

Driver's data may be used to check workers' status

May 26 2011, By SUZANNE GAMBOA , Associated Press

The Obama administration is about to add more personal information to E-Verify, an immigration enforcement tool that is vulnerable to fake, stolen or borrowed documents.

The administration has said that it will add driver's license data from the state of Mississippi to E-Verify as early as June 8. The agency will test whether using the data can help E-Verify better identify people working illegally in the U.S. E-Verify checks workers' information against Social Security and immigration records. E-Verify was not designed to check whether a document with valid information belongs to the person who presented it.

Citizenship and Immigration Services, part of the Department of Homeland Security, has tried to make up for E-Verify's shortcomings by adding photos from U.S. passports, green cards given to legal permanent residents and work permits. But those only cover some workers.

About 80 percent of workers present driver's licenses to establish their identity when filling out paperwork at [new jobs](#), including papers - known as I-9 forms- asking whether they are citizens or permitted to work in the U.S., said Bill Wright, a spokesman for Citizenship and Immigration Services, which oversees E-Verify.

"This initiative is a major step forward in allowing (Citizenship and Immigration Services) to more effectively combat identity theft and protect against fraud in the employment verification process," Wright

said. Only data such as birth dates and driver's license numbers will be shared by Mississippi, not photos.

Other states will be watching the experiment with Mississippi information to see how it affects American's privacy. No other states have agreed to share data yet, although some others were asked.

Citizenship and Immigration Services proposed using the driver's license data in a May 9 Federal Register notice. The public can comment on the proposal through June 8.

The addition of driver's license data raises concerns with the [American Civil Liberties Union](#), which has been a leading opponent of E-Verify, created in 1996 but little used until after the Sept. 11, 2001, terrorist attacks.

"You are creating an enormous database filled with information on what would be, if it's mandatory, information on every American worker. That's a honey pot for identity thieves," said Chris Calabrese, an attorney with the ACLU in Washington.

He noted a recent Minnesota case in which names, birth dates, Social Security numbers and other information were not kept secure by a company the state hired to check employers' new workers through E-Verify.

The Federal Trade Commission announced earlier this month it had reached a settlement with Texas-based Lookout Services Inc., the Minnesota contractor, on charges of failing to safeguard the sensitive information. The FTC said because of the lax security, an employee of one of Lookout's customers was able to get access to sensitive information in the company's database, including Social Security numbers of about 37,000 people. Lookout did not admit wrongdoing.

The use of E-Verify could figure prominently in any immigration debate in Congress this session.

Republican Rep. Lamar Smith, chairman of the House Judiciary Committee, cheered a Supreme Court ruling on Thursday sustaining Arizona's state law requiring businesses to use E-Verify. The 2007 law was signed by then-Arizona Gov. Janet Napolitano, now the secretary of the [Department of Homeland Security](#). Mississippi law requires employers in that state to use E-Verify.

Smith said he would soon introduce a bill expanding E-Verify and making it mandatory for businesses, many of which have been expecting it this congressional session and have been meeting with Smith and his staff to discuss their concerns. E-Verify will help "turn off the jobs magnet that encourages illegal immigration," Smith said Thursday.

The Obama administration has made cracking down on employers who hire non-citizens without permits to work as a key part of its immigration enforcement policy..

More than 200,000 of the estimated 7 million employers in the U.S are using E-Verify.

More information: Citizenship and Immigration Services:
<http://www.uscis.gov>

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