

109TH CONGRESS
1ST SESSION

H. R. 2367

To amend the Immigration and Nationality Act to permit certain Mexican children, and accompanying adults, to obtain a waiver of the documentation requirements otherwise required to enter the United States as a temporary visitor.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2005

Mr. FILNER (for himself, Mr. GRIJALVA, Mr. GONZALEZ, Mr. REYES, Mr. HINOJOSA, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to permit certain Mexican children, and accompanying adults, to obtain a waiver of the documentation requirements otherwise required to enter the United States as a temporary visitor.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Visitors Interested in
5 Strengthening America (VISA) Act of 2005”.

1 **SEC. 2. WAIVER OF DOCUMENTARY REQUIREMENTS FOR**
2 **CERTAIN NONIMMIGRANT CHILDREN AND**
3 **ACCOMPANYING ADULTS.**

4 Section 212(d)(4) of the Immigration and Nationality

5 Act (8 U.S.C. 1182(d)(4)) is amended—

6 (1) by striking “(4)” and inserting “(4)(A)”;

7 (2) by redesignating subparagraphs (A), (B),
8 and (C) as clauses (i), (ii), and (iii), respectively;
9 and

10 (3) by adding at the end the following:

11 “(B)(i) Upon application by an alien who is citizen
12 or national of Mexico, and who is applying for admission
13 as a visitor under section 101(a)(15)(B) from Mexico, the
14 Department of Homeland Security official in charge at a
15 port of entry may, in the exercise of his or her discretion,
16 on a case-by-case basis, waive either or both of the docu-
17 mentary requirements of section 212(a)(7)(B)(i), if satis-
18 fied that the alien is in possession of proper identification,
19 as provided under clause (ii), and—

20 “(I) is a child coming for a regular medical ap-
21 pointment (as evidenced by proof such as a letter
22 from the medical professional concerned), or is the
23 parent (or other adult chaperone) accompanying
24 such a child, except that the number of adults ad-
25 mitted under this subclause shall not exceed one per
26 child;

1 “(II) is a child coming with a student group to
2 participate in an educational or cultural event (such
3 as an athletic or academic event, a concert or other
4 artistic performance, or a visit to a recreational,
5 touristic, or historical site) for not more than 1 day
6 (as evidenced by proof such as a letter of invitation
7 issued to the group), or is an adult chaperone, such
8 as a teacher, coach, or parent, accompanying such a
9 group, except that the number of chaperones admit-
10 ted under this subclause shall not exceed that suffi-
11 cient to supervise the group involved; or

12 “(III) is a child coming to participate in a spe-
13 cial community event that traditionally has been at-
14 tended by individuals from both sides of the border
15 (as evidenced by proof such as a public letter of invi-
16 tation issued by the community concerned), or is a
17 parent or other adult relative accompanying such a
18 child.

19 “(ii)(I) For purposes of this subparagraph, in the
20 case of a child, proper identification shall include a pass-
21 port, birth certificate, or other proof of citizenship or na-
22 tionality.

23 “(II) In the case of an adult, proper identification
24 shall include a passport, birth certificate, or other proof
25 of citizenship or nationality, and a government-issued

1 driver's license, or similar document issued for the purpose
2 of identification, that contains personal identifying infor-
3 mation and a photograph.

4 "(iii) For purposes of this subparagraph—

5 "(I) the term 'child' means an unmarried per-
6 son under 16 years of age; and

7 "(II) the term 'adult' means any person who is
8 not a child.”.

○