

A Number, Not A Name: Big Brother By Stealth

by [Claire Wolfe](#)

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This article and last year's "Land-Mine Legislation" address similar issues. However, "A Number, Not a Name" contains updated, corrected and more detailed material. It was also written for a respectable publication (The Freeman, May 1998, The Foundation for Economic Education, Irvington-on-Hudson, NY.), and its chief virtue may be that you could share it with your grandmother or your pastor more readily than some of my more inflammatory stuff. The version presented here is the original, unedited copy. It differs somewhat from the version printed by The Freeman.



When Colorado Congressman Dan Schaefer held a Consumer Protection Seminar in October 1997, he thought he was going to educate constituents about guarding their privacy against con artists.

Instead, it was Schaefer who got an education.

"My concern with privacy," snapped the first person to rise for a question-and-answer session, "is what the damn government is doing to me."

A flood of comment followed--nearly all of it about laws passed by Schaefer's own Republican 104th Congress and signed by President Clinton. Together, these laws create the most comprehensive ID and citizen-tracking system ever imposed upon any country.

Yet they have received little attention in the mainstream media and in some cases were passed with little or no debate in Congress.

In the Beginning was the ID Card

Since September 30, 1996, the U.S. has had a mandate for a de facto national ID card.

Public Law 104-208, Division C, Title VI, Subtitle D, Section 656

reads:

IMPROVEMENTS IN IDENTIFICATION-RELATED DOCUMENTS(b)(1)(A)

...A Federal agency may not accept for any identification-related purpose a drivers' license, or other comparable identification document, issued by a State, unless the license or document satisfies the following requirements-

(ii) Social security number.--Except as provided in subparagraph (B), the license or document shall contain a social security account number that can be read visually or by electronic means.[\[Note 1\]](#)

(iii) Form.--The license or document otherwise shall be in a form consistent with requirements set forth in regulations promulgated by the Secretary of Transportation after consultation with the American Association of Motor Vehicle Administrators. The form shall contain security features designed to limit tampering, counterfeiting, photocopying, or otherwise duplicating the license...

In other words, once this law goes into effect, your drivers license will continue to be issued by your state, but it will meet specifications set by the federal government, including use of your social security number and presence of federally specified security features.

Any time you wish to receive a service from the federal government, you will be required to produce this license or a similar non-driver ID. No alternates will be accepted.

Insecurity Features

Secretary of Transportation Rodney Slater has not published his proposed regulation on "security features." (The law required him to do by September 30, 1997.) However, we already know that these features will not consist of innocuous, anonymous items like those in our recently redesigned currency. They will contain, among other things, your biometric measurements.

The American Association of Motor Vehicle Administrators (AAMVA), the group assisting Slater with design of the card, has already made this apparent via state laws being passed at their behest. Some 28 states have begun, or proposed, changing their drivers licenses since

the federal law was passed.

Changes and proposals include:

- Digitally encoded fingerprints
- Digital, computer-readable photos
- Digitally encoded retinal scans
- Other forms of biometric ID

These, or similar information, will be on your license in the form of bar codes, magnetic strips and eventually, silicon chips (smart cards). In December 1997, the AAMVA also announced that fingerprints were its currently favored form of biometric ID.

The ID provisions of Public Law 104-208 take effect on October 1, 2000.

The Card is Only the Beginning

Bar codes and magnetic strips enable the drivers license to carry a significant amount of data about your life.

The card becomes a mini-databank containing such electronically readable information as your driving record, employment, age, sex, race, social security number and criminal record. The most sophisticated cards will have the capability to contain far greater amounts of data, which might include your health history, education records, job history, DNA scans and virtually anything else the government decides to legislate into the license, or a bureaucrat decides to regulate into it.

This data will be available to any institution or individual with the capability of scanning your card.

Yet the card itself is not the biggest problem. The far larger problem lies in the databases a social security number-based ID can unlock.

By making the card a carrier of a "unique identifier" for every citizen, the federal government has opened the door to a nightmare. And the nightmare is made flesh by other laws from the 104th Congress.

- Buried in both Public Law 104-208 and Public Law 104-193 (The Welfare Reform Act of 1996) are similar provisions requiring development of scannable social security cards. If this doesn't seem ominous in its own right, it is when connected with another hidden element of PL 104-208:
 - Division C, Title IV, Subtitle A, Sections 401-404, orders pilot programs in which job-seekers will be required to obtain the permission of the federal government before being

allowed to work. The machine-readable social security card of PL 104-108 and 104-193 will be used to transmit the potential employee's ID to Washington, and to receive an okay from the Social Security Administration.

- The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), much ballyhoo in the media as "moderate" health care reform, dictates national "standards" for the electronic transmission of all personal medical data. Standards seems an innocuous term. However, the law specifies that every individual's medical data will be stored and transmitted under a "unique identifier." These "standards" were ordered in the name of preventing abuses of medical data. However, by placing every American's records into one form, with one identifying number for each individual, Congress made abuse not only easier, but inevitable. In fact, the law carries built-in blueprints for abuse. For example, you, as an individual, have no right to forbid your private information to be transmitted as the government orders. You have no right to inspect your own transmitted data or correct it. The law does, however, guarantee access to a variety of government agencies and "researchers." Although, once again, the proposed standards have not been published, it's a virtual certainty that your social security number will be used as your "unique identifier" in this system.

In other words, your social security number--which had been gradually becoming an unofficial universal ID number for decades--becomes the key to a vast new store of personal information about your life.

But, still, these invasions of privacy aren't the most serious problem.

The Biggest Invasion of All

As HR3734, the Welfare Reform Act, was on its way to becoming law, liberals, conservatives and the media alike, hailed one of its provisions--the "Deadbeat Dad's Database." Nearly everyone agreed that tracking down deadbeat, absentee parents was a good idea.

Except...that's not what the database does.

If you were designing a system to track non-paying, non-custodial parents (leaving aside the constitutional issue of whether the federal government has authority to do any such thing), how would you do it?

The least obtrusive way, of course, would be to wait until an absentee parent had missed at least one child-support payment, then enter information about the parent in the database. But by then the

absentee might have disappeared.

The next logical course, somewhat more obtrusive to responsible parents, but more effective, would be for court clerks to enter every child-support judgment into a local database at the time it is issued. The parent who owed child support could then be required either to make payments through the court, or to report periodically to the court. If the parent failed to do so, police could be quickly issued an order to contact the non-complying parent. When the children had matured and the obligation ended, the parent's name would be removed from the record.

Other systems along similar lines could help assure child-support payments. And it could all be accomplished with no federal involvement at all. The database Congress created has no connection whatsoever to child-support judgments. It has nothing to do with parenthood in any manner. It is, quite simply a permanent record of every person hired by any company in America, anywhere, at any time-filed by social security number.

The "new hires database," as it's more properly called, tidily lets many a self-employed "deadbeat" slip through the cracks. Yet at the same time it sweeps in the single and childless, devoted married couples, great-grandparents and every other category of productive worker.

Clearly, the purpose of this database never was, isn't, and never will be to track "deadbeat dads."

It is to track citizens, particularly working citizens-those whom the federal government increasingly regards as its "resources." Furthermore, Section 317 of The Welfare Reform Act amended Title 42 U.S.C. 666(a)(13) to require that, as a condition to receiving federal welfare funds States must:

...establish procedures requiring that the social security number of any applicant for a professional license, commercial driver's license,[\[Note 2\]](#) recreational license, occupational license, or marriage license be recorded on the application.

Once the states pass their enabling legislation (which they must do to implement these licensing provisions, the new hires database, and the federal ID license), no American will even be able to get a fishing license, get married or become a hairdresser without the information being immediately available to government agencies across the land. There are even provisions in the Welfare law to require utilities and cable TV companies to report customers who have child support

obligations.

Taken together, these databases, ID cards and programs will become a citizen-monitoring system that would have been the envy of the old Soviet Empire or Nazi Germany.

Yet there is more already on the books. And there is certainly more to come.

Other Sections of the Maze

The School to Work Opportunities Act of 1994 (Public Law 103-239), passed by the Democratic Congress of Clinton's first two years, has many cheerleaders in the education community, and was promoted to the public as a solution to the longstanding, and real, problem of children leaving school unprepared for work.

In reality, however, the act requires local schools to report to the Secretaries of Labor and Education for the STW program's "labor-market identification system." In other words, students are regarded as a federal resource to be allocated by central planning systems.

Furthermore, as British libertarian scholar Sean Gabb noted in his well-researched 1994 essay on national ID:[[Note 3](#)]

In the United States...the education system is fast acquiring a national network of electronic student records. Its purpose is to allow the exchange of information between various agencies, both public and private, and the continuous tracking of individuals through school and higher education, through the armed forces, through the criminal justice system, through their civilian careers, and through their use of the medical services. At the moment, these databases are being fed "only" the following information:

- An "electronic portfolio" for every student, containing personal essays and other completed work that has been submitted on computer disk;
- Assessments by teachers of every student's work and work-related behavior;
- Every student's Social Security Number, to allow later additions from other databases.

The National Education Goals Panel, a Federal committee set up under the Goals 2000 Act 1993 to coordinate the national reform of education, has recommended as "essential" the adding of further information to these portfolios, this to include:

- Month and extent of first prenatal care;
 - Birth weight;
 - Name, type, and number of years in a pre-school program;
 - Poverty status;
 - Physical, emotional and other development at ages five and six;
 - Date of last routine health and dental care;
 - Activities away from school;
 - Type and hours per week of community service;
 - Name of post-secondary institution attended;
 - Post-secondary degree or credential;
 - Employment status;
 - Type of employment and employer's name;
- Whether registered to vote.

It also notes other "data elements useful for research and school management purposes":

- Names of persons living in student household; Relationship of those persons to student;
- Highest level of education for "primary care-givers";
- Total family income;
- Public assistance status and years of benefits;
- Number of moves in the last five years;
- Nature and ownership of dwelling.

Though intended mainly for the authorities, access to these records is available also to private agencies. This is intended. In *Together We Can*, a book published jointly by the U.S. Department of Education and the U.S. Department of Health and Human Services, there is talk of "overcoming the confidentiality barrier". The purpose of the new databases is to give all agencies "ready access to each other's data."

With this in mind, it should be noted that recent changes in tax law also require that every child must also have a social security number in order to be deducted on a parent's tax returns. As of this year, there are no alternative means of "proving" the existence of your child. Whether the specific recommendations above are implemented or

some other, equally intrusive proposal one day becomes law, what do you think will be used as a "unique identifier" of growing childhood databases?

Speaking of those growing databases: In mid-1997, Bill Clinton proposed creation of a federal registry of all children's vaccinations, stating that "most people" can't track their children's medical records, even when it may have "something to do with whether their children live or die." Not a single parent, teacher or physician's group spoke out in protest of this stunning assumption about the stupidity and carelessness of the average American parent. Finally, there are the bills under consideration by the current Congress:

- In HR 231, Florida Republican Bill McCollum has proposed making the social security card every American's photo ID.[[Note 4](#)]
- According to Scott McDonald, of Alabama's Fight the Fingerprint, The Voter Eligibility Verification Act, HR 1428, would "...amend the Social Security Act to permit States to require individuals registering to vote in elections to provide the individual's Social Security number." Furthermore, the bill would establish a "Voter Eligibility Confirmation System" to be maintained by the Attorney General's Office in cooperation with the Social Security Administration.
- Again, according to McDonald's research, HR 1998, The Yates Firearm Registration and Crime Prevention Act of 1997, would require everyone in the U.S. who owns a firearm to register the firearm with the federal government within 1 year after the effective date of the act. To register, you must submit your "...name, age, address, and social security number, name of the manufacturer, the caliber or gauge (as appropriate), the model and type, and the serial number identification (if any) of the firearm." The application for a firearm permit must be "on a written application that contains a photograph and fingerprints of the applicant."

Republicans have passed significant gun-control legislation[[Note 5](#)] since taking charge of Congress. Even so, it's unlikely they would dare pass anti-gun legislation as sweeping and visible as this. We must not forget, however, that Congress passed the Brady Bill after Brady had languished for a number of years; one of the Republicans' own, Bob Dole, was instrumental in the bill's passage. And just as Britain and Australia both passed draconian gun-confiscation laws in 1997 following highly publicized murders, America is vulnerable to

periodic jerks of the knee.

Whether the Yates proposal ever passes, the important thing to note is that Congress has passed and is considering, many proposals to create tracking systems, ID devices and databases--all accessed with that single "Open Sesame"--your social security number.

These laws have been passed in a firm spirit of bipartisanship, and with little opposition, or even comment, in the mainstream media. Because the tracking laws often occupy no more than a few paragraphs of an omnibus bill,[[Note 6](#)] the public is generally unaware of them until they've already been implemented. Every one of these laws is being passed in the name of "safety," "security," "anti-fraud," "crime control," or "stopping illegal immigrants."

But Why Worry?

Some may say, "Well, good. It's about time they found some way to stop illegal aliens, deadbeats and criminals."

Certainly, others will react, "Gee, I'd like to have my health record on my drivers license in case I'm in an accident or something." Or, "Criminals ought to have their records where police can easily get them."

And then there is the standard: "Why should I worry about the government having information about me? I don't have anything to hide."

But these responses, all of which imply face-value acceptance of the federal government's claims of "security," ignore the long-term harm which will inevitably come from a national ID and database system.

Why should you worry?

You should worry because all these laws work together for one purpose, and that purpose is control of your life. Every one of these measures implies government ownership of the information about your life--and by projection, of your life itself. They imply that we are subjects, not citizens. Serfs, not free people. Cattle, not independent and equal humans.

By assuming it has the unlimited right to collect and maintain data on us, to require us to use numbering systems and ID systems of its design, and to "allocate" its "human resources" as it sees fit, the federal government is treating us precisely as a modern farmer treats his herds. Certainly, he wants them to be healthy, to be grazing in the right pasture at the right moment, to be secure against predators...but he wants them most emphatically to be under his constant watch and control.

If we don't value our privacy, we should surely guard our self-ownership and oppose all federal ID and tracking laws on their face and on principle.

You should worry because innocent errors or deliberate corruption could cost you everything you've ever worked for. For instance, once the pilot job programs become national policy, if your social security card fails to scan, you may not be able to get a job anywhere in the U.S. A card could fail to scan for many innocent reasons. Or, if you are a political activist, a rival of a government contractor, or some other form of "undesirable," your card could fail to scan because someone hacked the system or tagged your social security file.

It could take months, even years, to straighten out innocent errors. In the meantime, you might not even be able to get unemployment or welfare--because your number wouldn't scan for those systems, either. There are provisions in the pilot programs for paper reporting as an alternative. However, inertia, and fear of government enforcement, could make employers reluctant to hire anyone whose card doesn't scan.

In any case, the paper reporting won't do you any good if a system problem or political chicanery has rendered your SSN "inoperable." As soon as the paper record is checked against the database, you're out of a job. An error in your health records--so easily accessible through those national standards--could indicate that you were mentally ill. In that case, you might lose your gun-rights or your job. A political opponent could use your non-existent "illness" against you in a variety of ways.

How many more horrors can result from incorrect or "fiddled" data?

You should worry because accurate data can harm you, too. As Sean Gabb has pointed out, even accurate data can easily be used against you.

In Britain there have already been incidents in which smokers were denied health care. Gabb sites one case in which the child of a smoker was denied dental care until his parent ceased using cigarettes. The information on the parent's habits was in a national database.

If you have ever wondered how Rwanda's Hutus and Tutsis decide which individuals are candidates for massacre, Gabb has one answer: the slaughtering bands check potential victims national ID cards. Wrong tribal affiliation--death.

The potential for discrimination against people on the basis of their habits, sexual orientation, health history or other factors is enormous. While a U.S. ID card might never result in mass slaughter, unlike

those of Rwanda or Nazi Germany, they could result in such things as quotas that would deny medical care to elderly or overweight people, or hiring bans (or compulsory surgery) on people with certain genetic diseases.

You should worry because your once-representatives now feel themselves bound by no restraints at all--neither the Constitution nor your opinion. The Constitution gives the federal government no authority pass any of the legislation mentioned in this article. But Congress discarded the Constitution long ago. And it is passing sweeping laws in such a way as to keep them largely invisible to you until it is too late. You should worry, and wonder, why people hired to represent you feel the need to do this.

And if these things don't worry you...Here's one, small, practical reason to oppose these federal efforts at control. They'll do nothing whatsoever to make anyone safer or more secure. As quickly as the new drivers license systems are being put on line, they are being compromised. In two states, thieves rapidly broke in and stole the computer systems that produce the "secure" ID. In California, Department of Motor Vehicle employees were arrested for selling black market "secure" ID.

Every database can be hacked. Employees can be bribed. The most sophisticated card can be faked. By establishing systems which some people will have to evade merely to survive, and by driving ordinary privacy-lovers to desperation, these laws actually create more lawbreaking, and entirely new classes of criminal.

Opposition grows

Across the nation, citizens are mobilizing to fight their states' rendition of the national ID card. Three of the earliest and most active groups have been those in Georgia, Alabama and Washington.[\[Note 7\]](#) However, even if a few state activists prevail, their efforts will lead to a dead end. If a state refuses to comply with federal ID requirements, its citizens will not be able to get passports, welfare or social security, among other services.[\[Note 8\]](#)

This might bring a momentary smile to hardcore libertarians like me who would like to see such federal services abolished. Unfortunately, it would also leave most citizens of the rebellious states crying for ID chains and the tax-funded "security" that comes with them.

Even among activists carrying on the battle "within the system," there is another, deeper element to the struggle. Unnoted by the media, a solid resistance movement is forming under and around the polite activism. As states introduce their enabling legislation for the new ID, and as activists gradually lose the battle, we can expect to see literally millions of Americans take steps to drop out, circumvent or monkey-

wrench the numbering and database systems.

Many fundamentalist Christians believe they will literally lose their souls if they accept a universal ID number, believing it to be a sign of the Antichrist. (Revelation 13:16-17 "And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads. And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name.")

Many non-religious activists or freedom-seekers have simply declared this to be their line in the sand. As one commented, "Slaves to one side; free people to the other. I know which side I'm on, no matter what damn laws they pass."

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1.The "exception" noted in subparagraph (B) is actually no exception at all. It enables some states to exclude the SSN from the face of the card as long as the number is available in a database. There is no escape provided in this law for people who do not possess a social security number or who have religious or philosophical objections to the use of universal identifying numbers. Some states let religious objectors fill out affidavits, and a recent Los Angeles superior court case was decided in favor of five religious objectors, who are so far exempted from having to use social security numbers on their drivers licenses. On the other hand, nearly all objectors have reported being "hassled" in the process. And naturally, their names go into yet another database.

2.One year after creating this set of SSN requirements, Congress deleted the word "commercial" from this section of the Act. This deletion, made in the Balanced Budget Act of 1997, extended the SSN provision from the approximately 10 million commercial drivers license holders in the U.S. to all 180 million licensed drivers. Although this seems to do nothing but duplicate the effort already put forth in PL 104-208, it also ensures that, if the Supreme Court were to strike down the drivers license provisions of 104-208 on narrow grounds, there would still be a federal law requiring the use of SSN's in conjunction with state drivers licenses.

3."A Libertarian Conservative Case Against Identity Cards," by Sean Gabb. First Published by the Libertarian Alliance, London, 1994, As Political Notes 98, ISBN 1 85637 268 5. Available on the Internet at: <http://freespace.virgin.net/old.whig/idcards.html>.

4.Presumably, an element of redundancy is also operating here. However, there is the fact that most congresspeople who voted for HR 3610, which became PL 104-208 were totally ignorant of the fact that the ID provision was in the bill. Some are just learning it now, more

than a year after voting for it.

5. The Lautenberg Law, an ex post facto law that disarms anyone who has ever committed certain violent misdemeanors; the school-zone gun ban, a revival of a ban earlier struck down by the Supreme Court; and a \$100 million increase in funding for the Bureau of Alcohol, Tobacco and Firearms. All three were also part of PL 104-208.

6. PL 104-208, for instance, contains 468,937 words--about four times the size of an average novel. The national ID drivers license provision occupies approximately one page.

7. The Alabama Fight the Fingerprint organization maintains the best all-round web site on this subject at <http://www.networkusa.org/fingerprint.shtml>. If you visit, be sure to check their recently updated record on all state drivers license requirements at: <http://www.networkusa.org/fingerprint/page4/fp-04-page4-winners-losers.html>. Other sites of interest: The Georgia Coalition to Repeal the Fingerprints Law (<http://www.atlantainfoguide.com/repeal>) and Washington State Citizens Against National ID (<http://home.earthlink.net/~idzrus/opwid.html>)

8. The federal government cannot force the states to adopt ID and tracking systems. It has done something even more powerful--threatened to withhold tax dollars from those states that don't comply, and/or rewarded those that do with bonus millions. Every state in the nation is, or is about to, adopt the new hires database and SSN requirements for licensing. Every state will be forced by sheer necessity to adopt the national ID license.

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