

117TH CONGRESS
1ST SESSION

H. R. 5065

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.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 20, 2021

Mrs. LESKO (for herself, Mr. GOSAR, Mr. BUDD, Mr. BABIN, Mr. PERRY, Mr. VAN DREW, Mr. DUNCAN, Mr. JOYCE of Pennsylvania, and Mr. BROOKS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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 new section:

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

8 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-
9 ANCE.—For fiscal year 2021 and each fiscal year there-
10 after, the Secretary shall withhold 100 percent of the
11 amount required to be apportioned under each of sections
12 104(b)(1), 104(b)(3), and 104(b)(4) of this title to any
13 State that is described in subsection (b).

14 “(b) STATE DESCRIBED.—A State described in this
15 subsection is a State that has enacted a law that allows
16 the State to provide a driver’s license or other identifica-
17 tion card to an alien who is unlawfully present in the
18 United States.

19 “(c) EFFECT OF WITHHOLDING FUNDS.—

20 “(1) IN GENERAL.—Any funds withheld under
21 subsection (a) from apportionment to any State shall
22 remain available until the end of the fiscal year for
23 which the funds are apportioned.

24 “(2) REAPPORTIONMENT.—If, before the last
25 day of the fiscal year for which funds withheld under
26 subsection (a) are apportioned to a State, the State

1 repeals all laws of such State described in subsection
2 (b), the Secretary shall, on the first day on which
3 the State repeals all such laws, apportion to the
4 State the funds withheld under subsection (a) that
5 remain available for apportionment to the State.

6 “(3) APPORTIONMENT AMONG STATES.—If, at
7 the end of the fiscal year in which funds are with-
8 held from a State under paragraph (1), the State
9 has not repealed the law described in subsection (b),
10 the Secretary shall apportion the corresponding
11 withheld funds described in subsection (a) on a pro-
12 portional basis to all remaining States that have not
13 enacted laws described in subsection (b).

14 “(4) WITHHOLDING IN FUTURE YEAR.—In the
15 case in which a State has funds withheld under
16 paragraph (1) and is reapportioned funds under
17 paragraph (2) and subsequently enacts a law de-
18 scribed in subsection (b) after the date on which the
19 funds are reapportioned under paragraph (2), the
20 Secretary shall withhold the amount of funds with-
21 held under subsection (a) in the fiscal year following
22 the fiscal year in which such actions occur and each
23 fiscal year thereafter.

24 “(d) IDENTIFICATION CARD DEFINED.—The term
25 ‘identification card’ means a personal identification card,

1 as defined in section 1028(d) of title 18, United States
2 Code, issued by a State.”.

3 (b) CLERICAL AMENDMENT.—Chapter 1 of title 23,
4 United States Code, in the table of contents is amended
5 by adding at the end the following:

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

