

## **B442. "Driver's License Please" Boston Globe (December 24, 2003) p. A15.**

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Those who are horrified by the excesses of John Aschroft's Justice Department should take note that some elementary and essential security measures have not yet been introduced.

A terrorist could still use the kind of fake driver's licenses that seven of the 9/11 terrorists secured prior to the attack. Moreover, these faux licenses can still be readily employed not only to evade the terrorist watch list, the no-flight list, the foreigner tracking system, and other lists of suspects the FBI and other law enforcement authorities maintain but also to enter the United States from Canada and Mexico. If one claims to be an American citizen returning home from these countries, one needs no passport. A driver's license will do.

For the last six months I have served as a chairman of a group of former officials of the CIA, the Defense Department, the National Security Council, and privacy advocates. (The group, which has addressed ways to make means of identification more reliable, is part of a task force on national security in the information age convened by the Markle Foundation. The task force is cochaired by Zoe Baird and James Barksdale. Its report is available on [www.markletaskforce.org](http://www.markletaskforce.org).)

A representative of the General Accounting Office said that some of its agents had made fake driver's licenses from readily accessible materials using only PCs. They were of rather poor quality; a terrorist could have done much better. For instance, the fake licenses had only photocopies of holograms, which do not refract light when tilted. Nevertheless, in 25 tests the GAO conducted in which agents tried to enter the United States showing only these driver's licenses, they were not stopped even one time. Moreover, the same testers were able to enter secure federal buildings and even safe houses (in which missiles are kept overnight when they are driven across the country) without being detected.

Elementary measures to make licenses more reliable have not been undertaken. To reduce the likelihood that a terrorist would be able to get a driver's license, states are supposed to verify that the Social Security number of an applicant does not belong to someone else. This can be easily accomplished by accessing the national Social Security data bank, which states are allowed to do under a post-9/11 congressional act.

But despite all the rhetoric about homeland protection, many motor vehicle departments are not running such checks. States are also supposed to computerize death certificates in order to avoid the common practice of terrorists assuming the identity of an American who has died. Again, many states simply ignore this elementary security measure. Most damaging, no state is able to check whether another state has already issued a license to an applicant. Thus, one person still can get several licenses and hand over the extras to a terrorist.

The main reason that states give for not cooperating with federal policy is that the federal government keeps "mandating" things they are to do but does not provide them with the funds needed to carry out these tasks. The amounts involved are small. To improve the system, the states are asking for \$6 million a year for six years.

Several bills introduced in Congress over the last two years have sought to provide the states' motor vehicle departments with the badly needed funding and to ensure that the large variety of licenses issued meet some national minimal reliability standards. All these bills have died due to a lack of support. The main reason is that many Americans go ballistic every time that anything resembling national ID cards is mentioned.

Driver's licenses, even if well fortified, are nothing of the sort. National ID cards are documents that one is required by law to have on one's person at all times and to display on demand. They bring to mind the kind of specter I saw in Brussels when the police cordoned off two ends of a street and, in a search for illegal immigrants, demanded that everyone display their ID cards.

We would all be safer if more Americans would come to see that driver's licenses are not national ID cards. When they are used for security purposes (as opposed to documenting that one has passed a driving test), they can be demanded only when someone voluntarily seeks to enter an area to which access is controlled, such as an airplane, most federal buildings (and many private ones), and the United States itself. Otherwise, they are free to maintain their anonymity.

In studying the merit of fortified driver's licenses (which one day may even contain biometric features) we found one additional reason why they should be embraced: More reliable driver's licenses would produce a collateral gain. They would be able to control access in matters unrelated to national security where society has several highly legitimate reasons to seek to do so. Child-care centers seek to avoid employing known sex offenders, nursing homes do not want to hire people convicted of elder abuse, and hospitals attempt to screen out physicians whose licenses to practice medicine have been revoked. (It is not illegal, and not unethical, at least in my book, to deny these people these particular jobs.) All these vulnerable members of society - children, the elderly, the ill - could be much improved if driver's licenses would be made more trustworthy.

True, nothing can give us 100 percent assurance that no one will slip through our various security filters, but without more reliable driver's licenses, the existing ones are like an open sieve.