

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To withhold Federal highway funds from States that provide driver's licenses or identification cards to aliens who are unlawfully present in the United States, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. HUSTED introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To withhold Federal highway funds from States that provide driver's licenses or identification cards to aliens who are unlawfully present 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 "Red Light Act".

1 **SEC. 2. WITHHOLDING OF FUNDS FOR PROVIDING IDENTI-**  
2 **FICATION CARDS TO CERTAIN ALIENS.**

3 (a) IN GENERAL.—Chapter 1 of title 23, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 180. Withholding of funds for providing identifica-**  
7 **tion cards to certain aliens**

8 “(a) DEFINITIONS.—In this section:

9 “(1) IDENTIFICATION CARD.—The term ‘identi-  
10 fication card’ means a personal identification card  
11 (as defined in section 1028(d) of title 18).

12 “(2) NONCOMPLIANT STATE.—The term ‘non-  
13 compliant State’ means a State that has in effect a  
14 law or policy that allows the State to provide a driv-  
15 er’s license or other identification card to an alien  
16 who is unlawfully present in the United States.

17 “(b) WITHHOLDING.—On October 1, 2026, and each  
18 October 1 thereafter, the Secretary shall withhold from  
19 a noncompliant State 100 percent of the amount required  
20 to be apportioned to the State under each of paragraphs  
21 (1), (2), and (3) of section 104(b).

22 “(c) RELEASE OF FUNDS.—Except as provided in  
23 subsection (e), if, before the last day of the fiscal year  
24 for which funds are withheld under subsection (b), the  
25 Secretary determines that the noncompliant State is no  
26 longer a noncompliant State, the Secretary shall, on the

1 first day on which the Secretary makes that determina-  
2 tion, apportion to the State the funds withheld under sub-  
3 section (b) that remain available for apportionment to the  
4 State.

5 “(d) REDISTRIBUTION OF WITHHELD FUNDS.—On  
6 the first October 1 after a fiscal year for which amounts  
7 were withheld from a State under subsection (b), and were  
8 not released under subsection (c), the Secretary shall re-  
9 distribute those amounts to States that are not noncompli-  
10 ant States so that each such State receives an amount  
11 equal to the proportion that—

12 “(1) the amount apportioned to the State under  
13 paragraphs (1), (2), and (3) of section 104(b); bears  
14 to

15 “(2) the total amount apportioned to all States  
16 that are not noncompliant States under paragraphs  
17 (1), (2), and (3) of section 104(b).

18 “(e) WITHHOLDING IN FUTURE YEARS.—If a State  
19 to which funds were released under subsection (c) subse-  
20 quently becomes a noncompliant State after the date of  
21 that release of funds, the Secretary shall withhold the  
22 funds described in subsection (b) from that State for the  
23 fiscal year that begins after the State subsequently be-  
24 comes a noncompliant State and for each fiscal year there-  
25 after.”.

1           (b) CLERICAL AMENDMENT.—The analysis for chap-  
2   ter 1 of title 23, United States Code, is amended by add-  
3   ing at the end the following:

“180. Withholding of funds for providing identification cards to certain aliens.”.