

118TH CONGRESS
2D SESSION

S. 4051

To prohibit transportation of any alien using certain methods of identification,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2024

Mr. LEE (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. MARSHALL, Mr. SCOTT of Florida, and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit transportation of any alien using certain methods
of identification, 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 “Verifying that all
5 Aliens have Legitimate Identification Documents Act” or
6 the “VALID Act”.

1 **SEC. 2. PERMANENT PROHIBITION ON OPERATIONS FOR**
 2 **AIR CARRIERS THAT PROVIDE, OR FACILI-**
 3 **TATE THE PROVISION OF, TRANSPORTATION**
 4 **OF ANY ALIEN USING CERTAIN METHODS OF**
 5 **IDENTIFICATION.**

6 (a) IN GENERAL.—Chapter 401 of title 49, United
 7 States Code, is amended by inserting after section 40130
 8 the following new section:

9 **“§ 40131. Permanent prohibition on operations for air**
 10 **carriers that transport any alien using**
 11 **certain methods of identification**

12 “An air carrier or foreign air carrier may not operate
 13 an aircraft in foreign air transportation or land such air-
 14 craft at any airport in the United States if the air carrier
 15 or foreign air carrier actively provides, or actively facili-
 16 tates the provision of, transportation of any alien using
 17 any of the following for purposes of identification:

18 “(1) The CBP One Mobile Application.

19 “(2) Department of Homeland Security Form
 20 I-385, Notice to Report.

21 “(3) Department of Homeland Security Form
 22 I-862, Notice to Appear.”.

23 (b) CLERICAL AMENDMENT.—The analysis for chap-
 24 ter 401 of title 49, United States Code, is amended by
 25 inserting after the item relating to section 40130 the fol-
 26 lowing:

“40131. Permanent prohibition on operations for air carriers that transport any alien using certain methods of identification.”.

1 **SEC. 3. PROHIBITION OF CERTAIN FORMS OF IDENTIFICA-**
 2 **TION FOR AIRLINE PASSENGERS.**

3 Section 7220 of the Intelligence Reform and Ter-
 4 rorism Prevention Act of 2004 (Public Law 108–458; 49
 5 U.S.C. 44901 note) is amended—

6 (1) in subsection (c)(1)(C), by inserting “except
 7 as provided in subsection (d),” before “any docu-
 8 ment”;

9 (2) by redesignating subsection (d) as sub-
 10 section (e); and

11 (3) by inserting after subsection (c) the fol-
 12 lowing new subsection (d):

13 “(d) PROHIBITION OF CERTAIN FORMS OF IDENTI-
 14 FICATION.—In carrying out this section, the Secretary of
 15 Homeland Security may not designate or permit any of
 16 the following as a valid identification document for a do-
 17 mestic commercial airline passenger seeking to board an
 18 aircraft:

19 “(1) The CBP One Mobile Application.

20 “(2) Department of Homeland Security Form
 21 I–385, Notice to Report.

22 “(3) Department of Homeland Security Form
 23 I–862, Notice to Appear.”.

○