

November 3, 2011

Office of Information and Regulatory Affairs
Office of Management and Budget.
By Electronic Mail: oir_submission@omb.eop.gov
By Fax: (202) 395-5806

Re: Agency Information Collection under the Real ID Act of 2005:
Minimum Standards for Driver's Licenses and Identification Cards
Acceptable by Federal Agencies for Official Purposes

Dear OMB Desk Officer, Department of Homeland Security:

The American Civil Liberties Union (ACLU) writes because we believe the collection of additional information pursuant to the Real ID Act is unnecessary and wasteful. 76 Fed. Reg. 61723, Agency Information Collection Activities: Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes. Implementation of the Real ID Act is completely stalled. Resistance to Real ID implementation in the states has guaranteed that the statute will never be

M A ALASKA STAT. § 44.99.040 (2007-2008) (A state agency may not expend funds solely for the purpose of implementing or aiding in the implementation of the requirements of the federal Real ID Act of 2005 (P.L. 109-13, Division B)).

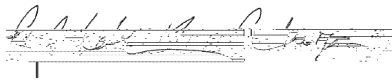
A rizon ARIZ. REV. STAT. ANN. § 28-336 (2008) (This state shall not participate in the implementation of the REAL ID act of 2005 (P.L. 109-13, Division B; 119 Stat. 302). The department shall not implement the REAL ID act of 2005 and shall report to the governor and the legislature any attempt by agencies or agents of the United States DEPARTMENT of homeland security to secure the implementation of the REAL ID act of 2005 through the operations of the United States department of homeland security.)

14.

Given these facts regarding Real ID implementation and the current impasse between the federal government and the states, any further regulatory efforts by DHS are futile. It is incumbent upon OMB to recognize that promulgating further regulations around a statute that will never be implemented is wasteful and unnecessary. OMB and DHS should halt any further Real ID regulations and formally recommend to Congress that it repeal the underlying Real ID statute.

Sincerely,

Laura W. Murphy
Director, Washington Legislative Office

A handwritten signature in cursive script, appearing to read "Laura W. Murphy", is written over a horizontal line. The signature is somewhat faint and appears to be a scan of a physical document.

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