

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.”.

○