

THE ORANGE COUNTY REGISTER

Defund the DHS national ID program

Jim Harper

May 12, 2016

As the representative of the nation's most heavily Latino congressional district, East Los Angeles Democrat Lucille Roybal-Allard would be an unlikely supporter of one of the U.S. Department of Homeland Security's more insidious anti-immigrant programs. But her silence on the agency's efforts to implement a U.S. national ID program is notable.

REAL ID is a law Congress passed hastily in 2005. It is designed to coerce states into producing a U.S. national ID. The law's standards for driver's licenses and nondriver IDs include forcing drivers to present multiple documents for proof of identity, proof of legal presence in the United States and proof of their Social Security Number. Full compliance also may require that states share all their drivers' data and documents with every other motor vehicle agency through a nationwide network of databases.

California is currently noncompliant with REAL ID, having been granted repeated compliance extensions by the federal government. Compliance would require action from the Legislature, and officials have expressed concerns in the past about both REAL ID's cost and its lack of privacy protections.

REAL ID's extensive document requirements, too, have raised concerns, with fears that they will disproportionately impact California's large immigrant and minority communities. Migrants and minorities often have difficulty procuring the necessary documents, and they would be more likely to be asked for proof of citizenship through their drivers' licenses and state IDs.

DHS has recently become more aggressive in pushing REAL ID. In January, it announced that the Transportation Security Administration will turn away travelers from noncompliant states at airport checkpoints starting in January 2018. By October 2020, the federal government expects every license held by an American to meet federal government standards.

There's good reason to believe TSA wouldn't follow through. It has backed down from manufactured deadlines before. But the threat is driving some states to change their licensing procedures at the behest of DHS bureaucrats.

Roybal-Allard since 1993 has represented Eastern L.A. County's 40th District, where nearly 87 percent of residents identify as Latino. She sits on the powerful House Appropriations Committee and is the ranking Democratic member of the subcommittee that oversees funding

for DHS. Roybal-Allard is in a good position to withdraw funding from the national ID program. There is good reason to do so.

Congress passed the REAL ID Act with no hearings and very little debate. Nobody has ever articulated how the national ID would provide cost-effective security, or why the threats to every Americans' privacy and data security are worth the risk.

When REAL ID came before Congress on a stand-alone vote in 2005, Roybal-Allard rightly voted against it. The House leadership later folded it into a military spending bill, which she voted for.

Since then, however, appropriators like Rep. Roybal-Allard have annually passed funding for REAL ID with little to no debate, much less oversight. The Cato Institute has found that, on average, Congress appropriated, and DHS spent, about \$50 million per year on REAL ID from 2008-11. Starting in 2011, REAL ID was folded into a \$1 billion-per-year State Homeland Security Grant Program that further reduced oversight of federal spending on the national ID program.

Restoring transparency to DHS appropriations and refusing to fund REAL ID would be an important step in pushing back against a federal program that will have negative consequences for many of the people Rep. Roybal-Allard represents. California and our nation would be better off with more transparency over DHS spending and an end to funding of the unwanted national ID program.

Jim Harper is a senior fellow with the Cato Institute.