MEMORANDUM FOR DISTRIBUTION

FROM: JIMMY E. MCMILLAN
DIRECTOR
SAFEGUARDS, SECURITY AND EMERGENCY PREPAREDNESS

SUBJECT: Environmental Management Policy on Implementation of REAL ID

On May 11, 2005, Congress passed the REAL ID Act, which established Federal standards for the issuance of driver’s licenses and state-issued identification (ID) cards, among other requirements. These standards must be met for driver’s licenses and state identification cards to be accepted by the federal government for official purposes, including access to some Federal facilities. On December 20, 2013, the Department of Homeland Security (DHS) announced a four-phased approach to accepting REAL ID compliant identification. As of April 21, 2014, "restricted Federal facilities" (i.e., Federal facilities only accessible to Federal employees, contractors, and approved visitors) were to begin notifying visitors presenting non-REAL ID compliant driver’s licenses that they could still accept the identification, but only temporarily.

Effective Monday, July 21, 2014, non-REAL ID compliant driver’s licenses and state identification cards are no longer to be accepted for physical access to Department of Energy (DOE) facilities in accordance with the REAL ID Act. As a result, DHS has directed that agencies establish alternate procedures for handling these circumstances. The Office of Environmental Management (EM) is issuing this policy memorandum for processing individuals who may present identification from non-REAL ID compliant states until further notice.

Beginning July 21, 2014, any individual requesting site access that presents a driver’s license or state identification card from a non-REAL ID compliant state (map attached) will be required to provide a second form of identification that is not subject to the REAL ID requirements. This second form of identification could be a passport, military ID, school ID, or one of several other forms of identification documents. A list of acceptable forms of identification extracted from the Federal Information Processing Standards (FIPS) Publication 201-2, Personal Identity Verification (PIV) of Federal Employees and Contractors, is also attached. It is required that both forms of identification match, just as currently required if the individual is being processed for a Homeland Security Presidential Directive (HSPD)-12 credential. Hosts or sponsors should notify their visitors in advance of their arrival that a second form of identification will be necessary if their driver’s license or other identification card has been issued by a non-compliant state. Failure to produce a secondary form of identification will result in the visitor being denied access to the site.
Please review your current visitor access control policies and ensure they are modified to include the requirements of this memorandum. The DHS is also requesting that agencies track and report the number of individuals denied access to a facility from each of the non-compliant jurisdictions. An Excel® spreadsheet is attached for this purpose and we have electronic version if desired.

It is important to note that this policy and the REAL ID Act have no effect on HSPD-12 processing. Driver’s licenses or state identification cards from non-compliant states are still acceptable as one of the forms of identification for enrollment for an HSPD-12 credential.

Please provide the contact tracking spreadsheet via e-mail on a monthly basis, beginning August 2014, to Kayla Lozano of my staff at k:\la.lozano@cmnce.doe.gov. The spreadsheet should be submitted within 10 days following the end of each month.

If you have any questions or desire any additional information concerning this matter, please contact me, at (301) 903-5498, or Ms. Lozano at (303) 236-3657.

Attachments
ACCEPTABLE FORMS OF IDENTIFICATION (EXTRACTED FROM FIPS 201-2)

During identity proofing, the applicant shall be required to provide two forms of identity source documents in original form. The identity source documents shall be bound to that applicant and shall be neither expired nor cancelled. If the two identity source documents bear different names, evidence of a formal name change shall be provided. The primary identity source document shall be one of the following forms of identification:

- a U.S. Passport or a U.S. Passport Card;
- a Permanent Resident Card or an Alien Registration Receipt Card (Form I-551);
- a foreign passport;
- an Employment Authorization Document that contains a photograph (Form I-766);
- a Driver’s license or an ID card issued by a state or possession of the United States provided it contains a photograph;
- a U.S. Military ID card;
- a U.S. Military dependent’s ID card; or
- a PIV Card.

The secondary identity source document may be from the list above, but cannot be of the same type as the primary identity source document. The secondary identity source document may also be one of the following:

- a U.S. Social Security Card issued by the Social Security Administration;
- an original or certified copy of a birth certificate issued by a state, county, municipal authority, possession, or custody possession of the United States bearing an official seal;
- an ID card issued by a federal, state, or local government agency or entity, provided it contains a photograph;
- a voter’s registration card;
- a U.S. Coast Guard Merchant Mariner Card;
- a Certificate of U.S. Citizenship (Form N-560 or N-561);
- a Certificate of Naturalization (Form N-550 or N-570);
- a U.S. Citizen ID Card (Form I-197);
- an Identification Card for Use of Resident Citizen in the United States (Form I-179);
- a Certification of Birth Abroad or Certification of Report of Birth issued by the Department of State (Form FS-545 or Form DS-1350);
- a Temporary Resident Card (Form I-688);
- an Employment Authorization Card (Form I-688A);
- a Reentry Permit (Form I-327);
- a Refugee Travel Document (Form I-571);
- an Employment authorization document issued by Department of Homeland Security (DHS);
- an Employment Authorization Document issued by DHS with photograph (Form I-688B);
- a driver’s license issued by a Canadian government entity; or
- a Native American tribal document.

* Departments and agencies may choose to accept only a subset of the identity source documents listed in this section. For example, in cases where identity proofing for PIV Card issuance is performed prior to verification of employment authorization, departments and agencies may choose to require the applicant to provide identity source documents that satisfy the requirements of Form I-9, Employment Eligibility Verification, in addition to the requirements specified in this section. It is recommended that departments and agencies perform electronic verification of identity source documents, where possible.

* For example, if the primary source document is a foreign passport (e.g., Italy), the secondary source document should not be another foreign passport (e.g., France).
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POC: __________
POC Email: __________

Date Submitted: 
Submitted by: __________
REAL ID

Does it affect me?

Driver's licenses and identification issued by states & territories subject to enforcement cannot be used to enter restricted Federal facilities and nuclear plants after July 21, 2014.

In order to enter a federal facility after July 21, you will need to present another form of acceptable ID.

The list of jurisdictions subject to enforcement changes over time. For the most recent list, please visit http://www.dhs.gov/secure-drivers-licenses#1.

Homeland Security

Department of Homeland Security Office of Policy
www.dhs.gov/secure-drivers-licenses