

AMERICAN IMMIGRATION LAWYERS ASSOCIATION
ILLINOIS SECRETARY OF STATE
Unofficial liaison minutes from April 3, 2018 Meeting

1. REAL ID updates

- a. Are there any significant changes since our last meeting regarding REAL ID implementation that we should be aware of?*

The state of Illinois received an extension from DHS in October 2017. They just underwent their quarterly review and the next review will take place in May 2018.

Illinois is applying for certification of full compliance in October 2018.

All of the changes to photo-first layout of the facilities are now in place statewide.

- b. Is the date for full compliance with REAL ID still anticipated as January 2019?*

Yes. The first notice of regulations is anticipated for Fall 2018, and will include ID chart. In creating the ID chart, they are reviewing other states' guidance, such as Colorado. Upon release, AILA, along with other members of the public, will have the opportunity to comment.

2. Automatic employment extension and license renewal

- a. Our members are still reporting applicants being denied license renewals, despite having timely filed a I-765 application- prior the expiration of their EAD card. Is the Secretary of State willing to re-train on this issue?*

The SOS believes high turnover is likely the cause for the issue. They are not willing to re-train at this point. They advised to have applicants ask for a manager to be contacted before they leave the facility, if they cannot obtain a license in this type of situation.

They also noted that Saturdays are the busiest days for driver's license applications, and that legal counsel does not work on Saturdays. They have advised us to avoid Saturday visits, if at all possible.

They are going to reiterate and review the automatic extension information to all their managers on their internal call next month.

3. Automatic voter registration program (10 ILCS § 5/1A-16.1)

- a. *Are there any updates regarding what the automatic voter registration process will look like for an applicant at a facility? What types of questions will be asked of the applicant?*

Yes, they will be bifurcated implementation because they will be interfacing with the Board of Elections.

In January 2019, implementation for real ID license applications will begin and at that point, all real ID applicants will have to “opt out.”

In July 2018, implementation for all other applications will begin and it remains an “opt in” system.

For all applicants, the process will include a signature pad with questions. If the applicant is asked “do you want to register to vote” and the applicant marks “No,” the registration process will stop. If the applicant is in the system already and classified as “S” applicant, or an applicant requiring proof of immigration documents, then they will not be asked if they want to vote on the signature pad.

- b. *Does your office plan to provide any written materials at facilities regarding the new program and rights of applicants to “opt-out” (preferably in different languages)?*

There will be signs in each facility that will state that a person must be 18 years old and a U.S. citizen to vote. They hope to have at least Spanish at all Metro Chicago locations, but are considering other languages in certain facilities.

4. License Plate Reader Data

- a. *The Department of Homeland Security recently finalized a contract with private License Plate Reader data services which allows them to query a national system to find the location of target license plates belonging to individuals that DHS may be looking for. Here is a link with the information:
<https://www.dhs.gov/sites/default/files/publications/privacy-pia-ice-lpr-january2018.pdf>. The information provided to the database is provided from “at least 25 states and 24 of the top 30 most populous metropolitan statistical areas” (according to DHS).*

Is the Secretary of State aware of this new development? Is their data in any way contributing to these national databases?

In Illinois, you do not need a driver’s license to own a vehicle. Because of this, when the Illinois State Police approached the Secretary of State about this type of system,

the Secretary of State declined to participate. They have not been approached since then. They do not intend to share data through this program.