



DRIVER'S LICENSE FACT SHEET

Protecting the Public Safety and National Security of Everyone

Driver's Licenses, National Security, and Terrorism

After the tragic events of September 11, 2001 there is renewed debate over immigrants' access to driver's licenses (DLs) and state identity documents. Since September some state officials have linked the denial of DLs for undocumented immigrants to efforts to combat terrorism, claiming that since several of the terrorists had U.S. state-issued DLs, they were able to board airplanes, rent cars, blend into society, and perform other activities more easily. Proponents of stricter regulations believe that denying DLs to foreigners will inhibit terrorists' ability to carry out terrorist activity.

While increasing our national security is critical, restricting DLs is an inefficient way to enforce immigration laws and prevent terrorism. In fact, denying DLs to large segments of the population makes everyone in the community less safe.

Restricting DLs is an inefficient and ineffective measure to prevent terrorism. Sophisticated terrorists with substantial financial resources are likely to have the ability to obtain DLs and other documents when they find them necessary. Furthermore, press accounts since September 11 have called attention to the fact that the hijackers had obtained DLs when, in fact, the terrorists did not need U.S.-issued DLs to board the planes on September 11; they had foreign passports that allowed them to board. Because of the large number of tourists and other visitors who travel in the U.S., foreign passports are likely to continue to be acceptable forms of identification for air travel.

Restricting DLs erodes community trust. Rather than increasing security, DL restrictions result in a situation in which immigrants fear discrimination and being reported to the INS and therefore avoid contact with law enforcement; immigrants are unwilling to report crimes and assist local law enforcement fight criminal and terrorist activity. This decreases community trust and infringes upon efforts to fight crime and save lives. In most states, law enforcement officials are opposed to restrictions on DLs, citing public safety, fraud prevention, battling corruption, and crime prevention.

Information-sharing with the INS and SSA does not increase public safety. Some states have proposed verifying immigration documents with the INS and the Social Security Administration. Linking DL databases to the INS or the Social Security Administration to verify documents is likely to have harmful consequences. First, no database exists that contains information regarding the current immigration status of all immigrants. The INS database is not updated quickly enough to contain current immigration status for all persons, and no database includes people who became naturalized citizens prior to 1973. As a result, many legal immigrants and U.S. citizens may be unfairly denied DLs. Second, the accuracy and reliability of the databases are problematic; INS and SSA databases have been shown to have error rates approaching 20%. Finally, innocent mistakes, such as the misspelling of “unusual” names, transposing given names and surnames, inconsistent entry of multiple surnames, and the like, have a disproportionate impact on ethnic minorities. If verification against INS data is used by DL agencies, it is inevitable that eligible persons will be denied DLs because of inaccuracies in the databases. Sharing information with the INS and SSA does not lead to increased public safety. If immigrants do not apply for DLs because they fear discrimination or that they will be reported to the INS or other law enforcement agencies, information-sharing results in greater numbers of unlicensed and uninsured drivers, and less contact between the community and the authorities. As a result, the entire community is less safe.

Restricting DLs results in unsafe roads, higher insurance rates, and overwhelmed court systems. Currently, there are an estimated eight million undocumented immigrants in the United States, many of whom have to drive on U.S. roads in order to work, whether or not they have a DL. As a result of immigrant restrictions these drivers will not take driving classes, will not pass driving tests, cannot get insurance, and are more likely to flee the scene of an accident. Nationally, uninsured motorists cause 14% of all accidents, and over \$4.1 billion in insurance losses per year. In addition, immigrant license restrictions result in numerous arrests for minor traffic violations, clogging the public courts and diverting the time of law enforcement officers who would be better used protecting public safety.

Restricting DLs results in the proliferation of false documents. The production and sale of falsified documents is likely to increase if large numbers of immigrants are denied DLs. Excluding individuals from legal DLs creates conditions in which false documents and false identities will proliferate, resulting in less accurate information about who is currently in the country.

Restricting DLs interferes with other law enforcement mechanisms. Law enforcement officials point out that the current child support enforcement and criminal warrant tracking functions of DLs are less useful if large proportions of the population are excluded from the DL databases.

Restricting DLs does not affect employment or public benefit usage. A driver’s license only proves identity and ensures that the license holder has shown a minimal level of competency to drive and understand the country’s laws. Federal law requires all employees to complete an I-9 form, which requires both proof of identity and eligibility to work, so a driver’s license alone is not enough. Public benefits programs also require additional proof of identity and immigration status, so there is no risk of undocumented workers getting benefits that only legal immigrants or citizens are entitled to.