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The Obvious Voting-Rights Solution That No Democrat Will Propose

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DEMOCRATS IN CONGRESS are considering a policy that was long unthinkable: a federal requirement that every American show identification before casting a ballot. But as the party tries to pass voting-rights legislation before the next election, it is ignoring a companion proposal that could ensure that a voter-ID law leaves no one behind—an idea that is as obvious as it is historically controversial. What if the government simply gave an ID card to every voting-age citizen in the country?

Voter-ID requirements are the norm in many countries, as Republicans are fond of pointing out. But so are national ID cards. In places such as France and Germany, citizens pick up their identity card when they turn 16 and present it once they're eligible to vote. Out of nearly 200 countries across the world, at least 170 have some form of national ID or are implementing one, according to the political scientist Magdalena Krajewska.

In the American psyche, however, a national ID card conjures images of an all-knowing government, its agents stopping people on the street and demanding to see their papers. Or at least that's what leaders of both parties believe. The idea is presumed to be so toxic that not a single member of Congress is currently carrying its banner. Even those advocates who like the concept in theory will discuss its political prospects only with a knowing chuckle, the kind that signals that the questioner is a bit crazy. "There are only three problems with a national ID: Republicans hate it, Libertarians hate it, and Democrats hate it," says Kathleen Unger, the founder of VoteRiders, an organization devoted to helping people obtain ID.

Admittedly, this is probably not the best time to propose a new national ID. A large minority of the country is rebelling against vaccine "passports" as a form of government coercion. Yet public opposition to a national ID has never been as strong as political leaders assume. The idea has won majority support in polls for much of the past 40 years and spiked to nearly 70 percent in

the immediate aftermath of 9/11. In a nationwide survey conducted this summer by Leger for *The Atlantic*, 51 percent of respondents favored a national ID that could be used for voting, while 49 percent agreed with an opposing statement that a national ID would represent "an unnecessary expansion of government power and would be misused to infringe on Americans' privacy and personal freedoms." Support was far higher—63 percent—among respondents who said they had voted for Joe Biden in 2020 than it was among those who said they had voted for Donald Trump (39 percent).

The best argument for a national ID is that the nation's current hodgepodge of identifiers stuffs the wallets of some people but leaves millions of Americans empty-handed and disenfranchised. Studies over the years have found that as many as one in 10 citizens lacks the documentation they need to vote, and they are disproportionately Black, Hispanic, poor, or over the age of 65. *The Atlantic* poll suggests that the gap remains: 9 percent of respondents said they lacked a government-issued ID, although a much smaller share (2 percent) said that was the reason they did not vote in 2020. Because the overwhelming majority of Americans do have IDs, "we don't realize there's this whole other side of the country that's facing this massive crisis," says Kat Calvin, who launched the nonprofit Spread the Vote, which helps people obtain IDs.

The United States gives every citizen a Social Security card with a unique nine-digit number, but the paper cards lack a photograph. Passports have photos, but <u>barely more than one-third</u> of Americans currently have one that's not expired. By far the most common form of photo ID are state-issued driver's licenses, but many elderly and poor citizens don't drive, nor do a significant number of Americans who live in large cities and rely on mass transit.

Opposition to national ID remains from groups on the libertarian right, <u>such as the Cato Institute</u>, to civil-liberties advocates on the left, <u>such as the ACLU</u>. But even they acknowledge that the fears of an all-knowing government sound a bit ridiculous in an era when Americans freely hand over so much of themselves to companies such as Google, Facebook, and Apple. "We do have a national ID," Michael Chertoff, a former secretary of homeland security under President George W. Bush, told me. "It's operated by giant tech companies, where every place you are, everything you do, everything you search for is recorded in some fashion and integrated as a matter of managing your data. We're locking the window, and we've got the front door wide open."

THE IDEA OF LINKING VOTING to a single ID card was not always so far-fetched. In 2005, a bipartisan commission led by former President Jimmy Carter and former Secretary of State James Baker endorsed a federal voter-ID requirement. The panel recommended that the emerging Real ID, a product of one of many security reforms Congress passed after September 11, be used for voting. The Real ID Act set minimum security standards for driver's licenses and other IDs that are used to board flights and enter federal buildings. It was—and is, as the federal government <u>makes clear</u> 16 years later—explicitly not a national ID. Even in the security-at-any-cost posture of the years following 9/11, "there was a general recognition that there was an allergy to a national ID," Chertoff told me.

Some of the Democrats on the commission believed that a national ID was inevitable. "The United States is moving toward a national ID, for reasons of homeland security," Lee Hamilton, the former Indiana representative and a member of the commission, wrote to his colleagues in a memo obtained by The Atlantic. That moment was the closest the two parties have come to a consensus on voter ID in the past 20 years. But despite a push by Carter for a unanimous endorsement, three Democrats on the commission—including former Senate Majority Leader Tom Daschle—dissented from its headline recommendation.

Democrats in Congress ensured that the idea went nowhere. The day after the commission released its recommendations, Barack Obama, then in his ninth month as a senator, stood alongside Representative John Lewis of Georgia to denounce the ID proposal as "a mistake" and a "solution in search of a problem." The commission had called for voter ID even as it acknowledged within its report that the issue the requirement purports to solve—voter fraud—was extremely rare. Carter defended the proposal as a corrective to the restrictive ID laws that Republican-led states had already begun to pass. Other Democrats, though, now see a damaging legacy for the Carter-Baker commission: It coated the idea of voter-ID laws with a bipartisan gloss, allowing Republican-led states "to justify unnecessary restrictions on the liberty of many Americans to cast a ballot," Spencer Overton, one of the panel's Democratic dissenters, told me.

The goal of the Carter-Baker commission's recommendation was to endorse a federal ID standard for voting while requiring states—and perhaps eventually, the federal government—to make secure IDs available to every citizen free of charge. But that's not what happened. In 2001, just 11 states required ID to vote. The movement has exploded in the two decades since, aided by a Supreme Court ruling in 2008 upholding a voter-ID law in Indiana, the 2010 wave election that empowered Republicans across the country, and the 2013 Supreme Court decision that gutted the Voting Rights Act. Now 36 states have voter-ID laws on the books.

TO UNDERSTAND WHY Democrats have so strenuously opposed voter-ID laws over the past two decades, consider the experience of Spread the Vote. With a staff of 16 and a budget of $1.6 million, the organization now operates in 17 states that require an ID to vote. Calvin's staff and volunteers work with people—many of whom are homeless or were recently incarcerated—to assemble and pay for the necessary documents. Securing just a single valid ID can take days or weeks. In its four years of existence, Spread the Vote has been able to get IDs for about 7,000 people. The organization estimates that the number of eligible voters in the U.S. who lack the IDs they need to cast a ballot is at least 21 million.

Generally, Democrats have long believed that negotiating with Republicans over ID laws was pointless because the GOP's insistence on them was less about protecting ballot integrity than about shaping the electorate to its advantage by suppressing the votes of people likely to back its opponents. "It's hard not to see it as a part of a comprehensive strategy to engineer outcomes," Deval Patrick, the former Massachusetts governor (and, briefly, a 2020 presidential contender), told me.

The Democratic Party is taking a new look at a federal ID standard this year out of desperation. Democrats in the Senate need Joe Manchin of West Virginia to support their push for voting-rights legislation, and in June, he circulated a set of policies he wanted to see in a revised bill. One would "require voter ID with allowable alternatives (utility bill, e.g.) to prove identity to vote." His single-line proposal makes no mention of requiring a photo. Many states, including Texas, already allow alternatives to presenting a photo ID, although the exceptions vary widely.

The most surprising aspect of Manchin's floated idea was the reaction of Democratic leaders. None of them shot it down. Stacey Abrams, who has fought restrictive voting laws nationwide since narrowly losing her 2018 bid to become Georgia's governor, said she could "absolutely" support that provision. Representative James Clyburn of South Carolina, the House's third-ranking Democrat and a close ally of President Joe Biden, was also okay with it. "I've never, ever said I was opposed to voters IDing themselves," Clyburn told me. "A guy can't just walk off an airplane from a foreign country and walk into a voting booth and say, 'I want to vote.' You have to ID yourself." Clyburn said an ID law just has to be equitable: The government can't, as some red states do, accept a hunting license as a form of ID for voting but not a student ID.

To Calvin, however, the initial acquiescence of Democrats such as Abrams and Clyburn to an ID proposal was a betrayal. "My reaction was blinding rage followed by massive heartbreak and disappointment," she told me. A utility bill, she said, was a meaningless alternative for most of the people she tries to assist. "My whole job is helping people who don't have utility bills get IDs," she said. "What they were saying is: If you don't have a home or an apartment or if your name isn't on the lease on that home or apartment, you don't deserve to vote, you don't deserve to participate in democracy."

Calvin told me she would enthusiastically support a national voter-ID law on one condition: if it followed immediately after the creation of a national ID for everybody, "with a plan and a budget to implement it." She suffers no illusions about the likelihood of that happening, however. "It's a pipe dream," she said. Calvin's right. Democrats may be open to requiring voter ID, but the prospect of a national ID is still too hot to touch.

After Clyburn spent several minutes explaining the kind of ID law he could support, I asked him whether the solution was simply to create an ID for everyone. The lawmaker responsible for counting votes in the House stopped me immediately. "I'm not into that," he said. I pressed him, bringing up the Carter-Baker commission, the use of national ID in other countries. "I know where you're going with this," Clyburn replied. "I'm not there."