

113TH CONGRESS
1ST SESSION

S. 1176

To impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2013

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose a fine with respect to international remittance transfers if the sender is unable to verify legal status 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 “Remittance Status
5 Verification Act of 2013”.

1 **SEC. 2. STATUS VERIFICATION FOR REMITTANCE TRANS-**
 2 **FERS.**

3 Section 919 of the Electronic Fund Transfer Act (re-
 4 lating to remittance transfers) (12 U.S.C. 1692o–1) is
 5 amended—

6 (1) by redesignating subsection (g) as sub-
 7 section (h); and

8 (2) by inserting after subsection (f) the fol-
 9 lowing:

10 “(g) STATUS VERIFICATION OF SENDER.—

11 “(1) REQUEST FOR PROOF OF STATUS.—

12 “(A) IN GENERAL.—Each remittance
 13 transfer provider shall request from each sender
 14 of a remittance transfer, the recipient of which
 15 is located in any country other than the United
 16 States, proof of the status of that sender under
 17 the immigration laws, prior to the initiation of
 18 the remittance transfer.

19 “(B) ACCEPTABLE DOCUMENTATION.—Ac-
 20 ceptable documentation of the status of the
 21 sender under this paragraph—

22 “(i) shall be, in any State that re-
 23 quires proof of legal residence—

24 “(I) a State-issued driver’s li-
 25 cense or Federal passport; or

1 “(II) the same documentation as
2 required by the State for proof of
3 identity for the issuance of a driver’s
4 license, or as required for a passport;

5 “(ii) shall be, in any State that does
6 not require proof of legal residence, such
7 documentation as the Bureau shall require,
8 by rule; and

9 “(iii) does not include any matricula
10 consular card.

11 “(2) FINE FOR NONCOMPLIANCE.—Each remit-
12 tance transfer provider shall impose on any sender
13 who is unable to provide the proof of status re-
14 quested under paragraph (1) at the time of transfer,
15 a fine equal to 7 percent of the United States dollar
16 amount to be transferred (excluding any fees or
17 other charges imposed by the remittance transfer
18 provider).

19 “(3) SUBMISSION OF FINES TO BUREAU.—All
20 fines imposed and collected by a remittance transfer
21 provider under paragraph (2) shall be submitted to
22 the Bureau, in such form and in such manner as the
23 Bureau shall establish, by rule.

24 “(4) ADMINISTRATIVE AND ENFORCEMENT
25 COSTS.—The Bureau shall use fines submitted

1 under paragraph (3) to pay the administrative and
 2 enforcement costs to the Bureau in carrying out this
 3 subsection.

4 “(5) USE OF FINES FOR BORDER PROTEC-
 5 TION.—Amounts from the collection of fines under
 6 this subsection that remain available after the pay-
 7 ment of expenses described in paragraph (4), shall
 8 be transferred by the Bureau to the Treasury, to be
 9 used to pay expenses relating to United States Cus-
 10 toms and Border Protection for border security fence-
 11 ing, infrastructure, and technology.

12 “(6) DEFINITION RELATING TO IMMIGRATION
 13 STATUS.—In this subsection, the term ‘immigration
 14 laws’ has the same meaning as in section 101(a) of
 15 the Immigration and Nationality Act (8 U.S.C.
 16 1101(a)).”.

17 **SEC. 3. STUDY AND REPORT REGARDING REMITTANCE**
 18 **TRANSFER PROCESSING FINES AND IDENTI-**
 19 **FICATION PROGRAM.**

20 (a) STUDY.—The Comptroller General of the United
 21 States shall conduct a study to determine the effects of
 22 the enactment of section 919(g) of the Electronic Fund
 23 Transfer Act, as amended by this Act.

24 (b) REPORT.—Not later than 1 year after the date
 25 of enactment of this Act, the Comptroller General shall

1 submit to the Committee on Banking, Housing, and
2 Urban Affairs and the Committee on Homeland Security
3 and Governmental Affairs of the Senate and the Com-
4 mittee on Financial Services of the House of Representa-
5 tives a report on the results of the study conducted under
6 paragraph (1) that includes—

7 (1) an analysis of the costs and benefits of com-
8 plying with section 919(g) of the Electronic Fund
9 Transfer Act, as amended by this Act; and

10 (2) recommendations about whether the fines
11 imposed under that section 919(g) should be ex-
12 tended or increased.

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