

108TH CONGRESS  
1ST SESSION

# H. R. 655

To bar Federal agencies from accepting for any identification-related purpose a State-issued driver's license, or other comparable identification document, unless the State requires a license or comparable document issued to a nonimmigrant alien to expire upon the expiration of the alien's authorized period of stay in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2003

Mr. FLAKE (for himself, Mr. GREEN of Wisconsin, Mr. CASTLE, Mr. KENNEDY of Minnesota, Mr. MILLER of Florida, Mr. PITTS, Mr. JONES of North Carolina, Ms. HART, Mr. SAM JOHNSON of Texas, Mr. BEREUTER, Mr. TERRY, Mr. BACHUS, and Mr. BURTON of Indiana) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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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. EXPIRATION OF IDENTIFICATION DOCUMENTS**

4 **ISSUED TO NONIMMIGRANTS.**

5 (a) STANDARDS FOR ACCEPTANCE BY FEDERAL  
6 AGENCIES.—A Federal agency may not accept for any  
7 identification-related purpose a driver’s license, or other  
8 comparable identification document, issued by a State to  
9 any person, unless the State has in effect a policy requir-  
10 ing any such license or document, when issued by the  
11 State to a nonimmigrant alien, to bear an expiration date  
12 that is not later than—

13 (1) the last day of the nonimmigrant alien’s  
14 lawfully authorized period of stay in the United  
15 States; or

16 (2) 5 years after the date on which the license  
17 or document is issued, in any case in which the non-  
18 immigrant alien’s lawfully authorized period of  
19 stay—

20 (A) is modified at any time after the  
21 alien’s admission into the United States; or

22 (B) does not expire on a date certain.

23 (b) GRANTS TO STATES.—The Secretary of Home-  
24 land Security shall make grants to States to assist them  
25 in issuing driver’s licenses and other comparable identi-

1 fication documents that satisfy the requirements of sub-  
2 section (a).

3 (c) EFFECTIVE DATE.—Subsection (a) shall take ef-  
4 fect one year after the date of the enactment of this Act,  
5 but shall apply only to licenses or documents issued to a  
6 nonimmigrant alien for the first time after such effective  
7 date and to replacement or renewal licenses or documents  
8 issued according to State law after such effective date.

9 (d) DEFINITIONS.—For purposes of this section:

10 (1) FEDERAL AGENCY.—The term “Federal  
11 agency” means any of the following:

12 (A) An Executive agency (as defined in  
13 section 105 of title 5, United States Code).

14 (B) An agency in the judicial branch of the  
15 Government of the United States.

16 (2) NONIMMIGRANT ALIEN.—The term “non-  
17 immigrant alien” means an alien who is lawfully ad-  
18 mitted to the United States by reason of having pre-  
19 sented at the port of entry a valid unexpired non-  
20 immigrant visa issued under section 221 of the Im-  
21 migration and Nationality Act (8 U.S.C. 1201).

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