

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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September 7, 2017

The Honorable Elaine C. Duke
Acting Secretary
United States Department of Homeland Security
245 Murray Lane, SW
Mailstop 0460
Washington, D.C. 20528

Dear Secretary Duke:

On behalf of the State of Washington, I am requesting that the Department of Homeland Security (DHS) grant Washington State another one-year extension, to October, 2018, to meet all of the requirements of the REAL ID Act. Your office previously granted Washington State an extension, which is due to expire on October 10, 2017.

The enclosed compliance certification checklist reflects Washington State's current status, as well as anticipated dates for outstanding requirements. In addition, we have enclosed a timeline with key milestones associated with our system modernization efforts (referred to as DRIVES) that will have us in full compliance by October 2018.

Washington State passed legislation during its 2017 Legislative Session to bring us into statutory compliance with the REAL ID Act. This legislation provides the Washington State Department of Licensing (DOL) the authority to mark documents as invalid for federal purposes and repeals state law prohibiting state agencies from implementing REAL ID Act requirements. The DOL completed the implementation of a new centralized issuance system for our driver licenses and identification cards in June 2017. In addition, DOL is on track to modernize the state's driver licensing computer system, with an expected completion of September 2018. Meeting the remaining requirements before that time would bring notable additional costs to the state.

Since our most recent correspondence in May, the state has made significant progress toward full REAL ID Act compliance. First, DOL is currently working with your office to update the business plan for Washington State's enhanced driver license (EDL) and enhanced identification card (EID) programs. This plan is expected to be finalized by the end of 2017, and will reflect the REAL ID Act requirements and how Washington is meeting or will meet these requirements in the near future.



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Secondly, DOL has engaged in conversations regarding strategic implementation of four verification systems. We are pleased to report that we are diligently working on configurations for State to State, the United States Passport Verification System, and the Systematic Alien Verification for Entitlements system. All three systems will be fully configured and implemented with DOL's September 2018, rollout of the modernized driver license system. The DOL continues discussions of configuration and implementation of the Electronic Verification of Vital Events system and looks forward to working with your office and other states as they also pursue REAL ID compliance. In the meantime, Washington will continue verifying these documents as outlined in the EDL/EID business plan.

Third, DOL is currently undergoing rulemaking regarding the distinguished marking to be placed on non-compliant documents. We expect this to be completed by July 1, 2018.

In addition, DOL is finalizing a communication strategy to educate Washington citizens on travel ID options, to include underserved communities. The campaign will incorporate outreach methods proven to reach the varying demographics represented statewide effectively. Due to the broad nature of this effort, it will be in place and active through and beyond 2018.

Washington's commitment to full compliance merits a continued extension to provide sufficient time to implement the outreach efforts and IT system work detailed above. Any extension granted should allow all Washington driver licenses and identification cards to serve as stand-alone proof of identification for boarding aircraft and gaining access to federal facilities through the extension period. Such an extension will allow sufficient time for the state to implement outstanding requirements and for residents to obtain compliant documents, allowing them to continue their travels without disruption.

We have appreciated working with you and your staff on this complex issue. If you have any questions or require additional information, please contact me directly, or DOL Director, Pat Kohler, at (360) 902-3603 or pkohler@dol.wa.gov.

Very truly yours,



Jay Inslee
Governor

Enclosures (2)

cc: Pat Kohler, Director, Washington State Department of Licensing
Major General Bret D. Daugherty, The Adjutant General, Washington State Military Department
Sam Ricketts, Director, Federal & Inter-State Affairs, Governor Inslee's DC Office

Full Compliance Certification Checklist Washington State – Updated 8/29/2017

#	Section	Does The State:	Is met	Will meet by date	Comments
1	§ 37.11(a)	Subject each applicant to a mandatory facial image capture and retain such image even if a driver license (DL) or identification card (ID) is not issued	X		Current practice; it is current policy to subject each applicant to a mandatory image capture and we will increase record retention period.
2	§ 37.11(b)	Have each applicant sign a declaration under penalty of perjury that the information presented is true and correct, and retain this declaration pursuant to § 37.31.	X		Current practice.
3	§ 37.11(c) (1)	Require an individual to present at least one of the source documents listed in subsections (i) through (x) when establishing identity	X		State law largely matches CFR 37.11; a policy needs to be updated to accept only current unexpired U.S. Passports. (December 1, 2017)
4	§ 37.11(d)-(g)	Require documentation of: <ul style="list-style-type: none"> • Date of birth • Social Security Number • Address of principal residence • Evidence of lawful status 	X		Policies/practice will be aligned to match CFR. (December 1, 2017)
5	§ 37.11(h)	Have a documented exceptions process that meets the requirements established in 37.11(h)(1)-(3) (if States choose to have such a process)	X		Current practice; WA uses documented exception processes and will standardize with rollout of new system.
6	§ 37.13(a)	Make reasonable efforts to ensure that the applicant does not have more than one DL or ID already issued by that State under a different identity	X		Current practice.
7	§ 37.13(b)(1)	Verify lawful status through SAVE or another method approved by DHS		September 2018.	Meets with EDL/EID only. SAVE will be implemented for EDL/EID only.
8	§ 37.13(b)(2)	Verify Social Security account numbers with the Social Security Administration or another method approved by DHS	X		DOL currently utilizes SSOLV but will align policy with CFR by December 1, 2017.

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#	Section	Does The State:	Is met	Will meet by date	Comments
9	§ 37.15(b)	Issue DL and IDs that contain Level 1, 2 and 3 integrated security features	X		Current practice.
10	§ 37.17(a)-(l)	Surface (front and back) of cards include the following printed information in Latin alpha-numeric characters: <ul style="list-style-type: none"> • Full legal name • Date of birth • Gender • Unique DL/ID number • Full facial digital photograph • Address of principal residence [with exceptions] • Signature [with exceptions] • Date of transaction • Expiration date • State or territory of issuance 	X		Current practice.
11	§ 37.17 (n)	Commit to mark DL and IDs with a DHS-approved security marking reflecting card's level of compliance	X		Enhanced driver licenses and ID cards have DHS-approved security features including distinctly-colored headers. Non enhanced documents will be marked as such as of July 1, 2018
12	§ 37.21	Issue temporary or limited-term licenses to all individuals with temporary lawful status and tie license validity to the end of lawful status	X		WA does not issue limited term documents. In Fall 2017, it may issue Non-domiciled CDL's which will meet federal requirements.
13	§ 37.41	Have a documented security plan for DMV operations in accordance with the requirements set forth in § 37.41	X		Current practice.
14	§ 37.41(b)(2)	Have protections in place to ensure the security of personally identifiable information	X		Current practice.

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#	Section	Does The State:	Is met	Will meet by date	Comments
15	§ 37.41(b)(5)(i)-(ii)	Require all employees handling source documents or issuing DLs or IDs to attend and complete the AAMVA approved (or equivalent) fraudulent document recognition training and security awareness training	X		Current practice.
16	§ 37.45	Conduct name-based and fingerprint-based criminal history and employment eligibility checks on all employees in covered positions or an alternative procedure approved by DHS	X		Current practice.
17	§ 37.51 (b)(1)	Commit to be in compliance with Subparts A through D of 6 CFR 37.1-37.45		July 1, 2018	Non-compliant cards to be marked starting July 1, 2018. All other requirements will be programmed in new technology system by September 2018.
18	§ 37.71 (b)(1)	Clearly state on the face of non-compliant DLs or IDs that the card is not acceptable for official purposes, except for licenses renewed or reissued under § 37.27		July 1, 2018	Authority to mark non-compliant cards granted with passage of ESB 5008 in 2017.
19	§ 37.05(a)	Issue REAL ID DL/ID cards valid for a period not to exceed eight years	X		Current practice.
20	§ 37.11(i)	Take sufficient steps in issuing REAL ID DL/ID cards to safeguard the identities of persons identified in section 37.11(i)	X		Current practice.
21	§ 37.13(b)(3)	Verify birth certificates		TBD	WA visually inspects documents for authenticity. Conversations on implementing EVVE currently in progress.
22	§ 37.13(b)	Verify a U.S. passport, Consular Report of Birth Abroad, and U.S. Visa with accompanying valid I-94		September 2018	WA visually inspects documents for authenticity. USPVS will be implemented by September 2018.
23	§ 37.13(b)(5)	Verify REAL ID driver's licenses and identification cards with the State of issuance		September 2018	WA visually inspects documents for authenticity. State to State will be implemented by September 2018.

Full Compliance Certification Checklist Washington State – Updated 8/29/2017

#	Section	Does The State:	Is met	Will meet by date	Comments
24	§ 37.15(a)(1)	Include document security features on REAL ID DL/ID cards that are not capable of being reproduced using technologies that are commonly used and made available to the general public.	X		Current practice.
25	§ 37.15(d)	Conduct a review and submit a report to DHS on card design and the ability of the card to resist forgery and counterfeiting	X		Newly-designed cards reviewed via AAMVA's Courtesy Verification Program and completed CPB evaluation in July 2016.
26	§ 37.19 (a)-(j) § 37.21(e)	Include all of the information on the face of the card in the PDF-417 Machine Readable Zone of the card and, in addition, the: <ul style="list-style-type: none"> • Card design revision date • Inventory control number • Indication that license is temporary or limited-term 	X		Current practice.
27	§ 37.21	Prior to renewing temporary or limited-term driver's license or identification cards, require applicants to: <ul style="list-style-type: none"> • Present valid documentary evidence that their qualification is still in effect or that they have qualified for another lawful status; and • Verify information presented through SAVE, or another method approved by DHS 	N/A		WA does not issue REAL ID-compliant temporary or limited-term cards.
28	§ 37.23(a)	Have a procedure in place to verify an applicant's identity each time a REAL ID DL/ID card is reissued.	X		Current practice.
29	§ 37.23(b)	Conduct remote re-issuance, if permitted, in accordance with section 37.13 verification procedures (excluding re-issuance of duplicate cards).		September 2018	WA allows remote re-issuance, and is conforming verification protocols to CFR, but cannot perform verification rechecks until September 2018.
30	§ 37.23(c)	Require in person re-issuance when there is any material change in personally identifiable information since prior issuance, as defined in § 37.03. Such information shall be verified as specified in § 37.13	X		Current practice. For verification information, see above.

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#	Section	Does The State:	Is met	Will meet by date	Comments
31	§37.25(a)(1)-(3)	<p>Prior to renewing a REAL ID DL/ID:</p> <ul style="list-style-type: none"> Take an updated photograph of all holders of REAL ID driver licenses and identification cards no less frequently than every sixteen years Re-verify applicant's SSN and lawful status, as well as information it was unable to verify at previous issuances or renewals because systems or processes did not exist. 		September 2018	Will be fully compliant with rollout of new technology system.
32	§37.25(b)(1)-(2)	<p>If remote REAL ID renewals are permitted:</p> <ul style="list-style-type: none"> Re-verify the applicants information through SAVE and SSOLV (or other methods approved by DHS) Prohibit the remote renewal of REAL ID DL/ID when there is a material change in personally identifiable information, as defined in §37.03. 		September 2018	<p>Will be fully compliant by September 2018 with the rollout of our new technology system which will re-verify every remote renewal via SSOLV.</p> <p>Currently prohibit remote renewal when there is any material change in PII.</p>
33	§ 37.29	<p>Not permit an individual to hold more than one REAL ID document, and no more than one DL</p> <ul style="list-style-type: none"> Prior to issuing a REAL ID driver's license, query other States to determine if applicant has been already been issued a driver's license or REAL ID identification card; Confirm that the other card has been, or is being, terminated Prior to issuing a REAL ID identification card, query other States to determine if applicant has already been issued a REAL ID DL/ID; Confirm that the other card has been, or is being, terminated 	X	September 2018	Current practice but will be in further compliance in September 2018 with the implementation of State 2 State.
34	§37.31(a)(1)-(3)	Retain copies of the application, declaration and source documents. Paper copies and microfiche must be retained for seven years. Digital images must be retained for a minimum of ten years.	X		Meets with EDL/EID only.

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35	§37.31(b)(1)-(3)	If digital imaging is used to retain source documents, <ul style="list-style-type: none"> • Store photo images in a JPEG compatible format • Store document and signature images that are compressed in Tagged Image Format (TIF) or comparable standard • Require that all images are retrievable by the DMV if properly requested by law enforcement 	X		Current practice.
36	§ 37.33(a)-(b)	Maintain a DMV database containing, at a minimum, items identified in 37.33(a)(1)-(4)	X		Current practice.
37	§ 37.41 (b)(4)	Implement documented procedures for controlling access to facilities and systems involved in the enrollment, manufacture, production and issuance of DL/IDs	X		Current practice.
38	§ 37.43	Ensure the physical security of locations where driver's licenses and identification cards are manufactured or produced, and the security of document materials and papers of which such cards are produced.	X		Current practice.
39	§ 37.55	Submit Final Certification package, to include; <ul style="list-style-type: none"> • Full compliance certification checklist • Attorney General letter • Certification by highest level executive official in state overseeing DMV • Description of states exceptions process per §37.11(h), waiver process (per §37.45(b)(1)(v)) • State security plan (per §37.41) 		September 2018	The State will seek final certification upon meeting all requirements; however the State Security Plan draft was completed in August 2017

DRIVES Project Timeline

Phase	Dates	Contains
Preparation	July 16, 2016 – March 31, 2017	<ul style="list-style-type: none"> Project Initiation/Planning Activities
Definition	March 1, 2017 – May 31, 2017	<ul style="list-style-type: none"> Preliminary Implementation Specs; Identify inputs/outputs
Base Configuration	April 1, 2017 – August 31, 2017	<ul style="list-style-type: none"> Final Implementation Specs; set up base system
Development	May 1, 2017 – March 31, 2018	<ul style="list-style-type: none"> Builds the final configuration from base to target along with the site components Functional and Unit testing
System Testing	January 2, 2018 – May 1, 2018	<ul style="list-style-type: none"> Test scenario development Test execution
End-to-end Testing	April 23, 2018 – July 30, 2018	<ul style="list-style-type: none"> Test preparations Test execution
Train the Trainer	January 2, 2018 – June 4, 2018	<ul style="list-style-type: none"> Train the trainers Tier 3 curriculum development
Training Delivery	April 2, 2018 – August 17, 2018	<ul style="list-style-type: none"> Tier 1/2/3 Headquarters and external training Rollout support training
Rollout	September 4, 2018	<ul style="list-style-type: none"> Complete conversion of data System implementation and cutover
System Stabilization	September 4, 2018 – Dec. 4, 2018	<ul style="list-style-type: none"> Support and maintenance transition