



E-Verify wrong for America

By: Jim Harper, Director of Information Policy Studies at the Cato Institute
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More than 30 years ago at a Cabinet meeting on immigration reform, Ronald Reagan dismissed the idea of a national ID card with a broad smile and a wisecrack. “Maybe we should just brand all the babies,” he said. The Justice Department’s plan to put a national ID in the hand of every worker didn’t make it out of the Cabinet Room.

Today, conservatives and Republicans are the strongest backers of the national identification system in the Senate’s Gang of Eight immigration reform bill. If they get their way, they may just deliver the American people over to a national ID and tight, comprehensive control from Washington, D.C., through the program known as E-Verify. Politically, it appears that the price of enough conservative votes to pass a broader immigration reform package is giving the federal government the power to approve or decline every American business’s hiring decisions from now on.

E-Verify is intended to work as follows: After collecting I-9 tax forms, participating employers enter the information supplied by workers into a government website. The system compares these data with information held in Social Security Administration and Department of Homeland Security databases. If the name and Social Security number pairs match to citizen data at the SSA, a worker is approved. The system compares information from noncitizens with DHS data to determine whether the employee is a naturalized citizen or immigrant eligible to work. The Senate immigration bill would make this program mandatory for essentially all employers in four years.

It sounds simple enough, and Americans have been trained since the creation of the I-9 form in 1986 to think that employers should be deputy immigration agents. But in addition to errors in government data and abuses of the system that could deny people the right to work, E-Verify ultimately requires a national identification system. The Gang of Eight bill would create a “photo tool” backed by a database of images held by U.S. Citizenship and Immigration Services. The bill sets aside a quarter-billion dollars for grants to states in order to get access to driver’s license information, and it exempts state-to-federal sharing of driver’s license photos from the Driver’s Privacy Protection Act.

The bill also spends a cool \$1 billion on “fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant social security cards,” exempting that spending from Pay-Go and other spending limits. The federal government will be well on its way to building a cradle-to-grave biometric tracking system if the E-Verify provisions become law.

From 1946 to 1972, Social Security cards had a legend at the bottom that said, “FOR SOCIAL SECURITY PURPOSES -- NOT FOR IDENTIFICATION.” Many people still

have cards that say this today. But it was almost never true. Shortly after the creation of the Social Security program, the Social Security Board decided that the Social Security number should be used for all workers insured under state unemployment insurance programs. The Social Security number now has hundreds of uses, public and private, beyond administering Social Security. It is integral to E-Verify and “internal enforcement” of immigration law.

If it works, mandatory E-Verify will follow this same, mission creep-y path. The government will use E-Verify not just to control access to employment. It will use E-Verify to control access to financial services and payments, to healthcare and prescriptions, to housing, travel, guns and ammunition.

Worse than an identity card, E-Verify will ultimately be a cardless national ID system. Proof of who we are and our ability to access goods, services, and infrastructure throughout society may depend on whether the federal government has the most current data – and on whether they we are keeping current on our obligations to the federal government. E-Verify is a system for transferring control from businesses and individuals around the country to Washington, D.C.

Reagan knew this about national identity cards implicitly, and he waived off the idea in the 1980s. But the seeds of a national ID planted in 1986’s reform may bear fruit for Big Brother in 2013. It would be all too ironic if the Republican heirs of Reagan’s legacy were responsible for its undoing in the area of national identity systems. They may just create the system that gives the federal government direct regulatory power over the individual.

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