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## **Agency Affirms Mandates for Driver's Licenses**

By MATTHEW L. WALD

WASHINGTON, May 8 — The Homeland Security Department said Tuesday that it would plow ahead with national standards for driver's licenses, despite a highly unusual level of activity by state legislatures opposed to the idea, and substantial second thoughts in Congress.

The department said it had received about 12,000 public responses to its draft rules, in a 60-day comment period that ended Tuesday. Russ Knocke, a spokesman, said the comments were mixed.

Comments at a Senate Judiciary Committee hearing Tuesday were more negative. The chairman, Senator Patrick J. Leahy, Democrat of Vermont, complained that security rules were supposed to be "smart as well as tough" and predicted that state motor vehicle departments would not be able to cope with the requirements, which include verifying all documents presented by applicants. Even renewals will require birth certificates or other proof of legal residence. And the change will impose billions of dollars in costs on states and localities, Mr. Leahy and others said.

Mr. Leahy, who is a sponsor of a bipartisan bill to repeal the rules before they take effect, asserts that the department cannot even safeguard the personal information of its own employees. (Recently the department acknowledged that it had released the names and Social Security numbers of thousands of employees, including undercover sky marshals.)

According to the National Conference of State Legislatures, which has a clock on its Web page counting down the time until the law's requirements take effect (368 days as of Tuesday), Washington and Montana have enacted laws pledging not to comply. In Idaho, the Legislature passed, and the governor signed, a budget specifying that expenditures for carrying out the law next year would be zero. Resolutions opposing the new licenses have been passed by one or both houses of the legislature, and in some cases signed by the governor, in Arkansas, Arizona, Colorado, Hawaii, Michigan, North Dakota and Utah.

Carl Tubbesing, deputy executive director of the conference, said, the actions of legislatures was "without precedent in the last 20 years."

But Mr. Knocke, the spokesman for the Homeland Security Department, predicted that reluctant states would come around because people would demand it. Without the standardized licenses, they would need a passport to board an airliner, he said.

“Residents of non-Real ID-compliant states are going to be displeased with their leadership,” he said.

While states have mostly complained about costs, others have raised privacy objections. The American Civil Liberties Union said Tuesday that the system as laid out by the Bush administration “streamlines identity theft.”

There was some support for the license plan at the hearing. Janice L. Kephart, former counsel to the Sept. 11 commission, pointed out that Ziad Jarrah, a hijacker of United Flight 93, which crashed in Pennsylvania, had been stopped for speeding two days before the Sept. 11 attacks and gave the police officer one of the two Florida driver’s licenses he was carrying. If the nation had a system that limited applicants to a single license, the authorities would have had a better chance of catching him, she said.

The law requires the states to begin issuing the standardized licenses by next May, but the department can issue extensions through Dec. 31, 2009. All licenses are supposed to be compliant by May 10, 2013.