

OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
P.O. BOX 932328
SACRAMENTO, CA 94232-3280



February 22, 2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Nielsen:

On behalf of Governor Edmund G. Brown Jr., this letter serves as California's request for a REAL ID Act full compliance determination.

As indicated in the Department of Homeland Security's October 16, 2017, letter, California was granted an extension until October 10, 2018, to come into compliance with the REAL ID Act. Effective January 22, 2018, the California Department of Motor Vehicles (CDMV) began offering optional REAL ID compliant driver licenses and identification (DL/ID) cards. Please find the attached "California's Progress Towards Complying with the REAL ID Act" (Attachment A) document, the "Compliance Package" (Attachment B) document, and the Certification Letter.

On the behalf of the state of California and its 28 million DL/ID cardholders, I thank you for your consideration of California's request for a REAL ID Act full compliance determination and look forward to your response. For additional information or questions regarding CDMV's efforts, please contact Wesley Goo, Deputy Director of the Licensing Operations Division, at (916) 657-6721.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Shiimoto', with a large, stylized flourish at the end.

JEAN SHIOMOTO
Director

Attachments:

- (1) California's Progress Towards Complying with the REAL ID Act
- (2) Compliance Package Document
- (3) Certification Letter – Compliance Package

cc: Mark Ghilarducci, Director, California Governor's Office of Emergency Services
Michael Cohen, Director, California Department of Finance

Attachment A - California's Progress Towards Complying with the REAL ID Act

| <u>REAL ID ACT SECTION</u> | <u>REQUIREMENT</u> | <u>COMMENT</u> |
|------------------------------------|---|---|
| §37.11(c) | Requires individuals to present at least one of the source documents listed in subsections (i) through (x) when establishing identity. | On December 22, 2017, the California Office of Administrative Law, approved CADMV's regulations that require any applicant for a REAL ID compliant DL or ID card to submit appropriate documents. |
| §37.11(d) | Requires documentation of date of birth. | |
| §37.11(e) | Requires documentation of Social Security Number. | |
| §37.11(f) and (g) | Requires documentation of address of principal residence and lawful status. | |
| §37.11(h) | Has a documented exceptions process that meets the requirements established in 37.11(h)(1)-(3) (If States choose to have such a process). | On December 22, 2017, the California Office of Administrative Law, approved CADMV's regulations that allows for the exceptions process. |
| §37.13(b)(4) | Verifies U.S. Passports. | On January 22, 2018, CADMV began implementation of U.S. Pass for REAL ID DL/ID card applicants who present their U.S. Passport for proof of identity. |
| §37.13(b)(5) | Verifies REAL ID driver licenses and identification cards with the State of issuance. | CADMV will use systems for electronic validation of document and identity data. |
| §37.17(n) | Commits to marking fully compliant driver licenses and identification cards with a DHS-approved security marking. | Effective January 22, 2018, CADMV marks REAL ID compliant and non-compliant DL and ID cards. |
| §37.51 | Commits to be in full compliance with Subparts A through D of the REAL ID regulations. | CADMV is committed to full compliance with the requirements of REAL ID. |
| §37.55 | Submits Final Certification package. | See Attachment B |

Attachment B – Compliance Package

Pursuant to the REAL ID Act regulations, section 37.55, states must provide DHS with the following documents as part of their compliance package.

| <u>REAL ID ACT SECTION</u> | <u>REQUIREMENTS</u> | <u>COMMENT</u> |
|------------------------------------|---------------------------------|---|
| 37.55(a)(1) | Signed compliance Certification | Enclosed. |
| 37.55(a)(2) | Signed Attorney General Letter | Not enclosed based on DHS guidance that submission is no longer required. |
| 37.55(a)(3) | Exceptions Process | On December 22, 2017, the California Office of Administrative Law, approved CADMV's regulations that documents the exceptions process. |
| 37.55(a)(4) | Security Plan | On January 23, 2018, the security plan was transmitted electronically to Steve Yonkers, Director, Identity and Credentialing Screening Coordination Office/TPSP/PLCY, and Steve Kozar, Senior Policy Advisor, U.S. Department of Homeland Security. |

REAL ID Act
Section 37.55(a)(1)

Certification by the highest level Executive Official in the State overseeing the DMV

I,  _____,
JEAN SHIOMOTO

Director of the California Department of Motor Vehicles, do hereby certify that the State of California has implemented a program for issuing driver's licenses and identification cards in compliance with the requirements of the REAL ID Act of 2005, as further defined in 6 CFR part 37, and intends to remain in compliance with these regulations.

Dated: February 22, 2018