

## **9 FAM 42.2 ALIENS NOT REQUIRED TO PRESENT PASSPORTS**

*(CT:VISA-989; 08-06-2008)  
(Office of Origin: CA/VO/L/R)*

### **9 FAM 42.2 RELATED STATUTORY PROVISIONS**

*(CT:VISA-989; 08-06-2008)*

See INA 211(b) (8 U.S.C. 1181(b)) and INA 222(b) (8 U.S.C. 1202(b)).

INA 211(b) *provides*:

- b. *Readmission without required documents; Attorney General's discretion:* Notwithstanding the provisions of section 212(a)(7)(A) of this Act in such cases or in such classes of cases and under such conditions as may be by regulations prescribed, returning resident immigrants, defined in section 101(a)(27)(A), who are otherwise admissible may be readmitted to the United States by the Attorney General in his discretion without being required to obtain a passport, immigrant visa, reentry permit or other documentation.

INA 222(b) *PROVIDES:*

- b. *Other documentary evidence for immigrants:* Every alien applying for an immigrant visa shall present a valid unexpired passport or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Secretary of State. The immigrant shall furnish to the consular officer with his application a copy of a certification by the appropriate police authorities stating what their records show concerning the immigrant; a certified copy of any existing prison record, military record, and record of his birth; and a certified copy of all other records or documents concerning him or his case which may be required by the consular officer. The copy of each document so furnished shall be permanently attached to the application and become a part thereof. In the event that the immigrant establishes to the satisfaction of the consular officer that any document or record required by this subsection is unobtainable, the consular officer

may permit the immigrant to submit in lieu of such document or record other satisfactory evidence of the fact to which such document or record would, if obtainable, pertain. All immigrant visa applications shall be reviewed and adjudicated by a consular officer.

## **9 FAM 42.2 RELATED REGULATORY PROVISIONS**

*(CT:VISA-960; 05-22-2008)*

See 22 CFR 42.2.