

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2494

To amend title 18 of the United States Code regarding false identification documents.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 3 (legislative day, SEPTEMBER 12), 1994

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

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## A BILL

To amend title 18 of the United States Code regarding false identification documents.

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 “False Identification  
5 Act of 1994”.

6 **SEC. 2. MINIMUM NUMBER OF DOCUMENTS FOR CERTAIN**  
7 **OFFENSE.**

8 Section 1028 of title 18, United States Code, is  
9 amended—

1 (1) in subsection (a)(3), by striking “five” and  
2 inserting “3”; and

3 (2) in subsection (b)(1)(B), by striking “five”  
4 and inserting “3”.

5 **SEC. 3. REQUIRED VERIFICATION OF MAILED IDENTIFICA-**  
6 **TION DOCUMENTS.**

7 (a) IN GENERAL.—Chapter 83 of title 18, United  
8 States Code, is amended by adding at the end the  
9 following:

10 **“§ 1739. Verification of identification documents**

11 “(a) Whoever knowingly sends through the mails any  
12 unverified identification document which bears a birth  
13 date—

14 “(1) purporting to be that of the individual  
15 named in the document; and

16 “(2) showing that individual to be 21 years of  
17 age or older;

18 when in fact that individual has not attained the age of  
19 21 years, shall be fined under this title or imprisoned not  
20 more than one year, or both.

21 “(b) As used in this section—

22 “(1) the term ‘unverified’, with respect to an  
23 identification document, means that the sender has  
24 not personally viewed a certification or other written

1 communication confirming the age of the individual  
2 to be identified in the document from—

3 “(A) a governmental entity within the  
4 United States or any of its territories or posses-  
5 sions; or

6 “(B) a duly licensed physician, hospital,  
7 medical clinic within the United States; and

8 “(2) the term “identification document” means  
9 a card, certificate, or paper intended to be used pri-  
10 marily to identify an individual.”.

11 (b) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of chapter 83 of title 18, United States  
13 Code, is amended by adding at the end the following new  
14 item:

“1739. Verification of identification documents.”.

15 (c) CONFORMING AMENDMENT.—Section 3001(a) of  
16 title 39, United States Code, is amended by striking “or  
17 1738” and inserting “1738, or 1739”.

18 **SEC. 4. PILOT PROGRAM ON USE OF CERTAIN DRIVERS’ LI-**  
19 **CENSES AS DOCUMENTS ESTABLISHING**  
20 **BOTH EMPLOYMENT AUTHORIZATION AND**  
21 **IDENTITY.**

22 (a) IN GENERAL.—The Attorney General shall estab-  
23 lish a pilot program under which, in the case of up to three  
24 States which provide for the issuance of drivers’ licenses  
25 (and related identification documents) in accordance with

1 a system described in subsection (b), a driver's license or  
2 similar identification document issued by the States in ac-  
3 cordance with subsection (b) shall be treated, for purposes  
4 of section 274A(b) of the Immigration and Nationality  
5 Act, as a document described in paragraph (1)(B) of such  
6 section.

7 (b) SYSTEM REQUIREMENTS.—The system for the is-  
8 suance of licenses or documents must—

9 (1) be in a form which is resistant to counter-  
10 feiting and tampering, such as tamper-proof lami-  
11 nates and photographs, holograms, or magnetic  
12 stripes containing such data as physical characteris-  
13 tics;

14 (2) include on the driver's license or other form  
15 of identification the applicant's social security ac-  
16 count number, which number the State has con-  
17 firmed with the Social Security Administration as  
18 being the number issued to the applicant; and

19 (3) require that an applicant for a driver's li-  
20 cense or other form of identification be issued a tem-  
21 porary driver's license or other form of identification  
22 upon demonstrating qualification therefore, and that  
23 the driver's license or other form of identification be  
24 mailed to the residence address of the applicant  
25 after a waiting period of no more than 30 days in

1       which the State has used reasonable means to con-  
2       firm the identification information presented by the  
3       applicant.

4       (c) REPORT.—Not later than 3 years after the date  
5       of the enactment of this Act, the Attorney General shall  
6       submit a report to the Congress on the performance of  
7       the pilot program under this section and on whether such  
8       program should be extended (on a voluntary or mandatory  
9       basis) to all States.

10      (d) AUTHORIZATION OF APPROPRIATIONS.—There  
11      are authorized to be appropriated \$5,000,000 to carry out  
12      the purposes of this section for each of fiscal years 1995,  
13      1996, and 1997.

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