

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on February 19, 2002 in Room 313-S of the Capitol.

All members were present except:

Representative Judy Morrison - Excused
Representative Dean Newton - Excused
Representative Candy Ruff - Excused

Committee staff present:

Jerry Ann Donaldson, Department of Legislative Research
Jill Wolters, Department of Revisor of Statutes
Sherman Parks, Department of Revisor of Statutes
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative Tom Klein
John Douglass, Chief of Police, Overland Park
Lynda Callon, Westside Community Action Network
Mike Farmer, Executive Director Kansas Catholic Conference
Elias Garcia, Kansas Hispanic Caucus
Richard Oltman, Federation for American Immigration Reform
Robert Visnaw, United States Immigration Services*
Sheila Walker, Director, Division of Vehicles

Hearings on **HB 2135 - undocumented workers**, were opened.

Representative Tom Klein appeared as the sponsor of the proposed bill. He stated three reasons for passing the bill: so undocumented workers can prove their identity; because they reside within the state; and they can pass the drivers license test. (Attachment 1)

John Douglass, Chief of Police, Overland Park, commented that this is very important legislation. With current laws, it is impossible for a number of individuals to drive legally in Kansas and therefore they do not have insurance. Undocumented workers are part of our community, they work and pay taxes and should be treated as equals. (Attachment 2)

Lynda Callon, Westside Community Action Network, informed the committee that it takes at least six years to become efficient in a new language. Currently six states allow undocumented workers to get a drivers license and six more are considering similar legislation. (Attachment 3)

Mike Farmer, Executive Director Kansas Catholic Conference, stated that it's really an issue of whether we want them driving legally or not. (Attachment 4)

Elias Garcia, Kansas Hispanic Caucus, opposes any legislation that would restrict driver licenses privileges. He expressed that this issue had moved forward during the summer interim but because of the September 11, 2001 incident it has brought it back to the beginning. (Attachment 5)

Richard Oltman, Federation for American Immigration Reform, informed the committee that Colorado had a similar bill (SB 67) which was defeated last week. He suggested that allowing illegal aliens to use the Tax ID number to get a Kansas drivers' license would result in more illegal immigration to Kansas. (Attachment 6)

Robert Visnaw, United States Immigration Services*, commented that many undocumented workers obtain drivers licenses to use for bank fraud and to purchase hand guns. (Attachment 7)

Sheila Walker, Director, Division of Vehicles, stated that the American Association of Motor Vehicle Administrators have been working on a model drivers license. The Association recommended two items that

CONTINUATION SHEET

MINUTES OF THE HOUSE JUDICIARY COMMITTEE at 3:30 p.m. on February 19, 2002 in Room 313-S of the Capitol.

are noteworthy: standardizing the definition of residency in all states and provinces and establishment of uniform procedures for serving non-citizens. (Attachment 8)

Representative Loyd mentioned that Florida issues temporary license until they can check the backgrounds of those applying and then once everything is found to be fine they are issued a license.

The committee discussed if it would be possible to issue them a temporary license which would expire when their visa expired or if a bar could be placed under the picture, like what is done with teenagers when they have a restricted license.

Ms. Walker requested that if the committee takes action on the bill that the implementation be delayed until 2003 due to a contract that has just been signed with the vendor which provides the licenses.

Hearings on **HB 2135** were closed.

The committee meeting adjourned at 6:30 p.m. The next meeting was scheduled for February 20, 2002.

*Several days after the meeting, Chairman O'Neal was contacted by the director of INS who stated that Mr. Visnaw did not have authority to appear on behalf of the INS.

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 REPRESENTATIVE, 103RD DISTRICT
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TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 VICE-CHAIR: RULES & JOURNALS
 MEMBER: APPROPRIATIONS
 JUDICIARY
 REDISTRICTING

Testimony on Sub for 2135
 February 19, 2002

Background

Sub for 2135 arrives today courtesy of the Interim Judiciary Committee. It allows individuals of legal age who can't prove legal residence to obtain a Kansas Driver's License,

1) If they can prove their identity, 2) Residency within the state, and 3) Pass the required tests.

How the Bill Works.

Allows an individual with an individual taxpayer ID number (ITIN) to be eligible to test for a Driver's License if they can verify residence within the state. To receive an ITIN, a person must verify their identity to the IRS. (See application for (ITIN), attached).

Why Do It

1. Safety
 - A Unlicensed drivers haven't been tested.
 - B Unlicensed and uninsured drivers raise insurance rates and are a hazard to the community.
2. Aids law enforcement
 - A Unlicensed drivers are difficult or impossible to identify.
 - B Unlicensed drivers' records can't be accessed. An officer can't check to see if the person they have stopped has warrants or a dangerous criminal history.
3. Resource application
 - A Unlicensed drivers cost our state money by directing law enforcement and judicial resources away from dangerous criminal activity towards people who want to drive legally, but can't.
 - B More licensed drivers means more money in fees for the state of Kansas. Since an unlicensed driver can't purchase insurance, such a person can't purchase license tags. There is anecdotal information from Tennessee that since May of 2001, when a similar law was implemented, the additional revenue of \$500,000 was recorded.
4. Security concerns
 - A The strict identity requirements will deter terrorism, not promote it. People who wish to exist outside the law of our state and country will not wish to identify themselves to state and federal authorities.
 - B Inefficient application of the law is not related to this bill. The stories that the interim committee heard about busloads of illegal immigrants coming from Colorado are illegal under current law or under the bill. The perpetrators of that fraud were convicted and went to prison.

Application for IRS Individual Taxpayer Identification Number

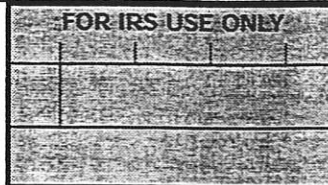
OMB No. 1545-1483

▶ See instructions. ▶ Please type or print.

▶ For use by individuals who are NOT U.S. citizens, nationals, or permanent residents.

Before you begin:

- This number is for tax purposes only. **Do not submit this form if you have, or are eligible to obtain, a U.S. social security number (SSN).**
- Receipt of an IRS individual taxpayer identification number (ITIN) creates no inference regarding your immigration status or your right to work in the United States.
- Receipt of an ITIN does not make you eligible to claim the earned income credit (EIC).



Reason you are submitting Form W-7. (Check only one box. See instructions.)

- a Nonresident alien required to obtain ITIN to claim tax treaty benefit
 - b Nonresident alien filing a U.S. tax return and not eligible for an SSN
 - c U.S. resident alien (based on days present in the United States) filing a U.S. tax return and not eligible for an SSN
 - d Dependent of U.S. person
 - e Spouse of U.S. person
 - f Other (specify) _____
- } Enter name and SSN of U.S. person (see instructions) ▶ _____

1 Name (see instructions) Name at birth if different ▶	1a Last name (surname or family name)	First name	Middle name
	1b Last name (surname or family name)	First name	Middle name

2 Permanent residence address, if any (see instructions)	Street address, apartment number, or rural route number. Do not use a P.O. box number.		
	City or town, state or province, and country. Include ZIP code or postal code where appropriate.		

3 Mailing address (if different from above)	Street address, apartment number, P.O. box number, or rural route number.		
	City or town, state or province, and country. Include ZIP code or postal code where appropriate.		

4 Birth information	Date of birth (month, day, year) / /	Country of birth	City and state or province (optional)	5 <input type="checkbox"/> Male <input type="checkbox"/> Female

6 Family information	Father's last name (surname)	First name	Middle name
	Mother's maiden name (surname)	First name	Middle name

7 Other information	7a Country(ies) of citizenship	7b Foreign tax identification number	7c Type of U.S. visa (if any) and expiration date	
	7d Identification document(s) submitted (see instructions). <input type="checkbox"/> Passport <input type="checkbox"/> Driver's license/State I.D. <input type="checkbox"/> INS documentation <input type="checkbox"/> Other..... Issued by: _____ Number: _____			
	7e Have you previously received a U.S. temporary Taxpayer Identification Number (TIN) or Employer Identification Number (EIN)? <input type="checkbox"/> No/Do not know. Skip line 7f. <input type="checkbox"/> Yes. Complete line 7f. If you need more space, list on a sheet and attach to this form. (See instructions.)			
	7f TIN <input type="text"/> - <input type="text"/> - <input type="text"/>		EIN <input type="text"/> - <input type="text"/>	

Sign Here Keep a copy of this form for your records.	Under penalties of perjury, I (applicant/delegate/acceptance agent) declare that I have examined this application, including accompanying documentation and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I authorize the IRS to disclose to my acceptance agent returns or return information necessary to resolve matters regarding the assignment of my IRS individual taxpayer identification number (ITIN).			
	▶ Signature of applicant (if delegate, see instructions)	Date (month, day, year) / /	Phone number	
	▶ Name of delegate, if applicable (type or print)	Delegate's relationship to applicant	<input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Power of Attorney	

Acceptance Agent's Use ONLY	▶ Signature	Date (month, day, year) / /	Phone ()
	▶ Name and title (type or print)	Name of company	Fax ()

General Instructions

Note: If you have been lawfully admitted for permanent residence or U.S. employment, you are eligible for a social security number. Do not complete this form.

Purpose of Form

Use Form W-7 to apply for an IRS individual taxpayer identification number (ITIN). An ITIN is a nine-digit number issued by the U.S. Internal Revenue Service (IRS) to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain, a social security number (SSN).

The ITIN is for tax purposes only. It does not entitle you to social security benefits, and creates no inference regarding your immigration status or your right to work in the United States. Any individual who is eligible to be legally employed in the United States must have an SSN.

Note: Individuals filing tax returns using an ITIN are not eligible for the earned income credit (EIC).

Who Must Apply

Any individual who is **not eligible to obtain an SSN** but who must furnish a taxpayer identification number to the IRS must apply for an ITIN on Form W-7. For example:

- A nonresident alien individual not eligible for an SSN who is required to file a U.S. tax return OR who is filing a U.S. tax return only to claim a refund.
- A nonresident alien individual not eligible for an SSN who elects to file a joint U.S. tax return with a spouse who is a U.S. citizen or resident.
- A U.S. resident alien (based on substantial presence) who files a U.S. tax return but who is not eligible for an SSN.
- An alien spouse claimed as an exemption on a U.S. tax return who is not eligible to obtain an SSN.
- An alien individual eligible to be claimed as a dependent on a U.S. tax return but who is unable or not eligible to obtain an SSN. To determine if an alien individual is eligible to be claimed as a dependent on a U.S. tax return, see **Pub. 501**, Exemptions, Standard Deduction, and Filing Information, and **Pub. 519**, U.S. Tax Guide for Aliens.

DO NOT complete Form W-7 if you have an SSN or you are eligible to obtain an SSN. Thus, do not complete this form if you are a U.S. citizen or national, or if you have been lawfully admitted for permanent residence or U.S. employment.

To obtain an SSN, get **Form SS-5**, Application for a Social Security Card. To get Form SS-5 or to find out if you are eligible to obtain an SSN, contact a Social Security Administration office.

If you have an application for an SSN pending, **do not** file Form W-7. Complete Form W-7 only if the Social Security Administration notifies you that an SSN cannot be issued.

Additional Information

Publications. For details on resident and nonresident alien status and the tests for residence (including the substantial presence test), get **Pub. 519**.

For details on individuals who can be claimed as dependents and on obtaining an SSN for a dependent, get **Pub. 501**.

For details on eligibility for the earned income credit, get **Pub. 596**, Earned Income Credit.

These publications are available free from the IRS. To order the publications, call 1-800-TAX-FORM (1-800-829-3676) if you are in the United States. If you have a foreign address, you can write to:

Eastern Area Distribution Center
P.O. Box 85074
Richmond, VA 23261-5074

You can also get these publications using a computer and modem. On the Internet, you can do this in two ways:

World Wide Web: Connect to www.irs.gov.
File transfer protocol: Connect to [ftp.irs.gov](ftp://ftp.irs.gov).

Telephone help. If, after reading these instructions and our free publications, you are not sure how to complete your application or have additional questions, you may call for assistance:

- Inside the United States: 1-800-829-1040. This service is available 24 hours a day, 7 days a week from January 3, 2000, through April 17, 2000. Beginning April 18, 2000, this service is available Monday through Saturday from 7:00 a.m. until 11:00 p.m. local time. Holiday hours may vary.
- Outside the United States: 1-215-516-ITIN (215-516-4846). This is not a toll-free number. You may also contact any of our overseas offices in Berlin, London, Mexico City, Paris, Rome, Singapore, or Tokyo.

How To Apply

You can apply either by mail or in person. See **Where To Apply** on this page. Keep a copy for your records. Be sure to mail or bring with you:

- Your completed Form W-7; and
- The original documents, or certified or notarized copies of documents, that substantiate the information provided on the Form W-7.

The document(s) you present must be current and must verify: **(a)** your identity, that is, contain your name and a photograph, and **(b)** support your claim of foreign status. You may have to provide a combination of documents for this purpose. Examples of acceptable documents include, but are not limited to:

- A passport.
- A driver's license.
- Documents issued by the U.S. Immigration and Naturalization Service (INS).
- An identity card issued by a state or national government authority.

- A foreign military or military dependent identification card.
- A foreign voter registration certificate.
- Birth, marriage, or baptismal certificates.
- School records.

You can submit copies of original documents. However, such documents must be:

- Certified by the issuing agency or official custodian of the original record; or
- Notarized by a U.S. notary public legally authorized within his or her local jurisdiction to certify that the document is a true copy of the original. To do this, the notary must see the valid, unaltered original document and verify that the copy conforms to the original. U.S. notaries public are available at U.S. embassies and consulates worldwide. Non-U.S. notarizations will **not** be accepted.

When To Apply

Complete Form W-7 as soon as you meet one of the requirements listed under **Who Must Apply** on this page. Applying early will give the IRS time to issue you an ITIN before its required use.

If you have not heard from the IRS regarding your ITIN within 30 days, you may call 1-800-829-1040 (in the United States) or 1-215-516-4846 (outside the United States) to find out about the status of your application. Be sure to have a copy of your application available when you call. Please allow 30 days from the date you submitted Form W-7 before calling the IRS about the status of your application.

Allow 4 to 6 weeks for the IRS to notify you in writing of your ITIN.

Where To Apply

Applying in person. You can apply for an ITIN at any IRS walk-in office in the United States and at most IRS offices abroad (contact the IRS office abroad to find out if that office accepts Form W-7 applications). You can also get application forms at certain U.S. consular offices.

You can also apply through an acceptance agent authorized by the IRS.

Applying by mail. Complete Form W-7, sign and date it, and mail the form along with the original or certified or notarized copies of your documentation to:

Internal Revenue Service
Philadelphia Service Center
ITIN Unit
P.O. Box 447
Bensalem, PA 19020

Original documents you submit will be returned to you. You do not need to provide a return envelope. Copies of documents will not be returned.

Specific Instructions

The following instructions are for those items that are not self-explanatory. Enter N/A (not applicable) on all lines that do not apply. If you are completing this form for someone else, answer the questions as they apply to that person.

Reason for applying. You must check a box to indicate the reason you are completing this Form W-7. Check only one box.

a. Nonresident alien required to obtain ITIN to claim tax treaty benefit. Certain nonresident aliens must obtain an ITIN to claim a tax treaty benefit even if they do not have to file a U.S. tax return.

b. Nonresident alien filing a U.S. tax return and not eligible for an SSN. This category includes:

- A nonresident alien who must file a U.S. tax return to report income effectively or not effectively connected with the conduct of a trade or business in the United States.
- A nonresident alien who is filing a U.S. tax return only to obtain a refund.
- A nonresident alien electing to file a U.S. tax return jointly with a spouse who is a U.S. citizen or resident.

c. U.S. resident alien (based on days present in the United States) filing a U.S. tax return and not eligible for an SSN. A foreign individual living in the United States who does not have permission to work from the INS, and is thus ineligible for an SSN, may still have a U.S. tax return filing obligation. Such individuals must check this box.

d. Dependent of U.S. person. This is an individual who may be claimed as a dependent on a U.S. tax return and who is unable, or not eligible, to obtain an SSN.

Note: A U.S. person is a citizen, national, or resident alien of the United States.

e. Spouse of U.S. person. This is a nonresident alien husband or wife who is not filing a U.S. tax return (including a joint return) but who may be claimed as a spouse for an exemption, and who is not eligible to obtain an SSN.

f. Other. Use this box **only** if your situation does not fall into any of the above categories. If you check this box, you must describe in detail your reason for requesting an ITIN.

SSN of U.S. person. If you are applying for an ITIN under category d or e above, you **must** provide the **full name and SSN** of the U.S. person. Enter the information in the space provided. If the U.S. person chooses to provide this information in a separate letter, be sure to enter "Information will be provided in separate letter" in this space. If this space is left blank, your application will be rejected.

The letter provided by the U.S. person must identify the Form W-7 to which the information relates and must include:

- The U.S. person's full name and SSN; and
- The name, address, date of birth and country of birth of the dependent or spouse as shown on the Form W-7.

Mail the letter to the address shown under **Where To Apply** on page 3.

Note: If the U.S. person chooses this method, the Form W-7 will not be processed until the information is received.

Lines 1a and 1b. Enter your legal name on line 1a. This entry should reflect your name as it will appear on your U.S. tax return. If your legal name was different at birth, enter on line 1b your name at birth as it appears on your birth certificate.

Line 2. Enter your complete address in the country where you permanently or normally reside. If you are claiming a benefit under an income tax treaty with the United States, the address entered must normally be an address in the treaty country. Include the postal code where appropriate.

Do not use a Post Office box or an "in care of" (c/o) address instead of a street address. It will not be accepted.

Line 3. Enter your mailing address if it is different from the address on line 2. This is the address the IRS will use to mail you written notification of your ITIN.

Line 4. You **must** identify the country in which you were born.

Line 7b. If your country of residence for tax purposes has issued you a tax identification number, enter that number on line 7b. For example, if you are a resident of Canada, you would enter your Canadian Social Insurance Number.

Line 7c. Enter only U.S. nonimmigrant visa information, for example, "B-1/B-2." Also enter the expiration date of the visa.

Line 7d. If you have a passport, use it to provide verification of your identity and foreign status. Check the "Passport" box.

If you do not have a passport, use a driver's license or official identification card issued by a U.S. or foreign governmental jurisdiction and check the appropriate box.

If you are using documents issued by the INS, check the "INS documentation" box.

If you have none of the above, check the box for "Other" and **specifically identify** the type(s) of document you are using (for example, enter "military ID" for a military or military/dependent identification card). You may have to provide more than one current document to verify your identity and foreign status. At least one document you present should contain a recent photograph.

You must provide the name of the state, country, or other issuer, and the identification number (if any) appearing on the document(s) you provide. You may be required to provide a translation of documents in a foreign language.

Line 7e. If you ever received a "temporary Taxpayer Identification Number" (TIN) or an Employer Identification Number (EIN), check the "Yes" box and enter the number on line 7f. If you never had a temporary TIN or an EIN, or you do not know your temporary TIN, check the "No/Do not know" box.

A "temporary TIN" was a nine-digit number issued by the IRS to individuals before 1996. You would have been issued this number if you filed a U.S. tax return and did not have a social security number. This temporary TIN will appear on any correspondence the IRS sent you concerning that return. You may have been issued more than one temporary TIN. If so, attach a separate sheet listing all the temporary TINs you received.

An EIN is a nine-digit number assigned by the IRS to businesses, such as sole proprietorships.

Line 7f. Enter in the space provided the temporary TIN and/or EIN and the name under which the number was issued.

Signature. Generally, Form W-7 **must be signed by the applicant.** However, if the applicant is a minor 14 years of age or younger, a delegate (parent or guardian) should sign for him or her. Type or print the delegate's name in the space provided and check the appropriate box to indicate the relationship to the applicant.

If the applicant is over 14 years of age, the applicant may appoint an authorized agent to sign. The authorized agent must print his or her name in the space provided for the name of the delegate and must attach **Form 2848**, Power of Attorney and Declaration of Representative.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form**, 13 min.; **Preparing the form**, 29 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send the form to this address. Instead, see **Where To Apply** on page 3.



Date: Mon. 2-7-02

- () Topeka Capital Journal
- () Wichita Eagle
- () Kansas City Star

- () Hutchinson News
- () Iola Register
- () Johnson County Sun

- () Manhattan Mercury
- () Olathe Daily News
- () Ottawa Herald

Illegals in Kansas seek right to drive

■ Hispanic groups say changing the law would improve safety. Sept. 11 complicated their quest.

BY STEVE PAINTER
Eagle Topeka bureau

Apolonio Osornio moved to Wichita seven years ago, leaving behind his native Mexico City and his tortilla-making business for the chance to make better money and pay off debts.

He did not intend for the move to be permanent, but the work was steady. Two years later, he sent for his wife, Ana, and their children, now ages 15, 11 and 10.

Like thousands of others in Kansas' rapidly growing Hispanic population, they became part of a society that knows they are here illegally but is reluctant to admit it, much less condone it.

Their latest obstacle, also like thousands of other Hispanics in Kansas, is getting Ana a driver's license.

Two years ago, the Legislature changed the law to require proof of legal residence to get a license. Hispanic groups, including Hispanos Unidos in Wichita, are pushing for a change.

COMMUNITY DISCUSSION

Hispanic groups will meet to talk about the license issue at 1 p.m. Feb. 16 at St. Patrick's Catholic Church, 2023 N. Arkansas Ave., Wichita.

They propose that immigrants who have a federal taxpayer identification number, used to pay federal and state income taxes, be allowed to get a license.

Hispanic groups have some powerful allies, including law enforcement officials and the Kansas Catholic Conference.

"It really seems to be a matter of justice, a matter of fairness," said Mike Farmer, a lobbyist for the Catholic Conference.

They also have some powerful opponents, including the state Revenue Department's director of vehicles and the Senate president.

"If anything, Sept. 11 has strengthened my resolve to keep proof of lawful presence in the law," said Sheila Walker, director of vehicles for the Kansas Department of Revenue.

Proponents of the bill to make it easier for immigrants to get a license thought they were headed for success this session.

A committee that met over the summer endorsed the effort after hearing from a long list of Hispanic organizations and law enforcement officers.

Then came the Sept. 11 attacks on the World Trade Center and the Pentagon, which triggered a backlash of suspicion about illegal residents.

"It took everybody by surprise, but especially immigrant rights groups," said Sulma Mercado, an organizer for Hispanos Unidos.

After thinking it over, however, they decided to continue to push for the change. Now more than ever, they decided, it is important for law enforcement officers to know who is in the country, legally or not.

They are getting support from some police officials, including Overland Park Police Chief John Douglass, this year's president of the Kansas Association of Chiefs of Police.

"From a law enforcement standpoint, we want to have some identification. We want to know who they are," Douglass said. "The time to debate whether it's going to happen is over. The migration has occurred."

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Senate President Dave Kerr, a Hutchinson Republican, said lawmakers' interest in loosening the driver's license restrictions dropped sharply after the attacks.

Attorney General Carla Stovall, the state's top law enforcement official, said she was not familiar with the issue.

'Dirty little secret'

Sept. 11 did not change the fact that immigrants are living and working in Kansas.

"That's the dirty little secret. Everyone knows it. They just don't want to acknowledge it," said Rep. Tom Klein, a Democrat who represents a heavily Hispanic part of north Wichita.

Apolonio Osornio got a job in construction, mostly doing underground utility work. He works for a small company, currently employing three workers.

Jess McCullough, owner of a Wichita excavation company, employs six Hispanic workers, nearly half of his work force. Immigrant workers, particularly from Mexico and other countries south of the United States, are increasingly important to the construction industry, he said.

"If it weren't for them, Wichita would not get built. The menial labor-type jobs, they fill that niche," he said.

Osornio got his license before the law was changed two years ago. His wife, Ana, was still learning to drive and now cannot qualify.

Sometimes, however, she is behind the wheel, driving to the

homes she cleans to help support the family, and driving her children to school.

She tries to be careful, she said, and so far has not been stopped and ticketed for driving without a license or proof of insurance.

Although there is no law against it, insurance companies will not sell coverage to car owners who do not have a valid driver's license. Apolonio is insured; Ana is not.

"Everybody is at risk when somebody's driving without a license," said Emira Palacios, an Hispanos Unidos volunteer.

Date: Mon. 2-4-02

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| () Topeka Capital Journal | () Hutchinson News | () Manhattan Mercury |
| () Wichita Eagle | () Iola Register | () Olathe Daily News |
| () Kansas City Star | () Johnson County Sun | () Ottawa Herald |
| () Chanute Tribune | () Junction City Daily Union | () Parsons Sun |
| () Dodge City Daily Globe | () Kansas City Kansan | () Pittsburg Morning Sun |
| () Emporia Gazette | () Lawrence Journal World | () Salina Journal |
| () Garden City Telegram | () Leavenworth Times | () Winfield Daily Courier |
| () Hays Daily News | | |

INTD

A change in the law

Lawmakers quickly changed the Kansas law two years ago in response to complaints from the license bureau and police chief in Salina.

Busloads of illegal immigrants were brought from Colorado to Salina to get Kansas licenses, which they could then use to obtain a Colorado license. Colorado threatened to refuse to honor Kansas licenses when a Kansas resident moved to that state.

"It's a credibility issue. It's embarrassing," Walker said.

Beyond that, Walker said, a driver's license is the most widely accepted form of identification, used for purposes such as cashing checks, opening bank accounts and obtaining credit cards.

Walker said she is not ignoring the fact that illegal immigrants are living and working in Kansas.

But establishing and enforcing immigration policy is the role of the federal government, she said, not a state official overseeing driver's licenses.

Opponents of giving licenses to illegal immigrants often say it would give them access to tax-funded programs such as welfare and Medicaid.

Not so in most cases, said Dennis Priest, a program administrator with the Kansas Department of Social and Rehabilitation Services.

All of the major welfare programs — cash assistance, Medicaid, food stamps and child care help — require a Social Security number, he said. Only immigrants who are in the country legally can get a Social Security number.

Still, illegal immigrants do use tax-funded services, Kerr said. He points to Wichita's school system, which has an outreach program to ensure that newly arriving school-age immigrants get enrolled.

To argue that they pay taxes without getting any benefit is a "completely false impression," he said.

The taxpayer identification number that many illegal immigrants have is something of a contradiction in itself.

The instructions for the form note that anyone who can be legally employed in the United States must have a Social Security number.

It goes on to say, in effect, that if a person is not eligible for a Social Security number but owes income taxes, he or she must apply for a taxpayer identification number.

Hispanic rights activists are seeking to have that identification number accepted for getting a license, rather than proof of legal residence.

Walker said she could not agree to any compromise that did not require proof that the worker is in the country legally.

Klein contends state officials must handle the reality of illegal immigration. Pretending that immigrants are not driving unlicensed and uninsured is a mistake, he said.

"If the federal government is perpetuating a double standard, it falls to the states to deal with it," he said.

Reach Steve Painter at (785) 296-3006 or spainter@wichitaeagle.com.

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Mr. Chairman and Members of the Judiciary Committee:

Thank you for the opportunity to address you today on House Bill #2135. Having spoken to the Interim Committee reviewing this legislation, I consider it an honor to speak on behalf of the passage of legislation which I believe corrects a serious legislative mistake. House Bill #2135 reinstates the ability for undocumented residents of our communities to utilize one of the most essential services in a community – the ability to drive. It also protects our communities from unqualified and uninsured drivers, and most of all, it demonstrates to the rest of the country that the state of Kansas is forward thinking with a sense of justice for all. There are three basic arguments why this legislation must be passed. They are:

1. The current legislation makes it impossible for a significant number of individuals to drive legally in this state. By denying this group of individuals the ability to drive legally, we are deceiving ourselves if we believe that they will not drive. Our society is so structured that the ability to drive is essential to one's livelihood and well-being. Consequently, if we continue this practice we have created a segment of the population who will be forced to drive regardless. Because they have not taken the certification process required of all licensed drivers, they will be less competent and more dangerous to the driving public. Because they cannot be licensed they cannot receive insurance. Without insurance, the general public suffers the losses and incurs the costs of vehicle accidents with uninsured drivers. There is no practical reason why the current state of affairs should continue.
2. There are those who say that in light of what happened on September 11, that we should be more wary and cautious of those who are foreign to our country and might wish us harm. There is some reason to believe that we should be much more cautious and wary of those outside our borders who would wish this country harm. But we cannot stereotype an entire people and deny them the basics necessary for survival in the name of safety. Ironically, the issuance of pictured ID's, such as driver's licenses, do more to help homeland security than to produce any kind of harm. After September 11, the entire country searched for potential terrorists and was aided by existing identification systems. This cannot and should not be a reason to maintain this legislation.
3. The most important reason, however, is not necessarily the practical reasons above, but rather the unstated genesis of this legislation to begin with. The immigration of a group of people south of our border cannot and will not be altered by denial of basic services. Whether we agree with this immigration or not, it has already occurred. It is the policies of this country concerning immigration, which have created the dichotomy we find ourselves in. Many individuals have come to our area seeking employment and the financial security that our economy has to offer. They have in

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turn been instrumental by taking jobs in the service industry and many other positions which otherwise would have gone unfilled. They have paid rent, bought goods, worked in our stores and participated in most economic facts of life. For us to deny or to reject what has happened by beginning to deny them the basic tenants of our society will not and cannot reverse the migration that has taken place. What it does, however, is force individuals to live outside the legitimacy of our society. It forces them to be a silent part of the community, living in the shadows and never fully realizing their potential in our society. If we deny them the basics, such as driving, they will simply drive illegally. If we deprive them of education, then a part of our society will be uneducated. If we deny them medical care, then a part of our society will be sick and infectious. And, if we deny them the freedoms necessary to live, we will deny ourselves the founding principles of this country. They, in turn, will seek government services in a different way. Because they cannot turn to their government for help, they will seek services in less legitimate ways. We will soon find ourselves with a part of our society where our government is not in control. I truly believe if we continue down this course, we sow the seeds of injustice and one day we will reap the whirlwind.

Let us not repeat the mistakes we have seen in Los Angeles and other areas. Let us recognize the valid contribution these individuals have made. Let us find ways to legitimize their participation in our society. Let us remember that every one of our families had someone who migrated to this country, seeking a better life for themselves and their families. The current policy is flawed. Please correct it by supporting passage of House Bill #2135.

Good afternoon ladies and gentlemen. Thank you for your time today and for this opportunity to discuss the reinstatement of driving license privileges to undocumented residents in the State of Kansas with House Bill 2135.

My name is Lynda Callon. I too am an immigrant, originally from Burlington, Ontario, Canada, now a naturalized citizen. Currently, I am a community organizer for the Westside Community Action Network Center (WCAN Center), a neighborhood and community policing, 501.C.3 organization. We are a designated worksite for court ordered community service. We work with court systems on both sides of the state line especially working with persons who have limited English proficiency.

The cost of NOT legislating a driver's license for undocumented residents does not simply begin and end with insurance costs or even road safety. Other costs impact us not only in dollars but in the delivery of what every community believes is a primary basic service – the expectation of rapid, efficient and cost effective delivery of law enforcement services at the neighborhood level.

Recently my truck, "Brown Betty", a 1977 Chevy truck we use for neighborhood cleanups was struck by a "hit and run driver" at 1:00 o'clock in the morning. The 3 police officers called to this accident were confident that unlicensed, undocumented person(s) hit poor "Betty the truck". The abandoned van was rendered non-drivable and my truck lost a great bumper. In those dangerous early morning hours – peak activity hours - 3 police officers were tied up for about 3 hours, first filling out forms, then waiting 2 hours for a tow truck. A minimum of 9 police hours were spent babysitting an abandoned hit and run vehicle – hours that could have been spent more productively dealing with more critical crime issues. The officers were confident that if the person driving the van, had a license and insurance, the whole matter would have taken no more than 45 minutes tops.

Today's economic reality is one where municipalities are facing severe funding shortages, along with shortages of talented and qualified law enforcement staff – police time should be used to address more serious community crime problems. Municipalities do not have the resources to staff up their police departments.

Overloaded courts mean cancellations, continuances etc, taking officers off the streets and tying them up in court for hours and or days on end.

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Tuesday, February 19, 2002
3:30 p.m.
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Lynda Callon
Westside Community Action Network

The Public Safety issue is not only safety of the roads; it is the Public Safety of neighborhoods, yours and mine. Public Safety is the preservation, protection and well-being of the investments we have in our homes, our businesses and our neighborhoods. What will you say when our police officers are not available to deal with more egregious crimes.

To play on KDOT's safe driving initiative, "Kansas Driving: Safe. Not Sorry," I would prefer not to hear you say, "I'm sorry" to constituents when law enforcement cannot meet the demands of 911 calls or those 911 response times become dangerously long because a simple traffic stop mushrooms into a major expenditure of police resources and time – time away from dangerous crime, time away from protecting neighborhoods.

KDOT began a major safe driving initiative, March 22, 2001 "Kansas Driving: Safe. Not Sorry". This is a safe driving education and awareness program.

Granting driving license privileges to undocumented driving residents will contribute to making Kansas a safer state, from the neighborhood level to our highways.

Once again, thank you for your time and serious consideration to vote yes for House Bill 2135

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February 19, 2002

TESTIMONY IN FAVOR OF SUBSTITUTE FOR HB 2135

Representative Mike O'Neal, Chairman
House Judiciary Committee

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify this afternoon in favor of Substitute for HB 2135. My name is Mike Farmer and I am the Executive Director of the Kansas Catholic Conference.

I would like to quote from a document entitled "Resolution on Immigration Reform" issued by the National Conference of Catholic Bishops on November 16, 2000.

"While we recognize the right and acknowledge the responsibility of the U.S. government to secure our national borders and do not condone or encourage undocumented migration into the United States, we nevertheless affirm the dignity of undocumented persons who live in our midst and make every effort to ensure that their human rights are respected and protected. Until such time as the global community effectively addresses the root causes of undocumented migration, individual nations must confront the presence of undocumented persons in a manner which upholds their basic dignity and human rights."

As you know, thousands of undocumented individuals work in Kansas every day of the year. The issue here is whether we want those who are gainfully employed in Kansas to be able to drive legally on our roads and highways and to be properly insured. While the federal government works to resolve the various immigration issues, we in Kansas can take positive steps to "...affirm the dignity of undocumented persons who live in our midst and make every effort to ensure that their human rights are respected and protected." Please vote to recommend Substitute for HB 2135 favorable for passage.

Thank you and I would be happy to stand for questions.

Testimony
Special Committee on Judiciary

February 19, 2002

Elias L. Garcia, Chairman

Kansas Democratic Hispanic Caucus

Mr. Chairman and honorable members of the Judiciary Committee, my name is Elias L. Garcia and I stand before you as the Chairman of the Kansas Hispanic Caucus in **support of Sub. For HB 2135.** While I continue to have strong concerns with *any and all legislative proposals (especially language found in Section 15 of House Bill 2641) that deny or otherwise restrict members of the Hispanic community from acquiring those same drivers license privileges that are available to any other resident of the state of Kansas, Sub. For HB 2135 is a reasonable compromise and one that we support, wholeheartedly.*

There is no doubt that all of you have heard many compelling arguments as to why mandating legal residency documents as a requisite to obtaining a Kansas Drivers license is bad Public Policy (and indeed Public Law). Still, I would like to add my voice to the many who are here today and that many were here this summer to ask your support in changing a law that is at its core, UNFAIR to the 198,000 members of the Kansas Hispanic community. Again, I would like to thank this committee for the opportunity to do so this afternoon.

First I would like to encourage you all to go back and revisit WHY in 2000, a Salina Senator inserted Legal residency language – Driver License requirements in a Transportation Bill. **IT WAS NEVER THE INTENT OF THIS LANGUAGE TO DENY OR OTHERWISE DEPRIVE ANYONE, INCLUDING HISPANICS, OF THE PRIVELEGE OF DRIVING**

- *It was in response to a perceived problem of abuse as Salina residents reported many incidents of individuals – i.e. Illegal immigrants, Hispanics - crossing state borders with the express purpose of obtaining a Kansas Drivers License and/or ID card.*
- *The assumption was that these individuals would then use the Kansas Drivers Licenses, etc. as a form of documentation in support of their claims of legal status in this country.*

However, what has ensued since that passage of HB 2641 and as a result of the implementation of the language contained therein, Hispanics from across the state of Kansas, the very same Hispanics who annually have taken their drivers tests, paid their fees and otherwise have complied with the Driving Laws of Kansas, are now being forced to break the law. They are being forced to drive without a license, without the proper insurance, and perhaps even without knowledge of Kansas Driving laws that make our roads safe - all because of LANGUAGE THAT WAS NEVER INTENDED TO BE USED FOR THAT EXPRESSED PURPOSE AND/OR CONSIDERATION.

Driving privileges were never the issue which served as impetus for language of HB 2641, Immigration was the issue. We have to separate the two out in order to not place widespread and undue hardships on members of the Kansas Hispanic Community and even more importantly, not to place Kansans at risk due to safety considerations surrounding this issue.

During the 2001 Interim Special Committee on Judiciary I have gone on record noting my opposition to language found in Section 15 of HB 2641. I noted the following for their review and consideration, including but not limited to:

- LOST STATE REVENUES: Non-compliance with state Driving Laws by Hispanics mean significant reduction in the collection of fees associated with the Department of Revenue – Drivers License Bureau.
- From a SAFETY perspective the question then becomes “*Do we want non-licensed, non-insured drivers driving around our public streets*” I for one say NO. I say give everyone the opportunity to comply with driving laws without the undue bias or hardship of a legal residency requirement.
- State Revenue Department employees who will be applying this law do not have proper training, thus judgments and decisions made by these individuals will be based solely on the appearance of an applicant. Enforcement will be skewed, subjective, capricious, and arbitrary as it is clear that those state employees charged with enforcing this statute will not apply it evenhandedly throughout Kansas communities. This legislative initiative is bad public policy and public law.
- Given the implementation of this law and the judgments that are made by Department of Revenue employees that is based solely on appearance, one can reasonably conclude that this law which requires proof of residency as requisite for a DL does, in fact, promote racial profiling (Example: If a blond haired, blue eyed individual applies for a DL are they going to be required to provide proof of residency --- in all likelihood NO)
- Any reasonable person would conclude that on its face, this language is discriminatory and its effect and impact disproportionately targets Hispanics (purposeful or otherwise)
- This law and its requirements force what are otherwise ordinary law abiding citizens to choose between complying with driving laws or providing for their families. Documented workers and undocumented workers alike have to go to work every day and provide for their families and driving is a must, albeit even though it means breaking the law,
- Also, in the final analysis, we must consider the fact that “who pays the societal cost for the all those non-insureds?”. WE DO, WE ALL DO – through higher insurance premiums!

Members of the committee I will share with you all that my parents were undocumented. I share this with you because I believe its important for you to know that not just my family, but also members of the millions of Hispanic families across this nation are vested in this country. One day in the not to distant future, members of our respective national, state and local governments will be forced to come to terms with the realization that the future of this country is inextricably linked to that of the future of the Hispanic community.

Government and constituents alike must realize that we are partners in this society, stakeholders in our collective futures and as such we must search out new ways to work together in manner that protects the human rights of all individuals, documented and undocumented residents alike, and afford all of Gods children respect and dignity as they go in search of the American Dream.

In closing, Honorable committee members, please understand that the houses in which Americans live, the roads on which Americans ride, the food they eat, and the services they receive depend in large part on the work of Hispanic/Latino immigrants, both legal and illegal. I will leave you with these facts:

- Hispanics are the largest ethnic minority in the U.S. – almost 13% of U.S. population
- U.S. Hispanic Population is 35 million
- 3 million Hispanics undercounted in last Census
- 8 million undocumented individuals in this country
- By 2010 Hispanic purchasing power will reach 1 Trillion dollars
- Immigrants make up 11% of U.S. population (all immigrants, not just Latino)
- Immigrants account for 34% of domestic employees
- 23 % of farmers and fishermen
- 21% of assembly line workers
- 18% of service industry workers

Thank you for the opportunity to address your committee and thank you in advance for supporting efforts to establish Kansas as a leader in a new American cultural coalition that is the United States of America. Please support Sub. for H.B. 2135

Testimony on HB-2135

Thank you, Mr. Chairman and members of the committee. My name is Rick Oltman and I am the Western Field Director of FAIR, the Federation for American Immigration Reform. FAIR is a Washington, DC based 501(c)3 non-profit organization that lobbies the government for reduced legal immigration and enforcement of our immigration laws. In the last five months we have also been making recommendations in areas of document security.

FAIR is a membership organization with over 70,000 members nationwide and several hundred members in Kansas, whom I represent here today.

We oppose HB-2135 and all similar legislation that would use the Taxpayer ID number to acquire a drivers' license or state ID card, because use of the Taxpayer ID number guarantees that illegal aliens, criminals and terrorists will be able to get a valid state drivers' license.

The Tax ID system was set up by the IRS to catch taxes from illegal aliens, who are working illegal in the country. The form, the W-7, even says, "Any individual who is eligible to be legally employed in the United States must have an SSN." The presumption is that if you use a Tax ID number, then you are an illegal alien. And, the IRS will issue a number to anyone who applies.

I admit that it is inconsistent to have a policy whereby illegal aliens, working illegally in the country, should be recognized by one government agency when another agency is charged with their apprehension and removal. It is a ridiculous double standard. But that isn't something that the state of Kansas can do anything about. And, two wrongs don't make a right.

Rewarding illegal behavior will only result in more of it. Allowing illegal aliens to use the Tax ID number to get a Kansas drivers' license will result in more illegal immigration to Kansas.

I have been working to secure Drivers' Licenses since 1993 when I helped to change the California law to prevent illegal aliens from getting licenses and IDs in that state. Since then several states have made changes in their application procedures, but never has any evidence been presented that once illegal aliens get a drivers' license they then buy insurance. Claims otherwise are wishes and not fact.

Regardless of claims about increased public safety and insurance, the real goal of those who support illegal aliens getting valid state documents like a drivers' license is amnesty. Because, once you give an illegal alien a valid identity card, it makes identification and apprehension almost impossible by immigration law enforcement. Giving drivers' license to illegal aliens is a de-facto amnesty. And an amnesty is more than just forgiving, it is also rewarding illegal behavior.

FAIR

The Federation For American Immigration Reform

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House Judiciary
Attachment 6
2-19-02

Since September 11th there is another, obvious public safety concern. That is how HB-2135 could possibly help terrorists evade law enforcement. Since the IRS will issue the Tax ID number to anyone who applies, it is possible that clever terrorists could obtain a Tax ID number and then a Kansas drivers' license. Kansas would join those states whose license procedures provide loopholes that would assist terrorists in establishing multiple alias, and bank accounts, to move money around for terror cells. Now, this is not the intention of the proponents, to be sure. But it is a likely unintended consequence, none-the-less.

The September 11th skyjackers had obtained U.S. identification that was used for boarding flights in the form of Florida, Virginia and New Jersey driver's licenses/ID cards. One of the terrorists, Mohamed Atta, was ticketed in Florida for driving without a license, but subsequently obtained one. Thirteen of the terrorists had Florida driver's licenses or ID cards, seven had Virginia driver's licenses and two had New Jersey licenses.

About 3 months ago US Attorney General Ashcroft announced that there were 314,000 criminal aliens under deportation orders in the country—and nobody knows where they are. These are criminal aliens—guilty of a felony, many of them involved in violence and drug related crimes. HB 2135 could assist them in evading capture.

About 3 weeks ago the Commissioner of Immigration and Naturalization announced that 6,000 of the 314,000 under deportation are from nations with active al-Qaeda terrorist cells. HB 2135 could help these 6,000 evade capture. They could conceivably get a Tax ID number under a false name, then a valid Kansas drivers' license. Just like that, a new identity, evade capture...simple. Then who knows what might happen.

Certainly after September 11th we should be working to make official documents more secure from criminals, illegal aliens and, now, terrorists. HB 2135 does the opposite.

We respectfully urge a no vote on HB 2135.

Thank you.

Issue Brief

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World Trade Center and Pentagon Terrorists' Identity and Immigration Status

According to authorities, all of the hijackers who committed the September 11, 2001 terrorist attack on the World Trade center towers and the Pentagon were foreigners. All of them entered the country legally on a temporary visa, mostly B-1 business visas or B-2 tourist visas. One is known to have received an M-1 vocational training visa and two received F-1 student visas.

Several of the hijackers (the four or five pilots) had been in the United States for extended periods, although none was a legal permanent resident. Some had received more than one temporary visa, most of which were currently valid on September 11, but at least three of them had fallen out of status and were, therefore, in the United States illegally.

There are indications that the identity of at least some of the hijackers may have been assumed based on stolen identity documents. Given the fact that all of them died in the terrorist attack, their true identities and their nationalities may never be verified.

The skyjackers had obtained U.S. identification that was used for boarding flights in the form of Florida, Virginia and New Jersey driver's licenses/ID cards. One of the terrorists, Mohamed Atta, was detained in Florida for driving without a license, but subsequently obtained one. Thirteen of the terrorists had Florida driver's licenses or ID cards, seven had Virginia driver's licenses and two had New Jersey driver's licenses.

In the probe of the attack, numerous other people with potential connections to the hijackings have been detained for immigration violations.

[Note: In the conversion of names from the Arabic alphabet into ours, there is no single correct spelling. This is why the names of the terrorists vary in their spelling in different news accounts, and why computerized databases will not recognize the name when it is spelled differently from how it was entered into the database. For example, Mohamed could be spelled Muhamed or Mohammed, and Al-Suami could be spelled Alsuami or Al Swami, etc.]

The Pentagon Plane (AA Flight 77, Dulles to Los Angeles)

1. Khalid Al-Midhar (or Almihdhar) - Saudi Arabian
 - Obtained visa in Saudi Arabia.
 - In Malaysia in Jan. 2000. Followed by Malaysian agents tipped off by CIA (see *Wash. Post* 2/3/02).
 - Arrived U.S. Jan. 2000 on B-2 tourist visa, arrived again July 2001 on B-1 business visa.
 - Lived in San Diego and New York.
 - Put on the Watch List for terrorists in August 2001 after entering U.S. last time.
 - In legal nonimmigrant status at the time of the attack.
 - Trained as pilot.

- Had a Virginia driver's license.
- 2. Nawaf Al-Hamzi (or Alhamzi) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - In Malaysia in Jan. 2000. Followed by Malaysian agents tipped off by CIA (see Wash. Post 2/3/02).
 - Arrived U.S. Jan. 2000.
 - Lived in San Diego, Fort Lee, and Wayne (the latter two cities in New Jersey).
 - Put on the Watch List for terrorists in August 2001 after entering U.S. last time.
 - In illegal visa overstay status at the time of the attack.
 - Had a Florida driver's license .
 - Had a Virginia driver's license.
- 3. Salem Al-Hamzi (or Alhamzi)- Saudi Arabian
 - Identity in doubt.
 - Obtained tourist visa in Saudi Arabia.
 - Arrived U.S. June 2001.
 - Lived in Fort Lee, and Wayne New Jersey.
 - In legal nonimmigrant status at the time of the attack.
 - Had a Virginia driver's license.
- 4. Majed Moqed - Saudi Arabian
 - Identity in doubt.
 - Entered on tourist visa obtained in Saudi Arabia after May 2001.
 - In legal nonimmigrant status at the time of the attack.
 - Had a Virginia driver's license.
- 5. Hani Hasan Hanjour (26) - Saudi Arabian
 - Obtained student visa in Saudi Arabia.
 - Admitted in Dec. 2000 on F-1 visa to study English at Holy Names College (Oakland CA). Never showed up. In illegal status because he was not enrolled, and the visa was expired at the time of the attack.
 - Lived in San Diego and Phoenix.
 - Had been in U.S. earlier in 1996, when he received flight training in Arizona.
 - Had a Virginia driver's license.

The WTC North Tower Plane (AA Flight 11, Boston to Los Angeles)

1. Satam Al-Suqami (25) - Saudi Arabian
 - Obtained business visa in Saudi Arabia (but was residing in United Arab Emirates).
 - Entered U.S. in May 2001.
 - Was in overstay status at the time of the attack.
2. Waleed Al-Shehri (or Alshehri) (21) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - Entered U.S. in May 2000.
 - Licensed pilot.
 - Lived in Hollywood, Orlando and Daytona Beach (all in Florida).
 - In illegal nonimmigrant status (visa overstay) at time of the attack.
 - Had a Florida driver's license.
3. Wael (or Wail) Al-Shehri (or Alshehri) (25? or 43?) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - Licensed pilot.
 - Lived in Hollywood, Fla. and Newton, Mass.

- Had a Florida ID card.
4. Mohamed Atta - Egyptian (43)
 - Obtained visitor visa in Berlin Germany, May 2000.
 - Entered U.S. at Newark on June 3, 2000 on tourist visa and given entry permit until December 2, 2000.
 - Applied in June 2000 to INS for change in status to trainee.
 - Attended flight school in Venice Florida.
 - Arrested in Florida for driving without license, and failed to show up for court date -- bench warrant issued.
 - Subsequently obtained Florida driver's license.
 - Licensed pilot.
 - United Arab Eemirate (UAE) authorities state Atta detained in Jauary 2001 on basis of his name appearing on terrorist alert list but not held in absence of U.S. charges. UAE states that U.S. authorities were warned Atta intended to return to U.S.
 - Returned to U.S. on January 10, 2001 at Miami and was sent to secondary inspection because he acknowledged being in flight training but did not have required trainee visa. Interagency Border Information System (IBIS) database checked. Admitted by INS based on pending application for change to trainee status.
 - Received change of status to trainee by INS in July 2001 (13 months after application).
 - Left U.S. and returned from Madrid on July 19, 2001 and given permission to stay until November 2, 2001.
 - Lived in Hollywood and Coral Springs, Fla.
 - Put on the Watch List for Terrorists after entered U.S. last time.
 5. Abdulaziz Al-Omari (or Alomari) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia in June 2001.
 - licensed pilot.
 - In legal nonimmigrant status at the time of the attack.
 - Lived in Hollywood, Fla.
 - Had a Florida and Virginia driver's licenses.

The WTC South Tower Plane (UA Flight 175, Boston to Los Angeles)

1. Marwan Al-Shehhi (or Alshehhi) (23)
 - Citizen of United Arab Republic.
 - Obtained tourist visa in United Arab Republic.
 - Attended flight school in Florida, licensed pilot.
 - Entered the U.S. in May 2001.
 - In legal nonimmigrant status at the time of the attack.
 - Lived in Hollywood, Fla.
 - Had a Florida driver's license.
2. Fayez Ahmed Rashid Ahmed Al-Qadi Banihammad (aka Fayez Ahmed)
 - Citizen of United Arab Republic.
 - Obtained tourist visa in United Arab Republic.
 - Entered U.S. in June.
 - Lived in Delray Beach, Fla.
3. Ahmed Al-Ghamdi (or Alghamdi) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - Entered U.S. in May.
 - In illegal visa overstay status at the time of the attack.

- Lived in Delray Beach, Fla.
 - Had a Florida ID card.
 - Had a Virginia driver's license
4. Hamza Saleh Al-Ghamdi (or Alghamdi) (20) - Saudi Arabian
 - Obtained visa in Saudi Arabia.
 - Lived in Delray Beach, Fla.
 - Had a Florida driver's license.
 5. Mohand Al-Shehri (or Alshehri) - Saudi Arabian
 - Identity in doubt.
 - Obtained tourist visa in Saudi Arabia.
 - Admitted to U.S. in May.
 - Lived in Delray Beach, Fla.

The Pennsylvania Plane (UA Flight 93, Newark to San Francisco)

1. Saeed Al-Ghamdi (or Alghamdi) - Saudi Arabian
 - Identity in doubt.
 - Obtained tourist visa in Saudi Arabia.
 - Entered U.S. in June 2001.
 - Probable pilot.
 - Lived in Delray Beach, Fla.
 - Had a Florida ID card.
2. Ahmed Ibrahim A. Al-Haznawi (or Alhaznawi) (21) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - Entered the U.S. in June 2001.
 - In legal nonimmigrant status at the time of the attack.
 - Lived in Delray Beach, Fla.
 - Had a Florida driver's license.
3. Ahmed Abdullah Al-Nami (or Alnami) (23) - Saudi Arabian
 - Obtained tourist visa in Saudi Arabia.
 - Entered the U.S. in May 2001.
 - In legal nonimmigrant status at the time of the attack.
 - Lived in Delray Beach, Fla.
 - Had a Florida ID card.
4. Ziad Samir Jarrah - Lebanese
 - Obtained tourist visa in Germany.
 - Entered U.S. in July 2000 (Aug. 2001?).
 - Trained as a pilot in Florida.
 - Lived in Delray Beach, Fla.
 - In legal nonimmigrant status at the time of the attack.
 - Had a Florida driver's license.

FAIR, 10/01

Immigration Issues

Illegal Immigration	Environmental Issues	Up one Level
Economic Issues	Legal Immigration	General Issues
Societal Issues		

Source: Charles J. Caputo et al., "9/11 Immigration History," *FAIR*, October 2001.

Kansas' SB-559 Is a Positive Step in the Effort to Combat Identity Theft and Illegal Immigration and Protect the Homeland

(Washington, DC) The Federation for American Immigration Reform (FAIR) today lauded the merits of Kansas Senate Bill 559, sponsored by State Senator Barbara Allen (R-Overland Park), legislation that protects the integrity of Kansas' primary identity document, the driver's license.

"At a time when national security is justifiably our top priority, SB-559 signals an important commitment to secure documentation in Kansas," said Rick Oltman, FAIR's Western Regional Field Director. "Kansans have a right to know who is legally in their state and who is not. Ensuring a valid state driver's license system is the first and most important step in that process."

Two other proposed bills, HB-2135 sponsored by Rep. Tom Klein (D-Wichita) and SB-577 sponsored by Sen. Anthony Hensley (D-Topeka), would give illegal aliens and potential terrorists easy access to Kansas driver's licenses. "Both HB-2135 and SB-577 turn lawbreakers into de-facto legal residents by providing them with a state license, readily accepted as valid proof of ID in all fifty states," said Oltman. "We already treat the driver's license as a secure document; now is the time to make certain that it is. In the aftermath of September 11th we should not be working backwards to reduce the security of state issued documents."

All of the September 11 terrorists had valid state driver's licenses, documents that allowed them to operate in the country with impunity while they plotted their terror attacks. Despite recent action in Washington, DC to strengthen the nation's borders and institute better tracking of foreign visitors to weed out potential terrorists, some states have continued to propose legislation that would give a driver's license to people who are residing here illegally or have violated the terms of their visas.

"It's time to recognize that possession of a Kansas driver's license has implications beyond the rules of the road. It is a gateway to all the rights and privileges of a legal resident and a perfect cover for people here illegally," commented Oltman. "We may not be able to stop every potential terrorist, but Kansas can do its part by denying them easy access to the documentation they need to live and operate here outside the law."

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Rick Oltman, FAIR's Western Field Director, will be testifying against HB2135 at 3:30 PM in Room 313S. You may reach him by cell phone, **415-215-9550**

This press release can also be found at **www.steinreport.com**

Testimony of Robert W. Visnaw
Special Agent, US INS

On February 18, 2002, I testified before the Senate Judiciary Committee regarding the tightening of restrictions as it relates to the issuance of Driver's Licenses or State Identification Documents within the States of Kansas.

Presently the law states that an individual, if a foreign national, must show that he or she has been lawfully admitted to the United States. I believe that accepting a Taxpayer Identification Document will increase the number of DL's that are issued to persons not authorized or no longer authorized to be in the United States.

Also, documents relating to immigration benefits are the most counterfeited documents in the United States today. As evidenced by the cards I have provided you today, it only takes 15 minutes to produce a acceptable quality TIN document. By passing of this bill you will then make it necessary for all DL officers to become **DOCUMENT FRAUD EXPERTS**.

Many classifications of Visas do exist in which an alien may lawfully be employed in the United States. For the most part those individuals and their families may obtain Social Security Numbers so that they may open bank accounts and obtain credit.

For years, State and Federal government bodies have criticized INS for the lack of enforcement. It is things like this bill, allowing individuals to use un-secure documents to obtain lawfully issued DL's or ID's that have hampered the INS in part of its mission. Unlike the Kansas issued documents, the Social Security Card, and Immigration documents the TIN card that is issued has no security features and as previously stated it took 15 minutes to produce a card that is of acceptable quality.

If TIN's are accepted as a form of identification, anyone wishing to obtain a DL would simple visit the local IRS office, complete a form, and receive their cards within six weeks. A large majority of the undocumented aliens that I have encountered have never had an interest in filing taxes; Local, State, or Federal. Their main goal is to obtain employment and send as much money as possible back to their native country. TIN's will only facilitate that goal by helping to circumvent existing Federal Law.

INS provides those individuals authorized to work in the United States the appropriate documentation. Those documents may then be used to complete the INS Form I-9, Employment Eligibility Verification Form. Once an undocumented work has obtained a lawfully issued DL or ID, a simple purchase of \$25.00 dollars will procure a fraudulent Social Security Card, thus allowing the alien to be gainfully employed in violation of law.

ACCORDING TO THE SOCIAL SECURITY ADMINISTRATION:

If you are lawfully admitted to the United States with Immigration and Naturalization Service (INS) permission to work in the U.S., you are eligible for a Social Security number.

If you are lawfully admitted but do not have INS permission to work in the United States, they can assign you a Social Security number only if you have a valid non-work reason for needing a number.

A valid non-work reason for needing a number is a Federal, State or local statute or regulation that requires you to provide your SSN to get a benefit or service. The State or local statute requiring the SSN must be in accordance with Federal Law, that is, for:

- general public assistance;
- a driver's license; or
- motor vehicle registration

If you don't have permission to work, but still need a number for one of the reasons mentioned above, you must provide a statement on letterhead stationery from the government agency that is requiring you to provide a SSN. The letter must:

- specifically identify you as the applicant;
- cite the law requiring you to have a Social Security number; and
- indicate that you meet all the agency's requirements to get the benefit or service except for having an SSN.

If you need a number for tax purposes, but don't meet Social Security's requirements to be assigned a number, you can apply for an Individual Taxpayer Identification Number (ITIN) from the Internal Revenue Service (IRS).

Individual Taxpayer Identification Number

What is ITIN?

An ITIN, or individual Taxpayer Identification Number, is a tax processing number that became available on July 1, 1996, for certain nonresident and resident aliens, their spouse, and dependents. The ITIN is only available to individuals who cannot get a Social Security Number (SSN). It is a 9-digit number, beginning with the number "9", formatted like an SSN (NNN-NN- NNN). The temporary IRS Number previously assigned is no longer valid.

What is the purpose of an ITIN?

ITINs are only used for **federal income tax purposes**. The issuance of an ITIN does not:

- **entitle the recipient to Social Security benefits or the Earned Income Tax Credit (EITC);**
- **create an inference regarding the individual's immigration status;**
- **give the individual the right to work in the U.S.**

When completing the tax return (1040, 1040A, 1040EZ, 1040NR, 1040NR EZ), the individual will enter their ITIN in the space for the SSN.

How do I know if I need an ITIN?

If you must file a U.S. tax return or you are listed on a tax return as a spouse or a dependent and you do not have, and cannot obtain, a valid Social Security Number, you must apply for an ITIN. The IRS no longer accepts "SSA205c", "applied for", "NRA", blanks, or previously issued IRS temporary numbers. Include your ITIN on the return to ensure prompt processing and receipt of any refund. New Internal Revenue Regulations require including a valid Tax Identification Number (TIN) on all U.S. federal income tax returns. Each person listed on the return must have a valid TIN (either an SSN or an ITIN). If a return requesting a refund is filed without an SSN or ITIN for the primary filer and spouse, the refund will be delayed until they obtain the Identification number. If a dependent SSN/ITIN is missing, the exemptions will be denied and refunds will be adjusted accordingly. If you are previously issued a temporary IRS Number, you must now apply for an ITIN.

How do I apply for an ITIN?

To obtain an ITIN, you must complete IRS Form W-7, *Application for IRS Individual Taxpayer Identification Number*. You may complete and sign a Form W-7 for a minor dependent. However, other dependents and spouses must complete and sign their own Forms W-7. The Form W-7 requires documentation substantiating foreign/alien status and true identity for each individual. If you, your spouse and/or dependents need ITINs, you may submit separate Forms W-7 and documentation at the same time. You may either mail the documentation, along with the Form W-7, to the Philadelphia Service Center, present it at IRS walk-in offices, or process your application through Acceptance Agent authorized by the IRS.

Sheila J. Walker, Director
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Division of Vehicles

MEMORANDUM

TO: Chairman Mike O'Neal
Members of the House Judiciary Committee

FROM: Sheila J. Walker, Director of Vehicles *Sheila J. Walker*

DATE: February 19, 2002

SUBJECT: Sub. for HB 2135 – Undocumented Workers

Mr. Chairman, members of the Committee, I am Sheila Walker, Director of the Kansas Division of Motor Vehicles (DMV). Thank you for allowing me to appear today on Substitute for House Bill 2135.

Bill Overview

The Kansas DMV is currently precluded by law from issuing a driver's license or identification card (ID card) to any person "whose presence in the United States is a violation of federal immigration laws." This bill allows the DMV to issue a driver's license or ID card to anyone who has obtained an internal revenue service individual taxpayer identification number (ITIN).

An ITIN does not prove that a person is legally present in the U.S. The application for an ITIN (IRS Form W-7) plainly states "For use by individuals who are NOT U.S. citizens, nationals, or permanent resident."

The National Standard

The Kansas DMV has been a long-time member of the American Association of Motor Vehicle Administrators (AAMVA), an international organization that strives to develop model, benchmarking programs in motor vehicle administration and highway safety. AAMVA's programs encourage uniformity among the United States and Canadian Provinces.

Following the catastrophic events of September 11, AAMVA established a special task force on ID security. The task force was made up of a cross section of U.S. and Canadian AAMVA members with unique expertise. In January, AAMVA publicized the task force's eight recommended strategies for tighter security. Two of the eight strategies focus on residency:

*Standardize the definition of residency; and
Establish uniform procedures for serving noncitizens.*

AAMVA's proposed definition of residency includes the phrase: "whose legal presence is authorized under federal law." Establishment of uniform procedures ensures that the cycle of a driver's license or ID card coincides with the legal status expiration date.

Passing Substitute for House Bill 2135 would be contrary to federal immigration laws.

More than half the states already have a legal presence requirement. There are four states, however, that issue drivers' licenses to undocumented persons, arguing that it makes their roads safer – Virginia, North Carolina, Tennessee and Utah. In a letter to each state's governor, three Congressmen are encouraging states to follow South Carolina's lead by refusing to automatically issue a driver's license to people who hold a license from Virginia, North Carolina, Tennessee and Utah.

Safety

The argument is that undocumented persons are going to drive with or without a license, so we ought to train them to drive, allowing them to get insurance for their vehicles and properly register their vehicles.

As director of vehicles, I am all for safety on our public roads and highways. My preference, of course, is that every driver behind the wheel of a car be familiar with the rules of the road, passing a drive test and written tests. **But a driver's license has become more than just a license to drive a car.** *Identification* is also a key concern for all citizens. They need ID to get other licenses, cash a check, open a bank account, apply for a credit card, and more. Some who have slipped through the system say holding a driver's license is a presumption of citizenship – they can get a Social Security number, credit cards, government services, and a birth certificate with a fake ID. For that reason, it is crucial for ID documents to be completely authenticated and accurate in order to positively and uniquely identify each individual.

While I sympathize with people who came to America for a better life, I believe there is merit in Kansas's proof of lawful presence requirement. Weakening or reversing the law will result in three consequences:

1. Kansas will again become a clearinghouse for undocumented persons to get licenses and identification;
2. We will lose credibility in the eyes of other states; and
3. The accuracy and integrity of the data in the driver's license system will be compromised.

AAMVA's Recommended Strategies:

1. Improve and standardize initial driver's license and ID card processes.
2. Standardize the definition of residency in all states and provinces.
3. Establish uniform procedures for serving noncitizens.
4. Implement processes to produce a uniform, secure, and interoperable driver's license/ID card to uniquely identify an individual.
5. Establish methods for the prevention and detection of fraud and for auditing of the driver's license/ID processes.
6. Ensure greater enforcement priority and enhanced penalties for credential fraud.
7. Seek U.S. federal and other national requirements for legislation, rule making and funding in support of AAMVA's identification and security strategies.
8. Establish public and stakeholder awareness and support.

Expected Results

AAMVA's 8 strategies will help secure a safer America through:

- Increased security
- Increased highway safety
- Reduced fraud and system abuse
- Increased efficiency and effectiveness
- Achieved uniformity of processes and practices

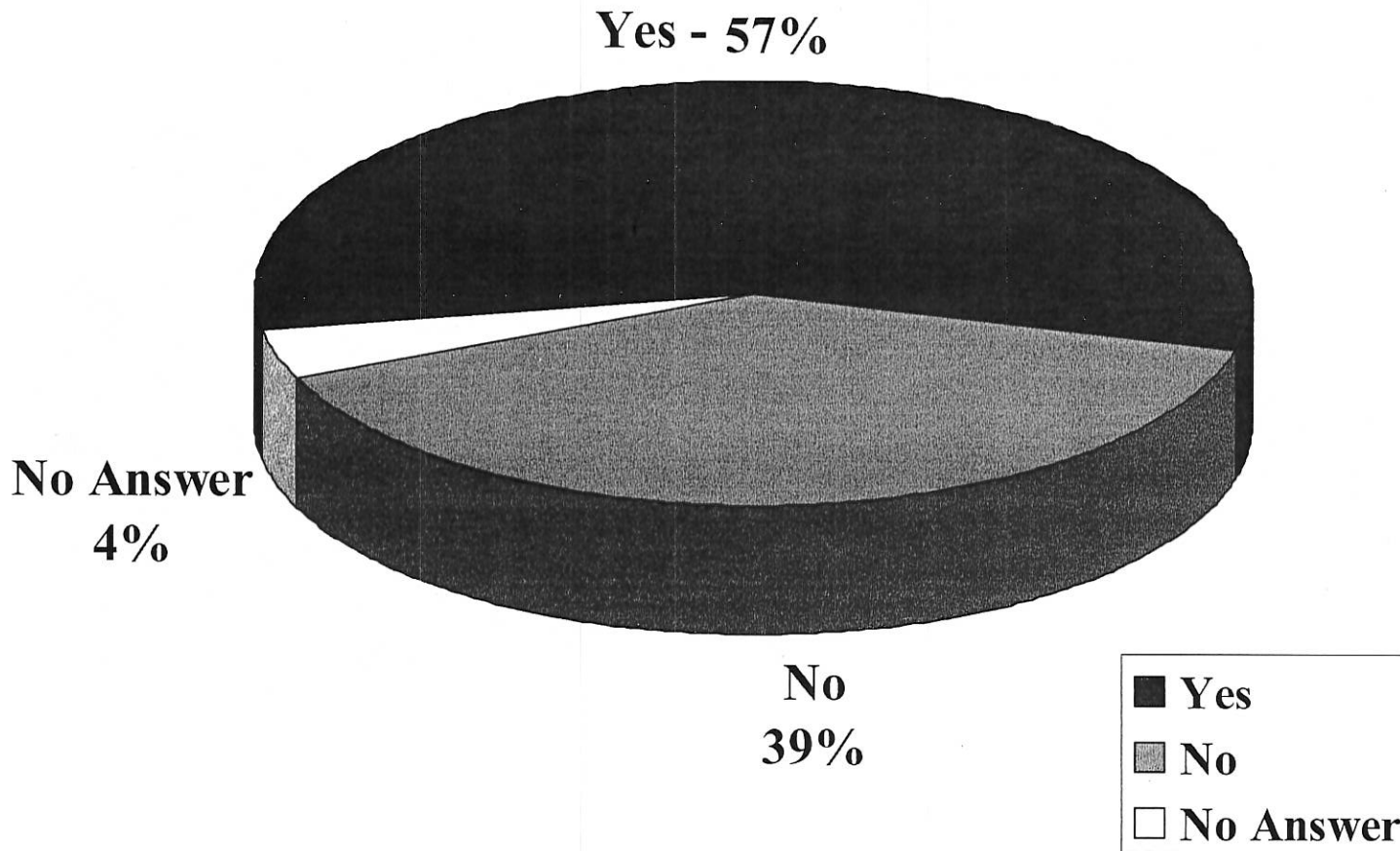
The proof of lawful presence requirement helps to safeguard the accuracy and integrity of Kansas drivers' licenses and IDs. I believe the September 11th terrorist attacks only emphasize the importance for accurate identification.

The Kansas Division of Vehicles would appreciate your careful consideration of this bill, keeping the national standards in mind. Kansas should not be one of the only states that ignores these requirements.

PACE Yahoo Group Survey

(Feb. 2002)

- Does your jurisdiction have a legal presence requirement?



**ACCEPTABLE DOCUMENTATION
REQUIRED BY K.S.A. 8-240 AND K.S.A. 1324 (Effective 7/1/00)**

Two of the following documents must be presented.

One document must be from list A, and the second document must be from lists A, C or D.

If a valid photo Driver's License (DL) issued by another state is used, a second document from list A, B, C or D will be required.

Applicants presenting foreign documents must provide proof of lawful presence from list B, and a second document from list C or D.

All documents presented must be the original or a certified copy; no photocopies will be accepted.

A) Documentation for American Citizens or persons born in the United States:

1. Certified birth certificate (federal, state, county, Dept. of Justice and Bureau of Indian Affairs)
2. Hospital birth certificate for instruction or farm permit only when accompanied by a parent or legal guardian
3. U. S. Passport
4. U. S. Military ID (active duty, dependent, retired, reserve or National Guard)
5. DD 214
6. Bureau of Indian Affairs Tribal Identification Card
7. Certified Order of Adoption
8. Certificate of Naturalization with intact photo
9. Photo DL issued by a U.S. state (if expired over 5 years requires additional documentation)
10. Photo ID issued by a U.S. state (if expired requires additional documentation)

B) Documentation for any other person:

1. Valid foreign passport with I-94 or valid "Processed for I-551" stamp
2. I-94 with refugee status (passport not required)
3. Valid I-551 INS Resident Alien/Permanent resident card, NO Border Crosser cards
4. Valid I-688 (photo Temporary Resident) and I-688A, I-688B and I-766 (photo Employment Authorization)
5. Valid U.S. Military ID (dependent)

C) Proof of name:

1. Certified marriage certificate, U.S., city, county, state, or foreign issued (translation may be required); no church documents allowed
2. Certified divorce decree, U.S. or foreign, with official signature (translation may be required)
3. Certified court order of name change, U.S. or foreign, with official signature (translation may be required)
4. Common Law certificate signed by both parties and notarized
5. Valid U.S. Military ID (active duty, dependent, retired, reserve and National Guard)
6. Bureau of Indian Affairs Tribal ID card
7. Certified court order of adoption
8. Photo DL or ID card issued by a U.S. state (if expired requires additional documentation)

D) Additional Documentation to apply for a replacement Kansas DL or ID card:

1. Valid motor vehicle registration with signature
2. Valid motor vehicle insurance card or policy
3. Selective Service Card with signature
4. Valid life insurance card or policy
5. Valid health insurance card or policy
6. Valid Kansas hunting or fishing license
7. Vehicle title
8. Diploma
9. Professional license
10. Kansas welfare card with photo and signature
11. Foreign DL (certified translation may be required)
12. Parole documents
13. Baptismal certificate
14. Medical records
15. Kansas voter registration card
16. Church marriage certificate (not accepted to change name)
17. Photo DL issued by a U.S. state (if expired over 5 years requires additional documentation)
18. Photo ID issued by a U.S. state (if expired requires additional documentation)
19. Foreign birth certificate (certified translation may be required)
20. May recite recent driving history to satisfaction of Examiner

DOCUMENTACIÓN ACEPTABLE
REQUERIDA POR K.S.A. 8-240 Y POR K.S.A. 1324 (Desde el primero de julio del año 2000)

Dos de los siguientes documentos deben presentarse.

Un documento debe ser de la lista A, el segundo documento puede ser de las listas A, C o D.

Si una Licencia (DL) válida de Conductor de foto publicada por otro estado se usa, un segundo documento de nuestra lista A, B o D se requerirán.

Un documento debe ser de la lista A, el segundo documento puede ser de las listas A, C o D.

Los solicitantes que presenten documentos extranjeros deben proveer prueba de su estado legal de la lista B y otro documento de las listas C o D.

Todos los documentos presentados deben ser originales o una copia certificada de éstos, no se aceptan fotocopias.

A. La documentación para los ciudadanos americanos o para personas nacidas en los Estados Unidos:

- Certificado de nacimiento (federal, estatal, del condado, del Departamento de Justicia o de la Oficina de Asuntos Indígenas)
- Certificado de nacimiento del hospital por instrucción o permiso concedido a una granja sólo cuando está acompañado por un padre o guardián legal.
- Pasaporte Americano.
- Tarjeta Militar de Identificación (activa, de dependiente, de retirado, de reserva o de La Guardia Nacional)
- Departamento de Defensa 214
- Tarjeta de Identificación de una Tribu, de la Oficina de Asuntos Indígenas
- Orden de Adopción certificada.
- Certificado de Naturalización con fotografía intacta.
- Licencia de Conducir, con fotografía, expedida por uno de los estados de los Estados Unidos (si está expirada por más de cinco años, documentación adicional es requerida).
- Tarjeta de Identificación con fotografía, expedida por un estado de los Estados Unidos

B. Documentación para cualquier otra persona

- Pasaporte extranjero vigente con visa I-94 o sello vigente "Procesado para la I-551" o I-94 con estado de refugiado (no se requiere pasaporte)
- Visa válida I-551 de la Oficina de Inmigración y Naturalización de Residente Extranjero/o Residente Permanente. No se aceptan visas para cruzar la frontera.
- Visa válida I-688 (-con fotografía- para Residente Temporal) y I-688A, I-688B y I-766 (Autorización para Empleo con fotografía)
- Identificación Militar vigente (de dependiente)

C. Prueba de su nombre:

- Partida de Matrimonio, de los Estados Unidos, expedida por la ciudad, el condado, el estado o partida extranjera, (la traducción puede ser solicitada). No se aceptan documentos de iglesias.
- Decreto certificado de divorcio de los Estados Unidos o extranjero, con una firma oficial (la traducción puede ser solicitada)
- Orden certificada de la corte para cambio legal de nombre, de los Estados Unidos o extranjera con una firma oficial (la traducción puede ser solicitada)
- Certificados de Unión Libre firmada por las dos partes y notariada
- Identificación Militar vigente (activa, de dependiente, de retirado, de reserva, o de La Guardia Nacional)
- Tarjeta de Identificación como miembro de una tribu, expedida por la Oficina de Asuntos Indígenas
- Orden de Adopción de la corte, certificada
- Licencia de Conducir con fotografía o Identificación Personal, expedida por un estado de los Estados Unidos (si está expirada, se requiere documentación adicional)

D. Documentación Adicional para solicitar un reemplazo de la Licencia de Conducir o de la Tarjeta de Identificación en Kansas

- Registro vigente de un automotor, con firma
- Tarjeta de seguro o póliza de seguro de un automotor
- Tarjeta del Servicio Selectivo con firma
- Tarjeta o póliza vigente de Seguro de Vida
- Tarjeta o póliza vigente de Seguro de Salud
- Licencia vigente para cazar o pescar en Kansas
- Título de propiedad de un vehículo
- Diploma
- Licencia Profesional
- Tarjeta de la oficina de Bienestar Familiar con fotografía y firma
- Licencia de Conducir extranjera (traducción certificada puede ser solicitada)
- Documentos de libertad condicional
- Certificado de bautizo expedido por una iglesia
- Historia médica
- Tarjeta de registro para votar en Kansas
- Partida de matrimonio expedida por una iglesia (ésta no es aceptable para cambiar el nombre)
- Licencia de Conducir con fotografía, expedida por un estado de los Estados Unidos (si está expirada por más de 5 años, se requiere documentación adicional)
- Tarjeta de Identificación personal con fotografía, expedida por un estado de los Estados Unidos (si está expirada se requiere documentación adicional)
- Certificado de Nacimiento extranjero (traducción certificada puede ser solicitada)
- Puede llenar este requisito contándole a quien lo examine, su experiencia reciente como conductor, si esta experiencia es satisfactoria.