

112TH CONGRESS
1ST SESSION

H. R. 1537

To amend the Immigration and Nationality Act to promote family unity,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2011

Mr. NADLER (for himself, Ms. ZOE LOFGREN of California, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. POLIS, Mr. CICILLINE, Mr. CONYERS, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. HONDA, Mr. GUTIERREZ, Mr. ACKERMAN, Ms. BASS of California, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. CHU, Mr. CLAY, Ms. CLARKE of New York, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DOYLE, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. HIMES, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PASCRELL, Mr. PALLONE, Mr. PASTOR of Arizona, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Ms. SUTTON, Mr. TOWNS, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WEINER, Mr. WELCH, Ms. WOOLSEY, Mr. WU, Mr. TONKO, and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to promote family unity, 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; AMENDMENTS TO IMMIGRATION**
 4 **AND NATIONALITY ACT.**

5 (a) SHORT TITLE.—This Act may be cited as the
 6 “Uniting American Families Act of 2011”.

7 (b) AMENDMENTS TO IMMIGRATION AND NATION-
 8 ALITY ACT.—Except as otherwise specifically provided,
 9 whenever in this Act an amendment or repeal is expressed
 10 as the amendment or repeal of a section or other provision,
 11 the reference shall be considered to be made to that sec-
 12 tion or provision in the Immigration and Nationality Act.

13 **SEC. 2. DEFINITIONS OF PERMANENT PARTNER AND PER-**
 14 **MANENT PARTNERSHIP.**

15 Section 101(a) (8 U.S.C. 1101(a)) is amended—

16 (1) in paragraph (15)(K)(ii), by inserting “or
 17 permanent partnership” after “marriage”; and

18 (2) by adding at the end the following:

19 “(52) The term ‘permanent partner’ means an
 20 individual 18 years of age or older who—

21 “(A) is in a committed, intimate relation-
 22 ship with another individual 18 years of age or

1 older in which both parties intend a lifelong
2 commitment;

3 “(B) is financially interdependent with
4 that other individual;

5 “(C) is not married to or in a permanent
6 partnership with anyone other than that other
7 individual;

8 “(D) is unable to contract with that other
9 individual a marriage cognizable under this Act;
10 and

11 “(E) is not a first, second, or third degree
12 blood relation of that other individual.

13 “(53) The term ‘permanent partnership’ means
14 the relationship that exists between two permanent
15 partners.

16 “(54) The term ‘alien permanent partner’
17 means the individual in a permanent partnership
18 who is being sponsored for a visa”.

19 **SEC. 3. DEFINITION OF CHILD.**

20 (a) TITLES I AND II.—Section 101(b)(1) (8 U.S.C.
21 1101(b)(1)) is amended by adding at the end the fol-
22 lowing:

23 “(H)(i) a biological child of an alien permanent
24 partner if the child was under the age of 18 at the
25 time the permanent partnership was formed; or

1 “(ii) a child adopted by an alien permanent
2 partner while under the age of 16 years if the child
3 has been in the legal custody of, and has resided
4 with, such adoptive parent for at least 2 years and
5 if the child was under the age of 18 at the time the
6 permanent partnership was formed.”.

7 (b) TITLE III.—Section 101(c) (8 U.S.C. 1101(c))
8 is amended—

9 (1) in paragraph (1), by inserting “or as de-
10 scribed in subsection (b)(1)(H)” after “The term
11 ‘child’ means an unmarried person under twenty-one
12 years of age”; and

13 (2) in paragraph (2), by inserting “or a de-
14 ceased permanent partner of the deceased parent,
15 father, or mother,” after “deceased parent, father,
16 and mother”.

17 **SEC. 4. WORLDWIDE LEVEL OF IMMIGRATION.**

18 Section 201(b)(2)(A)(i) (8 U.S.C. 1151(b)(2)(A)(i))
19 is amended—

20 (1) by inserting “permanent partners,” after
21 “spouses,”;

22 (2) by inserting “or permanent partner” after
23 “spouse” each place it appears;

24 (3) by inserting “(or, in the case of a perma-
25 nent partnership, whose permanent partnership was

1 not terminated)” after “was not legally separated
2 from the citizen”; and

3 (4) by striking “remarries.” and inserting “re-
4 marries or enters a permanent partnership with an-
5 other person.”.

6 **SEC. 5. NUMERICAL LIMITATIONS ON INDIVIDUAL FOR-**
7 **EIGN STATES.**

8 (a) **PER COUNTRY LEVELS.**—Section 202(a)(4) (8
9 U.S.C. 1152(a)(4)) is amended—

10 (1) in the heading, by inserting “, PERMANENT
11 PARTNERS,” after “SPOUSES”;

12 (2) in the heading of subparagraph (A), by in-
13 serting “, PERMANENT PARTNERS,” after
14 “SPOUSES”; and

15 (3) in the heading of subparagraph (C), by
16 striking “AND DAUGHTERS” inserting “WITHOUT
17 PERMANENT PARTNERS AND UNMARRIED DAUGH-
18 TERS WITHOUT PERMANENT PARTNERS”.

19 (b) **RULES FOR CHARGEABILITY.**—Section 202(b)(2)
20 (8 U.S.C. 1152(b)(2)) is amended—

21 (1) by inserting “or permanent partner” after
22 “spouse” each place it appears; and

23 (2) by inserting “or permanent partners” after
24 “husband and wife”.

1 **SEC. 6. ALLOCATION OF IMMIGRANT VISAS.**

2 (a) PREFERENCE ALLOCATION FOR FAMILY MEM-
3 BERS OF PERMANENT RESIDENT ALIENS.—Section
4 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

5 (1) in the heading—

6 (A) by striking “AND” after “SPOUSES”
7 and inserting “, PERMANENT PARTNERS,”; and

8 (B) by inserting “WITHOUT PERMANENT
9 PARTNERS” after “SONS” and after “DAUGH-
10 TERS”;

11 (2) in subparagraph (A), by inserting “, perma-
12 nent partners,” after “spouses”; and

13 (3) in subparagraph (B), by inserting “without
14 permanent partners” after “sons” and after “daugh-
15 ters”.

16 (b) PREFERENCE ALLOCATION FOR SONS AND
17 DAUGHTERS OF CITIZENS.—Section 203(a)(3) (8 U.S.C.
18 1153(a)(3)) is amended—

19 (1) in the heading, by inserting “AND DAUGH-
20 TERS AND SONS WITH PERMANENT PARTNERS” after
21 “DAUGHTERS”; and

22 (2) by inserting “, or daughters or sons with
23 permanent partners,” after “daughters”.

24 (c) EMPLOYMENT CREATION.—Section
25 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended
26 by inserting “permanent partner,” after “spouse,”.

1 (d) TREATMENT OF FAMILY MEMBERS.—Section
2 203(d) (8 U.S.C. 1153(d)) is amended—

3 (1) by inserting “, permanent partner,” after
4 “spouse” each place it appears; and

5 (2) by striking “or (E)” and inserting “(E), or
6 (H)”.

7 **SEC. 7. PROCEDURE FOR GRANTING IMMIGRANT STATUS.**

8 (a) CLASSIFICATION PETITIONS.—Section 204(a)(1)
9 (8 U.S.C. 1154(a)(1)) is amended—

10 (1) in subparagraph (A)(ii), by inserting “or
11 permanent partner” after “spouse”;

12 (2) in subparagraph (A)(iii)—

13 (A) by inserting “or permanent partner”
14 after “spouse” each place it appears; and

15 (B) in subclause (I), by inserting “or per-
16 manent partnership” after “marriage” each
17 place it appears;

18 (3) in subparagraph (A)(v)(I), by inserting
19 “permanent partner,” after “is the spouse,”;

20 (4) in subparagraph (A)(vi)—

21 (A) by inserting “or termination of the
22 permanent partnership” after “divorce”; and

23 (B) by inserting “, permanent partner,”
24 after “spouse”; and

25 (5) in subparagraph (B)—

1 (A) by inserting “or permanent partner”
2 after “spouse” each place it appears;

3 (B) by inserting “or permanent partner-
4 ship” after “marriage” in clause (ii)(I)(aa) and
5 the first place it appears in clause (ii)(I)(bb);
6 and

7 (C) in clause (ii)(II)(aa)(CC)(bbb), by in-
8 serting “(or the termination of the permanent
9 partnership)” after “termination of the mar-
10 riage”.

11 (b) IMMIGRATION FRAUD PREVENTION.—Section
12 204(e) (8 U.S.C. 1154(e)) is amended—

13 (1) by inserting “or permanent partner” after
14 “spouse” each place it appears; and

15 (2) by inserting “or permanent partnership”
16 after “marriage” each place it appears.

17 (c) RESTRICTIONS ON PETITIONS BASED ON MAR-
18 RIAGES ENTERED WHILE IN EXCLUSION OR DEPOR-
19 TION PROCEEDINGS.—Section 204(g) (8 U.S.C. 1154(g))
20 is amended by inserting “or permanent partnership” after
21 “marriage” each place it appears.

22 (d) SURVIVAL OF RIGHTS TO PETITION.—Section
23 204(h) (8 U.S.C. 1154(h)) is amended—

24 (1) by inserting “or permanent partnership”
25 after “marriage” each place it appears; and

1 (2) by inserting “or formation of a new perma-
2 nent partnership” after “Remarriage”.

3 **SEC. 8. ANNUAL ADMISSION OF REFUGEES AND ADMISSION**
4 **OF EMERGENCY SITUATION REFUGEES.**

5 Section 207(c) (8 U.S.C. 1157(c) is amended—

6 (1) in paragraph (2)—

7 (A) by inserting “or permanent partner”
8 after “spouse” each place it appears;

9 (B) by inserting “or permanent partner’s”
10 after “spouse’s”; and

11 (C) in subparagraph (A)—

12 (i) by striking “or” after “(D),”; and

13 (ii) by inserting “, or (H)” after
14 “(E)”; and

15 (2) in paragraph (4), by inserting “or perma-
16 nent partner” after “spouse.”.

17 **SEC. 9. ASYLUM.**

18 Section 208(b)(3) (8 U.S.C. 1158(b)(3)) is amend-
19 ed—

20 (1) in the paragraph heading, by inserting “OR
21 PERMANENT PARTNER” after “SPOUSE”;

22 (2) in subparagraph (A)—

23 (A) by inserting “or permanent partner”
24 after “spouse”;

25 (B) by striking “or” after “(D),”; and

1 (C) by inserting “, or (H)” after “(E)”.

2 **SEC. 10. ADJUSTMENT OF STATUS OF REFUGEES.**

3 Section 209(b)(3) (8 U.S.C. 1159(b)(3)) is amended
4 by inserting “or permanent partner” after “spouse”.

5 **SEC. 11. INADMISSIBLE ALIENS.**

6 (a) CLASSES OF ALIENS INELIGIBLE FOR VISAS OR
7 ADMISSION.—Section 212(a) (8 U.S.C. 1182(a)) is
8 amended—

9 (1) in paragraph (3)(D)(iv), by inserting “per-
10 manent partner,” after “spouse,”;

11 (2) in paragraph (4)(C)(i)(I), by inserting “,
12 permanent partner,” after “spouse”;

13 (3) in paragraph (6)(E)(ii), by inserting “per-
14 manent partner,” after “spouse,”; and

15 (4) in paragraph (9)(B)(v), by inserting “, per-
16 manent partner,” after “spouse”.

17 (b) WAIVERS.—Section 212(d) (8 U.S.C. 1182(d)) is
18 amended—

19 (1) in paragraph (11), by inserting “permanent
20 partner,” after “spouse,”; and

21 (2) in paragraph (12), by inserting “, perma-
22 nent partner,” after “spouse”.

23 (c) WAIVERS OF INADMISSIBILITY ON HEALTH-RE-
24 LATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C.

1 1182(g)(1)(A)) is amended by inserting “or permanent
2 partner” after “spouse”.

3 (d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND
4 RELATED GROUNDS.—Section 212(h)(1)(B) (8 U.S.C.
5 1182(h)(1)(B)) is amended by inserting “permanent part-
6 ner,” after “spouse,”.

7 (e) WAIVER OF INADMISSIBILITY FOR MISREPRESENTEN-
8 TATION.—Section 212(i)(1) (8 U.S.C. 1182(i)(1)) is
9 amended by inserting “permanent partner,” after
10 “spouse,”.

11 **SEC. 12. NONIMMIGRANT STATUS FOR PERMANENT PART-**
12 **NERS AWAITING THE AVAILABILITY OF AN**
13 **IMMIGRANT VISA.**

14 Section 214 (8 U.S.C. 1184) is amended—

15 (1) in subsection (e)(2), by inserting “or per-
16 manent partner” after “spouse”; and

17 (2) in subsection (r)—

18 (A) in paragraph (1), by inserting “or per-
19 manent partner” after “spouse”; and

20 (B) by inserting “or permanent partner-
21 ship” after “marriage” each place it appears.

22 **SEC. 13. DERIVATIVE STATUS FOR PERMANENT PARTNERS**
23 **OF NONIMMIGRANT VISA HOLDERS.**

24 Section 101(a)(15) (8 U.S.C. 1101(a)(15)) is amend-
25 ed—

1 (1) in subparagraph (A)—

2 (A) in clause (i), by inserting “, which
3 shall include permanent partners” after “imme-
4 diate family”;

5 (B) in clause (ii), by inserting “, which
6 shall include permanent partners” after “imme-
7 diate families”; and

8 (C) in clause (iii), by inserting “, which
9 shall include permanent partners,” after “im-
10 mediate families,”;

11 (2) in subparagraph (E), by inserting “or per-
12 manent partner” after “spouse”;

13 (3) in subparagraph (F)(ii), by inserting “or
14 permanent partner” after “spouse”;

15 (4) in subparagraph (G)(i), by inserting “,
16 which shall include his or her permanent partner”
17 after “members of his or their immediate family”;

18 (5) in subparagraph (G)(ii), by inserting “,
19 which shall include permanent partners,” after “the
20 members of their immediate families”;

21 (6) in subparagraph (G)(iii), by inserting “,
22 which shall include his permanent partner,” after
23 “the members of his immediate family”;

1 (7) in subparagraph (G)(iv), by inserting “,
2 which shall include permanent partners” after “the
3 members of their immediate families”;

4 (8) in subparagraph (G)(v), by inserting “,
5 which shall include permanent partners” after “the
6 members of the immediate families”;

7 (9) in subparagraph (H), by inserting “or per-
8 manent partner” after “spouse”;

9 (10) in subparagraph (I), by inserting “or per-
10 manent partner” after “spouse”;

11 (11) in subparagraph (J), by inserting “or per-
12 manent partner” after “spouse”;

13 (12) in subparagraph (L), by inserting “or per-
14 manent partner” after “spouse”;

15 (13) in subparagraph (M)(ii), by inserting “or
16 permanent partner” after “spouse”;

17 (14) in subparagraph (O)(iii), by inserting “or
18 permanent partner” after “spouse”;

19 (15) in subparagraph (P)(iv), by inserting “or
20 permanent partner” after “spouse”;

21 (16) in subparagraph (Q)(ii)(II), by inserting
22 “or permanent partner” after “spouse”;

23 (17) in subparagraph (R), by inserting “or per-
24 manent partner” after “spouse”;

1 (18) in subparagraph (S), by inserting “or per-
2 manent partner” after “spouse”;

3 (19) in subparagraph (T)(ii)(I), by inserting
4 “or permanent partner” after “spouse”;

5 (20) in subparagraph (T)(ii)(II), by inserting
6 “or permanent partner” after “spouse”;

7 (21) in subparagraph (U)(ii)(I), by inserting
8 “or permanent partner” after “spouse”;

9 (22) in subparagraph (U)(ii)(II), by inserting
10 “or permanent partner” after “spouse”; and

11 (23) in subparagraph (V), by inserting “perma-
12 nent partner or” after “beneficiary (including a”.

13 **SEC. 14. CONDITIONAL PERMANENT RESIDENT STATUS**
14 **FOR CERTAIN ALIEN SPOUSES, PERMANENT**
15 **PARTNERS, AND SONS AND DAUGHTERS.**

16 (a) SECTION HEADING.—

17 (1) IN GENERAL.—The heading for section 216
18 (8 U.S.C. 1186a) is amended by inserting “AND
19 PERMANENT PARTNERS” after “SPOUSES”.

20 (2) CLERICAL AMENDMENT.—The table of con-
21 tents is amended by amending the item relating to
22 section 216 to read as follows:

“Sec. 216. Conditional permanent resident status for certain alien spouses and
permanent partners and sons and daughters.”.

23 (b) IN GENERAL.—Section 216(a) (8 U.S.C.
24 1186a(a)) is amended—

1 (1) in paragraph (1), by inserting “or perma-
2 nent partner” after “spouse”;

3 (2) in paragraph (2)(A), by inserting “or per-
4 manent partner” after “spouse”;

5 (3) in paragraph (2)(B), by inserting “perma-
6 nent partner,” after “spouse,”; and

7 (4) in paragraph (2)(C), by inserting “perma-
8 nent partner,” after “spouse,”.

9 (c) TERMINATION OF STATUS IF FINDING THAT
10 QUALIFYING MARRIAGE IMPROPER.—Section 216(b) of
11 such Act (8 U.S.C. 1186a(b)) is amended—

12 (1) in the heading, by inserting “OR PERMA-
13 NENT PARTNERSHIP” after “MARRIAGE”;

14 (2) in paragraph (1)(A), by inserting “or per-
15 manent partnership” after “marriage”; and

16 (3) in paragraph (1)(A)(ii)—

17 (A) by inserting “or has ceased to satisfy
18 the criteria for being considered a permanent
19 partnership under this Act,” after “termi-
20 nated,”; and

21 (B) by inserting “or permanent partner”
22 after “spouse”.

23 (d) REQUIREMENTS OF TIMELY PETITION AND
24 INTERVIEW FOR REMOVAL OF CONDITION.—Section
25 216(c) (8 U.S.C. 1186a(c)) is amended—

1 (1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii),
2 (3)(C), (4)(B), and (4)(C), by inserting “or perma-
3 nent partner” after “spouse” each place it appears;
4 and

5 (2) in paragraph (3)(A), in the matter following
6 clause (ii), and in paragraph (3)(D), (4)(B), and
7 (4)(C), by inserting “or permanent partnership”
8 after “marriage” each place it appears.

9 (e) CONTENTS OF PETITION.—Section 216(d)(1) of
10 such Act (8 U.S.C. 1186a(d)(1)) is amended—

11 (1) in the heading of subparagraph (A), by in-
12 serting “OR PERMANENT PARTNERSHIP” after “MAR-
13 RIAGE”;

14 (2) in subparagraph (A)(i), by inserting “or
15 permanent partnership” after “marriage”;

16 (3) in subparagraph (A)(i)(I), by inserting be-
17 fore the comma at the end “, or is a permanent
18 partnership recognized under this Act”;

19 (4) in subparagraph (A)(i)(II)—

20 (A) by inserting “or has not ceased to sat-
21 isfy the criteria for being considered a perma-
22 nent partnership under this Act,” after “termi-
23 nated,”; and

24 (B) by inserting “or permanent partner”
25 after “spouse”;

1 (5) in subparagraph (A)(ii), by inserting “or
2 permanent partner” after “spouse”; and

3 (6) in subparagraph (B)(i)—

4 (A) by inserting “or permanent partner-
5 ship” after “marriage”; and

6 (B) by inserting “or permanent partner”
7 after “spouse”.

8 (f) DEFINITIONS.—Section 216(g) (8 U.S.C.
9 1186a(g)) is amended—

10 (1) in paragraph (1)—

11 (A) by inserting “or permanent partner”
12 after “spouse” each place it appears; and

13 (B) by inserting “or permanent partner-
14 ship” after “marriage” each place it appears;

15 (2) in paragraph (2), by inserting “or perma-
16 nent partnership” after “marriage”;

17 (3) in paragraph (3), by inserting “or perma-
18 nent partnership” after “marriage”; and

19 (4) in paragraph (4)—

20 (A) by inserting “or permanent partner”
21 after “spouse” each place it appears; and

22 (B) by inserting “or permanent partner-
23 ship” after “marriage”.

1 **SEC. 15. CONDITIONAL PERMANENT RESIDENT STATUS**
2 **FOR CERTAIN ALIEN ENTREPRENEURS,**
3 **SPOUSES, PERMANENT PARTNERS, AND CHIL-**
4 **DREN.**

5 (a) SECTION HEADING.—

6 (1) IN GENERAL.—The heading for section
7 216A (8 U.S.C. 1186b) is amended by inserting “OR
8 PERMANENT PARTNERS” after “SPOUSES”.

9 (2) CLERICAL AMENDMENT.—The table of con-
10 tents is amended by amending the item relating to
11 section 216A to read as follows:

“Sec. 216A. Conditional permanent resident status for certain alien entre-
preneurs, spouses or permanent partners, and children.”.

12 (b) IN GENERAL.—Section 216A(a) (8 U.S.C.
13 1186b(a)) is amended, in paragraphs (1), (2)(A), (2)(B),
14 and (2)(C), by inserting “or permanent partner” after
15 “spouse” each place it appears.

16 (c) TERMINATION OF STATUS IF FINDING THAT
17 QUALIFYING ENTREPRENEURSHIP IMPROPER.—Section
18 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by insert-
19 ing “or permanent partner” after “spouse” in the matter
20 following subparagraph (C).

21 (d) REQUIREMENTS OF TIMELY PETITION AND
22 INTERVIEW FOR REMOVAL OF CONDITION.—Section
23 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs

1 (1), (2)(A)(ii), and (3)(C), by inserting “or permanent
2 partner” after “spouse”.

3 (e) DEFINITIONS.—Section 216A(f)(2) (8 U.S.C.
4 1186b(f)(2)) is amended by inserting “or permanent part-
5 ner” after “spouse” each place it appears.

6 **SEC. 16. DEPORTABLE ALIENS.**

7 Section 237(a) of the Immigration and Nationality
8 Act (8 U.S.C. 1227(a)) is amended—

9 (1) in paragraph (1)(D)(i), by inserting “or
10 permanent partners” after “spouses” each place it
11 appears;

12 (2) in paragraphs (1)(E)(ii), (1)(E)(iii), and
13 (1)(H)(i)(I), by inserting “or permanent partner”
14 after “spouse”;

15 (3) by adding at the end of paragraph (1) the
16 following new subparagraph:

17 “(I) PERMANENT PARTNERSHIP FRAUD.—

18 An alien shall be considered to be deportable as
19 having procured a visa or other documentation
20 by fraud (within the meaning of section
21 212(a)(6)(C)(i)) and to be in the United States
22 in violation of this Act (within the meaning of
23 subparagraph (B)) if—

24 “(i) the alien obtains any admission to
25 the United States with an immigrant visa

1 or other documentation procured on the
2 basis of a permanent partnership entered
3 into less than 2 years prior to such admis-
4 sion and which, within 2 years subsequent
5 to such admission, is terminated because
6 the criteria for permanent partnership are
7 no longer fulfilled, unless the alien estab-
8 lishes to the satisfaction of the Secretary
9 of Homeland Security that such permanent
10 partnership was not contracted for the
11 purpose of evading any provisions of the
12 immigration laws; or

13 “(ii) it appears to the satisfaction of
14 the Secretary of Homeland Security that
15 the alien has failed or refused to fulfill the
16 alien’s permanent partnership which in the
17 opinion of the Secretary of Homeland Se-
18 curity was made for the purpose of pro-
19 curing the alien’s admission as an immi-
20 grant.”; and

21 (4) in paragraphs (2)(E)(i) and (3)(C)(ii), by
22 inserting “or permanent partner” after “spouse”
23 each place it appears.

24 **SEC. 17. REMOVAL PROCEEDINGS.**

25 Section 240 (8 U.S.C. 1229a) is amended—

1 (1) in the heading of subsection (e)(7)(C)(iv),
2 by inserting “PERMANENT PARTNERS,” after
3 “SPOUSES,”; and

4 (2) in subsection (e)(1), by inserting “or per-
5 manent partner” after “spouse”.

6 **SEC. 18. CANCELLATION OF REMOVAL; ADJUSTMENT OF**
7 **STATUS.**

8 Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

9 (1) in paragraph (1)(D), by inserting “or per-
10 manent partner” after “spouse”;

11 (2) in the heading for paragraph (2), by insert-
12 ing “, PERMANENT PARTNER,” after “SPOUSE”; and

13 (3) in paragraph (2)(A), by inserting “, perma-
14 nent partner,” after “spouse” each place it appears.

15 **SEC. 19. ADJUSTMENT OF STATUS OF NONIMMIGRANT TO**
16 **THAT OF PERSON ADMITTED FOR PERMA-**
17 **NENT RESIDENCE.**

18 (a) PROHIBITION ON ADJUSTMENT OF STATUS.—

19 Section 245(d) (8 U.S.C. 1255(d)) is amended by insert-
20 ing “or permanent partnership” after “marriage”.

21 (b) AVOIDING IMMIGRATION FRAUD.—Section 245(e)
22 (8 U.S.C. 1255(e)) is amended—

23 (1) in paragraph (1), by inserting “or perma-
24 nent partnership” after “marriage”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(4) Paragraph (1) and section 204(g) shall not
4 apply with respect to a permanent partnership if the alien
5 establishes by clear and convincing evidence to the satis-
6 faction of the Secretary of Homeland Security that the
7 permanent partnership was entered into in good faith and
8 in accordance with section 101(a)(52) and the permanent
9 partnership was not entered into for the purpose of pro-
10 curing the alien’s admission as an immigrant and no fee
11 or other consideration was given (other than a fee or other
12 consideration to an attorney for assistance in preparation
13 of a lawful petition) for the filing of a petition under sec-
14 tion 204(a) or 214(d) with respect to the alien permanent
15 partner. In accordance with regulations, there shall be
16 only one level of administrative appellate review for each
17 alien under the previous sentence.”.

18 (c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS
19 PAYING FEE.—Section 245(i)(1) (8 U.S.C. 1255(i)(1)) is
20 amended by inserting “or permanent partner” after
21 “spouse” each place it appears.

22 (d) ADJUSTMENT OF STATUS FOR CERTAIN ALIEN
23 INFORMANTS.—Section 245(j) (8 U.S.C. 1255(j)) is
24 amended—

25 (1) in paragraph (1)—

1 (A) by inserting “or permanent partner”
2 after “spouse”; and

3 (B) by inserting “sons and daughters with
4 and without permanent partners,” after
5 “daughters,”; and

6 (2) in paragraph (2)—

7 (A) by inserting “or permanent partner”
8 after “spouse”; and

9 (B) by inserting “sons and daughters with
10 and without permanent partners,” after
11 “daughters,”.

12 (e) TRAFFICKING.—Section 245(l)(1) is amended by
13 inserting “permanent partner,” after “spouse,”.

14 **SEC. 20. APPLICATION OF CRIMINAL PENALTIES FOR MIS-**
15 **REPRESENTATION AND CONCEALMENT OF**
16 **FACTS REGARDING PERMANENT PARTNER-**
17 **SHIPS.**

18 Section 275(c) (8 U.S.C. 1325(c)) is amended to read
19 as follows:

20 “(c) Any individual who knowingly enters into a mar-
21 riage or permanent partnership for the purpose of evading
22 any provision of the immigration laws shall be imprisoned
23 for not more than 5 years, or fined not more than
24 \$250,000, or both.”.

1 **SEC. 21. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL**
2 **CHARACTER, ATTACHMENT TO THE PRIN-**
3 **CIPLES OF THE CONSTITUTION.**

4 Section 316(b) (8 U.S.C. 1427(b)) is amended by in-
5 serting “or permanent partner” after “spouse”.

6 **SEC. 22. NATURALIZATION FOR PERMANENT PARTNERS OF**
7 **CITIZENS.**

8 Section 319 (8 U.S.C. 1430) is amended—

9 (1) in subsection (a), by inserting “or perma-
10 nent partner” after “spouse” each place it appears;

11 (2) in subsection (a), by inserting “or perma-
12 nent partnership” after “marital union”;

13 (3) in subsection (b)(1), by inserting “or per-
14 manent partner” after “spouse”;

15 (4) in subsection (b)(3), by inserting “or per-
16 manent partner” after “spouse”;

17 (5) in subsection (d)—

18 (A) by inserting “or permanent partner”
19 after “spouse” each place it appears; and

20 (B) by inserting “or permanent partner-
21 ship” after “marital union”;

22 (6) in subsection (e)(1)—

23 (A) by inserting “or permanent partner”
24 after “spouse”; and

25 (B) by inserting “or permanent partner-
26 ship” after “marital union”; and

1 (7) in subsection (e)(2), by inserting “or per-
2 manent partner” after “spouse”.

3 **SEC. 23. APPLICATION OF FAMILY UNITY PROVISIONS TO**
4 **PERMANENT PARTNERS OF CERTAIN LIFE**
5 **ACT BENEFICIARIES.**

6 Section 1504 of the LIFE Act (division B of the Mis-
7 cellaneous Appropriations Act, 2001, as enacted into law
8 by section 1(a)(4) of Public Law 106–554) is amended—

9 (1) in the heading, by inserting “, **PERMA-**
10 **NENT PARTNERS,**” after “**SPOUSES**”;

11 (2) in subsection (a), by inserting “, permanent
12 partner,” after “spouse”; and

13 (3) in each of subsections (b) and (c)—

14 (A) in the subsection headings, by insert-
15 ing “, PERMANENT PARTNERS,” after
16 “SPOUSES”; and

17 (B) by inserting “, permanent partner,”
18 after “spouse” each place it appears.

19 **SEC. 24. APPLICATION TO CUBAN ADJUSTMENT ACT.**

20 (a) IN GENERAL.—The first section of Public Law
21 89–732 (November 2, 1966; 8 U.S.C. 1255 note) is
22 amended—

23 (1) in the next to last sentence, by inserting “,
24 permanent partner,” after “spouse” the first two
25 places it appears; and

1 (2) in the last sentence, by inserting “, perma-
2 nent partners,” after “spouses”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) IMMIGRATION AND NATIONALITY ACT.—Sec-
5 tion 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is
6 amended by striking “or spouse” and inserting “,
7 spouse, or permanent partner”.

8 (2) VIOLENCE AGAINST WOMEN ACT.—Section
9 1506(c)(2)(A)(i)(IV) of the Violence Against Women
10 Act of 2000 (8 U.S.C. 1229a note; division B of
11 Public Law 106–386) is amended by striking “or
12 spouse” and inserting “, spouse, or permanent part-
13 ner”.

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