



April 23, 2025

The Honorable _____
Attorney General
Office of the Attorney General
Address
City, State, Zip

RE: Request for an Immediate Injunction against the U.S. Department of Homeland Security's Implementation and Enforcement of the Unconstitutional REAL ID (National ID)

Dear Attorney General _____,

Citizens' Council for Health Freedom is leading the charge to stop the unconstitutional imposition of the federal REAL ID system. REAL ID violates federalism. It violates the separation of powers between states and the federal government, and it must be stopped.

We are pleased to have **Stand for Health Freedom** co-signing this letter, given their deep concern about REAL ID and the importance and pressing immediacy of the situation.

As noted by current and former Attorneys General during a Federalist Society forum ("*States' Attorneys General: Defenders of the Bulwarks of Federalism*," September 10, 2020¹), AGs play a critical role in "**vertical federalism**," maintaining the division of power between the federal government and the states.

Thus, we are requesting your immediate assistance to do what only AGs can do.

The REAL ID Act² imposes a National ID in violation of the 4th and the 10th Amendments. Per **U.S. Senator Lamar Alexander** (R) speaking on the Senate floor: "*This really is a National Identification card for the United States of America for the first time in our history. We've never done this before, and we shouldn't be doing it without a full debate.*"

Similarly, **US Senator Patty Murray** (D) said REAL ID "*has ramifications for privacy, for States rights...I know I didn't vote for it. I know there wasn't even a discussion of it in conference. . . The REAL ID provision will have dramatic and far-reaching changes and puts an unfunded mandate on many states. And yet it was never brought before a Senate committee, and it was never voted on in the conference...that is exactly why I did not sign the final conference report.*"³ Nonetheless, the REAL ID Act became law in 2005.

¹ <https://fedsoc.org/events/states-attorneys-general-defenders-of-the-bulwarks-of-federalism> (Sept 2020):

² Public Law 109-13, H.R. 1268 (REAL ID ACT – Title II), 2005: <https://www.dhs.gov/xlibrary/assets/real-id-act-text.pdf>

³ "REAL ID Repeal — Seven Reasons to Act, Citizens' Council for Health Freedom, n.d.: <https://www.cchfreedom.org/real-id-repeal-and-cra-opportunity-2025/>

BRIEF HISTORY:

After the U.S. Department of Homeland Security (DHS) issued its 2008 REAL ID rule, “twenty-five states, either through statute or legislative resolution, rejected the act or said they would not comply with Real ID, and 15 states have laws prohibiting compliance with Real ID.”⁴

In the ensuing years, **state DMVs quietly worked** outside the law, bypassing governors and legislators. According to an investigation reported in *Publius* in May 2020,⁵ DMVs received federal funding from the small 5-person REAL ID Program Office in the Department of Homeland Security to bring many states up to about 95% compliance with the federal law – despite state laws prohibiting compliance with REAL ID.

In late 2015, the Obama administration issued the first very public **‘You can’t fly’ threat⁶ – as untrue then as it is now**. And completely unconstitutional. Citizens panicked and state legislators began to comply. In 2017, Missouri senators wrote to Missouri Attorney General Josh Hawley, and 116 Pennsylvania representatives wrote a letter to President Trump opposing REAL ID. From Pennsylvania (screenshot; found at <https://bit.ly/TrumpREALID>):

Opposition to the federal REAL ID Act in Pennsylvania has been based on the following concerns:

- States’ Rights - States have been the exclusive regulator of driver licensing and have instituted their own regulations and policies regarding the issuance of licenses and safety information, and other aspects of transportation policy administration. The Tenth Amendment establishes that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively” By “federalizing” driver licensing the REAL ID Act usurps this power which has been reserved to the states.

Page 2
January 24, 2017
President Trump

- Cost - The REAL ID Act imposes a significant unfunded mandate on the states. The National Conference of State Legislators (NCSL) estimated that REAL ID implementation costs over 5 years nationwide could be as much as \$11 billion. PennDOT has received \$5.4 million in federal grants to assist with REAL ID requirements. However, a fiscal analysis of Act 38 of 2012 estimated the initial start-up costs to fully implement REAL ID would be \$141 million. Additionally, when Act 38 was enacted it was anticipated that REAL ID would impose \$39 million in additional, annual operational costs on the Commonwealth. (These costs are expected to increase the price tag of a Pennsylvania driver’s license by a substantial amount).
- Burden on Citizens - Pennsylvanians will be required to visit a PennDOT facility upon their first renewal after REAL ID compliance, and to produce a certified, raised-seal birth certificate and two proofs of address bearing the person’s name, such as a utility or mortgage bill. This will need to be done at 16-year intervals, and upon any change of address regardless of how long the individual has been a licensed driver in the Commonwealth.
- Privacy - The REAL ID Act creates a national identity registry by requiring the personal data of every person with an ID to be available to each state and U.S. territory. Accessibility to such personal data could increase the potential for fraud and identity theft.

Given that the REAL ID Law inserts the federal government into a power reserved to the states, we believe that Congress had no constitutional authority to be involved in drivers’ licensing. Despite this intrusion, Pennsylvania has improved the security of our driver’s licenses and non-driver ID cards. In a September 2016 letter to PennDOT, USDHS confirmed that the Commonwealth had taken 33 specific steps to enhance ID security.

⁴ “Yes, the States Really Reject Real ID,” Allie Bohm, ACLU News & Commentary, March 27, 2012: <https://www.aclu.org/news/national-security/yes-states-really-reject-real-id>

⁵ “Implementing the REAL ID Act: Intergovernmental Conflict and Cooperation in Homeland Security Policy,” Magdalena Krajewska, Wingate University, *Publius*, May 7, 2020: <https://academic.oup.com/publius/article/50/3/398/5831550>

⁶ “T.S.A. Moves Closer to Rejecting Some State Driver’s Licenses for Travel,” Jad Mouawad, The New York Times, December 28, 2015: <https://www.nytimes.com/2015/12/29/business/tsa-moves-closer-to-rejecting-some-state-drivers-licenses-for-travel.html>

To our knowledge, there was no response. According to Maine's Secretary of State, in testimony on April 15, 2025, the **federal government threatened to withhold their transportation funding**. Perhaps officials threatened other states as well.

TODAY:

State-based compliance is now 100%, with all 50 state laws conforming to the federal REAL ID Act. With *card-based* compliance now at 56% (per DHS), it began applying significant pressure on Americans who've resisted or delayed compliance:

1. On September 12, 2024, TSA/DHS released a proposed "progressive enforcement" rule. Our organizations garnered more than **31,000 public comments** opposing it. NOTE: DHS counted only 11,000 of those comments in the final rule.
2. On January 14, 2025, TSA/DHS issued a final rule for a "**phased-in**" approach of "progressive enforcement." The agencies summarily dismissed the thousands of comments about the unconstitutional nature of the program as "outside of the scope of this rulemaking." For the next two years, until May 5, 2027, Americans will receive "**progressive consequences**" if they fail to submit to the REAL ID or come to an airport without a REAL ID or a REAL-ID-compliant ID.⁷ DHS will post each agency's enforcement plans. NOTE: Thus far, we've been unable to find any online.
3. However, on Friday, April 11, 2025, **DHS Secretary Kristi Noem** on a DHS video told Americans that starting May 7, they need a REAL ID to fly. **She initiated public panic** despite her agency's "progressive enforcement" rule warning about the negative impact of enforcing the mandate on May 7, and despite **15** other TSA-acceptable IDs, including passports. She never mentioned them. NOTE: The following week, DHS added a warning that the list of acceptable IDs can change "without notice."

GOOD NEWS:

Several states are now moving to extract themselves from REAL ID. In more than seven states, 2025 legislation has been introduced, but more and immediate relief is needed.

Some of these policymakers are in the minority party. Others want repeal, but don't believe it is possible to stop the federal takeover of licensing, travel, and identification. We believe it is. Indeed, for the sake of a future of freedom, it must be. Thus, this letter to you.

KEY FACTS:

1. NATIONAL ID - REAL ID is a National ID system imposed on states and Americans.
2. UNCONSTITUTIONAL - REAL ID violates federalism (state and individual rights).

⁷ "Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes; Phase Approach for Card-Based Enforcement" (FINAL RULE), Transportation Security Administration / U.S. Department of Homeland Security, January 14, 2025: <https://www.federalregister.gov/documents/2025/01/14/2025-00484/minimum-standards-for-drivers-licenses-and-identification-cards-acceptable-by-federal-agencies-for>

3. **BIOMETRIC MANDATE** - Biometric capture is required and is permitted to expand in the future beyond facial geometry to collection and use of other biometric data.
4. **TSA CAMERAS** - TSA is capturing facial geometry in airports (currently you can opt out). It will likely be synced with the embedded REAL ID biometric facial geometry.
5. **EXPANSION OF REQUIRED USES** - The law permits the Secretary of DHS to unilaterally expand required uses beyond federal buildings, nuclear facilities, and flight to “any other purposes” (Section 201). We expect access to medical care to be declared an “official purpose” in the future, perhaps to force every American to submit. Not everyone flies, but everyone needs medical care. *Other suggested uses:*

“By embracing REAL ID, we can indeed cash a check, hire a babysitter, board a plane, or engage in countless other activities with confidence.” – **Michael Chertoff**, then Secretary of DHS (*Boston Herald*, November 17, 2018)

6. **EXPANDED DOCUMENTS** - The law sets minimum documentation requirements, and could expand to other required documentation, such as gun ownership, membership in other organizations, etc. (Section 202)
7. **DIGITIZED** – The government/DMV plan is to digitize REAL ID, place it on phones, with remote access by government, per AAMVA in “Beyond REAL ID” testimony to Congress (12/5/2023). Consider similarities with China’s social credit system.
8. **FOIA-FREE DATABASE** – The American Association of Motor Vehicle Administrators (AAMVA) is a tax-exempt NGO supporting DMVs. It created the secretive SPEXS pointer system used by states under contract with AAMVA. SPEXS aligns with AAMVA’s “one license, one driver” policy. Although no law requires it, SPEXS enables DMVs to limit Americans to one ID. Because it’s private, AAMVA cannot be FOIA’d, leaving Americans clueless about how their personal data is being used by AAMVA.

ABOUT CITIZENS’ COUNCIL FOR HEALTH FREEDOM:

Citizens’ Council for Health Freedom (CCHF) is in its 27th year of protecting patient and doctor freedom at the state and federal level. We are a national 501(c)3 non-profit, non-partisan, free-market organization with financial supporters in every state. We receive no government grants. We are known for our privacy work because privacy rights protect freedom. As we often say, “He who holds the data makes the rules.” We have long opposed REAL ID because it is an unconstitutional usurpation of state’s rights and individual privacy rights. We believe DHS may choose to make access to medical care an “official purpose” for REAL ID to force Americans to submit to REAL ID (“no card, no care), as permitted by the Act. Furthermore, we oppose government mapping, collection and use of a person’s unique body parts (biometrics) for purposes of identification, tracking, monitoring, judging, and imposing unconstitutional controls over travel, purchases, and transactions.

ABOUT STAND FOR HEALTH FREEDOM:

Stand for Health Freedom (SHF) is a 501(c)(4) nonprofit organization dedicated to informing and activating a grassroots movement to protect our health and our families. Since 2019, through

partnerships with local organizations, SHF has empowered over 700,000 individuals to directly contact their elected officials and policymakers. Together we have taken over 5.7 million actions to preserve and promote informed consent, parental rights, religious freedom, freedom of speech, and privacy. We see the REAL ID as a real threat to our Constitutional rights and medical freedom.

Again, in your capacity as State Attorney General, we are requesting that you pursue an immediate injunction against the U.S. Department of Homeland Security's implementation and enforcement of the unconstitutional REAL ID Act (National ID).

Furthermore, we request that you join, if possible, with freedom-minded AGs across the country to stop this assault on federalism and individual rights.

We would be pleased to meet with you by phone, Zoom, or in person.

Our special web page on this issue is: **CCHFreedom.org/national-ID**

Please contact me, Twila Brase, by calling or emailing the CCHF office at your earliest convenience: 651-646-8935 or info@cchfreedom.org.

Most sincerely,



Twila Brase, RN, PHN
Co-Founder and President
Citizens' Council for Health Freedom



Leah Wilson
Executive Director and Co-founder
Stand for Health Freedom

P.S. We believe constitution-minded AGs are the only ones who can stop this federal incursion. The American Constitutional Society says, *"As states' chief legal officers, state attorneys general are, first and foremost, law enforcement officials sworn to uphold the U.S. and state constitutions, and to enforce federal and state laws."* May it be so.

Attachments / Enclosures:

- **Yes, You Can Fly—Without a Real ID**, CCHF, 2025
- **Repeal REAL ID: Seven Reasons**, CCHF, 2025
- **'Lose' the REAL ID: Switch Back to Freedom**, CCHF, 2025

Yes! You Can Fly – Without a Real ID



April 15, 2025

- Americans can use one of the [15 other](#) TSA-acceptable IDs to fly (including passports).
- On May 7, TSA is expected to begin [two years](#) of “phased enforcement.”
- REAL ID is an **unconstitutional federal usurpation** of states’ rights and individual rights.
- DMVs plan to **digitize** REAL ID on phones with remote, real-time access to it (AAMVA [testimony](#)).
- Does a digitized NATIONAL ID open the door to a social credit system in America?
- For more information, go to www.cchfreedom.org/national-id/.

OFFICIAL STATEMENTS

*“I think the American people need to know that REAL ID will be required to travel on May 7th so those governors have been notified to communicate that at home. We don’t want anybody to get delayed and not be able to travel when they get to an airport. – **Kristi Noem**, Secretary of Homeland Security, April 9, 2025, televised Cabinet meeting ([32:00 mark](#))*

“If an individual does not have a REAL ID-compliant DL/ID, the individual may use another acceptable form of identification as determined by individual agencies’ identity verification and access policies.” – [TSA Final Rule](#), January 14, 2025

*“[T]he Transportation Security Administration has established what it calls a ‘phased enforcement approach’ for applying the long-awaited regulation that allows implementing the requirements over a two-year period, culminating with full enforcement by May 5, 2027. **That could allow travelers who don’t have REAL IDs to board flights with a warning notice.**” – **Alexi Giannoulis**, Illinois Secretary of State, Chicago Tribune, March 17, 2025*

UNCONSTITUTIONAL

“This really is a **National Identification card for the United States of America** for the first time in our history. We’ve never done this before, and we shouldn’t be doing it without a full debate... I’m very, very reluctant for this country to have a National ID card...” – **U.S. Senator Lamar Alexander**, during the 2005 REAL ID debate on the floor of the U.S. Senate.

“The Tenth Amendment establishes the ‘[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively...’ By ‘federalizing’ driver licensing **the REAL ID Act usurps this power which has been reserved to the states.**” – letter sent to President Trump by **116 Pennsylvania legislators**, January 24, 2017.

“By embracing REAL ID, we can indeed cash a check, **hire a babysitter**, board a plane, or engage in countless other activities with confidence.” – Michael Chertoff, Secretary of Homeland Security (2005-2009) in an [Op-ed promoting REAL ID use for daily life](#).

“**OFFICIAL PURPOSE**” (required uses) – “The term ‘official purpose’ includes but is **not limited to** accessing Federal facilities, boarding federally regulated commercial aircraft, entering nuclear power plants and **any other purposes that the Secretary shall determine.**” ([REAL ID ACT, 2005](#))

STATEMENTS FROM THE 2025 REAL ID RULE

“Minimum Standards for Driver’s Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes; Phased Approach for Card-Based Enforcement”- TSA/DHS, January 14, 2025

OPTIONAL: “If an individual does not have a REAL ID-compliant DL/ID, the individual may use another acceptable form of identification as determined by individual agencies' identity verification and access policies.”

INITIAL STATEMENT: “Pursuant to the REAL ID regulations, REAL ID card-based enforcement begins on May 7, 2025. Card-based enforcement means that Federal agencies may only accept DL/IDs for official purposes, defined in the REAL ID Act and regulation, if the DL/IDs are issued in accordance with REAL ID requirements.

UP TO TWO YEARS: “This rule recognizes these concerns and provides flexibility by permitting agencies to, **for a period of up to 2 years**, implement REAL ID card-based enforcement using a phased approach tailored to their specific operations.

NON-ENFORCEMENT FOR TWO YEARS: “Given the scope of potential phased enforcement plans, which range from full enforcement to non-enforcement through the 2-year period, DHS does not believe it is appropriate to prescribe specific means by which the individual agency must inform members of the public about their plan, beyond the general requirement to make it publicly available on an agency website.

CAN USE A PASSPORT: “Individuals may also continue to choose to obtain a noncompliant DL/ID, even after the enforcement date, because they do not anticipate needing an acceptable form of identification to verify their identity for a defined official purpose or because they had another identity document, such as a passport, that is widely accepted.”

PHASED IN TO DECREASE BACKLASH: “This flexibility allows these agencies to maintain operational efficiency; reduce security risks born from long lines, incidents, and distractions caused by additional identity verification procedures or turning away individuals who do not have acceptable identification; decrease potential public backlash to security personnel enforcing REAL ID; and limit potential negative impacts to the public.”

PROVIDES TIME: “Phased enforcement provides Federal agencies the flexibility on how to start enforcing REAL ID card-based enforcement requirements in a manner that may reduce operational disruption, security risk, and public impact. This is especially relevant for Federal agencies that process large numbers of individuals and require identification for access purposes. Phased enforcement provides Federal agencies more time to implement strategies to engage stakeholders and encourage REAL ID adoption. It can also provide time for agencies to develop alternative means to ensure continued operations for services or activities that require use of REAL ID for official purposes.

DELAY REDUCES DELAYS: A higher proportion of individuals with compliant identification also reduces potential queuing and associated delays. For example, if an individual presents valid, non-REAL ID-compliant identification at an access point, security or screening workforce may require additional time to confirm the individual's identity, and/or explain the requirements of REAL ID and thus delay the individual, or not provide the individual access.^[133] Such delays may also have downstream impacts and cause longer delays for other individuals waiting in line at the access point, including for those who may possess a REAL ID-compliant document. However, under a phased enforcement plan, after verifying the individual's identity, the individual may be able to use the valid, non-compliant identification to access Federal facilities (for a temporary period of time).

MITIGATES AIRPORT SECURITY OPERATIONAL RISKS: The potential for large numbers of individuals presenting non-REAL ID-compliant identification as a means to verify identity to access Federal facilities

could cause operational risks to Federal agencies; especially those that process large numbers of individuals (e.g., the airport security environment). Surges in REAL ID applications may also cause negative impacts to States in issuing REAL IDs, and individuals in obtaining them.”

POTENTIAL NEGATIVE IMPACT OF FULL ENFORCEMENT: “At the same time, the rule is intended to allow a transition to full enforcement that mitigates the potential negative impact to agencies and the public if every agency was required to begin full enforcement immediately on the card-based enforcement date.”

TWO YEARS OF FLEXIBILITY: “Under the REAL ID regulations, Federal agencies may not accept non-compliant DL/IDs for REAL ID official purposes on and after the card-based enforcement of May 7, 2025. Under this rule, Federal agencies are still required to commence REAL ID card-based enforcement on May 7, 2025. However, this rule provides agencies, for a period of up to 2 years, the flexibility to implement a phased approach to card-based enforcement, after considering relevant factors including security, operational feasibility, and impact to the public.”

COORDINATE PHASED ENFORCEMENT: “To ensure that agencies' phased enforcement plans consistently and appropriately advance the objectives of the REAL ID regulations, this rule requires agencies to coordinate their phased enforcement plans with DHS and begin full enforcement no later than May 5, 2027.”

RISKS ACKNOWLEDGED: “This rulemaking acknowledges the possible risks to Federal agencies and potential public impact should a significant number of individuals seek to use non-REAL ID-compliant DL/IDs for REAL ID official purposes when enforcement begins on May 7, 2025.”

DISRUPTIONS LIKELY: “Given that approximately 56 percent of DL/IDs in circulation are REAL ID-compliant as of January 2024, the low current adoption rates, and DHS' estimate that 61.2 percent of REAL IDs, relative to all DL/IDs in circulation, will be REAL ID-compliant by May 7, 2025, there is a real possibility of disruptions like those described above could occur if all agencies begin full enforcement on the deadline.”

WARNING NOTICES: “Recognizing these challenges and the uncertainty in the number of individuals Federal agencies may encounter who do not have a REAL ID-compliant DL/ID on May 7, 2025, this rule provides Federal agencies added flexibility to implement enforcement of the REAL ID regulations in a manner that takes into account relevant factors including security, operational feasibility, and public impact. The ability to implement the card-based requirements under a phased approach, for a 2-year period, allows Federal agencies to start card-based enforcement in a manner that limits potential disruption to operations, reduces negative public impact, and supports a smooth transition to full card-based enforcement and the increased security benefits of REAL ID. **For example, agencies will have the ability to begin enforcement by issuing warning notices or through progressive consequences if they determine that those measures would most effectively mitigate the risks of an immediate transition to full enforcement. Without this flexibility, and especially if the adoption rate remains low leading up to May 7, 2025, DHS believes Federal agencies could face a serious risk of operational disruption, negative public impact, and potential security vulnerabilities.**”

INDIVIDUALIZED WARNINGS: “For example, agencies may choose to issue a **written or verbal warning** the first time an individual attempts to use their non-compliant DL/ID after the May 7, 2025, enforcement deadline, letting that individual know they will be denied entry if they attempt to use their non-compliant card at that location another time. Individualized warnings like this may be more effective at encouraging compliance than broad public messaging.

MORE TIME. “This rule provides flexibility to agencies, allowing them to implement phased enforcement plans that provide more time for individuals to obtain a REAL ID-compliant DL/ID.”

LARGE VOLUME OF PEOPLE AT TSA: “Based on its stakeholder engagements with Federal agencies, DHS believes that the vast majority of agencies do not handle a significant volume of individuals presenting DL/IDs

for an official purpose under the REAL ID Act and regulation. However, other agencies (for example, TSA) encounter a much larger volume of individuals on a daily basis that must present an identification document for a REAL ID official purpose.”

BALANCES BENEFITS AND RISKS: “A phased approach will be more likely for those agencies where potential risks related to security, operational feasibility, and public impact strongly weigh in favor of and support implementing a phased enforcement plan. In this way, the rule appropriately balances obtaining the security benefits of REAL ID with the need to mitigate potential risks.”

FLEXIBILITY WILL RAISE ADOPTION RATES: “DHS believes that continued messaging alone will not result in a substantial increase in adoption rates. DHS believes that beginning enforcement, with the flexibility phased enforcement provides, will increase public awareness and increase REAL ID adoption rates more quickly than an extension of the deadline.”

AGENCIES MUST POST PLANS: “DHS acknowledges that this rule could potentially create confusion due to the possibility of inconsistent enforcement timelines, with some agencies implementing full enforcement and other agencies implementing varying phased enforcement plans. The rule’s requirement that agencies post their plans publicly on their web page is intended to provide transparency and mitigate potential confusion.”

LONGER PHASED ENFORCEMENT APPROACH: “In support of a longer phased enforcement period, DHS seeks to provide sufficient time for phased enforcement plans to exert an effect on public perception, to limit negative enforcement impacts on agency operations and the public, and to provide sufficient time for States to meet increased demand. DHS has balanced these factors to arrive at an up to 2-year period available for phased enforcement.”

ANOTHER ACCEPTABLE FORM: “Individuals may choose not to obtain a REAL ID-compliant DL/ID for a number of reasons, including that they do not anticipate needing identification for a REAL ID official purpose or that they have another form of acceptable identification (e.g., a passport).”

REGULATORY DEFAULT MAINTAINED: “As discussed above,^[55] this rule maintains the card-based enforcement deadline and a regulatory default of full enforcement on May 7, 2025, absent an affirmative determination by an agency to use a phased enforcement plan.”

TSA PLANNING UNDERWAY: “This rule allows TSA to make a determination, after considering relevant factors, that a phased approach to card-based enforcement may be appropriate. Consistent with this rule, TSA is planning for a number of scenarios, including considering a phased approach to enforcement. In making its determination, TSA will take into account the relevant factors of security, operational feasibility, and public impact, including TSA checkpoint operations that involve interaction with law enforcement and potential impact to travelers and transportation stakeholders.”

MITIGATE BACKLOGS: “The final rule will provide Federal agencies the flexibility to decide whether to enforce the REAL ID card-based regulations in a phased manner that may reduce security vulnerabilities, operational disruption and public impact related to official Federal purposes. A phased approach will not unnecessarily delay REAL ID enforcement for those Federal agencies ready to fully implement on the card-based enforcement deadline. A phased approach will also allow individuals more time to obtain a REAL ID and may help mitigate potential application backlogs at State licensing agencies. Furthermore, a phased approach may reduce potential queuing and associated delays at access points”.

COMPLIANCE OVER TWO YEARS: “Under a phased approach, DHS forecasts a slower adoption of REAL ID, as compared to the baseline, with compliance increases being spread over the 2-year phased enforcement period. This approach provides individuals more time to obtain a REAL compliant DL/ID and allows individuals who possess non-compliant DL/IDs to use such DL/IDs for official purposes while also creating

opportunities for enforcement mechanisms (e.g., warnings) that may serve to incentivize the public to obtain a REAL ID without, or reduced, negative consequences.”

REDUCED IMPACT IF PHASED: “If TSA chooses to employ phased enforcement at security screening checkpoints, the impacts associated with travelers presenting non-compliant DL/IDs would be reduced and spread out over the course of the phased enforcement plan, rather than absorbed in the initial days of enforcement.”

50 PERCENT: “Based on feedback from agencies and recurring attendance over months, DHS assumes that 50 percent of agencies that attended one or more meetings will pursue a phased enforcement plan.”

TSA IS HIGH-USE CASE: “DHS assumes that the remaining 4 percent of Federal agencies will develop and coordinate phased enforcement plans with DHS. The majority of such plans are anticipated to represent a low-to-medium use case (e.g., visitor access to a facility) with TSA representing a high-use case given the volume of individuals boarding federally regulated commercial aircraft per day.”

COST OF PHASED ENFORCEMENT: “Table 9 presents the 2-year total cost of the phased enforcement final rule. DHS estimates the total cost of the final rule to be \$1.73 million undiscounted and \$1.70 million discounted at 2 percent.”

OFFICIAL REGULATORY LANGUAGE – TSA FINAL RULE 2025

PART 37—REAL ID DRIVER'S LICENSES AND IDENTIFICATION CARDS

1. The authority citation for part 37 continues to read as follows:

Authority: [49 U.S.C. 30301 note](#); [6 U.S.C. 111, 112](#).

2. **Amend** § 37.5 by revising paragraphs (b) and (c) and adding paragraphs (d) and (e) to read as follows: [§ 37.5](#)

Validity periods and deadlines for REAL ID driver's licenses and identification cards.

b) Except as provided in paragraph (d) of this section, on or after May 7, 2025, Federal agencies shall not accept a driver's license or identification card for official purposes from any individual unless such license or card is a REAL ID-compliant driver's license or identification card issued by a State that has been determined by DHS to be in full compliance as defined under this subpart.

(c) Through the end of May 6, 2025, Federal agencies may accept for official purposes a driver's license or identification card issued under § 37.71. Except as provided in paragraph (d) of this section, on or after May 7, 2025, Federal agencies shall not accept for official purposes a driver's license or identification card issued under § 37.71.

(d) **Federal agencies may implement the requirements of paragraphs (b) and (c) of this section through a phased enforcement plan if the agency determines **phased implementation** is appropriate. Federal agencies that implement **phased enforcement plans authorized by this paragraph** (d) must:**

- (1) Make a determination that a phased enforcement plan is appropriate in consideration of relevant factors including security, operational feasibility, and public impact;
- (2) Coordinate the phased enforcement plan with DHS;
- (3) Make the phased enforcement plan publicly available on the agency's web page; and
- (4) Achieve full enforcement of the requirements of paragraphs (b) and (c) of this section no later than May 5, 2027.

(e) DHS will make publicly available on the DHS REAL ID web page a list of agencies that have coordinated phased enforcement plans with DHS pursuant to paragraph (d) of this section. *[Emphasis Added.]*

<https://www.federalregister.gov/documents/2025/01/14/2025-00484/minimum-standards-for-drivers-licenses-and-identification-cards-acceptable-by-federal-agencies-for>

For more information, go to RefuseRealID.org



Repeal REAL ID – Seven Reasons

1. **FEDERAL INFRINGEMENT** – REAL ID is a National ID system, foisted on the American people, threatening state and individual sovereignty.

In 2005, during the Senate floor debate, **U.S. Senator Lamar Alexander** stated: This really is a National Identification card for the United States of America for the first time in our history. We've never done this before, and we shouldn't be doing it without a full debate... I'm very, very reluctant for this country to have a National ID card . . .

U.S. Senator Patty Murray also remarked during that 2005 debate: “The REAL ID provision has ramifications for privacy, for States rights, and for immigration policy, and I am really disappointed that it has been rammed through as an attachment to a desperately needed bill that funds our troops... I think a lot of us are kind of scratching our heads about how this REAL ID provision ended up in this conference report. I know I didn't vote for it. I know there wasn't even a discussion of it in conference... I serve on the conference committee and want to share with my colleagues exactly what happened, so they'll understand why the sudden appearance of the REAL ID provision is so surprising to many of us... The REAL ID provision will have dramatic and far-reaching changes and puts an unfunded mandate on many states. And yet, it was never brought before a Senate committee, and it was never voted on in the conference... that is exactly why I did not sign the final conference report.”

2. **UNCONSTITUTIONAL** – REAL ID is a **usurpation of States' rights** under the Tenth Amendment. In 2017, 114 Pennsylvania legislators wrote to President Trump to oppose REAL ID calling it a “usurpation” and a violation of **individual privacy rights** under the 4th Amendment. The Pennsylvania letter also stated:

“The Tenth Amendment establishes that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively...”

By “federalizing” driver licensing the REAL ID Act usurps this power which has been reserved to the states. Thus, REAL ID is an unconstitutional overreach of federal power.

3. **DELIBERATE DECEPTION** – TSA, previous administrations, and the news media have too often promoted the “Without a REAL ID, You Can't Fly” LIE.

In the fine print, and online, TSA acknowledges 15 other acceptable documents to verify identity for the purposes of boarding an airplane, including a passport and passport card, and also states that you can fly without an ID of any type but may be subject to additional screening steps: <https://www.tsa.gov/travel/security-screening/identification>

Even the 2008 REAL ID rule, which TSA/DHS is moving to enforce today, acknowledges this fact: “DHS notes that individuals without a REAL ID-compliant document will still be able to enter federal facilities and board commercial aircraft and these rules cannot determine what alternative documents are acceptable for those purposes.”

4. **DMV COLLUSION**– State agencies and government bureaucrats colluded with AAMVA and DHS to secretly receive funding and implement REAL ID requirements despite 25 states having laws prohibiting conformance with REAL ID and 12 states passing resolutions opposing REAL ID.

In a 2020 article by Magdalena Krajewska titled, *“Implementing the REAL ID Act: Intergovernmental Conflict and Cooperation in Homeland Security Policy,”* she wrote:

“Nevertheless, it is telling that despite what was happening at the higher level, DMV chiefs were largely cooperative with the REAL ID Office. One interviewee said that although some governors prohibited their states from becoming compliant with REAL ID, those states still implemented perhaps 95 percent of the Act’s requirements. State DMVs would use the language of being “consistent” with the Act’s requirements, rather than “compliant,” thereby avoiding embarrassing their governors, while at the same time making the licenses more secure.”

5. **SOLE CONTROL** – The Secretary of the Department of Homeland Security has unilateral authority to expand the uses of REAL ID or requirements in the future.

The 2005 federal REAL ID law states: “the term ‘official purpose’ includes but is not limited to accessing Federal facilities, boarding federally regulated commercial aircraft, entering nuclear power plants, and any other purposes that the Secretary shall determine.”

In the 2008 REAL ID rule by DHS, they wrote. “DHS does not agree that it must seek approval of Congress as a prerequisite to changing the definition in the future. . . as 201(3) of the Act gives discretion to the Secretary of Homeland Security to determine other purposes.

6. **DIGITAL ID IN THE WORKS** – The American Association of Motor Vehicle Administrators (AAMVA) shared testimony with the U.S. House Committee on Homeland Security on December 5, 2023, where they supported putting the REAL ID on mobile phones where it could be accessed by the government and updated in real time.

Video: <https://homeland.house.gov/hearing/identity-management-innovation-looking-beyond-real-id/>; **Written Testimony:** <http://bit.ly/3DXXmrO>

7. **ENFORCEMENT AND PENALTIES** – Per the 2025 rule, 44% of driver’s licenses and IDs nationwide were not REAL ID compliant cards, and fearful Americans are flooding DMVs.

The final TSA rule issued January 14, 2025, permits “**progressive enforcement**” for two years (May 7, 2025 - May 5, 2027), including a suggested “three-strikes” action against travelers without REAL IDs or TSA-acceptable documentation. However, TSA notes a “three strikes” database system may be difficult to fund and use. TSA also notes concern about “public backlash” at airports if people are denied permission to fly. (<https://bit.ly/4jnmUxg>)

No American should be refused access to federal facilities or threatened with not being able to board a plane for failure to submit to an unconstitutional National ID card and system.

To restore individual and states’ rights, unconstitutional REAL ID rules should be rescinded, the federal REAL ID law should be repealed, and state-conforming laws should be repealed.

Updated April 8, 2025



“LOSE” THE REAL ID SWITCH BACK TO FREEDOM

“MAKE THE SWITCH”

From the National ID to a State Driver’s License

WHAT ARE THE DANGERS OF REAL ID?

The REAL ID is an unconstitutional NATIONAL ID system, that could exert control over your life beyond the airport. It violates constitutionally protected state and personal sovereignty. Violating 10th Amendment states’ rights and privacy rights, the federal Real ID Act could potentially enable surveillance, and limits on movement, access to services and transactions.

The government plans to **digitize the REAL ID**, put it on your phone, and have real-time remote access, allowing outside control and potentially government tracking. Your ID could be shut down at any time. In other words, the government could immediately end your ability to travel, drive, and participate in the economy. If enough citizens submit to government (TSA) coercion and get a REAL ID, the government may “flip the switch” and force everyone into REAL ID. A digitized NATIONAL ID can quickly and easily enable a **global ID** system, vaccine passports, and a **social credit system**.

A single bureaucrat in D.C. can expand required uses (e.g. buy guns, access medical care, vote, buy a car, get a credit card). Only **5 states** forbid standard DLs/IDs: Florida, Georgia, Mississippi, Texas, and Wyoming. Switching back to a standard driver’s license protects freedom by stopping the unlawful NATIONAL ID system. Find more info and answers at www.RefuseRealID.org.

CAN I FLY WITHOUT A REAL ID?

Yes, but please read the following carefully. The TSA website includes a list of 16 “TSA-acceptable” identification cards, including a passport. Get a passport, not a REAL ID.

Second, May 7th is the start of two years of “progressive enforcement.” No one knows what progressive enforcement will look like, but the TSA suggests a policy of progressive warnings.

Third, processes are in place today if you lose your ID. If you lose your license or ID, a TSA agent will take you aside and ask questions such as, “What was your first email address?” or “What was the color of your first car?” If you pass questioning and a search, you will be allowed on the plane. NOTE: In *Gilmore vs Gonzalez*, the plaintiff challenged the requirement of an ID to fly. The court ruled he could have submitted to a search.



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CCHF exists to protect patient and doctor freedom.

HOW DO I SWITCH TO A STANDARD STATE DRIVER'S LICENSE OR ID?

1. **CHECK FOR A STAR:** The REAL ID is often called the “star card.” *This may vary by state.*
2. **CHECK FOR A STATEMENT:** If your DL or ID does not have a star, it is a standard DL or ID. It will likely also include a statement such as “Not for Federal Identification Purposes.”
3. **FIVE STATES:** The following five states do not allow you to have a standard state DL or ID: Florida, Georgia, Mississippi, Texas, and Wyoming. Your only option is the National ID.
4. **45 STATES:** If you're in a state that allows you to have a standard state ID/DL, don't wait for your renewal date. Make the switch ASAP. Increase the number of non-compliant DLs/IDs.
5. **WEBSITE:** Check the state DMV website for any useful information or instructions.
6. **REQUEST:** Go to the DMV (in person or online) and request a standard driver's license.
7. **BE READY:** Prepare to give a reason if asked, such as “I don't want a Real ID.”
8. **VERIFY:** Confirm and verify that the DMV is giving you a standard driver's license. For, example, there should be a statement (see #2) and there should be no star on the card.
9. **CONTACT INFO:** Ask for a phone number to call if you receive a REAL ID instead.
10. **PAY:** Pay the fee, which is typically less than you paid for the REAL ID.
11. **YOUR STORY:** Share your story, your state, and if comfortable, your contact information with CCHF. Staff may want to contact you about your story.

WHAT IF MY REQUEST TO SWITCH IS DENIED?

1. **ASK WHY:** If you are in the 45 states and told that you do not have a choice, ask why.
2. **RECORD THE ANSWER:** Record the answer you are given, and the name of the clerk.
3. **GET THE POLICY:** Request a copy of the policy the clerk is using to deny the request.
4. **GO HIGHER:** If the clerk refuses to comply with your request (whether switching you or giving you proper documentation for the denial), ask for the manager.
5. **GET THE POLICY:** Ask the manager for a copy of the policy the DMV is using to deny the switch.
6. **GO HIGHER:** If the manager refuses, ask for the manager's supervisor.
7. **GET THE POLICY:** Again, request a copy of the policy the supervisor is using for the denial.
8. **DOCUMENT EVERYTHING:** Refusals, comments, names, etc. (you could voice record)
9. **CHECK THE POLICY:** If you receive a policy that excludes the number of the statute (law) or state regulation (rule), ask for a copy of the state law and rule that supports the denial.
10. **IMPORTANT:** Take note if they say that your state law (and or regulations) allow reverting back to a state ID, but they are not allowing it or no longer doing it.
11. **FILE A COMPLAINT:** If unsuccessful, file a report with the state Department of Transportation, and send a copy to state legislators, members of Congress, and CCHF.
12. **SHARE STORY:** Please share your story (success or denial) with CCHF. Your story can be used to raise awareness, bring clarity, or advance legislation to correct the situation.
13. **NOTE:** CCHF will never share any identifying information without your consent.

Thank you for taking action today to stop the NATIONAL ID system and to protect the freedom, privacy, and constitutional rights of all Americans!

