



Why Real ID program offers a false sense of security: A Q&A

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Last week, the American Civil Liberties Union won an injunction against New Jersey's TRU-ID program, the state's version of the federal Real ID secure driver's license program. Created in the aftermath of 9/11, the law is an attempt to close loopholes that allowed the 9/11 hijackers to acquire U.S. driver's licenses.

Security and privacy experts say Real ID does little for security, but places personal privacy at risk.

Jim Harper is director of policy studies at the libertarian Cato Institute, where he is an expert in security and privacy. He spoke last week with Star-Ledger editorial writer Jim Namiotka.

Q. How will Real ID improve our national security?

A. It won't.

Q. Please explain.

A. The driver's license isn't a security tool, and the things that Real ID does would be trivially easy for terrorists or other attackers to avoid. There isn't a real security value in Real ID.

Q. Why the focus on driver's licenses?

A. The proponents of Real ID talked about terrorism as the reason for passing the law. Actually, their goal is immigration control. They want a national ID in place that would be used to do a background check on everybody when they start employment. In the

future, it could be used to control access to financial services, to control access to health care, or housing, or pharmaceuticals, for example.

Q. What's the problem with that?

A. We're talking about making every American's access to goods and services subject to federal government approval. A federal ID system would be a huge transfer of power to the federal government. The government could decide how you're identified in society and what you can access, based on showing your identification.

There's already a program in place called e-Verify. It's sewing together a national ID system. It'll be used to do federal background checks on every worker, including red-blooded, native-born Americans. A lot of people don't recognize that yet.

Q. And why should that worry those red-blooded Americans?

A. They probably want to live in a free society. These days, everybody, including New Jerseyans, have to show a whole lot of paperwork at the motor vehicles bureau to prove that you belong in the U.S. What you should use a driver's license for is to show you've passed a driver's test, and that's it.

Q. How did Real ID become law?

A. It was passed in May 2005 as an attachment to a military spending bill, a must-pass bill for Congress. It received no hearing in the House or Senate. It really was rocketed through Congress with no consideration.

Q. Many other countries use national IDs. What's the difference?

A. Most other countries don't have the traditions of freedom and independence that the U.S. has. That's important for us to stick with. Technology is changing rapidly. National ID systems that were benign in the past may not be so benign in the future. Walking around with an ID could soon reveal where you were, to track your purchases or your movements, or whether you bought a gun or ammo.

Q. Where should we focus our national security efforts?

A. It's worth talking first about the ways a national ID fails to secure us.

One is physical avoidance. If somebody wants to do something bad, at an airport or on an airplane, and you have a national ID controlling entry, they'll just choose another target. All you've really done is shift the target to something else, some other place where people congregate, to create a dramatic incident.

Then there's logical avoidance. If you need an ID to do something, just go get the ID. The 9/11 attackers all had perfectly good IDs. Some used minor frauds to get theirs.

Some overstayed visas in the U.S. They would only have had to change their behavior slightly to get IDs had Real ID been the law in 2001. How much should we spend just to mildly inconvenience a terrorist?

Q. Do you think a national ID system will happen anyway?

A. No, I don't. Half the states have passed laws objecting to or barring themselves from participating in Real ID. The Real ID rebellion is still going strong.

Q. Would another attack change minds?

A. It certainly could. People are easy to stampede when they're scared. I don't think there's another 9/11 coming, though. The lucky break al Qaeda got on 9/11 isn't likely to be repeated.