

Reuniting Families Act

Bill Summary

Senator Menendez (D-N.J.), Senator Gillibrand (D-N.Y.), Senator Kennedy (D-M.A.), and Senator Schumer (D-N.Y.) plan to introduce the Reuniting Families Act, a bill to help family members reunite in America in a timely manner. This bill would reform America's family-based immigration system to end lengthy separations of loved ones, promote family stability and foster the economic growth that immigrant families have provided throughout our history. As a result of current long waits, many family members who apply for visas in the prime of their lives are not granted admission until they reach retirement age, undermining their economic contribution to our country and encouraging some frustrated relatives to resort to illegal migration. The current system has not been updated in 20 years — it keeps spouses and children and their parents apart for years and even decades, despite the fact that the family has played by the rules. This bill would take important steps toward fixing our broken family immigration system by reducing the waiting times for legal immigrants. Specifically, the bill would:

- **Recapture unused family-based and employment-based visas previously allocated by Congress which remain unused:** Unused and unclaimed visas from 1992 to 2007 would be placed back into the pool of current visas for families and employers to utilize, and unused visas in future fiscal years would “roll over” to the next year.
- **Allow green card holders to reunite with their spouses and minor children:** The bill classifies the children and spouses of green card holders as “immediate relatives.” This would allow spouses and children of green card holders to immediately qualify for a visa.
- **Increase the per country limits of family and employment-based visas from 7% to 10%:** Right now, each country only has a 7% share of the total cap of visas that Congress allocates each year. Small countries and large countries get the same percentage under current law. Increasing each country's percentage of visas would eliminate the absurdly long wait times for individuals to immigrate from large countries like China and India.
- **Allow widows and widowers to immigrate despite death of a petitioner:** Every year, a number of immigrants are deported because the U.S. citizen or green card holder relative who sponsored them has died before the government adjudicated their applications. The bill addresses the immigration-related hardships caused by these family tragedies by clarifying that the government should continue to process the applications of immigrants who are already in line to receive a family visa at the time of their sponsoring close relative's death.
- **Promote family unity by allowing more people to use the system:** The bill would also allow more people to use our family immigration system by giving the Attorney General more power to waive barriers for immigrants who have been present unlawfully in the past. Similar to other provisions in current law, this provision allows an already eligible individual to immigrate to the U.S. if he or she demonstrates hardship to a family member or eligibility for an immigrant visa.
- **The bill also recognizes the sacrifices that certain World War II Filipino veterans made for this country by exempting their children from the numerical caps on visas.**