



The MIT Media Lab and the MIT E-Commerce Architecture Program, in Partnership with:



The E-Commerce Coordinating Council (ec3.org), are pleased to present the:

MIT Public Forum on the REAL ID Act of 2005 and Proposed Regulations

Participation is Free, But [Registration](#) Is Required.

Convened by MIT ECAP, in Association with the Smart Cities Group of the MIT Media Lab and in partnership with the E-Commerce Coordinating Council (www.ec3.org). Join us for this interactive, in-person [Public Forum](#) at the MIT Media Lab to discuss the Real ID Act of 2005 and the recently published draft regulations by the Department of Homeland Security, intended to implement that Act. We will use this meeting to explore the public policy, privacy, economic, technical and political implications of the statute and proposed regulations, including a look at pending bills in Congress to repeal the Act and efforts by advocacy groups, state governments and other stake-holders to variously resist, reform, implement or promote this initiative. This event will also serve as an in-person meeting of the EC3 Real ID Workgroup and is open to the general public.

The [final invitation](#) to the event and [draft agenda](#) for the meeting are now online.

Purpose: The concept of a national identity system comprised of standard state issued federally regulated cards would have been politically and socially impossible before the attacks of 9/11. However, as a measure to combat terrorism, the Act was passed with no debate in the Senate, with many key public policy questions and concerns remaining under-explored or completely unanswered. To what extent, if at all, can the Real ID Act actually realize the promise of curtailing identity fraud, increasing personalization and transactional efficiency and enhancing law enforcement and intelligence ability to keep us safe? If so, will the impacts on privacy, civil liberties, centralization and federalization of state government licensing processes, operations disruptions at DMV and other citizen-facing friction points and the direct monetary costs to individuals and government at all levels, be worth the benefits – if any – that can reasonably be expected? If the current statute and proposed regulations fall short of a workable public policy balance, are there alternative approaches that could actually enhance privacy and security simultaneously? Using the good offices of MIT as the convener for such we intend to compile a record of the contributions from the day to help inform the larger national dialog and will also make that record available to the appropriate Congressional Committees as they consider the need for repeal or reform of the Real ID Statute as well as to the Department of Homeland Security as it considers comments on their draft rules under the existing statute. We also intend to pass the information back to key state government policy setting organizations such as the National Governor's Association, the National Association of State Legislatures and the American Association of Motor Vehicle Administrators. The proceedings will also be available on the MIT website: <http://ecitizen.mit.edu> for general public education.

For more information, please contact [Daniel "Daz" Greenwood](#), Lecturer MIT or [Dan Combs](#), EC3 Real ID Workgroup Chair.

Background Information on Prior MIT Real ID Public Forum Below

For Purposes of Providing Background Information, We have included below the information on our prior meetings at MIT. We have also held a meeting in Washington, DC, co-hosted by the Information Technology Association of America in the interim.

The MIT Media Lab and the MIT E-Commerce Architecture Program will be holding two public forums during the fall of 2005 on the [REAL ID Act of 2005](#). The first will be an online, interactive forum and the second will be an in-person meeting. Please be advised that the in person public forum scheduled for November 17, 2005 to address the REAL ID Act of 2005 has been postponed and will now take place on December 5th, 2005. The meeting will be held at the Media Lab on the campus of MIT in Cambridge, Mass.

Video Now Posted for MIT Real ID Public Forum:

- o [Session One](#)
- o [Session Two](#)
- o [Session Three](#)

New US Federal Government Participation in the MIT Real ID Forum

The MIT Media Lab is pleased to announce that Jonathan Frenkel, Director of Transportation and Border Security, Department of Homeland Security, will be joining the MIT Real ID Public Forum on December 5th as a speaker. Jonathan leads the staff effort for DHS, as that department works toward drafting regulations implementing the Real ID Act. His presentation and participation in the question and answer period will provide a useful federal government perspective on the Act.

The MIT Media Lab is also pleased to announce that Jeanette Thornton, of the Information Policy and Technology Branch, Office of Management of the Executive Office of the President will be joining the MIT Real ID Forum on December 5th as a speaker. Jeanette will provide a perspective on the current electronic authentication initiatives of the US Federal Government, including the EAuthentication Federation and the RFID enabled, HSPD12, FIPS 201, PIV compliant identity cards that all federal employees and contractors will soon carry. Understanding the current and future trends with physical identity cards and digital authentication to electronic systems will be an invaluable context as we discuss the implications of the Real ID Act.

EVENT ONE: Online Interactive Public Discussion

Location:<http://civics.typepad.com/realid/>Convened by: <http://ecitizen.mit.edu>**Dates:** Monday, September 19, 2005 through Sunday, December 4, 2005

Join us for an online forum to start a conversation about the REAL ID Act of 2005. This online forum will be an ongoing, asynchronous event lasting from Monday, September 19, 2005 through Sunday, December 4, 2005. This online discussion will include presentations by leaders in the field, policy experts and governmental officials who will give deeper background on the status and issues related to REAL ID. There will also be an opportunity for all registrants to participate in a dialog with the speakers and each other. Please register at that web site between now and September 19th in order to participate in this web-based discussion.

Finally, there will be a physical meeting at MIT to discuss the REAL ID Act of 2005 on Monday, December 5, 2005. The upcoming online forum will provide an excellent opportunity to design this event so as to provide the maximum benefit for the people who will be attending this gathering.

The initial discussion tracks will be as follows:

*** Facilitated Discussion Track: The Interest in Homeland Security**

This track is facilitated by Colleen Gilbert, Executive Director of the Coalition for a Secure Driver License. This discussion track of the MIT Real ID online forum is focused on the assertion that a secure driver license is needed for reasons of national security, especially as an anti-terrorism measure. In addition, the scope of this track includes assertions that the Real ID Act can help combat common frauds and crimes such as identity theft, by creating a more reliable state issued identity system that is easily linked at the national level.

Facilitated Discussion Track: The Interest in Privacy and Civil Liberties

This track is facilitated by Lee Tien, Senior Staff Attorney for the Electronic Frontier Foundation. This discussion track of the MIT Real ID online forum is focused on the assertion that the Real ID Act of 2005 represents a National ID Card that will result in violation of the privacy rights and other civil liberties of Americans and others who are lawfully in the jurisdiction of the U.S. In addition, other constitutional issues related to this exercise of federal authority in an arena traditionally controlled by the states is in the scope of this discussion.

Facilitated Discussion Track: Practical State Governmental and DMV Issues

This track is facilitated by David Lewis, Former CIO, Massachusetts and Chairman of American Association of Motor Vehicle Administrators Committee that implemented the National Commercial Driver License. This discussion track of the MIT Real ID online forum is focused on the assertion that the Real ID Act of 2005 has important, and perhaps unforeseen, implications at the practical level for state governments who are required to comply with the provisions of this statute. How would the cards and underlying data systems and business practices be implemented in a way that is effective, efficient, compliant with federal deadlines and other requirements and within the available budget and other resource constraints of the states? Within the scope of this discussion are other potential models to look at as examples, such as the existing national system for commercial driver licenses, implemented at the state level. How the physical and online systems will be architected and built, whether or how they will interoperate, the access rights and other safeguards and protections that will be present or absent will all be factors in the over all discussion of the ramifications of this new federal statute.

Facilitated Discussion Track: Convergence of Physical and Digital Identity Related to Real ID

This track is facilitated by Dan Combs, President of Global Identity Solution. This discussion track of the MIT Real ID online forum is focused on the assertion that the Real ID Act of 2005, once widely implemented, will be an important foundation for the convergence of physical identity and digital identity systems. This assertion is based on the fact that the Real ID statute requires that each compliant driver license be encoded with a particular data model of information and that the information be "machine readable". As discussed elsewhere on this online discussion, the machine readable aspect of the new nationally standard driver license will create a strong market to use these cards as part of signing on to all manner of web sites, e-commerce and e-government applications. Given that the Real ID card will have linked information that will serve as a physical token of identity (like current driver licenses and other physical identity cards like an employee badge or a passport) as well as a source of digital identity for the Internet and other software systems and applications, it can represent a widely used "killer app" for converging digital and physical identity for access controls, authorization and many other purposes.

Facilitated Discussion Track: Balancing Interests Going Forward

This track is facilitated by Professor Michael Froomkin, of the University of Miami School of Law. This discussion track of the MIT Real ID online forum is focused on ideas, proposals and dialog around how to best balance the competing and apparently conflicting interests triggered by the Real ID Act of 2005. Professor Froomkin will use as a starting point, his recent article entitled "The Uneasy Case for a National ID". Within the scope of this discussion are practical, business, technical, legal and policy aspects of the Real ID Act that will need to be harmonized acceptably once the provisions of this new law go into effect. It is expected that this track will begin mid-week.

Again, please check back by 3pm, Eastern Time, September 19, 2005 for the URL to the live online discussion.

EVENT TWO: In Person Public Meeting

Location:

MIT Media Lab

Bartos Theater

[Direction and Venue Information](#)**Date, Time and Final Agenda**

December 5, 2005

*** 8:30 AM: Registration and Coffee**

*** 9:00 AM Welcome, Introductions and Overview**

- **Daniel J. Greenwood**, MIT. Opening remarks. Dan has been a lecturer at MIT since 1997, and has served as technology counsel and expert to governments and fortune 500 firms. He focuses on identity policy, privacy, e-commerce and information security.

*** 9:15 AM Panel One: Federal Government Context, followed by Audience Participation**

- **Jonathan Frenkel**, Director of Transportation and Border Security, Department of Homeland Security. Jonathan leads the staff effort for DHS drafting of regulations implementing the Real ID Act.
- **Jeanette Thornton**, Information Policy and Technology Branch, Office of Management and Budget of the Executive Office of the President. Jeanette focuses on eAuthentication in the federal government.

*** 10:30 AM Coffee Break**

*** 10:45 AM Panel Two: Civil Liberties and Due Process Issues, followed by Audience Participation**

- **Timothy Sparapani**, Legislative Counsel, ACLU, Washington Legislative Office. Tim has been a national leader raising civil liberties and privacy concerns related to the Real

ID Act.

- **Michael Froomkin**, Professor of Law at the University of Miami School of Law. Professor Froomkin is a recognized international expert on legal and policy issues presented by identification technologies.

* 12:00 PM Lunch Break

* 1:00 PM Panel Three: Practical Implications, followed by Audience Participation

- **Dan Combs**, President of Global Identity Solution, member of the board of the E-Commerce Coordinating Council and Chair of the Federated Identity Workgroup. Formerly the Director of Digital Government for the State of Iowa.
- **Brendan M. Peter**, Senior Director, Government Affairs, Daon and member of negotiated rulemaking committee to set standards for state-issued driver's licenses and identification cards (superceded by Real ID Act). Chair of Information Technology Association of America's Identity Management Subcommittee.
- **David Lewis**, Former CIO, Massachusetts and Chairman of American Association of Motor Vehicle Administrators Committee that implemented the National Commercial Driver License
- **Barry Goleman**, Consultant with over 32 years experience in state and federal government, the American Association of Motor Vehicle Administrators, and the private sector

* 2:30 PM Facilitated Discussion: Balancing Interests and Next Steps

- **Daniel J. Greenwood**, MIT, Session Moderator. Panelists and Audience Participants Open Dialog

* 3:00 PM Conclusion

Background

This recent federal statute has wide ranging implications for the creation of a national digital identity system, covering both physical identity cards and digital machine readable identity verification for electronic systems. The law uses state issues driver licenses as the mechanism for this new identity system.

We [invite](#) the public to participate. The goal of this public discussion is to understand how the design of technology systems, specifically digital identity verification systems, affects important public interests such as security and privacy. We are committed to fostering a lively and informative public discussion on the REAL ID Act and we believe a public dialog on the issues and prospects associated with this new law will make an important contribution towards this outcome.

Vision for the Public Forum

In a modern society there are unavoidable tensions between public safety and security on the one hand and individual autonomy and personal privacy on the other hand. The terrorist attacks of 9/11 and the US Government's response to these attacks have brought these tensions into sharp relief. While the provisions of the USA Patriot Act have received extensive attention and public discussion, the REAL ID Act of 2005 passed into law with virtually no public awareness or debate. The goal of the MIT Public Forums on the REAL ID Act of 2005 is to promote greater awareness of the provisions of this law and to provoke thoughtful debate on the proper balance that should be struck with regard to government identity verification schemes. The following are among the many questions that should be asked about the direction the nation is taking with respect to identity systems:

- Does the REAL ID Act effectively create a national identity card?
- What data sources should be linked to a person's license? What data sources should not be linked to a person's license?
- In addition to the uses specified in the REAL ID Act (entering Federal facilities, boarding commercial aircraft, entering nuclear power plants), what other purposes are appropriate for the new licenses? Voting? Access to entitlement programs? Are there any governmental uses of these licenses that should be explicitly forbidden?
- What are the implications of private businesses requiring licenses in connection with commercial transactions? Since all the data on licenses must be accessible via a "common machine readable technology," what are the implications of private businesses capturing, using, linking, and/or selling this data?
- What are the implications if the Department of Homeland Security requires licenses to incorporate RFID tags?
- What safeguards and protections, if any, are appropriate to balance the risks posed by these new licenses?
- Will the implementation of these new licenses make us safer from terrorist attacks? Will these licenses help prevent other undesirable activities, such as identity theft?
- Is there a need to construct new fair information practice principles for digital identity systems?

The foregoing are merely illustrative of the major themes and issues that will be addressed at the public forums. The public forum will also draw on current research at the MIT Media Lab's Smart Cities Group, t

For More Information:

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