



NEW YORK STATE SENATOR  
Thomas D. Croci

## Senator Croci's Statement to Governor Cuomo Regarding NYS DMV

THOMAS D. CROCI August 20, 2015

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### PRESS RELEASE

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### **NYS SENATOR TOM CROCI'S STATEMENT ON GOVERNOR CUOMO'S LACK OF LEADERSHIP FOR NYS DMV COMPLIANCE WITH FEDERAL REAL ID ACT**

*Senator Croci Calls for the Protection of New Yorkers through State Compliance of the Federal REAL ID Act as Governor Cuomo lauds the "new" NYS Driver's License Design*

New York State Senator Thomas D. Croci (R-C-I, Sayville), Chairman of the Senate's Homeland Security, Veterans, and Military Affairs Committee, called on New York State Governor Andrew Cuomo to address the non-compliance of the New York State Department of Motor Vehicles to the federal REAL ID Act.

"Today, Governor Cuomo announced an initiative to educate bar owners about 'revamped' New York State ID Cards. What the Governor failed to include in his press release, which oddly touts changes to the ID cards which have been distributed by DMV for nearly two years now, is that New York State ID cards continue to be non-compliant with the federal REAL ID Act.

According to the U.S. Department of Homeland Security, REAL ID, which was passed by Congress and signed into law in 2005, is a coordinated effort by the states and Federal Government intended to improve the reliability and accuracy of state-issued identification documents, which serve to inhibit a terrorists' ability to evade detection by using fraudulent identification. The standards established by this Act resulted from a Congressional study investigating the various factors that led to the horrific tragedy that occurred on September 11, 2001. Above developing tamper proof technologies within the identification card itself, states were asked to initiate a process whereby the documentation submitted by an individual applying for a state issued drivers license could be verified as authentic. This requirement was meant to ensure that terrorists, and those individuals who are otherwise in our country illegally, were not issued identification cards based on the proffering of forged or otherwise fake documentation. For the last ten years, our DMV has made absolutely no effort to comply with the authentication requirements, thereby allowing those who are in our country illegally the ability to fraudulently obtain state issued identification cards. It is an outrage that forty-six states have complied, learning lessons from the attacks on September 11<sup>th</sup>, while New York, the number one terrorist target in the world, has simply failed to act.

The decision by the Governor to educate bar owners without first addressing the critical vulnerability of our license and ID system is deeply flawed and makes New Yorkers less safe every day.

Above and beyond the homeland security threat that this non-compliance creates, this lawlessness has real-life effects on every day New Yorkers and may soon impact our ability to travel. According to the U.S. Department of Homeland Security, beginning no sooner than January 1, 2016, any individual wishing to board an aircraft must present identification which complies with the provisions of the REAL ID Act. In typical New York fashion, our state DMV has taken this as an opportunity to collect more money from law abiding New York State residents. Our DMV is unique in that we are the only state still offering non-compliant IDs to the general population, but will only offer Enhanced Drivers Licenses (which comply with the REAL ID Act), for an additional fee, to those who are privileged enough to be able to absorb the additional cost.

In the most recent legislative session, I introduced Senate Bill 5842, which directs the department of motor vehicles to re-issue drivers licenses which are compliant with the federal REAL ID act, to all *eligible* New Yorkers, at no additional cost. Further, this bill would

require DMV to file an annual report with the legislature regarding any and all other federal laws or regulations which the department has failed to comply with. Instead of touting changes that are several years old, which fall very short of complying with federal homeland security laws, our Governor should be focused on protecting New Yorkers from the next terrorist attack and ensuring that law abiding New Yorkers aren't penalized by the failure of our DMV," stated Senator Croci.

NYS Senator Tom Croci is the Chairman of the NYS Senate Committee on Homeland Security, Veterans and Military Affairs; was a former member of Bush Administration Homeland Security Council Staff; and served as Senior Duty Officer in the White House Situation Room. Senator Croci is currently a Naval Intelligence Commander in the Navy Reserves.

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