

106TH CONGRESS
1ST SESSION

H. R. 2337

To repeal section 656 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1999

Mr. PAUL (for himself, Mr. BARR of Georgia, Mr. HINCHEY, Mr. HOSTETTLER, Mr. MEEKS of New York, and Mr. CAMPBELL) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To repeal section 656 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

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. FINDINGS.**

4 The Congress makes the following findings:

5 (1) Section 656 of the Illegal Immigration Re-
6 form and Immigrant Responsibility Act of 1996 (re-
7 ferred to in this Act as “IIRIRA”) requires States
8 to collect, certify, and display social security account
9 numbers on State-issued driver’s licenses and con-

1 form with federally mandated uniform features for
2 driver's licenses.

3 (2) Section 656 of IIRIRA threatens the pri-
4 vacy of all people living in the United States.

5 (3) Section 656 of IIRIRA expands the use and
6 dissemination of the social security account number.

7 (4) Section 656 of IIRIRA requires Federal
8 agencies to accept only documents that meet the
9 standards laid out in that section, thus creating a de
10 facto national identification card.

11 (5) Section 656 of IIRIRA preempts State au-
12 thority over the issuance of State driver's licenses,
13 violating the Unfunded Mandate Reform Act of
14 1994 (referred to in this Act as "UMRA").

15 (6) The actual costs of compliance with section
16 656 far exceed the \$100,000,000 threshold estab-
17 lished by UMRA.

18 (7) Section 656 of IIRIRA preempts the tradi-
19 tional State function of issuing driver's licenses and
20 places it in the hands of officials of the National
21 Highway Traffic Safety Administration.

22 (8) Section 656 of IIRIRA requires States to
23 conform their driver's licenses and other identity
24 documents to a detailed Federal standard.

1 (9) Section 656 of IIRIRA requires that each
2 license contain either in visual or electronic form the
3 individual's social security account number unless
4 the State goes through the burdensome and invasive
5 procedures to check each individual's identity with
6 the Social Security Administration.

7 (10) Section 656 of IIRIRA will greatly expand
8 the dissemination and misuse of the social security
9 account number at a time when the Congress, the
10 States, and the public are actually taking measures
11 to reduce the use of social security numbers as driv-
12 ers' identity numbers.

13 (11) Only 7 States require the social security
14 account number to be displayed on driver's licenses.

15 (12) 9 States have repealed their requirement
16 that driver's licenses display the social security ac-
17 count number since 1992.

18 (13) The 10th amendment to the Constitution
19 deprives the Federal Government of all constitu-
20 tional authority to establish standards for State
21 driver's licenses, or any other sort of national identi-
22 fication card.

23 (14) On June 17, 1998, the National Highway
24 Traffic Safety Administration promulgated in the
25 Federal Register (23 C.F.R. part 1331) a proposed

1 rule (entitled “State-Issued Driver’s Licenses and
2 Comparable Identification Documents; Proposed
3 Rule”) that provides the basis for a national identi-
4 fication card.

5 (15) On October 20, 1998, the House of Rep-
6 resentatives voted 333 to 95 to pass the Omnibus
7 Consolidated and Emergency Supplemental Appro-
8 priations Act, 1999. This Act contains a provision
9 which prohibits the National Highway Traffic Safety
10 Administration from issuing a final rule on national
11 identification cards, as required under section 656 of
12 IIRIRA.

13 **SEC. 2. REPEAL OF SECTION 656 OF IIRIRA.**

14 Section 656 of the Illegal Immigration Reform and
15 Immigrant Responsibility Act of 1996 (5 U.S.C. 301 note)
16 is repealed.

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