

110TH CONGRESS
1ST SESSION

H. R. 4176

To enhance national security by restricting access of illegal aliens to driver's licenses and State-issued identification documents.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2007

Mr. KING of New York (for himself, Mr. SESSIONS, Mr. BOEHNER, Mr. BLUNT, Mr. PUTNAM, Mr. SMITH of Texas, Mr. KUHL of New York, Mr. REYNOLDS, Mr. MCHUGH, Mr. FOSSELLA, Mrs. GILLIBRAND, Mrs. MILLER of Michigan, Mr. BURTON of Indiana, Mr. TANCREDO, Mrs. MYRICK, Mr. BAKER, Mr. DREIER, Mr. FEENEY, Mr. DAVID DAVIS of Tennessee, Mr. TOM DAVIS of Virginia, Mrs. BOYDA of Kansas, Mr. SHAYS, Mr. BROWN of South Carolina, Mr. MCCOTTER, Mrs. EMERSON, Mr. MCINTYRE, Mr. ROSKAM, Mr. CHABOT, Mr. BILIRAKIS, Mr. PENCE, Mr. CULBERSON, Mr. POE, Mrs. DRAKE, Mr. TIAHRT, Mr. GINGREY, Mr. DEAL of Georgia, Mr. PETERSON of Pennsylvania, Mr. PEARCE, Mr. SULLIVAN, Mr. TIBERI, Mr. SIMPSON, Mr. ROYCE, Mr. McCaul of Texas, Mr. SOUDER, Mr. HULSHOF, Mr. KING of Iowa, Mr. MARCHANT, Mr. RAMSTAD, Mr. AKIN, Mr. LOBIONDO, Mr. FERGUSON, Mr. CAMPBELL of California, Mr. KLINE of Minnesota, Mr. WALSH of New York, Mr. KELLER of Florida, Mr. SMITH of Nebraska, Mr. DENT, Mr. COBLE, Mr. ALEXANDER, Mr. TERRY, Mr. HALL of Texas, Mr. BACHUS, Mr. REHBERG, Mr. LUCAS, Mr. CALVERT, Mr. ADERHOLT, Mr. HERGER, Mr. MCHENRY, Mr. DUNCAN, Mr. BILBRAY, Mr. REICHERT, Mrs. MUSGRAVE, Mr. LEWIS of Kentucky, Mr. YOUNG of Florida, Mr. HUNTER, Mr. LATOURETTE, Mr. LATHAM, Mr. DOOLITTLE, Mr. GERMACH, Mr. HENSARLING, Mr. RENZI, Mr. SHADEGG, Mr. LINDER, Mr. NEUGEBAUER, Mr. SAXTON, Mr. GOHMERT, Mr. WOLF, Mr. GOODE, Mr. MILLER of Florida, Mr. PLATTS, Mr. FRANKS of Arizona, Mrs. BLACKBURN, Mr. WICKER, Mr. GALLEGLY, Mr. BROUN of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. COLE of Oklahoma, Mr. SAM JOHNSON of Texas, Mr. BURGESS, Mr. TIM MURPHY of Pennsylvania, Mr. WILSON of South Carolina, Mr. ROGERS of Michigan, Mr. BARRETT of South Carolina, Mr. PRICE of Georgia, Ms. GRANGER, Mr. FORTENBERRY, Mr. DAVIS of Kentucky, Mr. THORNBERRY, Mrs. CAPITO, Mr. BUYER, Ms. FALLIN, Mr. BONNER, Mrs. BACHMANN, Mr. FORBES, Mr. BOOZMAN, Mr. TURNER, Mr. EVERETT, Mr. KINGSTON, Mrs. SCHMIDT, Mr. PORTER, Mr. ROGERS of Kentucky, Mr. BARTON of Texas, Mr. FRELINGHUYSEN, Mrs. BONO, Mr. YOUNG of Alaska, Ms.

PRYCE of Ohio, Mr. BRADY of Texas, Mr. WESTMORELAND, Mr. ENGLISH of Pennsylvania, Mr. ROHRABACHER, Mr. ISSA, Mr. GRAVES, Mr. ROGERS of Alabama, Mr. WAMP, Mr. CONAWAY, Mr. HAYES, Mr. PICKERING, Mrs. McMORRIS RODGERS, Mr. WELDON of Florida, Mr. KIRK, Mr. McKEON, Mr. HOBSON, Mr. HASTERT, Mrs. CUBIN, Mr. McCARTHY of California, Mr. MCCREERY, Mr. SHUSTER, Mr. LAMBORN, Mr. JOHNSON of Illinois, Mr. BOUSTANY, Mr. GOODLATTE, Mr. WHITFIELD, Mr. GARY G. MILLER of California, Mr. MICA, Mr. MORAN of Kansas, Mr. JORDAN of Ohio, and Mr. KNOLLENBERG) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance national security by restricting access of illegal aliens to driver's licenses and State-issued identification documents.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act shall be cited as the "Prevention of Unsafe
5 Licensing Act".

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) The ability of illegal aliens and terrorists to
9 acquire driver's licenses or identification cards poses
10 a threat to national security.

11 (2) Issuing driver's licenses or other forms of
12 documentation to individuals who are illegally

1 present in the United States will enable illegal
2 aliens, and possibly terrorists, to open bank ac-
3 counts, transfer money out of the country, purchase
4 weapons, and commit voter fraud.

5 (3) The 9/11 terrorists obtained dozens of driv-
6 er's licenses from States with weak licensing laws.
7 The 9/11 hijackers also acquired a total of 28 State-
8 issued identification cards or driver's licenses.

9 (4) An illegal alien, whose presence in the
10 United States proves blatant disregard of Federal
11 law, should not be rewarded by having his or her
12 presence in the United States supported by receiving
13 legitimate government-issued identification.

14 (5) Congress passed the REAL ID Act of 2005
15 (division B of Public Law 109–13) to enhance secu-
16 rity of State-issued driver's licenses and other identi-
17 fication documents to prevent potential terrorists
18 from obtaining identification documents in order to
19 remain and operate in the United States.

20 (6) Recent actions by some States have dem-
21 onstrated a willingness to exploit loopholes in the
22 law to provide driver's licenses to illegal aliens re-
23 gardless of the security concerns.

24 (7) A driver's license is a desired document; it
25 enables an individual to travel and live in the United

1 States and may facilitate acquiring other documents
2 and services.

3 (8) Illegal aliens may use a driver's license to
4 register and vote in Federal, State, and local elec-
5 tions.

6 (9) Allowing illegal immigrants to have access
7 to driver's licenses could hinder an employer's ability
8 to check identification and verify legal status and
9 work authorization.

10 (10) Federal Courts have repeatedly found that
11 the Congress has plenary power to regulate immi-
12 gration, including conditions on admissibility, pres-
13 ence, and removal of aliens.

14 **SEC. 3. PROHIBITION ON ISSUING DRIVER'S LICENSES TO**
15 **ILLEGAL ALIENS.**

16 Section 202 of the REAL ID Act of 2005 (49 U.S.C.
17 30301 note) is amended—

18 (1) in subsection (d), by striking paragraph
19 (11) and redesignating paragraphs (12) and (13) as
20 paragraphs (11) and (12), respectively; and

21 (2) by adding at the end the following:

22 “(e) PROHIBITION.—A State is prohibited from
23 issuing any driver's license or identification card to any

- 1 individual unless the State satisfies the requirements of
- 2 subsection (c)(2)(B).".

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