

114TH CONGRESS  
1ST SESSION

# S. 79

To impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2015

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes.

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 “Remittance Status  
5 Verification Act of 2015”.

1 **SEC. 2. STATUS VERIFICATION FOR REMITTANCE TRANS-**  
 2 **FERS.**

3 Section 919 of the Electronic Fund Transfer Act (re-  
 4 lating to remittance transfers) (15 U.S.C. 1693o-1) is  
 5 amended—

6 (1) by redesignating subsection (g) as sub-  
 7 section (h); and

8 (2) by inserting after subsection (f) the fol-  
 9 lowing:

10 “(g) STATUS VERIFICATION OF SENDER.—

11 “(1) REQUEST FOR PROOF OF STATUS.—

12 “(A) IN GENERAL.—Each remittance  
 13 transfer provider shall request from each sender  
 14 of a remittance transfer, the recipient of which  
 15 is located in any country other than the United  
 16 States, proof of the status of that sender under  
 17 the immigration laws, prior to the initiation of  
 18 the remittance transfer.

19 “(B) ACCEPTABLE DOCUMENTATION.—Ac-  
 20 ceptable documentation of the status of the  
 21 sender under this paragraph—

22 “(i) shall be, in any State that re-  
 23 quires proof of legal residence—

24 “(I) a State-issued driver’s li-  
 25 cense or Federal passport; or

1                   “(II) the same documentation as  
2                   required by the State for proof of  
3                   identity for the issuance of a driver’s  
4                   license, or as required for a passport;

5                   “(ii) shall be, in any State that does  
6                   not require proof of legal residence, such  
7                   documentation as the Bureau shall require,  
8                   by rule; and

9                   “(iii) does not include any matricula  
10                  consular card.

11                  “(2) FINE FOR NONCOMPLIANCE.—Each remit-  
12                  tance transfer provider shall impose on any sender  
13                  who is unable to provide the proof of status re-  
14                  quested under paragraph (1) at the time of transfer,  
15                  a fine equal to 7 percent of the United States dollar  
16                  amount to be transferred (excluding any fees or  
17                  other charges imposed by the remittance transfer  
18                  provider).

19                  “(3) SUBMISSION OF FINES TO BUREAU.—All  
20                  fines imposed and collected by a remittance transfer  
21                  provider under paragraph (2) shall be submitted to  
22                  the Bureau, in such form and in such manner as the  
23                  Bureau shall establish, by rule.

24                  “(4) ADMINISTRATIVE AND ENFORCEMENT  
25                  COSTS.—The Bureau shall use fines submitted

1 under paragraph (3) to pay the administrative and  
2 enforcement costs to the Bureau in carrying out this  
3 subsection.

4 “(5) USE OF FINES FOR BORDER PROTEC-  
5 TION.—Amounts from the collection of fines under  
6 this subsection that remain available after the pay-  
7 ment of expenses described in paragraph (4), shall  
8 be transferred by the Bureau to the Treasury, to be  
9 used to pay expenses relating to United States Cus-  
10 toms and Border Protection for border security fence-  
11 ing, infrastructure, and technology.

12 “(6) DEFINITION RELATING TO IMMIGRATION  
13 STATUS.—In this subsection, the term ‘immigration  
14 laws’ has the same meaning as in section 101(a) of  
15 the Immigration and Nationality Act (8 U.S.C.  
16 1101(a)).”.

17 **SEC. 3. STUDY AND REPORT REGARDING REMITTANCE**  
18 **TRANSFER PROCESSING FINES AND IDENTI-**  
19 **FICATION PROGRAM.**

20 (a) STUDY.—The Comptroller General of the United  
21 States shall conduct a study to determine the effects of  
22 the enactment of section 919(g) of the Electronic Fund  
23 Transfer Act, as amended by this Act.

24 (b) REPORT.—Not later than 1 year after the date  
25 of enactment of this Act, the Comptroller General shall

1 submit to the Committee on Banking, Housing, and  
2 Urban Affairs and the Committee on Homeland Security  
3 and Governmental Affairs of the Senate and the Com-  
4 mittee on Financial Services of the House of Representa-  
5 tives a report on the results of the study conducted under  
6 paragraph (1) that includes—

7           (1) an analysis of the costs and benefits of com-  
8           plying with section 919(g) of the Electronic Fund  
9           Transfer Act, as amended by this Act; and

10           (2) recommendations about whether the fines  
11           imposed under that section 919(g) should be ex-  
12           tended or increased.

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