



## **Bill Analysis: Temporary Family Visitation Act (TFVA)**

The *Temporary Family Visitation Act* ([S. 3255](#) and [H.R. 5155](#)) would create a new nonimmigrant visa category for visiting relatives of U.S. Citizens and Lawful Permanent Residents (commonly referred to as green card holders) seeking to facilitate a temporary reunion with family members residing in the United States. The bill was [introduced](#) in the U.S. House of Representatives by Representative Scott Peters (D-California) on August 4, 2023, and in the [U.S. Senate](#) by Senator Rand Paul (R-Kentucky) on November 8, 2023.

### **The Temporary Family Visitation Act would:**

- Create a B3 visa category that would allow family members of U.S. permanent residents and citizens to come to the United States for up to 90 days per year for family purposes such as attending a wedding or meeting a new grandchild.

### **Eligibility for the B3 visa:**

- The B3 visa would be available for spouses, sons, daughters, grandchildren, parents, grandparents, great-grandparents, siblings, uncles, aunts, nieces, and nephews of U.S. citizens and permanent residents.

### **Requirements to qualify for a B3 visa:**

- Obtain an affidavit of support from a relative in the United States;
- Obtain short-term international health insurance to cover the visitor during the duration of stay in the U.S.; and
- Expressly manifest an intent to leave the United States at the conclusion of the period of authorized admission.

### **Consequences of overstaying a B3 visa**

Overstaying a B3 visa for reasons other than extraordinary circumstances would have at least two direct consequences:

- It would disqualify the applicant for any further admission under a B3 visa, and
- It would disqualify the petitioner from issuing affidavits of support for other relatives to apply for the B3 visa.

### **Why would the TFVA be beneficial?**

The TFVA would serve one of the primary functions of U.S. immigration law in helping separated families reunite for special family occasions. Currently, people who desire to visit the United States for family purposes may only travel if they qualify for a B2 visa, commonly known as a “tourist visa,” unless they are from one of the 41 countries participating in the [U.S. visa waiver program](#). In exceptional circumstances, they may also apply for [humanitarian parole](#) to attend a funeral, a court hearing, or visit a critically ill relative.

Current wait times for B2 tourist visas – the most common way in the current system for family visitors to come for a short period – range from [several months to over a year](#), making it impractical for many families to see each other in person during important moments in their lives. In addition, the B2 visas have a high [refusal rate](#) of around 24%, which makes it unsuitable for many family members who wish to be together for special events.

Additionally, the TFVA would strengthen the tourism industry. Adding the additional category would alleviate pressure on the tourist and business visa system while allowing more visitors to come to the United States and spend money here.

Finally, the TFVA would also help prevent visa overstays, which [contribute significantly](#) to the current undocumented population in the U.S., and instead promote more orderly entry and exit from the U.S., helping to ensure our country is adequately equipped to care for and support our honored guests from other countries. This sense of order will help ease concerns about visitors becoming an unforeseen burden on the U.S. healthcare and welfare systems or those of individual states, even though the data about these concerns burdens under the current system is [inconclusive](#) at best.