

REAL ID: What Do Older Adults Need to Know?

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The REAL ID has generated real confusion, particularly around the timing of compliance and what it means for older adults. This Practice Tip will explain what the REAL ID is, how states vary in compliance, and what older adults need to know about securing a REAL ID.

A 2005 Federal Law Requires a Standard Identification

In 2005, Congress passed the Real ID Act of 2005, a federal law modifying the security standard for identification documents. Congress passed the legislation in response to the 9/11 Commission's recommendation that the federal government set requirements and issue standards for federal identification document recognition.¹

The law has endured a long implementation process, as compliance requires action from both the states and the federal government. Driver's licenses are issued by the states, and all 50 states applied for some form of an extension of the original compliance deadline. Regardless of previously shifting timelines, according to the Department of Homeland Security timelines, by [October 1, 2020, every state and territory resident](#) will need to present a REAL ID compliance license/ID, or another acceptable form of identification for accessing "Federal facilities, entering nuclear power plants, and boarding commercial aircraft."²

States Are in Varying Levels of Compliance

In 2013, DHS announced a phased enforcement plan for the REAL ID Act. States are in varying levels of compliance, with the majority of states fully compliant, and about a dozen others receiving DHS extensions. In compliant states, the driver's license and identification cards are REAL ID compliant, meaning, they are all accepted at federal facilities. DHS has created a [map detailing state compliance](#) status.

Older Adults Need a REAL ID Only for Certain Situations

The REAL ID is generally described as a requirement for accessing "Federal facilities, entering nuclear power plants and boarding commercial aircraft." However, it is important to clarify what DHS means by "federal facilities." A federal facility generally means a *secure* federal facility or military base. The REAL ID is *not* needed to do any of the following:

- Apply for or receive federal benefits (for example, Veterans' Affairs, Social Security Administration)³

1 The REAL ID Act of 2005, Pub. Law 109-13, available at: govinfo.gov/content/pkg/PLAW-109publ13/html/PLAW-109publ13.htm.

2 Department of Homeland Security, REAL ID Frequently Asked Questions for the Public, available at: dhs.gov/real-id-public-faqs.

3 State of Pennsylvania Department of Transportation, Frequently Asked Questions, REAL ID, available at: dmv.pa.gov/Pages/REAL-ID-Frequently-Asked-Questions.aspx.

- Enter a post office or other federal facility that does not require identification⁴
- Ride Amtrak or other public ground transportation
- Visit a hospital or receive life-saving services⁵

To reiterate, for older adults, remember, the REAL ID is **not needed to apply for or receive federal benefits**.⁶

As noted above, for states that have already complied with the REAL ID, these distinctions are likely insignificant. Older adults in extension states should remember that the REAL ID will be required to board a domestic flight starting October 1, 2020.

Older adults in extension states should look to their states Department of Motor Vehicles page to keep up-to-date on the REAL ID process.

For more information on the REAL ID, the Department of Homeland Security offers comprehensive information for [the public, states, and federal enforcement](#).

Please contact ConsultNCLER@acl.hhs.gov for free case consultation assistance. Sign up for our email list and access more resources at NCLER.acl.gov.

4 State of California Department of Motor Vehicles, REAL ID Frequently Asked Questions, available at: dmv.ca.gov/portal/dmv/detail/realid/realidfaq.

5 Id.

6 Id.