

117TH CONGRESS
1ST SESSION

S. 1635

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 SENATE OF THE UNITED STATES

MAY 13, 2021

Mr. PAUL (for himself and Mr. BLUMENTHAL) introduced the following bill;
which was read twice and 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.—

18 (1) IN GENERAL.—Section 214 of the Immigra-
 19 tion and Nationality Act (8 U.S.C. 1184) is amend-
 20 ed by adding at the end the following:

21 “(s) REQUIREMENTS APPLICABLE TO FAMILY PUR-
 22 POSE VISAS.—

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

1 “(A) FAMILY PURPOSES.—The term ‘fam-
2 ily purposes’ means any visit by a relative for
3 a social, occasional, or any other purpose.

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

10 “(2) REQUIREMENT.—A relative seeking admis-
11 sion pursuant to a visa issued under section
12 101(a)(15)(B)(iii) is inadmissible unless—

13 “(A) the individual petitioning for such ad-
14 mission, or an additional sponsor, has sub-
15 mitted to the Secretary of Homeland Security
16 an undertaking under section 213 in the form
17 of a declaration of support (Form I-134); and

18 “(B) such relative has obtained, for the
19 duration of his or her stay in the United States,
20 a health insurance policy (such as an additional
21 travel health insurance policy or an existing
22 health insurance policy that includes travel
23 health care costs) with minimum policy require-
24 ments, as determined by the Secretary.

1 “(3) PERIOD OF AUTHORIZED ADMISSION.—

2 The period of authorized admission for a non-
3 immigrant described in section 101(a)(15)(B)(iii)
4 shall not exceed 90 days.

5 “(4) PETITIONER REQUIREMENT.—

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

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

15 “(ii) overstayed his or her period of
16 authorized admission.

17 “(B) PREVIOUS PETITIONERS.—An indi-
18 vidual petitioning for the admission of a relative
19 as a nonimmigrant described in section
20 101(a)(15)(B)(iii) who has previously petitioned
21 for such a relative shall submit to the Secretary
22 of Homeland Security evidence demonstrating
23 that the relative on behalf of whom the indi-
24 vidual previously petitioned did not overstay his
25 or her period of authorized admission.”.

1 (c) RESTRICTION ON CHANGE OF STATUS.—Section
2 248(a)(1) of the Immigration and Nationality Act (8
3 U.S.C. 1258(a)(1)) is amended to read as follows:

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

7 (d) FAMILY PURPOSE VISA ELIGIBILITY WHILE
8 AWAITING IMMIGRANT VISA.—Notwithstanding section
9 214(b) of the Immigration and Nationality Act (8 U.S.C.
10 1184(b)), a nonimmigrant described in section
11 101(a)(15)(B)(iii) of that Act who has been classified as
12 an immigrant under section 201 of that Act (8 U.S.C.
13 1151) and is awaiting the availability of an immigrant visa
14 subject to the numerical limitations under section 203 of
15 that Act (8 U.S.C. 1153) may be admitted pursuant to
16 a family purpose visa, in accordance with section 214(s)
17 of that Act, if the individual is otherwise eligible for ad-
18 mission.

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