

110TH CONGRESS
1ST SESSION

S. 2356

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2007

Mr. COLEMAN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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 may be cited as the “Prevention of Unsafe
5 Licensing Act”.

6 **SEC. 2. FINDINGS.**

7 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.

1 (2) Issuing driver’s licenses or other forms of
2 documentation to individuals who are illegally
3 present in the United States will enable illegal
4 aliens, and possibly terrorists, to open bank ac-
5 counts, transfer money out of the country, purchase
6 weapons, and commit voter fraud.

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

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

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

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

1 (7) A driver’s license is a desired document that
 2 enables an individual to travel and live in the United
 3 States and may facilitate acquiring other documents
 4 and services.

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

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

12 (10) Federal courts have repeatedly found that
 13 Congress has plenary power to regulate immigration,
 14 including conditions on admissibility, presence, and
 15 removal of aliens.

16 **SEC. 3. PROHIBITION ON ISSUING DRIVER’S LICENSES TO**
 17 **ILLEGAL ALIENS.**

18 Section 202 of the REAL ID Act of 2005 (49 U.S.C.
 19 30301 note) is amended—

20 (1) in subsection (d)—

21 (A) by striking paragraph (11); and

22 (B) by redesignating paragraphs (12) and
 23 (13) as paragraphs (11) and (12), respectively;
 24 and

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

1 “(e) PROHIBITION.—A State is prohibited from
2 issuing a driver’s license or identification card to any indi-
3 vidual unless the State fully complies with the require-
4 ments under subsection (c)(2)(B).”.

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