

118TH CONGRESS
1ST SESSION

H. R. 5155

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

AUGUST 4, 2023

Mr. PETERS (for himself, Mrs. BICE, Mr. HIMES, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on the Judiciary

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 “(s) 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
26 a social, occasional, or any other purpose.

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

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

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

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

21 “(C) such relative expresses intent to leave
22 the United States at the conclusion of the pe-
23 riod of authorized admission.

24 “(3) PERIOD OF AUTHORIZED ADMISSION.—
25 The period of authorized admission for a non-

1 immigrant described in section 101(a)(15)(B)(iii)
2 shall not exceed 90 days per calendar year.

3 “(4) PETITIONER REQUIREMENT.—

4 “(A) IN GENERAL.—An individual may not
5 petition for the admission of a relative as a
6 nonimmigrant described in section
7 101(a)(15)(B)(iii) if the individual previously
8 petitioned for the admission of such a relative
9 who—

10 “(i) was admitted to the United
11 States pursuant to a visa issued under that
12 section as a result; and

13 “(ii) overstayed his or her period of
14 authorized admission.

15 “(B) PREVIOUS PETITIONERS.—An indi-
16 vidual filing an affidavit in support of the ad-
17 mission of a relative as a nonimmigrant de-
18 scribed in section 101(a)(15)(B)(iii) who has
19 previously provided an affidavit of support for
20 such a relative shall certify to the Secretary of
21 Homeland Security that the relative whose ad-
22 mission the individual previously supported did
23 not overstay his or her period of authorized ad-
24 mission or provide an explanation of why the
25 relative’s overstay was due to extraordinary cir-

1 cumstances beyond the control of the relative. A
2 certification under this subparagraph shall be
3 subject to section 1001 of title 18, United
4 States Code.

5 “(C) WAIVER.—The Secretary of Home-
6 land Security may waive the application of sec-
7 tion 212(a)(9)(B) in the case of a non-
8 immigrant described in section
9 101(a)(15)(B)(iii) who overstayed his or her pe-
10 riod of authorized admission due to extraor-
11 dinary circumstances beyond the control of the
12 nonimmigrant.”.

13 (c) RESTRICTION ON CHANGE OF STATUS.—Section
14 248(a)(1) of the Immigration and Nationality Act (8
15 U.S.C. 1258(a)(1)) is amended to read as follows:

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

19 (d) FAMILY PURPOSE VISA ELIGIBILITY WHILE
20 AWAITING IMMIGRANT VISA.—Notwithstanding section
21 214(b) of the Immigration and Nationality Act (8 U.S.C.
22 1184(b)), a nonimmigrant described in section
23 101(a)(15)(B)(iii) of that Act who has been classified as
24 an immigrant under section 201 of that Act (8 U.S.C.
25 1151) and is awaiting the availability of an immigrant visa

1 subject to the numerical limitations under section 203 of
2 that Act (8 U.S.C. 1153) may be admitted pursuant to
3 a family purpose visa, in accordance with section 214(s)
4 of that Act, if the individual is otherwise eligible for ad-
5 mission. An alien admitted under section
6 101(a)(15)(B)(iii) of the Immigration and Nationality Act
7 (8 U.S.C. 1184(b)) shall not be considered to have been
8 admitted to the United States for purposes of section
9 245(a) of that Act (8 U.S.C. 1255(a)).

10 (e) RULE OF CONSTRUCTION.—Nothing in this Act,
11 or the amendments made by this Act, shall be construed
12 as limiting the authority of immigration officers to refuse
13 to admit to the United States an applicant under section
14 101(a)(15)(B)(iii) of the Immigration and Nationality Act
15 (8 U.S.C. 1101(a)(15)(B)) who fails to meet one or more
16 of the criteria under section 214(s) of that Act, or who
17 is inadmissible under section 212(a) of that Act.

○