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(Original Signature of Member)

109TH CONGRESS
1ST SESSION

H. R. _____

To establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence.

IN THE HOUSE OF REPRESENTATIVES

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on _____

A BILL

To establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence.

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



1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “REAL ID Act of
3 2005”.

4 **TITLE I—AMENDMENTS TO FED-**
5 **ERAL LAWS TO PROTECT**
6 **AGAINST TERRORIST ENTRY**

7 **SEC. 101. PREVENTING TERRORISTS FROM OBTAINING ASY-**
8 **LUM.**

9 (a) **CONDITIONS FOR GRANTING ASYLUM.**—Section
10 208(b)(1) of the Immigration and Nationality Act (8
11 U.S.C. 1158(b)(1)) is amended—

12 (1) by striking “The Attorney General” fol-
13 lowing the paragraph heading and inserting the fol-
14 lowing:

15 “(A) **ELIGIBILITY.**—The Secretary of
16 Homeland Security or the Attorney General”;

17 (2) by striking “the Attorney General” each
18 place such term appears and inserting “the Sec-
19 retary of Homeland Security or the Attorney Gen-
20 eral”; and

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

22 “(B) **BURDEN OF PROOF.**—

23 “(i) **IN GENERAL.**—The burden of
24 proof is on the applicant to establish that
25 the applicant is a refugee, within the
26 meaning of section 101(a)(42)(A). To es-



1 tablish that the applicant is a refugee,
2 within the meaning of such section, the ap-
3 plicant must establish that race, religion,
4 nationality, membership in a particular so-
5 cial group, or political opinion was or will
6 be a central reason for persecuting the ap-
7 plicant.

8 “(ii) SUSTAINING BURDEN.—The tes-
9 timony of the applicant may be sufficient
10 to sustain the applicant’s burden without
11 corroboration, but only if the trier of fact
12 determines that it is credible, is persuasive,
13 and refers to specific facts that dem-
14 onstrate that the applicant is a refugee. In
15 determining whether the applicant has met
16 the applicant’s burden, the trier of fact is
17 entitled to weigh the credible testimony
18 along with other evidence of record. Where
19 the trier of fact determines, in the trier of
20 fact’s discretion, that the applicant should
21 provide evidence which corroborates other-
22 wise credible testimony, such evidence
23 must be provided unless the applicant does
24 not have the evidence or cannot obtain the
25 evidence without departing the United



1 States. The inability to obtain corrobora-
2 rating evidence does not excuse the appli-
3 cant from meeting the applicant's burden
4 of proof.

5 “(iii) CREDIBILITY DETERMINA-
6 TION.—The credibility determination of the
7 trier of fact may, in the trier of fact's dis-
8 cretion, be based, in addition to other fac-
9 tors, on the demeanor, candor, or respon-
10 siveness of the applicant or witness, the in-
11 herent plausibility of the applicant's or wit-
12 ness' account, the consistency between the
13 applicant's or witness' written and oral
14 statements, made at any time and whether
15 or not under oath, the internal consistency
16 of each such statement, the consistency of
17 such statements with the country condi-
18 tions in the country from which the appli-
19 cant claims asylum, and any inaccuracies
20 or falsehoods in such statements.”.

21 (b) WITHHOLDING OF REMOVAL.—Section 241(b)(3)
22 of the Immigration and Nationality Act (8 U.S.C.
23 1231(b)(3)) is amended by adding at the end the fol-
24 lowing:



1 “(C) SUSTAINING BURDEN OF PROOF;
2 CREDIBILITY DETERMINATIONS.—In deter-
3 mining whether an alien has demonstrated that
4 the alien’s life or freedom would be threatened
5 for a reason described in subparagraph (A), the
6 trier of fact shall determine whether the alien
7 has sustained the alien’s burden of proof, and
8 shall make credibility determinations, in the
9 manner described in clauses (ii) and (iii) of sec-
10 tion 208(b)(1)(B).”.

11 (c) STANDARD OF REVIEW FOR ORDERS OF RE-
12 MOVAL.—Section 242(b)(4) of the Immigration and Na-
13 tionality Act (8 U.S.C. 1252(b)(4)) is amended by adding
14 at the end, after the final subparagraph, the following:

15 No court shall reverse a determination made by a
16 trier of fact with respect to the availability of cor-
17 roborating evidence, as described in section
18 208(b)(1)(B) or 241(b)(3)(C), unless the court finds
19 that a reasonable trier of fact is compelled to con-
20 clude that such corroborating evidence is unavail-
21 able..

22 (d) CLARIFICATION OF DISCRETION.—Section
23 242(a)(2)(B) of the Immigration and Nationality Act (8
24 U.S.C. 1252(a)(2)(B)) is amended—



1 (1) in the matter preceding clause (i), by insert-
2 ing “and regardless of whether the judgment, deci-
3 sion, or action is made in removal proceedings,”
4 after “other provision of law,”; and

5 (2) in clause (ii), by inserting “or the Secretary
6 of Homeland Security” after “Attorney General”
7 each place such term appears.

8 (e) EFFECTIVE DATES.—

9 (1) The amendments made by paragraphs (1)
10 and (2) of subsection (a) shall take effect as if en-
11 acted on March 1, 2003.

12 (2) The amendments made by subsections
13 (a)(3) and (b) shall take effect on the date of the
14 enactment of this Act and shall apply to applications
15 for asylum or withholding made on or after such
16 date.

17 (3) The amendment made by subsection (c)
18 shall take effect on the date of the enactment of this
19 Act and shall apply to all cases in which the final
20 administrative removal order was issued before, on,
21 or after such date.

22 (4) The amendments made by subsection (d)
23 shall take effect on the date of the enactment of this
24 Act and shall apply to all cases pending before any
25 court on or after such date.



1 (f) REPEAL.—Section 5403 of the Intelligence Re-
2 form and Terrorism Prevention Act of 2004 (Public Law
3 108–458) is repealed.

4 **SEC. 102. WAIVER OF LAWS NECESSARY FOR IMPROVE-**
5 **MENT OF BARRIERS AT BORDERS.**

6 Section 102(c) of the Illegal Immigration Reform and
7 Immigrant Responsibility Act of 1996 (8 U.S.C. 1103
8 note) is amended to read as follows:

9 “(c) WAIVER.—

10 “(1) IN GENERAL.—Notwithstanding any other
11 provision of law, the Secretary of Homeland Security
12 shall have the authority to waive, and shall waive, all
13 laws such Secretary, in such Secretary’s sole discre-
14 tion, determines necessary to ensure expeditious con-
15 struction of the barriers and roads under this sec-
16 tion.

17 “(2) NO JUDICIAL REVIEW.—Notwithstanding
18 any other provision of law (statutory or nonstatu-
19 tory), no court shall have jurisdiction—

20 “(A) to hear any cause or claim arising
21 from any action undertaken, or any decision
22 made, by the Secretary of Homeland Security
23 pursuant to paragraph (1); or

24 “(B) to order compensatory, declaratory,
25 injunctive, equitable, or any other relief for



1 damage alleged to arise from any such action or
2 decision.”.

3 **SEC. 103. INADMISSIBILITY DUE TO TERRORIST AND TER-**
4 **RORIST-RELATED ACTIVITIES.**

5 (a) IN GENERAL.—Section 212(a)(3)(B)(i) of the
6 Immigration and Nationality Act (8 U.S.C.
7 1182(a)(3)(B)(i)) is amended to read as follows:

8 “(i) IN GENERAL.—Any alien who—

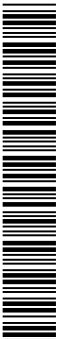
9 “(I) has engaged in a terrorist
10 activity;

11 “(II) a consular officer, the At-
12 torney General, or the Secretary of
13 Homeland Security knows, or has rea-
14 sonable ground to believe, is engaged
15 in or is likely to engage after entry in
16 any terrorist activity (as defined in
17 clause (iv));

18 “(III) has, under circumstances
19 indicating an intention to cause death
20 or serious bodily harm, incited ter-
21 rorist activity;

22 “(IV) is a representative (as de-
23 fined in clause (v)) of—

24 “(aa) a terrorist organiza-
25 tion; or



1 “(bb) a political, social, or
2 other group that endorses or es-
3 pouses terrorist activity;

4 “(V) is a member of a terrorist
5 organization described in subclause (I)
6 or (II) of clause (vi);

7 “(VI) is a member of a terrorist
8 organization described in clause
9 (vi)(III), unless the alien can dem-
10 onstrate by clear and convincing evi-
11 dence that the alien did not know, and
12 should not reasonably have known,
13 that the organization was a terrorist
14 organization;

15 “(VII) endorses or espouses ter-
16 rorist activity or persuades others to
17 endorse or espouse terrorist activity or
18 support a terrorist organization;

19 “(VIII) has received military-type
20 training (as defined in section
21 2339D(c)(1) of title 18, United States
22 Code) from or on behalf of any orga-
23 nization that, at the time the training
24 was received, was a terrorist organiza-
25 tion; or



1 “(IX) is the spouse or child of an
2 alien who is inadmissible under this
3 subparagraph, if the activity causing
4 the alien to be found inadmissible oc-
5 curred within the last 5 years,
6 is inadmissible. An alien who is an officer,
7 official, representative, or spokesman of
8 the Palestine Liberation Organization is
9 considered, for purposes of this Act, to be
10 engaged in a terrorist activity.”.

11 (b) ENGAGE IN TERRORIST ACTIVITY DEFINED.—
12 Section 212(a)(3)(B)(iv) of the Immigration and Nation-
13 ality Act (8 U.S.C. 1182(a)(3)(B)(iv)) is amended to read
14 as follows:

15 “(iv) ENGAGE IN TERRORIST ACTIVITY
16 DEFINED.—As used in this subparagraph,
17 the term ‘engage in terrorist activity’
18 means, in an individual capacity or as a
19 member of an organization—

20 “(I) to commit or to incite to
21 commit, under circumstances indi-
22 cating an intention to cause death or
23 serious bodily injury, a terrorist activ-
24 ity;



1 “(II) to prepare or plan a ter-
2 rorist activity;

3 “(III) to gather information on
4 potential targets for terrorist activity;

5 “(IV) to solicit funds or other
6 things of value for—

7 “(aa) a terrorist activity;

8 “(bb) a terrorist organiza-
9 tion described in clause (vi)(I) or
10 (vi)(II); or

11 “(cc) a terrorist organiza-
12 tion described in clause (vi)(III),
13 unless the solicitor can dem-
14 onstrate by clear and convincing
15 evidence that he did not know,
16 and should not reasonably have
17 known, that the organization was
18 a terrorist organization;

19 “(V) to solicit any individual—

20 “(aa) to engage in conduct
21 otherwise described in this
22 clause;

23 “(bb) for membership in a
24 terrorist organization described
25 in clause (vi)(I) or (vi)(II); or

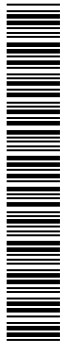


1 “(cc) for membership in a
2 terrorist organization described
3 in clause (vi)(III), unless the so-
4 licitor can demonstrate by clear
5 and convincing evidence that he
6 did not know, and should not
7 reasonably have known, that the
8 organization was a terrorist orga-
9 nization; or

10 “(VI) to commit an act that the
11 actor knows, or reasonably should
12 know, affords material support, in-
13 cluding a safe house, transportation,
14 communications, funds, transfer of
15 funds or other material financial ben-
16 efit, false documentation or identifica-
17 tion, weapons (including chemical, bi-
18 ological, or radiological weapons), ex-
19 plosives, or training—

20 “(aa) for the commission of
21 a terrorist activity;

22 “(bb) to any individual who
23 the actor knows, or reasonably
24 should know, has committed or



1 plans to commit a terrorist activ-
2 ity;

3 “(cc) to a terrorist organiza-
4 tion described in subclause (I) or
5 (II) of clause (vi); or

6 “(dd) to a terrorist organi-
7 zation described in clause
8 (vi)(III), unless the actor can
9 demonstrate by clear and con-
10 vincing evidence that the actor
11 did not know, and should not
12 reasonably have known, that the
13 organization was a terrorist orga-
14 nization.”.

15 (c) TERRORIST ORGANIZATION DEFINED.—Section
16 212(a)(3)(B)(vi) of the Immigration and Nationality Act
17 (8 U.S.C. 1182(a)(3)(B)(vi)) is amended to read as fol-
18 lows:

19 “(vi) TERRORIST ORGANIZATION DE-
20 FINED.—As used in this section, the term
21 ‘terrorist organization’ means an
22 organization—

23 “(I) designated under section
24 219;



1 “(II) otherwise designated, upon
2 publication in the Federal Register, by
3 the Secretary of State in consultation
4 with or upon the request of the Attor-
5 ney General or the Secretary of
6 Homeland Security, as a terrorist or-
7 ganization, after finding that the or-
8 ganization engages in the activities
9 described in subclauses (I) through
10 (VI) of clause (iv); or

11 “(III) that is a group of two or
12 more individuals, whether organized
13 or not, which engages in, or has a
14 subgroup which engages in, the activi-
15 ties described in subclauses (I)
16 through (VI) of clause (iv).”.

17 (d) **EFFECTIVE DATE.**—The amendments made by
18 this section shall take effect on the date of the enactment
19 of this Act and shall apply to—

20 (1) removal proceedings instituted before, on, or
21 after the date of the enactment of this Act; and

22 (2) acts and conditions constituting a ground
23 for inadmissibility occurring or existing before, on,
24 or after such date.



1 **SEC. 104. REMOVAL OF TERRORISTS.**

2 (a) IN GENERAL.—

3 (1) IN GENERAL.—Section 237(a)(4)(B) (8
4 U.S.C. 1227(a)(4)(B)) is amended to read as fol-
5 lows:

6 “(B) TERRORIST ACTIVITIES.—Any alien
7 who would be considered inadmissible pursuant
8 to subparagraph (B) or (F) of section
9 212(a)(3) is deportable.”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by paragraph (1) shall take effect on the date of the
12 enactment of this Act and shall apply to acts and
13 conditions constituting a ground for removal occur-
14 ring or existing before, on, or after such date.

15 (b) REPEAL.—Effective as of the date of the enact-
16 ment of the Intelligence Reform and Terrorism Prevention
17 Act of 2004 (Public Law 108–458), section 5402 of such
18 Act is repealed, and the Immigration and Nationality Act
19 shall be applied as if such section had not been enacted.

20 **TITLE II—IMPROVED SECURITY**
21 **FOR DRIVERS’ LICENSES AND**
22 **PERSONAL IDENTIFICATION**
23 **CARDS**

24 **SEC. 201. DEFINITIONS.**

25 In this title, the following definitions apply:



1 (1) DRIVER'S LICENSE.—The term “driver's li-
2 cense” means a motor vehicle operator's license, as
3 defined in section 30301 of title 49, United States
4 Code.

5 (2) IDENTIFICATION CARD.—The term “identi-
6 fication card” means a personal identification card,
7 as defined in section 1028(d) of title 18, United
8 States Code, issued by a State.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Homeland Security.

11 (4) STATE.—The term “State” means a State
12 of the United States, the District of Columbia, Puer-
13 to Rico, the Virgin Islands, Guam, American Samoa,
14 the Northern Mariana Islands, the Trust Territory
15 of the Pacific Islands, and any other territory or
16 possession of the United States.

17 **SEC. 202. MINIMUM DOCUMENT REQUIREMENTS AND**
18 **ISSUANCE STANDARDS FOR FEDERAL REC-**
19 **OGNITION.**

20 (a) MINIMUM STANDARDS FOR FEDERAL USE.—

21 (1) IN GENERAL.—Beginning 3 years after the
22 date of the enactment of this Act, a Federal agency
23 may not accept, for any official purpose, a driver's
24 license or identification card issued by a State to



1 any person unless the State is meeting the require-
2 ments of this section.

3 (2) STATE CERTIFICATIONS.—The Secretary
4 shall determine whether a State is meeting the re-
5 quirements of this section based on certifications
6 made by the State to the Secretary. Such certifi-
7 cations shall be made at such times and in such
8 manner as the Secretary, in consultation with the
9 Secretary of Transportation, may prescribe by regu-
10 lation.

11 (b) MINIMUM DOCUMENT REQUIREMENTS.—To meet
12 the requirements of this section, a State shall include, at
13 a minimum, the following information and features on
14 each driver's license and identification card issued to a
15 person by the State:

16 (1) The person's full legal name.

17 (2) The person's date of birth.

18 (3) The person's gender.

19 (4) The person's driver's license or identifica-
20 tion card number.

21 (5) A digital photograph of the person.

22 (6) The person's address of principle residence.

23 (7) The person's signature.



1 (8) Physical security features designed to pre-
2 vent tampering, counterfeiting, or duplication of the
3 document for fraudulent purposes.

4 (9) A common machine-readable technology,
5 with defined minimum data elements.

6 (c) MINIMUM ISSUANCE STANDARDS.—

7 (1) IN GENERAL.—To meet the requirements of
8 this section, a State shall require, at a minimum,
9 presentation and verification of the following infor-
10 mation before issuing a driver's license or identifica-
11 tion card to a person:

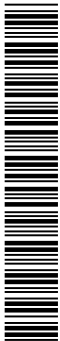
12 (A) A photo identity document, except that
13 a non-photo identity document is acceptable if
14 it includes both the person's full legal name and
15 date of birth.

16 (B) Documentation showing the person's
17 date of birth.

18 (C) Proof of the person's social security
19 account number or verification that the person
20 is not eligible for a social security account num-
21 ber.

22 (D) Documentation showing the person's
23 name and address of principal residence.

24 (2) SPECIAL REQUIREMENTS.—



1 (A) IN GENERAL.—To meet the require-
2 ments of this section, a State shall comply with
3 the minimum standards of this paragraph.

4 (B) EVIDENCE OF LAWFUL STATUS.—A
5 State shall require, before issuing a driver's li-
6 cense or identification card to a person, valid
7 documentary evidence that the person—

8 (i) is a citizen of the United States;

9 (ii) is an alien lawfully admitted for
10 permanent or temporary residence in the
11 United States;

12 (iii) has conditional permanent resi-
13 dent status in the United States;

14 (iv) has an approved application for
15 asylum in the United States or has entered
16 into the United States in refugee status;

17 (v) has a valid, unexpired non-
18 immigrant visa or nonimmigrant visa sta-
19 tus for entry into the United States;

20 (vi) has a pending application for asy-
21 lum in the United States;

22 (vii) has a pending or approved appli-
23 cation for temporary protected status in
24 the United States;



1 (viii) has approved deferred action
2 status; or

3 (ix) has a pending application for ad-
4 justment of status to that of an alien law-
5 fully admitted for permanent residence in
6 the United States or conditional perma-
7 nent resident status in the United States.

8 (C) TEMPORARY DRIVERS' LICENSES AND
9 IDENTIFICATION CARDS.—

10 (i) IN GENERAL.—If a person pre-
11 sents evidence under any of clauses (v)
12 through (ix) of subparagraph (B), the
13 State may only issue a temporary driver's
14 license or temporary identification card to
15 the person.

16 (ii) EXPIRATION DATE.—A temporary
17 driver's license or temporary identification
18 card issued pursuant to this subparagraph
19 shall be valid only during the period of
20 time of the applicant's authorized stay in
21 the United States or, if there is no definite
22 end to the period of authorized stay, a pe-
23 riod of one year.

24 (iii) DISPLAY OF EXPIRATION
25 DATE.—A temporary driver's license or



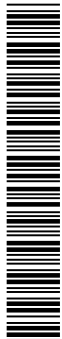
1 temporary identification card issued pursu-
2 ant to this subparagraph shall clearly indi-
3 cate that it is temporary and shall state
4 the date on which it expires.

5 (iv) RENEWAL.—A temporary driver’s
6 license or temporary identification card
7 issued pursuant to this subparagraph may
8 be renewed only upon presentation of valid
9 documentary evidence that the status by
10 which the applicant qualified for the tem-
11 porary driver’s license or temporary identi-
12 fication card has been extended by the Sec-
13 retary of Homeland Security.

14 (3) VERIFICATION OF DOCUMENTS.—To meet
15 the requirements of this section, a State shall imple-
16 ment the following procedures:

17 (A) Before issuing a driver’s license or
18 identification card to a person, the State shall
19 verify, with the issuing agency, the issuance, va-
20 lidity, and completeness of each document re-
21 quired to be presented by the person under
22 paragraph (1) or (2).

23 (B) The State shall not accept any foreign
24 document, other than an official passport, to
25 satisfy a requirement of paragraph (1) or (2).

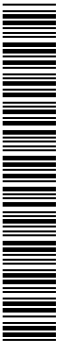


1 (C) Not later than September 11, 2005,
2 the State shall enter into a memorandum of un-
3 derstanding with the Secretary of Homeland
4 Security to routinely utilize the automated sys-
5 tem known as Systematic Alien Verification for
6 Entitlements, as provided for by section 404 of
7 the Illegal Immigration Reform and Immigrant
8 Responsibility Act of 1996 (110 Stat. 3009–
9 664), to verify the legal presence status of a
10 person, other than a United States citizen, ap-
11 plying for a driver’s license or identification
12 card.

13 (d) OTHER REQUIREMENTS.—To meet the require-
14 ments of this section, a State shall adopt the following
15 practices in the issuance of drivers’ licenses and identifica-
16 tion cards:

17 (1) Employ technology to capture digital images
18 of identity source documents so that the images can
19 be retained in electronic storage in a transferable
20 format.

21 (2) Retain paper copies of source documents for
22 a minimum of 7 years or images of source docu-
23 ments presented for a minimum of 10 years.



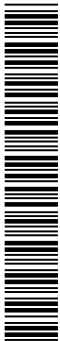
1 (3) Subject each person applying for a driver's
2 license or identification card to mandatory facial
3 image capture.

4 (4) Establish an effective procedure to confirm
5 or verify a renewing applicant's information.

6 (5) Confirm with the Social Security Adminis-
7 tration a social security account number presented
8 by a person using the full social security account
9 number. In the event that a social security account
10 number is already registered to or associated with
11 another person to which any State has issued a driv-
12 er's license or identification card, the State shall re-
13 solve the discrepancy and take appropriate action.

14 (6) Refuse to issue a driver's license or identi-
15 fication card to a person holding a driver's license
16 issued by another State without confirmation that
17 the person is terminating or has terminated the driv-
18 er's license.

19 (7) Ensure the physical security of locations
20 where drivers' licenses and identification cards are
21 produced and the security of document materials
22 and papers from which drivers' licenses and identi-
23 fication cards are produced.



1 (8) Subject all persons authorized to manufac-
2 ture or produce drivers' licenses and identification
3 cards to appropriate security clearance requirements.

4 (9) Establish fraudulent document recognition
5 training programs for appropriate employees en-
6 gaged in the issuance of drivers' licenses and identi-
7 fication cards.

8 (10) Limit the period of validity of all driver's
9 licenses and identification cards that are not tem-
10 porary to a period that does not exceed 8 years.

11 (11) In any case in which the State issues a
12 driver's license or identification card that does not
13 satisfy the requirements of this section, ensure that
14 such license or identification card—

15 (A) clearly states on its face that it may
16 not be accepted by any Federal agency for any
17 official purpose; and

18 (B) uses a unique design or color indicator
19 to alert Federal agency and other law enforce-
20 ment personnel that it may not be accepted for
21 any such purpose.

22 (e) ADDITIONAL POWERS OF SECRETARY.—The Sec-
23 retary, in the Secretary's discretion—

24 (1) may, in addition to the requirements of sub-
25 section (b), prescribe one or more design formats for



1 driver's licenses and identification cards that satisfy
2 the requirements of this section in order—

3 (A) to protect the national security inter-
4 ests of the United States; and

5 (B) to allow for clear visual differentiation
6 between categories of driver's licenses and iden-
7 tity cards (such as to differentiate between driv-
8 er's licenses valid for multi-year terms and tem-
9 porary driver's licenses); and

10 (2) may, in addition to the limitations described
11 in subsections (c)(2)(C)(ii) and (d)(10), further limit
12 the validity period of driver's licenses and identifica-
13 tion cards in order to provide for periodic confirma-
14 tion of principal residence address and lawful pres-
15 ence in the United States in a status described in
16 subsection (c)(2)(B).

17 **SEC. 203. LINKING OF DATABASES.**

18 (a) IN GENERAL.—To be eligible to receive any grant
19 or other type of financial assistance made available under
20 this title, a State shall participate in the interstate com-
21 pact regarding sharing of driver license data, known as
22 the “Driver License Agreement”, in order to provide elec-
23 tronic access by a State to information contained in the
24 motor vehicle databases of all other States.



1 (b) REQUIREMENTS FOR INFORMATION.—A State
2 motor vehicle database shall contain, at a minimum, the
3 following information:

4 (1) All data fields printed on drivers' licenses
5 and identification cards issued by the State.

6 (2) Motor vehicle drivers' histories, including
7 motor vehicle violations, suspensions, and points on
8 licenses.

9 **SEC. 204. TRAFFICKING IN AUTHENTICATION FEATURES**
10 **FOR USE IN FALSE IDENTIFICATION DOCU-**
11 **MENTS.**

12 Section 1028(a)(8) of title 18, United States Code,
13 is amended by striking “false authentication features” and
14 inserting “false or actual authentication features”.

15 **SEC. 205. GRANTS TO STATES.**

16 (a) IN GENERAL.—The Secretary may make grants
17 to a State to assist the State in conforming to the min-
18 imum standards set forth in this title.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Secretary for
21 each of the fiscal years 2005 through 2009 such sums as
22 may be necessary to carry out this title.

23 **SEC. 206. AUTHORITY.**

24 (a) PARTICIPATION OF SECRETARY OF TRANSPOR-
25 TATION AND STATES.—All authority to issue regulations,



1 certify standards, and issue grants under this title shall
2 be carried out by the Secretary, in consultation with the
3 Secretary of Transportation and the States.

4 (b) **EXTENSIONS OF DEADLINES.**—The Secretary
5 may grant to a State an extension of time to meet the
6 requirements of section 202(a)(1) if the State provides
7 adequate justification for noncompliance.

8 **SEC. 207. REPEAL.**

9 Section 7212 of the Intelligence Reform and Ter-
10 rorism Prevention Act of 2004 (Public Law 108–458) is
11 repealed.

