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Update to Real IDs: A Costly Effort Still Dangerous to Privacy After Delays

By Robert Weiner (Page 1 of 1 pages) No comments

By Robert Weiner and Ben Kearney

In a previous article about "Real-IDs", we discussed how back in October 2021 it was set to become mandatory for post-COVID travel. Following an interview of a regional DMV (drivers licenses) director who said they have "safe employees and we said "so was Edward Snowden) publication in March of 2021, it was delayed the following month, and again in 2022. Now, a new deadline of May 7th, 2025 is set for residents over 18 to present a Real ID-enhanced driver's license or another federally approved identification like a passport to fly domestically. Nothing has really changed.

"Real-ID", with nationwide agency information sharing, still presents a grave danger to privacy, and the lawsuit the ACLU we mentioned in our piece still makes its valid points.

The REAL-ID Act, a bill passed in Congress nearly twenty years ago in 2005, was discussed in a Columbia Law review published in January 2022, for having legislation that violates the Tenth Amendment. Which ensures that "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The Act also gives states a non-choice to either amend their processes to issue licenses that comply with the Real ID standard or receive sanctions that restrict residents' ability to travel and use other federal agencies.



Cyberattacks on state, federal, and corporate databases have proven that nobody is safe. The New York Civil Liberties Union (NYCLU) gives two ways "Real-ID" threatens privacy. It "consolidates Americans' personal information into a network of interlinking databases accessible to the federal government and bureaucrats throughout the 50 states and U.S. territories," and it "mandates that all driver's licenses and ID cards have an unencrypted "machine-readable zone" that would contain personal information on Americans that could be easily "skimmed" by anybody with a barcode reader." This would occur in every state, endangering the lives of anyone above 18.

The issuance of REAL-ID is also a costly plan that requires billions of dollars to implement. NYCLU stated that the cost would "be siphoned from cash-strapped state budgets and out of drivers' wallets through higher fees." Original estimates had the law costing \$23.1 billion, and final regulations got this estimate to \$9.9 billion over 11 years by the DHS relying on the premise that only 75% of licensed drivers will seek to obtain a Real ID. But by February 2008, Congress had set aside only \$80 million to help pay for Real ID's implementation across the nation.

Even with the delays being pushed back twice, REAL-ID still stands to be a massive security threat and technological advancements since 2021 will make the next hack more powerful and could impact millions. As we noted in our last article on this topic, thirty-one states have already shared millions of private records with each other and Homeland Security, in an attempt to comply with the REAL-ID Act. We mentioned then, that Real-ID could take a page out of the Koch-Goldwater Privacy Act of 1974, or a Conyers-Amash 2013 congressional bill to ban bulk federal data collection without a warrant from cell phones, which failed by 13 votes but was effectively made law by a Supreme Court ban in 2018, still holds today in 2024.

Using the example of the recent bill passed in the House pushing to ban TikTok in the United States for the risk of potential security threat, REAL-ID should be removed altogether with the country so invested in protecting the security of its residents.

Robert Weiner was the spokesman in the Clinton and George W. Bush White House Drug Policy Office. He was the Communications Director of the House Government Operations and Judiciary Committees under committee chair and CBC founder John Vonyers, and Senior Aide to Four-Star Gen/Drug Czar Barry McCaffrey and Reps. Charles Rangel, Claude Pepper, Ed Koch, and Sen Ted Kennedy. Ben Kearney is a Policy Analyst and Writer at Robert Weiner Associates and Solutions for Change.

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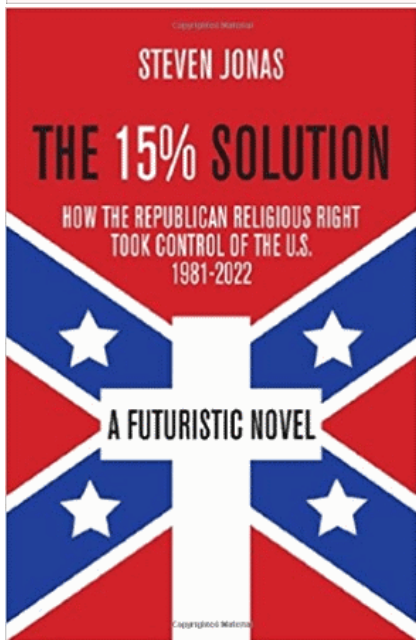
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