

107TH CONGRESS
2D SESSION

H. R. 4043

To bar Federal agencies from accepting for any identification-related purpose and State-issued driver's license, or other comparable identification document, unless the State requires licenses or comparable documents issued to nonimmigrant aliens to expire upon the expiration of the aliens' nonimmigrant visas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2002

Mr. FLAKE (for himself, Mr. GREEN of Wisconsin and Mr. CASTLE) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on House Administration, the Judiciary, and Armed Services, 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

A BILL

To bar Federal agencies from accepting for any identification-related purpose and State-issued driver's license, or other comparable identification document, unless the State requires licenses or comparable documents issued to nonimmigrant aliens to expire upon the expiration of the aliens' nonimmigrant visas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXPIRATION OF IDENTIFICATION DOCUMENTS**
2 **ISSUED TO NONIMMIGRANTS.**

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

11 (1) that is not later than the last day of the pe-
12 riod during which the nonimmigrant visa issued to
13 the alien is valid, as specified on such visa; or

14 (2) that is not later than 5 years after the date
15 on which the license or document is issued, in any
16 case in which the period of validity specified on the
17 nonimmigrant visa has been modified or superseded
18 by another document issued by the Department of
19 Justice or the Department of State.

20 (b) GRANTS TO STATES.—The Attorney General
21 shall make grants to States to assist them in issuing driv-
22 er’s licenses and other comparable identification docu-
23 ments that satisfy the requirements of subsection (a).

24 (c) EFFECTIVE DATE.—Subsection (a) shall take ef-
25 fect one year after the date of the enactment of this Act,
26 but shall apply only to licenses or documents issued to a

1 nonimmigrant alien for the first time after such effective
2 date and to replacement or renewal licenses or documents
3 issued according to State law after such effective date.

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

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

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

9 (B) A military department (as defined in
10 section 102 of such title).

11 (C) An agency in the legislative branch of
12 the Government of the United States.

13 (D) An agency in the judicial branch of the
14 Government of the United States.

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

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