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Here are three reasons America needs national ID card

Editor's Note: This is the first of a continuing series of commentaries by South Florida area practitioners on a variety of legal matters that have impact in the public and private sector. The opinions of the authors are their own. Rebuttals are welcome.

Commentary by Lawrence P. Lataif

Love it or hate it, the new Arizona immigration law, which gives police authority to check people's legal status if they are stopped for another reason, has reignited debate over federal immigration reform and a national ID card.

Like too much else these days, the idea of a national identification card is turning into a partisan issue. However, that shouldn't be its fate. Instead, a national ID card deserves to be the centerpiece of any comprehensive immigration reform.

Sens. Charles Schumer, D-N.Y., and Lindsey Graham, R-S.C., both advocate a secure Social Security card with photograph and biometrics as a key element of immigration reform, a proposal that has since been either ignored or attacked from all sides. Yet on May 11, the U.S. Citizenship and Immigration Service began issuing a redesigned Permanent Resident Card, or green card, with biometrics, such as laser-engraved fingerprints, high-resolution images and other



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See the DBR TV interview with Lawrence P. Lataif as he discusses a national ID card proposal on DailyBusinessReview.com

features that make it almost impossible to reproduce.

As an immigration attorney and former federal prosecutor, I have concluded that America needs a national ID card. Indeed, it is the only rational basis for immigration reform.

There are three compelling reasons:

■ First, without a national ID card, comprehensive immigration reform can't work. The 1986 reform failed to reduce illegal immigration because forged Social Security cards and drivers licenses are still as easy to obtain as a pack of

cigarettes. Without effective employment verification, any new immigration reform can't succeed. Our 7,612 miles of land borders and our 12,383 miles of coastline make border controls alone ineffective.

Employers need and deserve a reliable, workable and efficient employment eligibility verification process, which currently relies on the I-9 form. That must involve a national ID card and E Verify, the fast-growing, Internet-based employment verification system already used by more than 180,000 employers in the United States. E Verify needs to become mandatory and universal.

How bad is the present verification system? Just last month, the Justice Department sued John Jay College for more than \$113,000 for demanding more of employees than the minimally required work eligibility documents. The government routinely punishes companies for demanding too many or too few documents, or for accepting inadequate documents. A national ID card eliminates these burdens for both employers and taxpayers.

■ Second, a national ID card will increase individual privacy and security. Imagine a tamper-proof national ID card with photograph and biometric identifiers such as fingerprint, palm print, 3-D facial imaging or eye scans. Next, imagine the peace of mind from knowing that your money, your personal data, your government benefits, your health and other files can only be accessed by your ID card, coupled with a live biometric. Thieves would lose the incentive to steal our documents and our data, with no worries for us about remembering or losing passwords.

We currently have arguably the worst of both worlds: massive proliferation of our personal information in government databases, yet no biometric control over its dissemination. Federal and state databases already contain enormous personal information: They include the Federal Bureau of Investigation, Social Security Administration, Internal Revenue Service, Census Bureau, Medicare and Medicaid, U.S. Passport Office, Immigration and Customs and Veterans Administration, the state Department of Motor Vehicles, state and local police, Vital Statistics, marriage records, medical information and school records. And that's just for starters.

Ninety percent of us already have a government ID: a state drivers' license. But drivers' licenses are not uniform,



biometrically secure or universal. The point is that we can use a national ID card to control and limit the dissemination of personal information already in Big Brother's possession.

■ Third, a national ID card could contain voluntary, life-saving information. Other countries have incorporated blood type, emergency contacts and organ donor preferences into their ID cards. Medics, hospitals and rescue personnel could access this vital information from the card's magnetic strip.

Given the many benefits of a national ID card, what are the objections?

The American Civil Liberties Union (ACLU) and 43 other organizations laid out the most comprehensive statement of opposition in an April 13 press release, urging President Barack Obama to oppose a biometric national ID card.

Why? One major ACLU concern is that the "use of such ID cards would quickly spread and be used for other purposes — from travel to voting to gun ownership." Yet, is it not reasonable to limit gun ownership to verifiable owners, or to require an ID card to vote, thereby preventing voting fraud? Hasn't the greatest terrorism threat historically come from travel-related activities — planes, buses, trucks, subways and cars? When was the last time anyone boarded a plane without showing a photo ID?

To be sure, a national ID card will be costly and will take years to implement and perfect. A modest fee might be in order, just as with drivers' licenses, passports, even credit cards. Nevertheless, technological improvements in biometrics already apparent in the new green card will only continue, making the cards more accurate over time. Rather than lessening our privacy, a hack-proof, biometric national ID card could protect it. When that happens, many current opponents will likely demand accelerated distribution because of the card's increased privacy and security.

Given the current technological, cultural and political realities, a national ID card makes so much sense that Congress should enact it as a stand-alone law — with or without comprehensive immigration reform.

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