

118TH CONGRESS
2D SESSION

S. 3993

To require the Bureau of Prisons to issue identification documents to prisoners being released from Federal custody, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2024

Mr. WARNER (for himself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Bureau of Prisons to issue identification documents to prisoners being released from Federal custody, 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 “BOP Release Card
5 ID Act of 2024”.

6 **SEC. 2. IDENTIFICATION DOCUMENTS FOR PRISONERS**
7 **BEING RELEASED.**

8 (a) PRISONERS BEING RELEASED FROM FEDERAL
9 CUSTODY.—Section 4042 of title 18, United States Code,
10 is amended—

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

3 (2) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) IDENTIFICATION DOCUMENTS.—

6 “(1) IDENTIFICATION DOCUMENTS.—Beginning
7 not later than 180 days after the date of enactment
8 of the BOP Release Card ID Act of 2024, the Direc-
9 tor shall issue a photo identification release card
10 that meets the minimum standards under section
11 202(b) of the REAL ID Act of 2005 (49 U.S.C.
12 30301 note) to each prisoner who is a citizen of the
13 United States and is being released from custody
14 from a facility of the Bureau of Prisons.

15 “(2) PERIOD OF VALIDITY.—A photo identifica-
16 tion release card shall be valid for not less than 18
17 months after the date on which the prisoner to
18 whom the card is issued is released from custody.

19 “(3) ACCEPTANCE OF PHOTO IDENTIFICATION
20 RELEASE CARD FOR STATE IDS.—

21 “(A) IN GENERAL.—The Director shall ne-
22 gotiate with each State to establish a system
23 under which a prisoner may use a photo identi-
24 fication release card to obtain identification
25 from the State.

1 “(B) REPORTING.—Not later than 1 year
2 after the date of enactment of the BOP Release
3 Card ID Act of 2024, and every year there-
4 after, the Director shall submit to the Com-
5 mittee on the Judiciary of the Senate and the
6 Committee on the Judiciary of the House of
7 Representatives a report on the progress of the
8 Director in negotiating agreements under sub-
9 paragraph (A).

10 “(4) ACCEPTANCE OF PHOTO IDENTIFICATION
11 RELEASE CARD FOR FEDERAL PROGRAMS AND BY
12 FEDERAL AGENCIES.—A photo identification release
13 card shall be accepted as proof of the identity of the
14 former prisoner to whom the card relates for pur-
15 poses of—

16 “(A) the old-age, survivors, and disability
17 insurance benefits program established under
18 title II of the Social Security Act (42 U.S.C.
19 401 et seq.);

20 “(B) the Medicaid program established
21 under title XIX of the Social Security Act (42
22 U.S.C. 1396 et seq.);

23 “(C) the Medicare program established
24 under title XVIII of the Social Security Act (42
25 U.S.C. 1395 et seq.);

1 “(D) any other program, project, or activ-
2 ity of the Department of Health and Human
3 Services;

4 “(E) the supplemental nutrition assistance
5 program established under the Food and Nutri-
6 tion Act of 2008 (7 U.S.C. 2011 et seq.);

7 “(F) any program, project, or activity
8 funded by the temporary assistance for needy
9 families program under part A of title IV of the
10 Social Security Act (42 U.S.C. 601 et seq.);

11 “(G) any program, project, or activity of
12 the Office of Probation and Pretrial Services of
13 the Administrative Office of the United States
14 Courts;

15 “(H) any program, project, or activity of
16 the Court Services and Offender Supervision
17 Agency for the District of Columbia;

18 “(I) any program, project, or activity of
19 the Department of Education;

20 “(J) any program, project, or activity of
21 the Department of Housing and Urban Devel-
22 opment;

23 “(K) any program, project, or activity of
24 the Department of Veterans Affairs; and

1 “(L) any requirement for an individual to
2 present an identification document to obtain
3 entry into a Federal building.

4 “(5) RULE OF CONSTRUCTION.—Nothing in
5 this subsection shall be construed to satisfy the re-
6 quirement for the Bureau of Prisons to establish
7 prerelease planning procedures under subsection
8 (a)(6).

9 “(6) DEFINITIONS.—In this subsection—

10 “(A) the term ‘Director’ means the Direc-
11 tor of the Bureau of Prisons; and

12 “(B) the term ‘State’ means each of the
13 several States of the United States, the District
14 of Columbia, and any commonwealth or terri-
15 tory of the United States.”.

16 (b) GUIDANCE FOR STATES.—

17 (1) GUIDANCE.—Not later than 1 year after
18 the date of enactment of this Act, the Attorney Gen-
19 eral shall issue guidance for States regarding the
20 issuance of photo identification release cards for
21 prisoners being released from custody of a correc-
22 tional facility of the State.

23 (2) STATE DEFINED.—In this subsection, the
24 term “State” means each of the several States of

1 the United States, the District of Columbia, and any
2 commonwealth or territory of the United States.

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