Several federal agencies have been rejecting identification documents (IDs) issued by the State of New Mexico as a result of implementation of the REAL ID Act, Pub.L. 109-13, 119 Stat. 302, enacted May 11, 2005. The REAL ID Act bans federal agencies from accepting IDs that do not measure up to the ID standards promulgated by the federal government.

The Federal government has delayed implementation of the REAL ID Act for years. The Department of Homeland Security (DHS) has been pressuring several states, including New Mexico, into compliance. DHS has been enforcing the legislation for access to military bases, nuclear power plants and most federal facilities and it has plans to extend the ID requirements for air travel after January 22, 2018.

In January of 2016, DHS rejected New Mexico’s request for an extension to comply with the REAL ID Act and placed it on the list of non-compliant states. Consequently, certain government installations were prohibited from accepting IDs issued by the State of New Mexico. On March 8, 2016, New Mexico adopted legislation that mandates ID-issuance requirements which comport with the REAL ID Act and, as a result, New Mexico received an extension until October 10, 2016 to comply with the REAL ID Act. The new state legislation takes effect on July 1, 2016 which is the date when the State of New Mexico will begin issuance of IDs that are deemed compliant with REAL ID Act requirements.

Between January 11, 2016 and March 8, 2016, several federal entities rejected IDs issued by the State of New Mexico. The latest DHS extension that New Mexico received allows federal agencies to accept IDs issued by the State of New Mexico. However, whether federal facilities will in fact do so remains at the exclusive discretion of the specific federal facility. Similarly, rules on what IDs may constitute an acceptable alternative to a NM-issued ID remain facility-specific.

Tips for UNM Researchers:

- UNM personnel are advised not to assume that New Mexico-issued IDs is a proper form of identification for visiting U.S. federal entities that require an ID for entry.

- The relevant entities encompass most federal agencies, including Department of Defense, Department of Energy, military bases, and national labs but also less obvious agencies such as the National Science Foundation.

- When planning a visit to a federal facility or military base, contact the facility or the base to determine what form of identification will be accepted.

DHS advises to contact the agency in charge of your visit for information if your ID constitutes an acceptable form of ID by that particular federal agency or installation. If the agency rejects the type of ID you plan to use, then you will be instructed on what procedures the facility follows for persons without acceptable identification.

After July 1, 2016, driver’s licenses issued by the State of New Mexico should be deemed compliant with the REAL ID Act requirements and, as such, should be accepted uniformly by the federal entities.

For updates to the list of affected federal agencies and the associated requirements, please visit the New Mexico MVD web site page on Real ID Information, at [http://www.mvd.newmexico.gov/real-id-information.aspx](http://www.mvd.newmexico.gov/real-id-information.aspx) and the DHS web page on REAL ID implementation, at [http://www.dhs.gov/real-id-frequently-asked-questions](http://www.dhs.gov/real-id-frequently-asked-questions).