REAL ID, real pain

by the St. Louis Post-Dispatch

The idea behind REAL ID makes perfect sense: Require all states to meet minimum security standards when they issue drivers licenses. Make it tougher for terrorists, undocumented immigrants and criminals to get state-issued identification.

The bipartisan 9/11 Commission thought that was a good idea. So did Congress, which passed the REAL ID Act in 2005.

However, calling for tougher standards is very different from setting them or getting 50 states to meet them, and it's a headache for state legislators and the federal government. But air travelers are the ones who could start feeling the pain as early in May if they're required to present a drivers license that complies with the REAL ID provisions or face tougher screening measures. Neither Missouri nor Illinois has complied yet with REAL ID.

If the law is enforced, travelers would be caught in a showdown between federal officials trying to get states to comply with the new law and state governments that don't want to get stuck paying the tab.

The U.S. Department of Homeland Security announced final rules for the REAL ID Act last week. Those rules give states more flexibility to meet the federal law's objectives. And they drastically cut states' estimated costs.

But complying still comes with a significant price tag, an estimated $3.9 billion over 10 years. That's an average of $7.8 million per year for every state for the next 10 years. And the states will have to come up with most of that money without help from the feds.

Citing those costs, as well as privacy concerns, 21 states have indicated either that they will not comply with the law or will ask that it be changed. Missouri lawmakers passed a resolution last year demanding that Congress repeal the law. The resolution described REAL ID as an attempt to "commandeer the political machinery of the states."

The federal government said Friday it will allow states to use up to 20 percent of their federal Homeland Security grants to comply with REAL ID's requirements. But many big states already have identified other uses for the homeland security money and have trouble funding their substantial security needs. States such as Missouri, which depends on private contractors to operate license offices, could face steep costs and giant administrative problems.

Even if every state uses all 20 percent of its Homeland Security grant, total funding still would reach just $80 million, an average of about $1.6 million per state. A quickly softening economy in which demands for services increase and revenues falter could prove a major problem for state governments.

Meanwhile, beginning in May, Transportation Security officers at U.S. airports are supposed to accept only those drivers licenses from states that comply with the REAL ID Act or that have been granted a federal waiver to meet it. Travelers from other states, including Missouri and Illinois, would be forced to use either a passport for identification or face secondary screening.

Despite the potential for problems, Homeland Security Secretary Michael Chertoff told the Post-Dispatch last week that he foresees clear sailing for REAL ID. Then again, he thought his agency was prepared for Hurricane Katrina.

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