

## National ID Cards

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National ID cards have long been advocated as a means to enhance national security, unmask potential terrorists, and guard against illegal immigrants. They are in use in many countries around the world including most European countries, Hong Kong, Malaysia, Singapore and Thailand.

Americans have consistently rejected the idea of a national ID card. In 1971 the Social Security Administration task force on the SSN rejected the extension of the Social Security Number to the status of an ID card. In 1973, the Health, Education and Welfare (HEW) Secretary's Advisory Committee on Automated Personal Data Systems concluded that a national identifier was not desirable. In 1976, the Federal Advisory Committee on False Identification rejected the idea of an identifier. In 1977, the Carter Administration reiterated that the SSN was not to become an identifier, and in 1981 the Reagan Administration stated that it was "explicitly opposed" to the creation of a national ID card. Throughout the debates over health care reform, the Clinton Administration also constantly stressed that it was opposed to a national identifier. In 1999 Congress repealed a controversial provision in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 which gave authorization to include Social Security Numbers on drivers' licenses.

In response to the tragic events of September 11, 2001, there has been renewed interest in the creation of national ID cards. Larry Ellison, head of Oracle Corporation, the California based software company, has called for the development of a national identification system and offered to donate the technology to make this possible. He proposed ID cards with embedded digitized thumbprints and photographs of all legal residents in the U.S. UK Home Secretary David Blunkett is also considering proposals for a national ID card. So far, however, no such measures have been proposed in Congress and the White House is reportedly "not even considering the idea".

### Latest News/Events

- **Ridge Releases National Strategy for Homeland Security.** The Office of Homeland Security's [National Strategy](#) contains proposals for increased information sharing, biometric identification, and standardization of state driver's licenses. (July 16)

- **EPIC Advises Senate Against Standardized Driver's License.** EPIC submitted a [letter](#) for the record of a [Senate hearing](#) on standardizing the state driver's license system. The letter notes the significant public opposition to such a scheme and the privacy and security risks of creating a national identification system based on the state driver's license (see EPIC Report "[Your Papers, Please: From the State Drivers License to a National Identification System](#)," PDF). (Apr. 17)

- **EPIC Files Suit against Office of Homeland Security.** EPIC filed suit today against the Office of Homeland Security (OHS), seeking the expedited release of documents concerning the secret development of a government National identification system. See [EPIC v. Office of Homeland Security](#) (PDF), filed April 2, 2002, D.C. Dist. Ct. (Apr. 2)

### News Items

- [Japanese drop out of new national ID system.](#) *Salon.com (AP)*, August 11, 2002.
- [Japan launches compulsory ID network.](#) *CNN.com (Reuters)*, August 5, 2002.
- [Support for ID Cards Waning.](#) *Wired News*, March 13, 2002.
- [Hong Kongers to Get 'Smart' ID Cards.](#) *CNN.com (Associated Press)*, March 11, 2002.
- [Hong Kong Plans Digital ID.](#) *New York Times*, February 18, 2002.
- [Frequent Traveler Card? Or Terrorist Passport?](#) (mp3 file) *Fact Squad Radio*, February 3, 2002.
- [ID Card for Air Passengers.](#) *Washington Times*, January 31, 2002.
- [Your Papers Please, Op-Ed,](#) *Washington Times*, January 21, 2002.
- [Threat of National ID,](#) Op-Ed by William Safire, *New York Times*, December 24, 2001.
- [Database Flaws Could Hamper Any National ID System, Experts Warn.](#) *Newhouse News Service*, December 19, 2001.
- [National ID Card Gaining Support.](#) *Washington Post*, December 17, 2001.
- [What's Our National Identity?](#) Op-Ed by Duncan Frissell, *Sierra Times*, December 6, 2001.
- [Risks of National Identity Cards,](#) by Peter G. Neumann and Lauren Weinstein, *Communications of the ACM* - "Inside Risks" column, December 2001.
- [Oracle Keeps Pushing ID Card.](#) *Wired News*, November 17, 2001.
- [National ID Cards](#) (mp3 file). *Fact Squad Radio*, October 22, 2001.
- [Support Grows for Ellison's National ID Card Proposal,](#) by Elise Ackerman and Paul Rogers, *Mercury News*, October 16, 2001.
- [Is a National ID Card the Answer?](#) *New York Times* (Letters), October 16, 2001.
- [Reconsidering smart ID cards,](#) *Associated Press*, October 14, 2001.
- [Why Fear National ID Cards?](#) by Alan M. Dershowitz, *New York Times* (Op-Ed), October 13, 2001.
- [Databases and Security vs. Privacy,](#) by Heather Green, *BusinessWeek*, October 8, 2001.
- [National I.D. Cards: One Size Fits All,](#) by Daniel J. Wakin, *New York Times*, October 7, 2001.
- [Don't Make Privacy the Next Victim of Terror,](#) by Jane Black, *BusinessWeek*, October 4, 2001.
- [National ID Cards: New Technologies, Same Bad Idea,](#) by Adam Thierer, *TechKnowledge*, Cato Institute Newsletter, September 28, 2001.
- [White House Nixes Controversial National ID Notion,](#) by Jennifer Jones, *InfoWorld*, September 27, 2001.

- [Public May Favor a National ID Card](#), by August Gribbin, *The Washington Times*, September 27, 2001.
- [National ID Card Push Roils Privacy Advocates](#), by Brian Krebs, Newsbytes, September 25, 2001.
- [Bush Contemplates National ID Card For All Citizens](#), Drudge Report, September 25, 2001.
- [Make ID cards compulsory, urges Oracle boss](#), by Andrew Orłowski, The Register, September 24, 2001.
- [Oracle Chief's Proposal Raises Constitutional, Feasibility Issues](#), by Paul Rogers and Elise Ackerman, Mercury News, September 24, 2001.
- [Oracle Boss Urges National ID Cards, Offers Free Software](#), by Paul Rogers and Elise Ackerman, Mercury News, September 22, 2001.
- [A Question of Identity](#), BBC, September 25, 2001.

#### Resources

- [Everything you ever wanted to know about a national ID card but were afraid to ask](#). From the *Crunch Report*.
- [IDs -- Not That Easy: Questions About Nationwide Identity Systems](#). National Research Council, 2002.
- EPIC's page on [Government Oversight and the Office of Homeland Security](#).
- Privacy Foundation Tipsheets: [The New National ID Card Is In Your Wallet](#) (January 23, 2002) and [How An Unintended National ID Led To Fraud](#) (January 31, 2002).
- Computer Professionals for Social Responsibility (CPSR)'s [FAQ on National Identification Schemes and Related Resources](#).
- Privacy International's pages on [National ID Cards](#).
- Minnesota Public Radio's pages on [Your National ID Number](#).
- [Identity and Anonymity: Some Conceptual Distinctions and Issues for Research](#), by Gary Marx.
- Korean NGO Committee against Electronic National ID Card [Pages](#).
- [EPIC's SSN pages](#)
- [EPIC's Biometrics page](#)

#### Reports on National ID Cards

- [The Degradation of Political Identity Under a National Identification System](#) (PDF). Dr. Richard Sobel, Boston University School of Law, 2002.
- EPIC National ID Report: [Your Papers, Please](#). February 2002.
- [A National ID Card: A License to Live](#). Robert Ellis Smith, *Privacy Journal*, December 2000.
- Privacy International's [ID Card FAQ](#). Frequently Asked Questions on ID cards. (7000 words)
- ACLU statement, [National Identification Cards: "Why Does the ACLU Oppose a National I.D. Card System?"](#)
- Cato Institute Report, [A National ID System: Big Brother's Solution to Illegal Immigration](#) by John J. Miller and Stephen Moore (September 7, 1995).
- Simon Davies, Director General, Privacy International, [TOUCHING BIG BROTHER: How biometric technology will fuse flesh and machine](#) (1994).
- The Privacy Committee of New South Wales, Australia, [Smart Cards: Big Brother's Little Helpers](#) (1994).

#### Previous News

- **Opposition to National ID Continues to Grow.** Two recently published polls show that support for a national ID card has decreased. Results from a poll on the February 27 *Washington Post* Federal Page showed that public opinion was divided on the issue, with 47% of Americans believing a national ID "would make electronic transactions with the government and business faster and more secure" and "would be an easier way for people to verify their identity in places such as airports and government offices," while 44% thought of it as "a way to keep track of people" and "an invasion of people's civil liberties and privacy." A new survey released on March 12 by Gartner Inc. found that 26 percent of Americans are in favor of a national ID card, while 41 percent oppose the idea. (March 13)
- **EPIC National ID Report: "Your Papers, Please."** Today EPIC released the report "Your Papers, Please: From the State Drivers License to a National Identification System." The [report](#) (PDF) analyzes the proposal from the American Association of Motor Vehicle Administrators (AAMVA) to convert state driver's licenses into National ID cards. (Feb. 13)
- **EPIC Urges Administration to Reject National ID.** EPIC and a coalition of civil liberties groups have sent a [letter](#) to President Bush and Transportation Secretary Mineta urging them to reject the creation of a National ID Card through the standardization of state driver's licenses. (Feb. 11)
- **Driver's License Administrators Propose Expanding ID Scheme.** On January 14th, a committee of the [American Association of Motor Vehicle Administrators](#) (AAMVA) announced recommendations for including biometric data on state drivers' licenses and linking drivers' personal data across the 50 states. The announcement was [webcast](#). EPIC has made a request for the working group documents of the [Task Force on Identification Security](#). (Jan. 11, 2002)
- **EPIC Holds Shred-In.** In conjunction with the House hearing on the National ID card proposal, EPIC held a "Shred-In" National ID Card protest (view [photo gallery](#) and [flyer](#) in PDF) on Capitol Hill at the "East Front House Grass Area" near the intersection of Independence and First Streets SE. Shredders were provided to all, and protesters joined together in shredding National ID Cards bearing Larry Ellison's picture. (Nov. 16, 2001)

- **New Documents Reveal Secret Service Role in National Identity Database.** As reported in Wired News, Image Data -- a company seeking to provide a new method of stopping credit card and check fraud -- has been building a database of cross-referenced photographs and purchase histories. Documents obtained by EPIC through Freedom of Information Act requests show the role of the Secret Service in directing and funding Image Data's pilot programs. In its project of establishing an unprecedented national identity database, Image Data purchases driver's license photos without the permission or knowledge of citizens. (Sept. 1999)

- **DOT Issues Rules to Make Drivers Licenses into National ID Card.** The US Department of Transportation issued a proposed rule on June 16, 1998 requiring that all states issue new drivers licenses that use the SSN, and limit govt transactions to those with approved ID cards.

- EPIC and Privacy International comments on proposal, August 3, 1998.
- Letter from Rep. Bob Barr (R-GA) and Ron Paul (R-TX) opposing the proposal.
- H.R. 4217, the Freedom and Privacy Restoration Act of 1998 repeals the rules.
- Your License or Your Life, by Declan McCullagh, Wired News, July 22, 1999

- On March 21, 1996, immigration bill HR 2202 was approved in the House. A modified version (S. 1664) was approved by the Senate on May 2, 1996. The bills would create a national database and identification system to verify individuals' employment eligibility. The ACLU issued a press statement criticizing the proposal.

## **EVERYTHING YOU EVER WANTED TO KNOW ABOUT A NATIONAL ID CARD, BUT WERE AFRAID TO ASK**

### **Q: What is a national ID card?**

A: There are many different ID proposals floating around, but a full-fledged national ID card would be a mandatory identification card for all citizens and residents of a nation.

In his book *The Limits of Privacy*, Amilai Etzioni--an enthusiast for national ID and other forms of round-the-clock surveillance of innocent people--defines national ID cards as "domestic passport-like documents that citizens of many countries, including democracies, are required to have with them at all times."

Etzioni states that such a card has three characteristics: 1) All citizens and residents "of a given jurisdiction" must have it. 2) All who have it must carry it, and present it upon request by authorities. ("Note that presenting such identification is required even when there is no specific evidence that a crime has been committed or a regulation violated," he helpfully explains.) Finally, the card must be linked to a database with other information about the person.

Obviously, some nations have imposed national ID cards before the onset of the computer age. But most if not all current proposals for an accelerated identification regime in the U.S. tout the virtues of being able to link the cardholder to a national database of information about all citizens and residents. The proposals vary only with respect to what kind of information is to be included in the database, which would aggregate and combine data from all the sundry existing databases. With respect to the proposed "trusted traveler card" for airline passengers, many proponents would like every possible kind of information about you to be included in the database, everything from your criminal record to how you bought your tickets to your record of travel so far. The more info, the more robust will be the "profile" of you that is constructed on the basis of that info.

### **Q: Do we already have a national ID card in the United States?**

A: On the 13-step road to a full-fledged national ID card, we're probably at step 7 or 8. The Social Security number--often in conjunction with the state-issued driver's license--has become a kind of de facto universal identifier. That's the case despite the fact that the original purpose of the Number was "only" to log the "contributions" of participants in the Social Security program.

For many years, the official Social Security card bore the legend "NOT FOR IDENTIFICATION." Nevertheless, the Social Security Number is now used continuously for purposes of identification. At the same time, it ain't that hard to get hold of somebody else's Social Security Number if you know just a little bit about them. The rise of the Internet is one factor that has made such information more easily accessible to everyone, making it easier and easier to commit crimes like credit card fraud and identity theft. Annoyingly, this mandatory vulnerability of the individual is often cited by proponents of national ID as a premier reason why our privacy must be violated even further!

In the post-911 world, the most urgent reason we hear for imposing a national ID card is the "need" to track and monitor everyone at all times, the better to predict and prevent crime and especially terrorism. The implicit premise is that no one can be "secure" unless everyone is treated as a criminal suspect.

### **Q: How might a full-fledged national ID card be imposed on Americans?**

A: The government would probably not succeed in ordering all Americans to report to their local post office today to apply for mandatory national ID cards. The outcry would be too great. But the government *might* accomplish the task gradually, by establishing precedents that make it just a little bit harder for people to function if they lack new quasi-mandatory forms of ID. Once the populace had grown accustomed to living with a particular new violation of their privacy and freedom of movement, the stage would then be set for winching the noose even tighter.

As they say, the only way to boil a frog is--slowly.

But the flame is being turned up. Ten years ago, nobody could have imagined that to fly from Manhattan to Albany, you'd first have to obtain authorization from the government, by presenting a government-issued ID card. Once that coercive violation of air-passenger privacy had become routine, it was a small matter in the post-911 world to require passengers to present ID up to three separate times before being allowed to board a plane. It's also not so easy any more to evade ID requirement with cheap knockoffs.

Two new quasi-mandatory forms of ID now in the works could set the stage for a full-fledged national ID card.

The "trusted-traveler" card would be a card passengers could obtain to (presumably) make it easier to get through security checks on-site. To get the card, you'd need to submit to a background check. The card would be linked to a database of financial and other information about you so that you could be flagged as a security risk if, say, you have a criminal record, or you bought your ticket in cash, or have a flying routine that is a little bit different from "the norm." If the card is successfully swiped without any alarm bells going off, voila, you're on board.

The Transportation Department is now authorized by Congress to look into developing such a card. Right now, the aim is to prepare such a database-linked card for anybody who might work in the travel industry. Then the card would be extended to passengers on a purely voluntary basis.

Of course, once all the kinks have been worked out and many (or not-so-many) passengers have signed up for the card voluntarily, officials would then "realize" that there isn't much point to the trusted-traveler card unless absolutely everybody has got one. After all, would-be terrorists with something a little odd in their background would probably not rush get the card. (At the same time, of course, terrorists with a squeaky-clean record would want the card as a way of deflecting attention from themselves at the airport, if indeed possession of the trusted-traveler card would enable one to evade the highest levels of scrutiny.) At that point, getting the card could then become mandatory for every single air passenger. And once that level of surveillance were typical, the next step would be to require all inhabitants of the country to carry such a card, not merely those who sometimes go on a trip.

Another route to national ID is "beefing up" the state-issued driver's licenses. The federal government may require that all state driver's licenses be uniform in appearance, include biometric information like digitalized fingerprints, and be linked to a single national database. This, too, is a very live proposal.

If both the trusted-traveler card and the amalgamated driver's licenses are installed, the government could eventually merge them into a universally mandatory ID card--a national ID card. Though either one alone could also do the trick.

**Q: Are there any benefits to a national ID card?**

A: Yes, the card would enable people who have no business knowing about your private affairs to have instant and regular access to information about your private affairs. It is very good for people who want to be able to treat other people as criminal suspects, even when there is no evidence of criminal activity that could provide grounds for a warrant.

Let's try a *reductio ad absurdum*. Would there be any benefits to simultaneously throwing everybody in the country in jail? Granted, everybody's rights would be grotesquely violated. Granted, the economy would grind to halt. Granted, the country would be rendered susceptible to attack from the outside; even Canada would be able to conquer us. But at least no existing domestic criminals would be able to rob a bank or commit murder. And isn't that a benefit?

Any systematic, arbitrary violation of individual rights MIGHT stop some criminal from carrying out some criminal act, at least temporarily. The problem is that each such violation ALSO makes it all that much harder for the rest of us to live our lives and to defend ourselves against such criminal acts. And we have rights.

**Q: Would terrorists be able to commit their terrorist acts if they have to apply for a national ID card?**

A: Well, Israel has a kind of national ID card (not yet a "smart card" with a magnetic stripe, though; they're looking into it). Yet there seem to be many methods available of slaughtering innocent people if your own life or death is not a consideration, and even if your corpse might later be identified.

But there's more than one way to skin a cat, and terrorism can be combated by many means. For example, by targeting terrorists--their networks and their sponsors--just as criminals can be combated by targeting criminals. People will debate, as they should, exactly what methods of doing so are best and most moral. But policymakers should and must at least draw the line at specifically targeting and investigating--everybody.

**Q: Will the national ID card endanger my privacy and security?**

A: Only if being forced by law to give the police copies of the keys to your apartment would endanger your privacy and security. Only if being banned by law from closing your door or drawing your window shades would endanger your privacy and security.

Even your bank transactions could end up being routinely added to a national database to which anybody with a right to request your card could have access. All it would take is a) computer memory and computing power; and b) the political ability to add that information to the database. The rationale would be: "Well, the more information we have about a person, the more accurate will be the 'profile' our analytical software can build of him." It doesn't look like the evolution of computers is going to slow down any time soon. So what happens next will depend on what those in power are willing and able to do. Which in turn depends on us: what are we willing to let them get away with?

Remember, if somebody wants to sabotage your life in some way, it helps if they know something about you. Like where you live and everything you've ever done of which some official notation has been made. The ability to ignore the constitutional prohibition against unreasonable search and seizure makes the process a whole lot easier.

And remember, totalitarian governments love "papers." That's a great tool for them. The more they know about everybody--and the more easily they can gain access to that information--the easier it is for them to push everybody around, round up undesirables as necessary, etc. That doesn't mean that the United States will become totally totalitarian if it adopts a national ID card; there are many countervailing forces in our heritage. But it sure would be a huge step in the wrong direction.

Keep your eye on the frog...

**Q: If the advocates of a national ID card swear up and down that a national ID card will never be used for Purpose X, does that mean a national ID card will never be used for Purpose X?**

A: The track record is not good. Remember, the Social Security Number was "not for identification." It was just a little ol' accounting method for keeping track of how much you put into the Social Security system and how much you would take out, upon retirement. Even if present promises are made in good faith by present-day implementers of policy, those promises don't exactly indenture everybody else, either now or in the future.

It's not as if, under a national identification regime, only the President would be able to demand your national ID card and swipe it and gain access to what the national database has to say about you. Any rogue cop, any criminal with dough to bribe a clerk, any clerk who wants to exact revenge against an old girlfriend, anybody at all who can ask for your card and misinterpret what he sees on the screen--in other words, a lot of people--will be newly empowered under the national ID regime to cause you trouble. IRS agents have been caught riffling through presumably confidential tax records when they weren't supposed to, without suffering any great penalty for having done so.

Despite all the talk of requiring biometric identifiers so nobody can steal your identity, the actual security of the cardholder is not the main concern of those who advocate the national ID card. If your privacy and security were the main concern, everybody would be advocating a roll-back of the Social Security Number, liberty to open bank accounts without having to present personal information about oneself, etc.

By contrast, under a full-fledged national identification regime, there would be a single key to your personal kingdom. If you lose that key, or if somebody steals it, you're in BIG trouble. Doesn't matter if all the national ID proponents assure us now that precautions would be taken to prevent any such thing. Databases are not infallible; they contain errors. Nor are the humans who would be guarding the system infallible. If you have to have "permission to live," once that permission is impaired or revoked, living becomes a lot harder.

Nobody is as motivated to preserve and protect your own personal security as you are. Under a national identification regime, your ability to do so would be largely stripped away. You'd be a perennial criminal suspect, always having to worry about when and whether some smart criminal or dumb clerk will turn your life into a living hell.

**Q: Where can I get more information about the dangers of national ID cards, and the current status of various crypto- and proto-national-ID proposals?**

A: The [iamnotanumber.org](http://iamnotanumber.org) site has links to more information. You might also want to check out the web sites of the Privacy Foundation, the Electronic Privacy Information Center, or Privacy International (links to these are supplied below). When in doubt, plug phrases like "national ID," "identification card," "the venomous schemer Larry Ellison of Oracle," etc., into a search engine like Google. (Ellison is the head of Oracle, a software firm. He wants to give the government "free" national database software to go with any national ID card; he'd only charge for the non-stop maintenance and the infinite rounds of upgrades. Google is a search engine which produces results that are actually related to your query.)

**Q: What if despite all the efforts of good-hearted champions of freedom across America, a full-fledged national ID card is eventually imposed anyway? Must I then resign myself to living in a society in which I am perpetually obliged to "present my papers"? Must I become a number like the McGoohan character in the TV series "The Prisoner"?**

A: As Barbara Branden told the New Zealand magazine *Free Radical*, the day a national ID card is imposed in this country--assuming we have survived the boiling thus far--will be the day for civil disobedience. That will be the day when you will want to have about 5,000 copies on hand of our fake little anti-national-ID card.

However, why wait until then? If you care about your liberty and privacy and about the fate of the United States, the time to be an obnoxious propagandist is right now. Obtain and make as many little plastic cards bearing the legend you see at Bureaucrash's [iamnotanumber.org](http://iamnotanumber.org) page as you can. With the image of the anonymous citizen with the gun to his head. Distribute this card far and wide. Print it, clip it, laminate it, over and over. Give one to your Aunt Mabel and tell her to get on line. Give one to the guy at the grocery store. Give one to the postman.

Another thing you can do is stage public demonstrations against national ID, demonstrations that showcase Bureaucrash's anti-national-ID card. Bureaucrash has developed some ideas on how you might plan such a demonstration to achieve maximum publicity and impact (click into the "demonstrate" link at [iamnotanumber.org](http://iamnotanumber.org)).

Damn it, let's turn this thing around--NOW!

--David M. Brown, 6/2/02