

112TH CONGRESS  
1ST SESSION

# H. R. 1537

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

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## 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 sserting “, 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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