Frequently Asked Questions about the IRS Announcement on ID.me and its impact on immigrants
February 17, 2022

This FAQ addresses an IRS announcement in November 2021 about accessing taxes online through a third-party biometrics and facial recognition company called ID.me.²

Introduction:

In November 2021, the IRS announced that taxpayers would need to register with a facial recognition company called ID.me to access their IRS.gov online accounts to see their history of tax payments, get tax transcripts, or access certain tax benefits.³ Anyone who planned to use ID.me’s online service would be required to upload selfies, various sensitive identity documents, and a live video feed of their faces via a mobile device.

After a major pushback from advocates, the IRS halted using ID.me.⁴ While we celebrate that the IRS is not moving forward with ID.me, it has raised disturbing questions about the extent the IRS or other agencies will continue working with companies that take facial scans and harvest sensitive and personal data.

Frequently Asked Questions

What information was ID.me planning to collect for the IRS?

This process would have required that applicants take a selfie, submit copies of bills and identity documents (i.e., driver’s license, state-issued ID, or passport), and details about their mobile phone service.

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¹ Authored by Paromita Shah. Thanks to Julie Mao and Ellen Kemp for editing. Research by Sawyeh Esmaili.
After the selfie is submitted, ID.me’s service uses a facial recognition program to match and verify faces. ID.me also saves the face scan for the IRS. Moreover, if a person does not follow these steps or triggers a “fraud” flag, ID.me would have recorded a live video chat with the applicant. Acting on behalf of the IRS, the company would have requested more personal information, ranging from a Social Security card to an electric bill.

Can ID.me tell if someone who files online is an immigrant?

We are not sure. One troubling piece of information is how ID.me “inferred citizenship” from the data it collects. The company stores “inferred citizenship” of some users that is based on passport info, facial images, voiceprints, location data, and info from documents, such as postal addresses, Social Security Numbers, drivers license numbers, and more. Even though the IRS is not using ID.me, another vendor may promise the same analysis.

Why should immigrants care about this issue especially now that the IRS has dropped ID.me?

Even though the IRS stopped their plans to use ID.me, the IRS may try to use another facial recognition company like ID.me. With any vendor that the IRS uses, we are concerned that any vendor would share data with the Department of Homeland Security (DHS) and that the data it shares could be used for immigration enforcement.

DHS is buying vast amounts of biometric and biographic information to make decisions about immigration benefits and to create lists for raids and immigration enforcement. By purchasing access to biometric and biographic information from companies like ID.me, DHS can learn much more about where a person lives, where they work, and who they know.

Lastly, tax return filings are an important part of a person’s application for benefits, and we are worried that companies like ID.me could work against noncitizens applying for a work permit, temporary protected status, prosecutorial discretion or a green card.

Specifically, ID.me carries more implications for BIPOC communities, including:

- **ID.me had confusing and unclear policies around privacy, retention and sharing.** For example, they had the right to share this data with police and “select partners,” including ICE, if asked. They could store information for a long time, up to seven and a half years. ID.me compares your selfies to its library of face scans that it had collected from other sources.

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6 ID.me Privacy Bill of Rights, Version 6.3.1, https://www.id.me/privacy.
• **It is unclear how ID.me would share information with DHS.** Although DHS is prevented from automatically accessing tax returns, we still know very little about how ID.me interfaces with the Department of Homeland Security and the conditions under which they share information. That will take time to figure out.

• **Facial recognition technology has a history of inaccuracy.** Last year, ID.me contracted with more than half of U.S. states to administer unemployment benefits. Since then, there have been innumerable complaints from people whose funds were put on hold incorrectly or who weren't able to get verified because they didn't have the right documents, couldn't access the internet, or for other reasons.

• **Facial recognition technology is biased.** Biases within facial recognition technologies can lead to more hurdles specifically for BIPOC. Facial recognition algorithms have been shown to have higher error rates when it comes to people of color, with the highest inaccuracies found concerning individuals who are Black and female. 

**What can we do?**

Even with this important victory, we must ensure that the IRS does not simply switch to another facial recognition tool. (To be clear, there are no changes to how people access or file their taxes.)

We have called for limiting the use of facial recognition tech given that many of these facial recognition companies have ties to state and federal law enforcement agencies. These powerful tools cause confusion and fear amongst over-surveilled communities who worry about the transfer of their information.

**Sources:**

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