

ATTORNEY GENERAL
STATE OF MONTANA

Steve Bullock
Attorney General



Department of Justice
215 North Sanders
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Helena, MT 59620-1401

October 25, 2012

The Honorable Janet Napolitano, Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 205028

RE: Montana Driver License/Identification Card Security

Dear Secretary Napolitano:

Montana's position on the REAL ID Act has not changed. In 2007, the State of Montana, by unanimous legislative vote and the approval of our governor, enacted a law forbidding the implementation of the REAL ID Act. As noted in letters from this office to your department in 2008 and 2009, the State of Montana cannot and will not authorize implementation of the REAL ID Act.

Nonetheless, as a courtesy, I write to advise that in 2011, under express authority of state law, Montana strengthened the security and integrity of its driver licenses and identification cards by requiring use of the federal Systematic Alien Verification for Entitlements (SAVE) program in its issuance process and issuing a restricted term license or card to a foreign citizen whose lawful status in the U.S. is temporary.

When combined with security improvements implemented in prior years with state legislative approval and funding, Montana has demonstrated its commitment to making and keeping its driver license among the most secure in the nation. These improvements include:

- providing our personnel with training in recognizing fraudulent documents,
- documenting our exceptions processes,
- taking photographs of all applicants even if they do not complete the application process,
- using digital photography to ensure that applicants do not have more than one license, and
- integration of three levels of security into each license or card.

The U.S. Department of Homeland Security has previously recognized security improvements made to Montana driver licenses and identification cards. Unless I hear otherwise from your Department, I will expect that DHS will assure the continued acceptance of a valid Montana driver license or identification card as stand-alone proof of identification for federal purposes.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Bullock", written over a horizontal line.

STEVE BULLOCK
Attorney General

SB:sj