

*In the Winter 1990-1991 issue of The Social Contract we reported on a conference in Washington last November on "Secure Personal Identification: Balancing Security, Efficiency and Privacy." We have asked David Simcox, Executive Director of the Center For Immigrations Studies, to give our readers an update on the topic.*

## Update

# Immigration and Identification

By David Simcox

Government efforts to find more secure, non-intrusive identification systems to combat immigration fraud and generally improve public administration and law enforcement remain stalled, chiefly because of concerns over privacy and cost.

In December 1990 Hispanic congressmen led in defeating an eleventh-hour amendment to the 1990s immigration reform law (Public Law 101-649) that would have mandated a three-year Federal-State pilot project to make state drivers licenses and non-driver ID cards secure and acceptable proof of identity and eligibility to work in the US. Hispanic caucus leaders claimed the project could lead to a national ID card and threaten to create a "Nazi-like" atmosphere, creating "fear and suspicion among employers who are in a position to hire Hispanics.

The amendment called for the use of biometric identifiers on the new licenses, an innovation Congress has already required for commercial drivers' licenses. Applicants for the new licenses would have had waiting periods of up to 30 days before final issuance while their biometrics and identities were confirmed. In 1990 California began issuing a new, secure driver's license that features digitized fingerprint data and storage of personal data on a magnetic stripe on the card itself. Senator Alan Simpson (R-Wyoming) who testified on the need for secure licenses in February before the House Social Security Committee, will reintroduce the pilot project legislation in the current Congress.

The Immigration Service's long-planned project to test a phone-in system for employers to verify work eligibility of foreign-born job seekers also remains on hold. The project, which has been planned since 1987, would enable a selection of employers to contact an INS-data bank of more than 25 million aliens by touch-tone phone, computer modem or point-of-sale device, using the applicant's alien registration number, to confirm work eligibility. The project has been delayed by concern in the Department of Justice and the Office of Management and Budget about legal authority and privacy considerations.

Even within INS some key planners remain convinced that the only workable and legally defensible phone-in verification system will be one that covers the entire working-age population and uses as its data base the 250 million social security numbers now in use. But public and official support for such a concept remains fragile.

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*(Mr., Simcox was invited to testify before the House Subcommittee on Social Security on February 27, 1991. The committee was hearing testimony on "The Social Security Number As A National Identifier." Testimony was also asked of Professor Joseph W. Eaton, author of the book, Card Carrying Americans: Privacy, Security and the National ID Card Debate, published in 1986 by Rowman and Littlefield.)*