

119TH CONGRESS
2^D SESSION

S. _____

To amend title 23, United States Code, to withhold Federal highway funding from States that issue driver’s licenses, commercial driver’s licenses, or personal identification cards to individuals without verifying the legal status of those individuals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To amend title 23, United States Code, to withhold Federal highway funding from States that issue driver’s licenses, commercial driver’s licenses, or personal identification cards to individuals without verifying the legal status of those individuals, 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 “No Licenses for Illegal
5 Drivers or Truckers Act of 2026”.

1 **SEC. 2. PRESERVING THE INTEGRITY OF STATE-ISSUED**
2 **DRIVER'S LICENSES, COMMERCIAL DRIVER'S**
3 **LICENSES, AND PERSONAL IDENTIFICATION**
4 **CARDS.**

5 (a) IN GENERAL.—Chapter 1 of title 23, United
6 States Code, is amended by inserting after section 154 the
7 following:

8 **“§ 155. Preserving the integrity of State-issued driv-**
9 **er's licenses, commercial driver's li-**
10 **censes, and personal identification cards**

11 “(a) DEFINITIONS.—In this section:

12 “(1) COMMERCIAL DRIVER'S LICENSE.—The
13 term ‘commercial driver's license’ has the meaning
14 given the term in section 31301 of title 49.

15 “(2) DRIVER'S LICENSE.—The term ‘driver's li-
16 cense’ means a motor vehicle operator's license (as
17 defined in section 30301 of title 49).

18 “(3) EVIDENCE OF LAWFUL PRESENCE.—The
19 term ‘evidence of lawful presence’ means valid, unex-
20 pired documentary evidence issued by the Secretary
21 of Homeland Security that a person is—

22 “(A) a citizen or national of the United
23 States; or

24 “(B) an alien lawfully admitted for perma-
25 nent residence (as those terms are defined in

1 section 101(a) of the Immigration and Nation-
2 ality Act (8 U.S.C. 1101(a)).

3 “(4) PERSONAL IDENTIFICATION CARD.—The
4 term ‘personal identification card’ means an identi-
5 fication document (as defined in section 1028(d) of
6 title 18) issued by a State.

7 “(b) WITHHOLDING OF FUNDS FOR NONCOMPLI-
8 ANCE.—

9 “(1) IN GENERAL.—On October 1, 2026, and
10 each October 1 thereafter, the Secretary shall with-
11 hold from a State 10 percent of the amounts re-
12 quired to be apportioned to the State under para-
13 graphs (1) through (8) of section 104(b) for a fiscal
14 year if that State does not have in effect and is en-
15 forcing a law that meets the requirements described
16 in subsection (e).

17 “(2) DURATION.—If, before the last day of the
18 fiscal year for which funds are withheld under this
19 section, the Secretary determines that the State is in
20 compliance with this section, the Secretary shall, on
21 the first day on which the Secretary makes that de-
22 termination, apportion to the State the funds with-
23 held from that State for that fiscal year under this
24 section.

1 “(c) REDISTRIBUTION OF WITHHELD FUNDS.—On
2 the first October 1 after a fiscal year for which amounts
3 were withheld from a State under this section, the Sec-
4 retary shall redistribute those amounts to States that are
5 in compliance with this section so that each State in com-
6 pliance with this section receives an amount equal to the
7 proportion that—

8 “(1) the amount apportioned to the State under
9 section 104(b); bears to

10 “(2) the total amount apportioned to all States
11 in compliance with this section under section 104(b).

12 “(d) EFFECT OF WITHHOLDING.—Except as pro-
13 vided in subsection (b), no funds withheld under this sec-
14 tion from apportionment to a State shall be available to
15 a State.

16 “(e) LAW TO REQUIRE AND VERIFY LAWFUL PRES-
17 ENCE.—

18 “(1) IN GENERAL.—A State shall be in compli-
19 ance with this section if the State has in effect and
20 is enforcing a law to require and subsequently verify
21 evidence of lawful presence from each applicant for
22 a driver’s license, commercial driver’s license, or per-
23 sonal identification card issued by the State.

1 “(2) REQUIREMENT.—A law referred to in
2 paragraph (1) shall employ a means approved by the
3 Secretary of Homeland Security—

4 “(A) to confirm the identity of an appli-
5 cant for a driver’s license, commercial driver’s
6 license, or personal identification card through
7 electronic validation of biographic and biometric
8 information, including the name, photograph,
9 and fingerprints of the applicant;

10 “(B) to confirm the validity of the lawful
11 presence of an applicant described in subpara-
12 graph (A), including whether the applicant has
13 lawfully maintained that lawful presence,
14 through the results of background and security
15 checks, including fingerprint checks by the Fed-
16 eral Bureau of Investigation; and

17 “(C) to verify the authenticity of the evi-
18 dence of lawful presence provided by an appli-
19 cant described in subparagraph (A), which shall
20 include an identity document containing a pho-
21 tograph, by confirming the social security num-
22 ber or individual taxpayer identification number
23 of the applicant with, as applicable—

24 “(i) the Internal Revenue Service;

1 “(ii) the Social Security Administra-
2 tion; or

3 “(iii) the Systematic Alien Verification
4 for Entitlements program of U.S. Citizen-
5 ship and Immigration Services.

6 “(f) REAL ID ACT OF 2005.—Nothing in this sec-
7 tion affects any State requirement under title II of the
8 REAL ID Act of 2005 (49 U.S.C. 30301 note; Public Law
9 109–13).”.

10 (b) CLERICAL AMENDMENT.—The analysis for chap-
11 ter 1 of title 23, United States Code, is amended by insert-
12 ing after the item relating to section 154 the following:

 “155. Preserving the integrity of State-issued driver’s licenses, commercial driv-
 er’s licenses, and personal identification cards.”.