs soon as Dan Savage has already pointed out. I'd also like to thank Darrell Williams on my right. Darrell came to my team just a few months ago and is trying to develop the implementation program plan to make this work for the states. Secretary Chertoff said it and we'll say it again and again, this is not a federal program. This is a partnership between the feds and the states and local government in some cases to make secure identification so that you know the person sitting next to you on a airplane is who they say they are. It is absolutely effective and implementable. Finally, we have had extraordinary behind the scenes support. I'm told that the internet version of this event played out very well from our friends at the back who lined up and made their voices heard, to you individuals that are on the internet screen as you stood up there, and to us, as we tried to present credible responses through the long four hours we have sat here. Thanks to all the support staff over there. With that, we're bringing this event to a close with one exception. There is some students who I have seen throughout the audience, I hope to see a good master thesis or paper sent my way if you analyse this event and this law even after May 8th. I'd like to read it anyway. It won't be part of the official record. I would

like to thank the students who staffed the back room here, took the questions so that we can have rational order to this event. Finally, the faculty and support staff here at the university have gone to extreme lengths to make sure that this event worked well. The camera crews, the Homeland Security Institute, this is like the Oscars, I have to go on and on until I thank everybody, even then I will forget someone. So, thank anyone I forgot! Have a good day!

: End Transcript

Annexes

Annex 1: Public Commentors: persons with opportunity to pose comments live orally or via email to Panel during Town Hall Event. In order of comment (per transcript above):

Annex 2: Forms handed out to Public during Town Hall Event

1. Agenda: (length = 1 page)
2. Forum Format and Comment/Oral Comment Sign-up Form: (length = 3 pages)

Annex 3: All emails received at Town Hall Event website for comment at event: www.realidtownhall.com

Annex 1:

REAL ID TOWN HALL MEETING

Tuesday, May 1, 2007 10:00 a.m. – 2:00 p.m.
Freeborn Hall (University of California, Davis)

PANELISTS: FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS):

- Richard Barth*, Assistant Secretary for Policy Development
- Darrell Williams*, Director, REAL ID Program, Office of Policy Development
- Jonathan Frenkel*, Director, Law Enforcement Policy, Office of Policy Development

MODERATOR: *Charles Brownstein*, Fellow, **HOMELAND SECURITY INSTITUTE (HSI)**

Part I: 10:00 a.m. – 11:30 a.m.

INTRODUCTORY REMARKS, WELCOME:

- *Charles Brownstein*, HSI. (Moderator)
- *George Valverde*, Director, California Department of Motor Vehicles
- *Richard Barth*, Assistant Secretary for Policy Development, DHS

FORUM GROUND RULES: -*Moderator*

TOPIC AREAS 1 & 2: Open Comment & Panel Response

- CONSUMER/PERSONAL IMPACT PERSPECTIVE
- PRIVACY/SECURITY

Part II: 11:40 a.m. – 12:50 p.m.

TOPIC AREAS 3 & 4: Open Comment & Panel Response

- ELECTRONIC VERIFICATION SYSTEMS
- FUNDING/IMPLEMENTATION/TIME FRAMES

Part III: 1:00 p.m. – 2:00 p.m.

TOPIC AREAS 5 & 6: Open Comment & Panel Response

- LAW ENFORCEMENT
- ADDITIONAL /GENERAL COMMENT OPPORTUNITY:
General Comments; Other Topics; Additional Comments Topics 1-5

FORMAT

A sign-up form for making comments will be available at the door upon entering Freeborn Hall. In order to facilitate as many people as possible, please try to arrive by 9:30 a.m., as the event will begin promptly at 10. Ample parking at UC Davis will be available.

Welcome to the REAL ID Town Hall Meeting!
We thank you in advance for your interest, assistance and attendance!

In order to facilitate as smooth a meeting as possible, the following **3-page** document contains information on: Meeting Instructions/Protocols (page 1); use of comments for the record, general solicitation of comments for this NPRM (page 2); and Town Hall *Comment Submission Form* (page 3). These instructions will be further clarified by the Moderator. If you still have any questions, please see one of the persons manning the tables at the entranceways to the main auditorium.

Meeting Instructions/Protocols:

“COMMENT FORMS”: Coupled with this sheet is a “Comment Form” (page 3). If you wish to submit a comment during the meeting, please read and note the information on pages 1 and 2 of this packet. Note: No one has to submit these forms in order to attend today’s meeting.

PENS, WRITING SURFACES: IF persons desire, there are pens and writing surfaces available/set up in the foyer (before entering the main auditorium), for use at any time to fill out comment forms.

ORAL COMMENTS: If you wish to be called to the Microphone you **MUST SIGN UP**. To do so, please follow the following instructions:

- (1) check the box on the top of your form: “*I wish to make an oral comment*”
- (2) check the box corresponding to **one** of the **six** topic areas you wish to comment during
- (3) Required info: (i) **full name**; (ii) **state/jurisdiction**; (iii) (if relevant) organization you represent
- (4) bring properly completed form to **either of the 2 tables** at each end of the entrance way into the main hall. At the table, place your form in the corresponding subject-area container. [per (2) above]
- (5) Optional data fields: Please provide any other information you wish to provide—this includes any other fields you information you wish to provide for the record—whether or not you have the opportunity to make an oral comment—such as, but not limited to, the “Comment” area of the form.
- (6) Listen for your name: The moderator will call persons to the microphone a few at a time, to prevent congestion and ease the process.
- (7) **Three minutes**: Persons offering oral comments have a **maximum 3 minutes** at the microphone

WRITTEN COMMENTS: If you do not wish to make an oral comment, but want to submit a written comment at the meeting, we ask that you identify which of the subject areas your comment may fall, and simply fill out as much of the Comment form as you wish and place it in the box marked written comments—again at the tables at either end of the foyer before entering the main auditorium. There will be staff at those tables to assist you.

COMMENT SUBMISSION TABLES: The tables at each entrance way to the main hall will be staffed the entire meeting; you may provide a comment at any time during the meeting. If there are additional comment forms available, you may pick them up at these tables. [Also, please see page 2 of this packet for providing further additional comments to NPRM].

National Internet Audience:

In addition to the live audience at Freeborn Hall, there is an internet-audience made up of people around the nation, who will also be able to participate via the internet, by e-mailing comments for the Panel. There comments will be mixed in with those of the audience.

Supplementary Information¹

Summary: The Department of Homeland Security, Office of the Secretary, will hold a public meeting to receive comments on the Notice of Proposed Rulemaking, "Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes," published in the Federal Register on March 9, 2007 (72 FR 10820). We encourage interested parties to attend the meeting and submit comments for discussion during the meeting.

Why Is the Department of Homeland Security Holding This Public Meeting? This meeting serves as an additional opportunity for members of the public to submit comments on the proposed rule to DHS for consideration as part of the final rulemaking development process.

What Issues Should I Discuss at the Meeting? The public meeting on May 1, 2007 will provide a forum for members of the public to discuss issues related to the proposed rule. Such issues include consumer concerns, verification, privacy/security, funding/implementation and law enforcement.

How Are Comments Being Solicited for This Rulemaking? In addition to the public meeting on May 1, 2007, the Department of Homeland Security is soliciting comments through the following methods:

- Federal Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: 866-466-5370.
- Mail: Paper, disk or CD-ROM submissions can be mailed to the Department of Homeland Security, Attn: NAC 1-12037, Washington, D.C. 20538.

Please include the **DHS Docket Number, "DHS-2006-0030"** on any comments submitted to DHS.

Individuals that provide comments at the public meeting may also submit comments through the methods described above. The 60-day comment period ends on May 8, 2007.

How Can I Get Additional Information, Including Copies of This Notice or Other Related Documents?

The Federal Rulemaking Portal at <http://www.regulations.gov> maintains the public docket for this proposed rule. The docket number for the rule is DHS-2006-0030. **Comments submitted during the public meeting, and any other documents submitted to DHS at the public meeting, including any comments that were not discussed at the meeting, will become part of this docket** and will be available for inspection electronically at <http://www.regulations.gov>

Privacy/Reviewing Comments in the Docket: Please be aware that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the applicable Privacy Act Statement published at www.regulations.gov. You may also review the comments in the public docket on the Internet at <http://www.regulations.gov>. To view any additional information for submitting comments, such as anonymous or sensitive submissions, refer to the [Privacy and Use Notice](#) at the aforementioned Federal Register notice (72 FR 10820).

¹ Excerpted from: Federal Register/Vol.72, No.77/ April 23, 2007/ Proposed Rules/ p. 20061; Federal Register/Vol.72, No.46/ March 9, 2007/ Proposed Rules/ pp. 10820-10858; and www.regulations.gov (privacy and use notice).

Public Comment Submission Form for use at May 1, 2007 Town Hall Meeting, Davis CA

Relevant Docket Information: **Docket ID** DHS-2006-0030

Long Title *Minimum Standards for Driver's Licenses and Identification Cards Acceptable to Federal Agencies for Official Purposes*

See attached Instruction and Information Sheets (pages 1-2) of packet for instructions and questions about filling out form. If you have any additional questions or did not receive a copy of these instructions please contact one of the persons at the comment intake desks for assistance.

[Check box if yes]: I wish to be called up to the microphone to make an oral comment.
(IF you checked yes, please fill out *full name, State, and (if applicable) organization/agency* you are representing)

Name (first, middle, last) _____

Mailing Address: _____

_____ City _____ State _____ Country: _____ Zip Code: _____

Email: _____ Phone Number _____ Fax _____

(If Applicable) Organization/Agency Name: _____

Issue/Subject Area: *check one that best applies*

<input type="checkbox"/>	Consumer/Personal Impact Perspective	<input type="checkbox"/>	Funding/Implementation/Time Frames
<input type="checkbox"/>	Privacy/Security	<input type="checkbox"/>	Law Enforcement
<input type="checkbox"/>	Electronic Verification Systems	<input type="checkbox"/>	Other Area/General Comment

Comment(s):

PLEASE USE BACK OF THIS PAGE FOR YOUR WRITTEN COMMENT(S).

Again, Please Note that: Comments submitted during the public meeting, and any other documents submitted to DHS at the public meeting, including any comments that were not discussed at the meeting, will become part of this docket and will be available for inspection electronically at <http://www.regulations.gov>. The Federal Rulemaking Portal at <http://www.regulations.gov> maintains the public docket for this proposed rule. The docket number for the rule is DHS-2006-0030.

Annex II

Public Comment During Live Town Hall Event: in order of appearance (39 total)

During Part I:

1. via internet: **Joan McNabb, Chief, California Office of Privacy Protection.**
2. via internet: **Lawrence Prenger; Missouri;**
3. **Glennis Bassinger; Lodi, CA**
4. **Neil Berro, the Coalition for a Secure Driver' s License, New York, NY**
5. **Richard Warren Holober (from Consumer Federation of California); Sacramento, CA**
6. **Johanna Rasmussen (from Effects of REAL ID Act on Transsexual Community); Sacramento, CA**
7. **Anne B. Evans; Davis, CA**
8. **Lenny Goldberg (from Privacy Rights Clearing House) Davis, CA;**
9. **John William Penfield; Sacramento, CA**
10. via internet: **Representative Brady Wiseman, Montana State Legislature**
11. **James M. Staudenraus (from Coalition for a Secure Driver's License); Shelter Islands Hts., NY**
12. via internet: **Jon Pincus. Washington State**
13. **Karen Jean Savage, Sacramento, CA**
14. **James Dempsey (Policy director for Center for Democracy and Technology)**
15. **Kavitha Sreeharsha (from Legal Momentum, Immigrant Women Program); Washington, DC**
16. via internet : **Janice Kephart, Virginia**
17. **Walter F. Stanley III; Martinez, CA**

During Part II:

18. via internet: **Liane Moriyama** (from the **Hawaii, Criminal Justice Data Center, Hawaii State Government**)
19. via internet: **Ying Ki Kwong** (from **Oregon Department of Administrative Services, Oregon State Government**)
20. **Vic Yellowhawk White**, from **American Friends Service Committee; Woodland, CA**
21. **Derek Slater** (from **Electronic Frontier Foundation**); **San Francisco, CA**
22. **Barry Goleman** (from **Information Technology Association of America, Deloitte Consulting**); **Rancho Cordova, CA**
23. **Ginny Lewis** (from **Nevada Department of Motor Vehicles**); **Carson, Nevada**
24. **Tom Clinkenbeard** (from **Arizona Motor Vehicles Division: representing Stacey Stanton, Director**); **Phoenix, AZ 85001**
25. **Sam Paredes** (from **Gunowners of California**)
26. **Geraldine Hill** (an employee of the **California DMV**); **Sacramento, CA**

During Part III:

27. via internet: **Liane Moriyama (from Hawaii Criminal Justice System; Hawaii State Government)**
28. via internet: **Andrew Meehan in Virginia;**
29. via internet: **Ronald Russom in California;**
30. **Angela Ramirez (California DMV employee); Sacramento, CA**
31. **Beth McGovern (from California Commission on the Status of Women); Sacramento, CA**
32. **Rick Oltman (from Californians for Population Stabilization); Novato, CA**
33. **Rodger Lee Gardner; Vacaville, CA**
34. via internet: **Linda Curry; California**
35. **Roland Scott Becht (California DMV employee; SEIU Local 1000); El Caton, CA**
36. **Matthew Van Gundy; Davis, CA**
37. via internet: **Jeff Hankins (from Oklahoma, Department of Public Safety, Oklahoma State Government)**
38. via internet: **Hon. Jim Guest (Missouri State Representative);**
39. **Dan Savage (from Office of California State Senator Gil Cedillo); Sacramento, CA**

Annex III

Topic 1: Consumer Issues

Sent: Tuesday, May 01, 2007 4:06 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Consumer Impacts

**Jamie Rybarczyk
Arizona**

Arizona Dept of Transportation / MVD

Wouldn't it be easier for border states to issue REAL ID DL/ID cards that are WHTI compliant, rather than requiring them to pay for and carry 2 separate cards?

Sent: Tuesday, May 01, 2007 2:15 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Consumer Impacts

**John Swanson
Nebraska**

Would you post the questions and responses on the WEB site so we can see your responses?

Sent: Tuesday, May 01, 2007 1:37 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Consumer Impacts

**Joanne McNabb
CA**

CA Office of Privacy Protection

You are mis-labeling Jonathan as George Valverde on the Web cast

Sent: Tuesday, May 01, 2007 1:35 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Consumer Impacts

Rep. Jim Guest
Missouri State Representative
House of Representatives

The Department of Homeland Security has the right to change the regulations any time it needs to. Will the DHS sign a document that states no expansion on regulations once implemented and to stop the linking of data

Sent: Tuesday, May 01, 2007 1:22 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Consumer Impacts

Andrew Meehan
Virginia

What is DHS doing to help states work with Congress to get the money they need to implement REAL ID?

Sent: Tuesday, May 01, 2007 1:06 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Consumer Impacts

Lawrence R. Prenger
Missouri

Citizen of Missouri

How will people and organizations be able to travel and shop in other states and countries if they do not have this REAL ID? If they can not travel and shop in other places does that not interfere with a citizens right to travel and their right to pursue happiness, as well as their freedom of religion?

Topic 2: Privacy/Security

To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com

Date: Tue, May 1, 2007 at 12:49 PM

Joanne McNabb
California

CA Office of Privacy Protection

REAL ID Town Hall Meeting
May 1, 2007

Comments of Joanne McNabb, Chief
California Office of Privacy Protection

I am the Chief of the California Office of Privacy Protection, an education and advocacy office in the Department of Consumer Affairs. The Office of Privacy Protection assists consumers with identity theft and other privacy concerns, conducts educational programs, coordinates with law enforcement on identity theft and data breaches, and makes best practice recommendations to business and other organizations.

The REAL ID Act and the regulations to implement it will touch nearly every resident in California in many ways. I'm going to comment on one of the ways REAL ID will affect individuals, and on the need to provide for it in the regulations.

The Act and the proposed regulations require the creation of a complex, distributed network of systems and databases of personal information. There will be many agencies and organizations involved in implementing the regulations, from the federal government, to all 50 states and six territories, perhaps local government agencies and private sector organizations, as well.

As with all systems involving technology and people, there will be errors - network outages, software glitches, errors in public records, and human errors. And there will be fraud.

Identity theft is already a serious problem, with over one million California victims in 2006. Individuals who become victims of identity theft involving counterfeit REAL ID documents - and there will be counterfeits - will have a very difficult time proving that they are indeed victims. Today it is not easy to recover from some forms of financial identity theft, particularly new account identity theft. Criminal identity theft, in which an imposter creates a criminal record for the victim, is even harder to correct. Most victims cannot entirely undo the harm. Both financial and criminal identity theft involving REAL ID documents will be even more difficult to recover from - and both time-consuming and costly for the victims.

Section 37.13 in the proposed regulations contains the crux of the matter: the method of determining an individual's eligibility to receive a REAL ID card. The section requires state motor vehicle agencies to adopt procedures to verify the "issuance, validity, and completeness" of identification documents presented by applicants before issuing them REAL ID cards. The identification documents, which must be verified with the entities that

issued them, include birth certificates, Social Security cards, proofs of principal residence such as utility bills or mortgage records, and driver's licenses or REAL ID cards issued by other states. If any of these documents or records cannot be verified, the applicant will not be issued a REAL ID.

Because of the architectural and operational complexity of the various systems required to enable the verification of these documents, ensuring timely redress to individuals who fall victim to inevitable error or fraud will be very challenging. It is the issue of redress that I will discuss today.

Redress

Timely and appropriate redress for those who are adversely affected due to error or fraud is a component of fairness and due process. Two of the basic privacy principles, the Fair Information Practice Principles form the basis of most privacy laws, concern redress. The principle of Individual Participation is the right of individuals to access and correct their own personal information, and the principle of Accountability includes individuals' right to due process and redress when they are harmed by errors or abuses of their personal information.

Individual Participation: Access and Correction

The participation of the individual is a vital component in ensuring the accuracy, relevance, and timeliness of personal information. And accuracy of information is the key to the effectiveness of REAL ID as an authoritative and reliable verifier of identity. Along with being able to correct inaccurate data, the system must be able to facilitate routine updates, such as change of name or address, and propagate changes and corrections to all databases and systems where the data resides.

The California Information Practices Act gives Californians the right to request corrections to their personal information maintained by state agencies, and requires an agency to respond within 30 days. The problem is that under REAL ID, some of the relevant data will not be maintained by a California state agency.

The documents on which the identity verification processes rely are not themselves error-free. One man who contacted the Office of Privacy Protection had been struggling to correct an error in his birth record for some time; the document had his gender wrong. Even with our intervention, he was unable to completely correct his record throughout the system. The challenge of correcting inaccurate records will be exacerbated by the distributed system and multiple sources of records required by REAL ID.

Accountability: Redress

When problems arise in the complex system, whether as the result of technology failures, human error, identity theft, or other forms of fraud, determining accountability will be very difficult. The result is likely to be finger pointing by the various agencies and organizations involved and a resultant lack of timely redress for individuals who are harmed.

The proposed regulations do not contain an explicit requirement for providing redress. This lack will impose significant burdens on Californians who are unfairly denied REAL ID cards, leaving it to them to attempt to correct the situation across multiple jurisdictions. Without an appropriate redress structure it will be nearly impossible for an individual to correct errors in records and databases and to propagate such corrections throughout a myriad of systems.

Conclusion

With REAL ID, the role of the driver's license or ID card will become even more critical to the average, law-abiding citizen's ability to conduct his or her life. When problems arise, the individual will be severely hampered if resolution is not quickly and easily available. In any such situation, a Californian applying for a REAL ID will be facing the California DMV, and it is our DMV that must be able to assist the individual in resolving the problem. Yet the California DMV does not have the authority to request or demand corrections of records maintained by other jurisdictions or organizations. Such individuals cannot be left in permanent legal limbo and must not be made to bear the costs of correcting their records. jurisdictions or organizations.

This is not an easy problem to solve, but it must be solved. It is essential that the regulations provide for a governance structure to manage a readily accessible, timely and unconditional redress process for correcting and expunging erroneous or identity-theft-tainted records in the REAL ID systems of all jurisdictions.

Sent: Tuesday, May 01, 2007 5:07 PM

To: realidtownhall1@gmail.com; realidtownhall2@gmail.com; realidtownhall3@gmail.com; realidtownhall4@gmail.com

Subject: Privacy and Security

Sarabecca,
California

I think that many speakers had some valid issues to bring up and I hope that they will be taken seriously. I was actually impressed also by the policy makers at the dais. They were serious and respectful and gave some interesting assurances. However, I do believe that it is dangerous to require identification at all times. Security is fine but we have to retain the rights to assemble with anonymity. That was very important to our founding fathers and was reflected in the Constitution. Thank you for holding this meeting.

Sent: Tuesday, May 01, 2007 4:55 PM

To: realidtownhall1@gmail.com; realidtownhall2@gmail.com; realidtownhall3@gmail.com; realidtownhall4@gmail.com

Subject: Privacy and Security

Margo Wortham
Texas

none

We cannot go back in time. There are suspicions that terrorists are in our country. Also, we have at least an estimated 12 million illegals working in this country. The Real ID Act will not stop a terrorist act on our soil. Given the 10th amendment and given you are not recognizing that a citizen may choose not to comply with the Real ID Act based on religious preference. The Real ID Act was not presented before it was passed as a Bill on the floor of our Congress for open discussion and votes but rather it was slipped in a Bill to fund our military. Why should we trust you in attempting to implement this Real ID Act and what do you base your criteria other than protecting us from 9 11 which has already happened for intending to place us under a mandatory national ID regulation?

Sent: Tuesday, May 01, 2007 4:12 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Privacy and Security**

scott bradley
missouri

Why do you require a 2 D Barcode? Why when a 1 D barcode will store all the information on the front of the card.

You state you do not like a 1 D barcode because it does not have the capability to store significant volumes of data, why?

Sent: Tuesday, May 01, 2007 3:59 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Privacy and Security**

chuck
illinois

self

Is the Dept of State going to be held to the same level of security, standards and timeframes for issuing secure passports as the states will be for Real Id Drivers Licenses.

Sent: Tuesday, May 01, 2007 3:55 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Privacy and Security**

scott bradley
missouri

Why are you proposing to share our data globally?

Sent: Tuesday, May 01, 2007 3:28 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Privacy and Security**

Chuck Conner
Nevada

DMV

Would we have stopped the terrorists from getting on their planes if they just had presented their passports?

Sent: Tuesday, May 01, 2007 2:50 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Jon Pincus
WA

Thank you very much for answering my question earlier. I want to make it clear that the risks of data theft remain even if it's **not** a centralized database -- as has been pointed out repeatedly, security sinks to the level of the weakest link in the chain; with multiple databases, all are vulnerable. The proposed approach of mandating better security for states doesn't address the problem; state and federal governments typically do not meet currently-mandated security requirements. (Most private enterprises are no better, as the regular stream of data breaches shows ... this is an extremely hard problem.)

Security can't be designed in after the fact. Without a detailed plan in place UP FRONT to assure the security of these databases, it is reckless to require information be stored -- in fact, we would be much better served by preventing the states that currently scan this information from doing so.

jon

Sent: Tuesday, May 01, 2007 2:40 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Edward Cantu
Colorado

Most Americans can appreciate the need for greater national security, especially in reaction to a local or national catastrophe. However, your efforts to increase the security of a state-issued driver's license in order to provide a greater perception of national security are sorely misdirected.

With all due respect, you are targeting the wrong group of people.

In essence, you are telling me, as an average American citizen, that because our government has not successfully controlled the massive influx of illegal immigrants, which may or may not include unknown terrorists, and because your department has no clue where these people live, that I, as a law abiding American, must surrender more of my God-given freedoms so that your department can protect me from the potential risk of terrorism.

I have a more cost-effective solution: protect our national borders first and then enact policies that encourage states not to issue IDs/driver's licenses to these that have entered our country illegally. Target the violators among us, not the law abiding citizens. We are not your problem.

Sent: Tuesday, May 01, 2007 2:37 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

John R.
Tennessee

It sounds like the REAL ID Act is available for broad application. Are we dedicated to NOT using REAL ID for anything government wants to do?

Sent: Tuesday, May 01, 2007 2:29 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Jim Guest
Missouri

citizen

Why do you require a 2 D Barcode? Why when a 1 D barcode will store all the information on the front of the card.

You state you do not like a 1 D barcode because it does not have the capability to store significant volumes of data, why? How can we trust DHS or any government entity to safe guard our personal data when they have been unable to protect it in the past.

Why are we outsourcing data to private companies who have proved they are untrustworthy safe guarding information? Viisage / L1 Solutions are currently in a Pennsylvania federal court for misdealings with information and misleading what the technology is actually able to do. Like Star Wars project we keep throwing money at projects because it is someone's brain child but the science is out on if it can even pretend to complete the task. How many Americas will be mixed in with the group of false positives the biometric end of your master plan?

Many of our Veterans lost their identities when laptops were stolen. The FBI Abused its powers under the Patriot Act when they tracked hundreds of private Americans Bank accounts, Phone , Credit card, and email records without the proper follow up subpoena's. Why should we trust you now?

Why are you eave dropping on all regular Americans library records and monitor what books are read.

In the future will you be able to get a Non-Real ID, Drivers license or Identity Card?

Why are you proposing to share our data globally?

Sent: Tuesday, May 01, 2007 2:25 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

John R.
Tennessee

The REAL ID Act makes citizens get permission to function in society. This is not freedom.

Sent: Tuesday, May 01, 2007 2:19 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

janice kephart
virginia

former counsel 9/11 Commission

A new Zogby/UPI poll that came out last week said that 70% of Americans are in favor of a secure ID. It seems that most Americans understand that having a more secure ID is not just about dealing with terrorists taking advantage of weaknesses in the state-ID issuance system (all but one 9/11 hijacker had a state-issued ID and most had multiple IDs), but also about strengthening identity verification, document authentication, putting tighter constructs on information flows to protect identity and privacy, and creating a stronger card that is less likely to be counterfeited. These are strong goals not only for national security, but to curtail identity theft, counterfeiting, help the cop on the beat do a better and safer job, keep deadbeat dads and criminals from holding multiple identities and help stem underage drinking and driving. These goals are important to every American. What is DHS doing to help streamline compliance for the states and what can Congress do to ease the financial burden on the states?

Sent: Tuesday, May 01, 2007 2:04 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Phyllis Lerner
Missouri

Individual

Why doesn't DHS call machine readable technologies biometrics? Why are they needed if a license is tamperproof? Once a person's biometrics are compromised they can't be replaced like a credit card.

Sent: Tuesday, May 01, 2007 1:54 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Rep. Jim Guest
Missouri

Missouri House of Representatives

You said you were not storing this information. You either are un-informed by DHS since you have just sent to all government officials -Cross Match to go public

It's been a good year for Palm Beach Gardens, Florida-based Cross Match. As we reported, the company won German approval for its ePassport finger-scanner, made strides in mobile fingerprinting in Iraq, and expanded its presence in the casino security market. We were not the only ones paying attention. Cross Match announced this week that it would go public on the Nasdaq in hopes of raising \$225 million. The move is intended to help pay down debt and assist in potential future acquisitions. (In 2005, Cross Match acquired Jena, Germany-based Smiths Heimann Biometrics GmbH.

This mean data collection and storage with global information sharing. Robert Moncy of DHS stated that is your goal.

Sent: Tuesday, May 01, 2007 1:40 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Rep. Jim Guest
Missouri

Missouri House of Representatives

If you are linking data globally then you are storing and reviewing information. Why are you not violating the Freedom of Religion promised in the 1st Amendment in forcing religious groups like the Amish and Mennonite to have photo ID's and SS numbers? 10th Amendment (States rights)

Sent: Tuesday, May 01, 2007 1:39 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Privacy and Security

Lawrence R. Prenger
Missouri

Citizen of Missouri

If you do not have a database and are not collecting data from states how can you state that you will "share" data with other states, countries and organizations?

Date: May 1, 2007 11:42 AM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Security features on the card

Alan Nissalke

**Vice President for Commissary Affairs,
American Logistics Association**

Why doesn't DHS use the Federal Information Processing Standard 201 (FIPS 201): Personal Identity Verification for Federal Employees and Contractors as a standard for the REAL ID Program? FIPS 201 specifies the architecture and technical requirement, the standards for biometric data, and security for a uniform identity credential to access federal facilities and systems?

Date: May 1, 2007 11:45 AM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Security features on the card

Alan Nissalke

**Vice President for Commissary Affairs,
American Logistics Association**

Many states scurrently require fingerprints be provided to obtain a drivers license. Why don't you have one uniform standard for fingerprints in your regulation? Is there any reason why you don't require fingerprints from both hands?

Date: May 1, 2007 12:18 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Privacy and Security

**Lisa
California**

Are overly ambitious, dull headed political hacks trying to bamboozle us once again with the RealID act? I am opposed to such a program for all the reasons that opponents have already expressed. Why is this not a Real public debate?

Date: May 1, 2007 11:54 AM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Physical security/security plans

Jon Pincus
WA

The regulations call for copies of source documents to be stored in databases. Given the thefts of databases from DMVs, lost governmental laptops, insider threats, and overall governmental security grade of a 'D' in the most recent evaluation, isn't this creating a huge opportunity for identity thieves?

Date: May 1, 2007 12:54 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Privacy and Security

Representative Brady Wiseman
Montana Legislature

I sponsored Montana House Bill 287, which forbids the state of Montana from participating in Real ID. That bill passed unanimously through both houses of our legislature and is now law.

Real ID was passed with no real debate. We have opened the debate here in Montana, and the overwhelming answer is 'no thank you'. This law is an enormous intrusion on our privacy, provides no real security from either terrorism or illegal immigration, and is likely in violation of the 10th amendment.

We're speaking plainly from Montana. Congress made a big mistake with Real ID. Congress needs to go back to the drawing board and include states in the decision making.

Our citizens clearly do not want another digital dossier being kept on them. We don't see how the supposed benefits outweigh the costs. Government should protect our privacy, not invade it.

Date: May 3, 2007 5:47 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Privacy and Security

gustavo
ca

public concern

i am a citizen and i do not want a national i.d., reason; because the government has cosalated too much power and i am supported by public support.

Topic 3: Electronic Verification Systems

Sent: Tuesday, May 01, 2007 4:11 PM

To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com

Subject: **Electronic Verification Systems**

Craig Galler
Arizona

None

Passports, in many ways, are as vulnerable to fraud as drivers licenses. Is DHS planning on addressing securing the passport application process along with the drivers license.

Date: May 1, 2007 3:16 PM

To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com

Subject: **Electronic Verification Systems**

Jim Guest
Missouri

citizen

How can we trust DHS or any government entity to safe guard our personal data when they have been unable to protect it in the past. Why are we outsourcing data to private companies who have proved they are untrustworthy safe guarding information? Viisage / L1 Solutions are currently in a Pennsylvania federal court for misdealings with information and misleading what the technology is actually able to do. Like Star Wars project we keep throwing money at projects because it is someone's brain child but the science is out on if it can even pretend to complete the task. How many Americas will be mixed in with the group of false positives the biometric end of your master plan?

Many of our Veterans lost their identities when laptops were stolen. FBI Abused its powers under the Patriot Act when they tracked hundreds of private Americans Bank accounts, Phone , Credit card, and email records without the proper follow up subpoena's. Why should we trust you now? Why are you eave dropping on all regular Americans library records and monitor what books are read.

In the future will you be able to get a Non-Real ID, Drivers license or Identity Card? Why are you proposing to share our data globally? Why won't the Real ID create a Black market on fraudulent identity cards?

Why are you not violating the Freedom of Religion promised in the 1st Amendment in forcing religious groups like the Amish and Mennonite to have photo ID's and SS numbers? 10th Amendment (States rights)

Why do you require a 2 D Barcode? Why when a 1 D barcode will store all the information on the front of the card. You state you do not like a 1 D barcode because it does not have the capability to store significant volumes of data, why? This will do nothing but expand identity theft!

Date: May 1, 2007 1:09 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

Louise
Missouri

private citizen

Many of our Veterans lost their identities when laptops were stolen.

The FBI Abused its powers under the Patriot Act when they tracked hundreds of private Americans Bank accounts, Phone , Credit card, and email records without the proper follow up subpoena's. Why should we trust you now?

Sent: Tuesday, May 01, 2007 3:59 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

TERRY MAGUIRE
TOTOWA NJ

HOW CAN IT BE SAID THAT RFID CHIPS WILL NOT BE USED ON DRIVERS LICENSES WHEN IT IS ALLREADY ON PASSPORTS

Sent: Tuesday, May 01, 2007 3:52 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

Ying Ki Kwong
Oregon

IT Investment & Planning Section, Department of Administrative Services

What due process would be used for governance of the technical requirements of Real ID? As you know development of technical standards with national significance must have formal due process, opportunities for comments, discussion, PEER REVIEW, and opportunities for improvement.

Sent: Tuesday, May 01, 2007 2:14 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

Liane Moriyama

Hawaii State ID
Hawaii Criminal Justice Data Center

Will the various federal systems such as SAVE, SSOLV, EVVE (NAPHSIS), US-VISIT, etc., be ready or enhanced for the increased access by the states to verify documents? Further, is there any consideration for access to these federal systems to be at no charge to the states?
Thank you.

Sent: Tuesday, May 01, 2007 1:33 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

Ying Ki Kwong
Oregon

Department of Administrative Services

How will the technical requirements of Real ID be subjected to due process, whereby comments are formally sought from stakeholders in public, private, academic, and non-profit sectors; as would be expected of all technical standards with national or international implications?

Sent: Wednesday, May 02, 2007 11:32 AM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Electronic Verification Systems**

Craig Treadwell

Texas

Politics and Religion Radio Broadcast: www.endtime.com

Greetings,

I am the co-host of Politics and Religion international radio broadcast with Irvin Baxter. I schedule guests for our show. I would like to invite Dr. Richard Barth to be a guest on our show to discuss his viewpoint of how he does not think Real ID is a national ID. I would also like him to tell our listeners how he thinks a national ID would have prevented the 911 attacks in New York. Please let me know ASAP if he would be available for a radio interview. I am looking at a possible dates in June and July. We can get more specific on the exact date and time once I hear back from you. You can email me back or call me at 1800.363.8463, ext. 237 or call my cell phone at 765.977.9546. We have thousands of listeners who are very interested in hearing directly from DHS on Real ID. Irvin Baxter, our host and president, was at the meeting at UC Davis. He spoke in person with Dr. Barth and handed him a copy of our magazine, Endtime Magazine. The issue he handed him deals directly with Real ID. Dr. Barth told Irvin Baxter that he would read it on his plane. Please get this formal invitation directly to Dr. Barth. We want to have a fair and balanced discussion about Real ID on the air....we are on over 30 radio stations in the US and we are heard on Shortwave and Satellite Radio worldwide. Please let me know ASAP so we can get this interview scheduled. I would like to start telling our listeners that we are going to have Dr. Barth on. If he declines the invitation, then plan B would be for you all to have a spokesperson to accept the invitation. We would really also like to interview Mr. Michael Chertoff himself if you could arrange that as well. The American people WANT to hear from you on this...this would be a great opportunity for the DHS to speak to thousands of listeners on Real ID, and Endtime Ministries will pay the bill for air time.

Topic 4: Funding/Implementation/Time Frames

Date: May 1, 2007 1:12 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: **Funding and Time Frames**

Staci McTague
Illinois

Illinois Secretary of State

Because there are so many unknowns in the NPRM, a second NPRM should be published with a comment period prior to a final rule.

Sent: Tuesday, May 01, 2007 4:16 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Funding and Time Frames**

Lorna
Missouri

none

I want to know why Americans must pay for a system we do not want. also why will you not let Rep Jim Guest speak

Sent: Tuesday, May 01, 2007 2:23 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Funding and Time Frames**

Liane Moriyama

Hawaii State Govt
Hawaii Criminal Justice Data Center

Are there efforts ongoing at the federal level that you can share with us for significant funding to the states to implement Real ID? The 20% of DHS funding is not a practical or viable solution because those funds have already been committed in the states for homeland security initiatives that equally need funding.

Sent: Wednesday, May 02, 2007 2:26 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: **Funding and Time Frames**

Jodee Smith

CA State Workers - DMV
SEIU Local 1000

This level of changes in the duties and responsibilities of DMV workers is so extreme as to demand significant increases in funding for staffing and salary enhancement.

Topic 5: Law Enforcement

Sent: Tuesday, May 01, 2007 4:23 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Law Enforcement

Louise

none

none

Right now Homeland Security tell law enforcement to finger print and release illegal immigrants so why would you need to track Americans...

Sent: Tuesday, May 01, 2007 3:19 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Law Enforcement

David C Carter jr

Phoenix Arizona

American Citazen

WHY ISNT D.H.S ENFORCEING CURRENT IMMIGRATION LAW MORE VIGORUSLY.

Sent: Tuesday, May 01, 2007 3:07 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Law Enforcement

Jim Guest

Missouri

citizen

You keep saying the Real ID will help stop illegal immigration. You are in California today and there are illegals marching all over the state then why don't you pick them up?

Sent: Tuesday, May 01, 2007 1:28 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Law Enforcement

Ronald Russom

California

none

Will law enforcement enforce the Real ID Act and how will they go about enforcing this Act?

Sent: Tuesday, May 01, 2007 12:46 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Law Enforcement

Lawrence R. Prenger

Missouri

Citizen of Missouri

How can DHS justify use of an ID system of imaging which has been proven defective and, in fact, useless with people who have facial hair?

Sent: Tuesday, May 01, 2007 12:44 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Law Enforcement

Lawrence R. Prenger

Missouri

Citizen of Missouri

How does DHS justify searches of private information by organizations such as AAMVA, and other countries, once data bases are shared, in light of the Fourth Amendment? Who is going to prevent other organizations in other countries from looking at what library books I have been reading or how much money I have been spending, on what?

Topic 6: Open Area/General Comment

Sent: Tuesday, May 01, 2007 8:39 PM

To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com

Subject: Open Comment

Lily Haskell

California, San Francisco

Arab Resource and Organizing Center

As an organization working for immigrant rights and providing immigrant legal services to the Arab community as well as other low-income immigrants, the Arab Resource and Organizing Center stands opposed to the implementation of the REAL ID Act. Operating under the American Arab Anti-Discrimination Committee- San Francisco Chapter, we have condemned the REAL ID Act since its initial passage by President Bush in May of 2005, for the unfair restrictions on licensing but also how this creates increasingly broad definitions of "terrorism" to include political associations scapegoating Arabs, South Asians, and Muslims.

The Arab Resource and Organizing Center works to defend civil liberties, organize and empower Arabs, and fight for immigrant rights, while also opposing racism, discrimination, occupation, and war.

The REAL ID Act in California, as well as nationally, has an extremely negative impact on our constituents as it will force non-citizens to pass unreasonable qualifications in order to be licensed and thus exercise their civil liberties. This will particularly impact our clients who are asylees, refugees, or those filing petitions under VAWA, our clients who are already among the most vulnerable. Such constituents may have current documentation from immigration, and should not be prohibited from their rights as people living in the United States. Similarly, all others living and working within the US borders, whether with documentation or without, should be able to exercise their rights to the fullest extent, as people who are contributing to the growth of this country.

We strongly disagree with the passage of this act and the implementation of increased restrictions and processing on immigrants. This will only serve to heighten the climate of fear all immigrants, including those documented, are living within—discouraging them to seek necessary social and emergency services, and creating a more unsafe home for all living in this country.

Sincerely,

Lily Haskell

Arab Resource and Organizing Center

Sent: Tuesday, May 01, 2007 6:30 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

katt lauderdale
Texas

Most of Americans do not want to be number, this national I.D. which is a threat to privacy and security, religion freedoms, and each state sovereign. We do not want to be number.

Sent: Wednesday, May 02, 2007 8:40 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Raul Guzman
California

I had a commercial B permit and I took my fingerprints and I was found to not be a treat to the USA. My permit expired. Then I went back to the DMV and got a nother comercial permit but does not show that I took my finger prints. What do I do?

Sent: Wednesday, May 02, 2007 5:17 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

James C Allen
California

A comment on the Real ID question, I think it's a good idea. I do understand that there would be money issue involed, but I think that it could pass to the taxpayers. A one time fee of say \$25.00 should cover it. Its a small price to pay for better security.

Sent: Tuesday, May 01, 2007 5:17 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Hector Gutierrez
CA

DMV

Will there be a video for follow up viewing?

Sent: Tuesday, May 01, 2007 5:02 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Jack
MO

Why are you doing this to American Citizens? Our government has closed the borders with Candia, and has left the borders wide open to Mexico, so that anyone can come across the borders. Why are you requiring all of this work for each state instead of placing the work on the Federal Government to monitor the illegal and legal personal that is allowed come into the USA. Since you are the keepers of the borders. Our government states that it was non-americans that caused 911. Are you trying to tell that your citizens that we are the problem?

Sent: Tuesday, May 01, 2007 4:48 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Micheal Williams
Texas

Church

This Real ID must be abolished. This is just the first step to numbering the American people so the next Hitler style leader can wipe out anyone that is against his or her agenda. We are a free people and want to stay that way. Stop this maddness NOW!!!

Sent: Tuesday, May 01, 2007 4:02 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

chuck
Illinois

self

Would we be having this discussion if the 9/11 terrorists had just used their passports to get on the airplanes rather than their Drivers Licenses.

Sent: Tuesday, May 01, 2007 3:56 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Scott bradley
missouri

Why won't the Real ID create a Black market on fraudulent identity cards?

Sent: Tuesday, May 01, 2007 4:01 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Greg Pincus
CA

The recent Zogby poll that has continually been quoted here today asked people whether they supported "the REAL ID program, which requires each state to change their driver's license systems to meet national standards and ensure that their databases are compatible with other states."

That is a far different question than asking if people support the specific rules proposed in the DHS implementation of the Real ID Act. Do you believe that if you were to sit down with those surveyed and explain to them all the costs and issues associated with the Act - issues which you have acknowledged - the 70% figure would remain? If not, then using that figure is misleading.

Also, when you say that all I care about when I put my spouse or child on a plane is whether the person they are sitting next to is the person they claim to be, you do not speak for me or, in fact, any spouse or parent I know. What I care about, and what everyone I've asked cares about, is whether the person in question is going to do harm. People do harm under their real names all the time, including, quite horrifically, the 9/11 terrorists.

It is hard to have a debate about the issues when emotional trump cards are continually played. While I tremendously appreciate your being here today and allowing us this forum, I would ask that you do not speak for me... but instead listen to me and accept that in issues as complex as this, there is a need to have open dialogue and not rely on sound bites.

Sent: Tuesday, May 01, 2007 3:36 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

John Wolf
MO

BONEHENGE MUSIC

why is the Federal government going to such lengths to prevent the peoples' voices from being heard by not informing our state lawmakers of the California town meeting? Mo. Rep. Guest only found out because interested parties e-mailed him about the upcoming meeting.

Sent: Tuesday, May 01, 2007 2:22 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Kevin Ritzi
TX

Endtime

will this webcast be avail for later download?

Sent: Tuesday, May 01, 2007 3:07 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Rick Loveland
NY

United States of America - Life member

Gentlemen,

I would first submit to you that the Zbig polling results of 70% of americans being in favor of this act are flawed. Any poll can be directed toward a given result depending upon how it is framed. I have spoke to many people about this issue and I would propose that more accurately 70% of the American public is unaware of Real ID.

Unfortunately there has been a real void of media coverage of such a far reaching initiative. Polling results would be much different if this issue received only half the attention that Anna-Nicole's baby did. Whether this media absence is chance or by design is another debate, however, I think it likely that I will find little coverage of today's Townhall meeting. I would like to know if your polling questions were prefaced with the information that although this program is said by DHS to be voluntary, those who choose to opt out have no means to identify themselves for purposes such as travel, collecting Social Security, banking, and effectively become non-citizens in the governments eyes? This argument of being voluntary is intellectually void.

Did you also point out that on page 94 of the NPRM it states "DHS also invites comments on how States would or could incorporate a separate WHTI-compliant technology, such as an RFID-enabled vicinity chip technology, in addition to the REAL ID PDF417 barcode requirement."? This language strongly suggests the implementation of RFID, contrary to assertions made by your panel today. The open ended nature of future rule making makes this a vary real possibility.

Did you properly point out that although you claim this not to be a National ID card, a national database would be created which would also include Canada and Mexico? Semantics aside, this is by definition a National ID. In fact I would go as far as to offer that it is positioning for a NAU ID. The events of 9/11 although tragic, were not of the sustained scope or magnitude of Pearl Harbor nor was there as clear a distinction of who the enemy is, and therefore have not manifested in the kind of public mandate needed to implement this strategy. Go back to the drawing board, and rethink your efforts. This half measure is all too transparent. Not all of the American public is as blind as you may think.

Capital chess pieces have the luxury of regrouping whereas pawns don't, but it is the proper positioning of those pawns that will win or lose the game.

Sent: Tuesday, May 01, 2007 2:17 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Missouri State Representative Jim Guest

Missouri

House of Representatives

I formed the Coalition Against Real ID in the legislatures around the U.S. If your passport is a National ID then leave Drivers L alone but issue passports for those wishing to travel

Sent: Tuesday, May 01, 2007 2:13 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

**John
Swanson**

You indicated you have held several meetings but I could not find them on your WEB site. Why don't you post all the public meetings on the WEB site and make them available to us?

Sent: Tuesday, May 01, 2007 2:05 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

**Carlos Rangel
Michigan**

This seems like a worthwhile effort, but how can you get the states to cooperate?

Sent: Tuesday, May 01, 2007 1:55 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

John Swanson

Nebraska

Could you please identify where the role the REAL ID would be used by a federal agency? What federal agency would be using the REAL ID, eg. at airports we have to use the REAL ID to get into the airport departure area. What other places would the federal agency be using the REAL ID?

Sent: Tuesday, May 01, 2007 1:42 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Open Comment

Pierre Bierre
CA

inventor

Secure Identification and Privacy are two sides of the same coin. Where do we begin to put government authority under one unified umbrella, equally responsible for identification and privacy?

Sent: Tuesday, May 01, 2007 1:34 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Open Comment

Ronald Russom
California

none

How can anyone assure U.S. citizens that the Real ID Act card is tamper proof? Is there a current I.D. in our society that is tamper proof and what are those I.D. cards?

Sent: Tuesday, May 01, 2007 1:29 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Open Comment

Jeff Hankins
Oklahoma

Dept. of Public Safety

What other documents can be used to enter federal buildings or board commercial aircraft? The Rules do not address this that we find.

Sent: Tuesday, May 01, 2007 1:29 PM

*To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com*

Subject: Open Comment

Deirdre Todd-Miller
California

Department of Motor Vehicles

The gentleman currently speaking is not George Valverde. Just a heads up that the identificaiton system for speakers in not working correctly.

Sent: Tuesday, May 01, 2007 1:17 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Jeff Hankins
Oklahoma

Dept. of Public Safety

Will the requirements to get a passport be strenghtened under the REAL ID Act?

Sent: Tuesday, May 01, 2007 1:05 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Staci McTague
Illinois

Illinois Secretary of State

Will the requirements for passports be changed to meet or exceed the requirements for Real ID? If not, isn't that a huge loophole?

Sent: Tuesday, May 01, 2007 1:05 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Emily

Washington DC

OPA

The text is not showing up on the internet, and the picture is VERY blurry.

Sent: Tuesday, May 01, 2007 1:00 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Lawrence R. Prenger
Missouri

Citizen of Missouri

Instigation of this REAL ID program is another example of US government Dictatorship. DHS is hiding what it is doing and charging the citizenry for something it does not know about in advance and does not want

Sent: Tuesday, May 01, 2007 12:22 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Linda Curry
California

none

1. If I choose not to obtain a Real ID card can I continue to use my US Passport as official ID for boarding domestic flights and other "federal" purposes.

2. Will I be in violation of any law if I want to "opt out" of the Real ID card? Please answer this within the context of a person being a non-driver.
Thanks

Sent: Tuesday, May 01, 2007 12:22 PM
To: realidtownhall1@gmail.com; realidtownhall2@gmail.com;
realidtownhall3@gmail.com; realidtownhall4@gmail.com
Subject: Open Comment

Lawrence R. Prenger
Missouri

Citizen of Missouri

Demonstrate how your requirement for everyone to have this REAL ID does not interfere with religious freedom and therefore does not contradict the Constitution of the United States.

Date: May 1, 2007 6:13 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Open Comment

Eileen Thomas
California

This is an infringement on our rights. It is just another step in the governments attempt to watch our every move and take over our lives. Less government not more. We deserve to be treated like intelligent human beings, not sheep. I know that there are people out there who want government to take care of us, Personally I can take care of myself. Get out of my life! Do not let this bill go through.

Date: May 1, 2007 11:37 AM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Other

Bob Ellis
Washington DC

ALA

Why don't you include a requirement for fingerprints? Why not require fingerprints be registered for both hands?

Will DHS be providing guidance on the look of the READ ID, for example where the picture will be, size of print for name and address?

Date: May 3, 2007 7:31 PM
To: realidtownhall1@gmail.com, realidtownhall2@gmail.com,
realidtownhall3@gmail.com, realidtownhall4@gmail.com
Subject: Open Comment

Ron Veelik
CA

self

it's about time this came about. I'm all for it, and willing to pay the extra cost.

Ron Veelik