

109TH CONGRESS
1ST SESSION

H. R. 4120

To eliminate the Western Hemisphere travel exception by requiring a passport for all travel into and out of the United States and to require the Secretary of State to endeavor to persuade all countries to issue machine-readable passports that comply with a uniform document identifying standard.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2005

Mr. POE introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security and International Relations, 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 eliminate the Western Hemisphere travel exception by requiring a passport for all travel into and out of the United States and to require the Secretary of State to endeavor to persuade all countries to issue machine-readable passports that comply with a uniform document identifying standard.

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. SHORT TITLE.**

2 This Act may be cited as the “Passport for All Act
3 of 2005”.

4 **SEC. 2. ELIMINATING AUTHORITY TO WAIVE PASSPORT RE-**
5 **QUIREMENTS.**

6 (a) FOR IMMIGRANT ALIENS.—Section 212 of the
7 Immigration and Nationality Act is amended—

8 (1) in subsection (a)(7)(A)(i)(I) by striking “or
9 other suitable travel document” and all that follows
10 through “title,”; and

11 (2) in subsection (k) by inserting “and a valid
12 unexpired passport” after “an immigrant visa”.

13 (b) FOR NONIMMIGRANT ALIENS.—Section 212 of
14 the Immigration and Nationality Act is amended in sub-
15 section (d)(4) by striking “Either or both of the require-
16 ments of paragraph (7)(B)(i)” and inserting “The re-
17 quirement of paragraph (7)(B)(i)(II)”.

18 (c) FOR CITIZENS.—Section 215(b) of the Immigra-
19 tion and Nationality Act is amended—

20 (1) by striking “Except as otherwise provided
21 by the President and subject to the such limitations
22 and exceptions as the President may authorize and
23 prescribe, it” and inserting “It”;

24 (2) by striking the period at the end and insert-
25 ing “, except as provided by the President—”; and

1 (3) by adding at the end, as amended by this
2 subsection, the following new paragraphs:

3 “(1) in the case of an unforeseen emergency in
4 individual cases; or

5 “(2) in the case of humanitarian or national in-
6 terest reasons in individual cases.”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section take effect on January 1, 2008.

9 **SEC. 3. ELIMINATING TRAVEL DOCUMENT PLAN TO CON-**
10 **FORM WITH ELIMINATION OF AUTHORITY TO**
11 **WAIVE PASSPORT REQUIREMENTS.**

12 Section 7209 of the Intelligence Reform and Ter-
13 rorism Prevention Act of 2004 is amended—

14 (1) by striking subsection (b) and (c);

15 (2) by redesignating subsection (d) as sub-
16 section (c); and

17 (3) by inserting after subsection (a) the fol-
18 lowing new subsection:

19 “(b) REQUIREMENT TO PRODUCE DOCUMENTA-
20 TION.—Not later than January 1, 2008, the Secretary of
21 Homeland Security shall require all United States citizens
22 and aliens to carry and produce a passport when travelling
23 from foreign countries into the United States, except as
24 provided by the President under section 215(b) of the Im-
25 migration and Nationality Act.”.

1 **SEC. 4. ENDEAVORING TO ACHIEVE UNIFORMITY IN**
2 **ISSUANCE OF MACHINE-READABLE PASS-**
3 **PORTS.**

4 (a) IN GENERAL.—Beginning not later than 180
5 days after the date of the enactment of this Act, the Sec-
6 retary of State shall endeavor to persuade all countries,
7 through diplomacy and consultation, to issue machine-
8 readable passports which comply with applicable document
9 identifying standards established by the International
10 Civil Aviation Organization.

11 (b) ANNUAL REPORT.—

12 (1) IN GENERAL.—The Secretary of State shall
13 submit an annual report to Congress on the progress
14 achieved under subsection (a).

15 (2) CONTENTS OF REPORT.—Each such report
16 shall include—

17 (A) a list of countries that issue machine-
18 readable passports complying with the stand-
19 ards described in subsection (a); and

20 (B) if there are any countries that do not
21 issue such machine-readable passports, a de-
22 scription of any barriers that specific countries
23 face in the issuance of such machine-readable
24 passports.

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