

.....  
(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To establish a new nonimmigrant category for alien relatives of United States citizens and lawful permanent residents seeking to enter the United States temporarily for family purposes, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish a new nonimmigrant category for alien relatives of United States citizens and lawful permanent residents seeking to enter the United States temporarily for family purposes, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Temporary Family  
5 Visitation Act”.

1 **SEC. 2. FAMILY PURPOSE NONIMMIGRANT VISAS FOR REL-**  
2 **ATIVES OF UNITED STATES CITIZENS AND**  
3 **LAWFUL PERMANENT RESIDENTS SEEKING**  
4 **TO ENTER THE UNITED STATES TEMPO-**  
5 **RARILY.**

6 (a) ESTABLISHMENT OF NEW NONIMMIGRANT VISA  
7 CATEGORY.—Section 101(a)(15)(B) of the Immigration  
8 and Nationality Act (8 U.S.C. 1101(a)(15)(B)) is amend-  
9 ed by striking “and who is visiting the United States tem-  
10 porarily for business or temporarily for pleasure;” and in-  
11 serting “and who is visiting the United States temporarily  
12 for—

13 “(i) business;  
14 “(ii) pleasure; or  
15 “(iii) family purposes;”.

16 (b) REQUIREMENTS APPLICABLE TO FAMILY PUR-  
17 POSE VISAS.—Section 214 of the Immigration and Na-  
18 tionality Act (8 U.S.C. 1184) is amended by adding at  
19 the end the following:

20 “(t) REQUIREMENTS APPLICABLE TO FAMILY PUR-  
21 POSE VISAS.—

22 “(1) DEFINITIONS.—In this subsection and sec-  
23 tion 101(a)(15)(B)(iii):

24 “(A) FAMILY PURPOSES.—The term ‘fam-  
25 ily purposes’ means any visit by a relative for

1 a social, occasional, major life, religious event,  
2 or for any other purpose.

3 “(B) RELATIVE.—The term ‘relative’  
4 means the spouse, child, son, daughter, grand-  
5 child, parent, grandparent, great-grandparent,  
6 sibling, uncle, aunt, niece, or nephew of a cit-  
7 izen of the United States or an alien lawfully  
8 admitted for permanent residence.

9 “(2) REQUIREMENT.—A relative seeking admis-  
10 sion pursuant to a visa issued under section  
11 101(a)(15)(B)(iii) is inadmissible unless—

12 “(A) the individual petitioning for such ad-  
13 mission, or an additional sponsor, has sub-  
14 mitted to the Secretary of Homeland Security  
15 an undertaking associated with section 213 in  
16 the form of a declaration of financial support;

17 “(B) such relative has obtained, for the  
18 duration of his or her stay in the United States,  
19 a short-term travel medical insurance policy or  
20 an existing health insurance policy that pro-  
21 vides coverage for international medical ex-  
22 penses; and

23 “(C) a declaration from the relative, under  
24 penalty of perjury, affirming the relative’s in-  
25 tent to depart the United States at the conclu-

1           sion of the relative’s period of authorized ad-  
2           mission; and awareness of penalties for over-  
3           staying such period of authorized admission.

4           “(3) PERIOD OF AUTHORIZED ADMISSION.—

5           The period of authorized admission for a non-  
6           immigrant described in section 101(a)(15)(B)(iii)  
7           shall not exceed 90 days per calendar year.

8           “(4) PETITIONER ELIGIBILITY.—

9           “(A) IN GENERAL.—An individual may not  
10          petition for the admission of a relative as a  
11          nonimmigrant described in section  
12          101(a)(15)(B)(iii) if the individual previously  
13          petitioned for the admission of such a relative  
14          who—

15                 “(i) was admitted to the United  
16                 States pursuant to a visa issued under that  
17                 section as a result; and

18                 “(ii) overstayed his or her period of  
19                 authorized admission.

20          “(B) PREVIOUS PETITIONERS.—

21                 “(i) CERTIFICATION.—An individual  
22                 filing a declaration of financial support for  
23                 the admission of a relative as a non-  
24                 immigrant described in section  
25                 101(a)(15)(B)(iii) who has previously pro-

1           vided a declaration of financial support for  
2           such a relative shall certify to the Sec-  
3           retary of Homeland Security that the rel-  
4           ative whose admission the individual pre-  
5           viously supported did not overstay his or  
6           her period of authorized admission or pro-  
7           vide an explanation of why the relative's  
8           overstay was due to extraordinary cir-  
9           cumstances beyond the control of the rel-  
10          ative.

11           “(ii) CRIMINAL PENALTY FOR FALSE  
12          STATEMENT.—A certification under clause  
13          (i) shall be subject to section 1001 of title  
14          18, United States Code.

15           “(C) WAIVER.—The Secretary of Home-  
16          land Security may waive the application of sec-  
17          tion 212(a)(9)(B) in the case of a non-  
18          immigrant described in section  
19          101(a)(15)(B)(iii) who overstayed his or her pe-  
20          riod of authorized admission due to extraor-  
21          dinary circumstances beyond the control of the  
22          nonimmigrant.”.

23          (c) RESTRICTION ON CHANGE OF STATUS.—Section  
24          248(a)(1) of the Immigration and Nationality Act (8  
25          U.S.C. 1258(a)(1)) is amended to read as follows:

1           “(1) an alien classified as a nonimmigrant  
2           under subparagraph (B)(iii), (C), (D), (K), or (S) of  
3           section 101(a)(15),”.

4           (d) FAMILY PURPOSE VISA ELIGIBILITY WHILE  
5           AWAITING IMMIGRANT VISA.—

6           (1) IN GENERAL.—Notwithstanding section  
7           214(b) of the Immigration and Nationality Act (8  
8           U.S.C. 1184(b)), a nonimmigrant described in sec-  
9           tion 101(a)(15)(B)(iii) of that Act who has been  
10          classified as an immigrant under section 201 of that  
11          Act (8 U.S.C. 1151) and is awaiting the availability  
12          of an immigrant visa subject to the numerical limita-  
13          tions under section 203 of that Act (8 U.S.C. 1153)  
14          may be admitted pursuant to a family purpose visa,  
15          in accordance with section 214(t) of that Act, if the  
16          individual is otherwise eligible for admission.

17          (2) LIMITATION.—An alien admitted under sec-  
18          tion 101(a)(15)(B)(iii) of the Immigration and Na-  
19          tionality Act (8 U.S.C. 1184(b)) shall not be consid-  
20          ered to have been admitted to the United States for  
21          purposes of section 245(a) of that Act (8 U.S.C.  
22          1255(a)).

23          (e) RULE OF CONSTRUCTION.—Nothing in this Act,  
24          or the amendments made by this Act, shall be construed—

1           (1) to limit the authority of immigration offi-  
2           cers to refuse to admit to the United States an ap-  
3           plicant under section 101(a)(15)(B)(iii) of the Immi-  
4           gration and Nationality Act (8 U.S.C.  
5           1101(a)(15)(B)) who fails to meet one or more of  
6           the criteria under section 214(t) of that Act, or who  
7           is inadmissible under section 212(a) of that Act; or  
8           (2) to preclude the use of section  
9           101(a)(15)(B)(ii) of the Immigration and Nation-  
10          ality Act, as added by subsection (a), for family  
11          travel for pleasure.