

111TH CONGRESS  
1ST SESSION

# H. R. 1024

To amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. NADLER of New York (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BALDWIN, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. COURTNEY, Mr. CROWLEY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELAHUNT, Mr. DOYLE, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. KUCINICH, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. PASCRELL, Mr. PAYNE, Ms. PINGREE of Maine, Mr. POLIS of Colorado, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Ms. SUTTON, Mrs. TAUSCHER, Ms. TSONGAS, Mr. TIERNEY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WELCH, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SPEIER, Mr. SCHIFF, and Mr. STARK) introduced the following bill; which was referred to the Committee on the Judiciary

# A BILL

To amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

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; TABLE OF CON-**  
 5 **TENTS.**

6       (a) SHORT TITLE.—This Act may be cited as the  
 7 “Uniting American Families Act of 2009”.

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

14       (c) TABLE OF CONTENTS.—The table of contents of  
 15 this Act is as follows:

- Sec. 1. Short title; amendments to Immigration and Nationality Act; table of contents.
- Sec. 2. Definitions of permanent partner and permanent partnership.
- Sec. 3. Worldwide level of immigration.
- Sec. 4. Numerical limitations on individual foreign states.
- Sec. 5. Allocation of immigrant visas.
- Sec. 6. Procedure for granting immigrant status.

- Sec. 7. Annual admission of refugees and admission of emergency situation refugees.
- Sec. 8. Asylum.
- Sec. 9. Adjustment of status of refugees.
- Sec. 10. Inadmissible aliens.
- Sec. 11. Nonimmigrant status for permanent partners awaiting the availability of an immigrant visa.
- Sec. 12. Conditional permanent resident status for certain alien spouses, permanent partners, and sons and daughters.
- Sec. 13. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.
- Sec. 14. Deportable aliens.
- Sec. 15. Removal proceedings.
- Sec. 16. Cancellation of removal; adjustment of status.
- Sec. 17. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.
- Sec. 18. Application of criminal penalties to for misrepresentation and concealment of facts regarding permanent partnerships.
- Sec. 19. Requirements as to residence, good moral character, attachment to the principles of the constitution.
- Sec. 20. Application of family unity provisions to permanent partners of certain LIFE Act beneficiaries.
- Sec. 21. Application to Cuban Adjustment Act.

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

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

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

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

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

9 “(A) is in a committed, intimate relation-  
 10 ship with another individual 18 years of age or  
 11 older in which both parties intend a lifelong  
 12 commitment;

13 “(B) is financially interdependent with  
 14 that other individual;

1           “(C) is not married to or in a permanent  
2           partnership with anyone other than that other  
3           individual;

4           “(D) is unable to contract with that other  
5           individual a marriage cognizable under this Act;  
6           and

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

9           “(53) The term ‘permanent partnership’ means  
10          the relationship that exists between two permanent  
11          partners.”.

12 **SEC. 3. WORLDWIDE LEVEL OF IMMIGRATION.**

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

15               (1) by inserting “permanent partners,” after  
16               “spouses,”;

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

19               (3) by inserting “(or, in the case of a perma-  
20               nent partnership, whose permanent partnership was  
21               not terminated)” after “was not legally separated  
22               from the citizen”; and

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

1 **SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOR-**  
2 **EIGN STATES.**

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

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

7 (2) in the heading of subparagraph (A), by in-  
8 serting “, PERMANENT PARTNERS,” after  
9 “SPOUSES”; and

10 (3) in the heading of subparagraph (C), by  
11 striking “AND DAUGHTERS” inserting “WITHOUT  
12 PERMANENT PARTNERS AND UNMARRIED DAUGH-  
13 TERS WITHOUT PERMANENT PARTNERS”.

14 (b) RULES FOR CHARGEABILITY.—Section 202(b)(2)  
15 (8 U.S.C. 1152(b)(2)) is amended—

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

18 (2) by inserting “or permanent partners” after  
19 “husband and wife”.

20 **SEC. 5. ALLOCATION OF IMMIGRANT VISAS.**

21 (a) PREFERENCE ALLOCATION FOR FAMILY MEM-  
22 BERS OF PERMANENT RESIDENT ALIENS.—Section  
23 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

24 (1) in the heading—

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

1 (B) by inserting “WITHOUT PERMANENT  
2 PARTNERS” after “SONS” and after “DAUGH-  
3 TERS”;

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

6 (3) in subparagraph (B), by inserting “without  
7 permanent partners” after “sons” and after “daugh-  
8 ters”.

9 (b) PREFERENCE ALLOCATION FOR SONS AND  
10 DAUGHTERS OF CITIZENS.—Section 203(a)(3) (8 U.S.C.  
11 1153(a)(3)) is amended—

12 (1) in the heading, by inserting “AND DAUGH-  
13 TERS AND SONS WITH PERMANENT PARTNERS” after  
14 “DAUGHTERS”; and

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

17 (c) EMPLOYMENT CREATION.—Section  
18 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended  
19 by inserting “permanent partner,” after “spouse,”.

20 (d) TREATMENT OF FAMILY MEMBERS.—Section  
21 203(d) (8 U.S.C. 1153(d)) is amended by inserting “, per-  
22 manent partner,” after “spouse” each place it appears.

23 **SEC. 6. PROCEDURE FOR GRANTING IMMIGRANT STATUS.**

24 (a) CLASSIFICATION PETITIONS.—Section 204(a)(1)  
25 (8 U.S.C. 1154(a)(1)) is amended—

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

3 (2) in subparagraph (A)(iii)—

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

6 (B) in subclause (I), by inserting “or per-  
7 manent partnership” after “marriage” each  
8 place it appears;

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

11 (4) in subparagraph (A)(vi)—

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

14 (B) by inserting “, permanent partner,”  
15 after “spouse”; and

16 (5) in subparagraph (B)—

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

19 (B) by inserting or permanent partnership  
20 after “marriage” in clause (ii)(I)(aa) and the  
21 first place it appears in clause (ii)(I)(bb); and

22 (C) in clause (ii)(II)(aa)(CC)(bbb), by in-  
23 serting “(or the termination of the permanent  
24 partnership)” after “termination of the mar-  
25 riage”.

1 (b) IMMIGRATION FRAUD PREVENTION.—Section  
2 204(c) (8 U.S.C. 1154(c)) is amended—

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

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

7 **SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION**  
8 **OF EMERGENCY SITUATION REFUGEES.**

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

10 (1) in paragraph (2)—

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

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

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

17 **SEC. 8. ASYLUM.**

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

20 (1) in the heading, by inserting “OR PERMA-  
21 NENT PARTNER” after “SPOUSE”; and

22 (2) in the text, by inserting “or permanent  
23 partner” after “spouse”.



1 **SEC. 9. ADJUSTMENT OF STATUS OF REFUGEES.**

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

4 **SEC. 10. INADMISSIBLE ALIENS.**

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

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

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

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

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

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

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

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

22 (c) WAIVERS OF INADMISSIBILITY ON HEALTH-RE-  
23 LATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C.  
24 1182(g)(1)(A)) is amended by inserting “or permanent  
25 partner” after “spouse”.

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

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

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

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

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

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

17 **SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS**  
18 **FOR CERTAIN ALIEN SPOUSES, PERMANENT**  
19 **PARTNERS, AND SONS AND DAUGHTERS.**

20 (a) SECTION HEADING.—

21 (1) IN GENERAL.—The heading for section 216  
22 (8 U.S.C. 1186a) is amended by inserting “AND  
23 PERMANENT PARTNERS” after “SPOUSES”.

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

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

4           (b) IN GENERAL.—Section 216(a) (8 U.S.C.  
5 1186a(a)) is amended—

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

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

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

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

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

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

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

21          (3) in paragraph (1)(A)(ii)—

22                  (A) by inserting “or has ceased to satisfy  
23                  the criteria for being considered a permanent

1 partnership under this Act,” after “termi-  
2 nated,”; and

3 (B) by inserting “or permanent partner”  
4 after “spouse”.

5 (d) REQUIREMENTS OF TIMELY PETITION AND  
6 INTERVIEW FOR REMOVAL OF CONDITION.—Section  
7 216(c) (8 U.S.C. 1186a(c)) is amended—

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

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

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

18 (1) in the heading of subparagraph (A), by in-  
19 serting “OR PERMANENT PARTNERSHIP” after “MAR-  
20 RIAGE”;

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

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

1 (4) in subparagraph (A)(i)(II)—

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

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

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

10 (6) in subparagraph (B)(i)—

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

13 (B) by inserting “or permanent partner”  
14 after “spouse”.

15 (e) DEFINITIONS.—Section 216(g) (8 U.S.C.  
16 1186a(g)) is amended—

17 (1) in paragraph (1)—

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 “marriage” each place it appears;

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

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

1 (4) in paragraph (4)—

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

4 (B) by inserting “or permanent partner-  
5 ship” after “marriage”.

6 **SEC. 13. CONDITIONAL PERMANENT RESIDENT STATUS**  
7 **FOR CERTAIN ALIEN ENTREPRENEURS,**  
8 **SPOUSES, PERMANENT PARTNERS, AND CHIL-**  
9 **DREN.**

10 (a) SECTION HEADING.—

11 (1) IN GENERAL.—The heading for section  
12 216A (8 U.S.C. 1186b) is amended by inserting “OR  
13 PERMANENT PARTNERS” after “SPOUSES”.

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

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

17 (b) IN GENERAL.—Section 216A(a) (8 U.S.C.  
18 1186b(a)) is amended, in paragraphs (1), (2)(A), (2)(B),  
19 and (2)(C), by inserting “or permanent partner” after  
20 “spouse” each place it appears.

21 (c) TERMINATION OF STATUS IF FINDING THAT  
22 QUALIFYING ENTREPRENEURSHIP IMPROPER.—Section  
23 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by insert-

1 ing “or permanent partner” after “spouse” in the matter  
2 following subparagraph (C).

3 (d) REQUIREMENTS OF TIMELY PETITION AND  
4 INTERVIEW FOR REMOVAL OF CONDITION.—Section  
5 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs  
6 (1), (2)(A)(ii), and (3)(C), by inserting “or permanent  
7 partner” after “spouse”.

8 (e) DEFINITIONS.—Section 216A(f)(2) (8 U.S.C.  
9 1186b(f)(2)) is amended by inserting “or permanent part-  
10 ner” after “spouse” each place it appears.

11 **SEC. 14. DEPORTABLE ALIENS.**

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

14 (1) in paragraph (1)(D)(i), by inserting “or  
15 permanent partners” after “spouses” each place it  
16 appears;

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

20 (3) by adding at the end of paragraph (1) the  
21 following new subparagraph:

22 “(I) PERMANENT PARTNERSHIP FRAUD.—  
23 An alien shall be considered to be deportable as  
24 having procured a visa or other documentation  
25 by fraud (within the meaning of section

1           212(a)(6)(C)(i)) and to be in the United States  
2           in violation of this Act (within the meaning of  
3           subparagraph (B)) if—

4                   “(i) the alien obtains any admission to  
5                   the United States with an immigrant visa  
6                   or other documentation procured on the  
7                   basis of a permanent partnership entered  
8                   into less than 2 years prior to such admis-  
9                   sion and which, within 2 years subsequent  
10                  to such admission, is terminated because  
11                  the criteria for permanent partnership are  
12                  no longer fulfilled, unless the alien estab-  
13                  lishes to the satisfaction of the Secretary  
14                  of Homeland Security that such permanent  
15                  partnership was not contracted for the  
16                  purpose of evading any provisions of the  
17                  immigration laws; or

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



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

4 **SEC. 15. REMOVAL PROCEEDINGS.**

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

6 (1) in the heading of subsection (c)(7)(C)(iv),  
7 by inserting “PERMANENT PARTNERS,” after  
8 “SPOUSES,”; and

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

11 **SEC. 16. CANCELLATION OF REMOVAL; ADJUSTMENT OF**  
12 **STATUS.**

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

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

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

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

20 **SEC. 17. ADJUSTMENT OF STATUS OF NONIMMIGRANT TO**  
21 **THAT OF PERSON ADMITTED FOR PERMA-**  
22 **NENT RESIDENCE.**

23 (a) PROHIBITION ON ADJUSTMENT OF STATUS.—

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

1 (b) AVOIDING IMMIGRATION FRAUD.—Section 245(e)  
2 (8 U.S.C. 1255(e)) is amended—

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

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

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

22 (c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS  
23 PAYING FEE.—Section 245(i)(1)(B) (8 U.S.C.  
24 1255(i)(1)(B)) is amended by inserting “or permanent  
25 partner” after “spouse” each place it appears.

1 **SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR**  
2 **MISREPRESENTATION AND CONCEALMENT**  
3 **OF FACTS REGARDING PERMANENT PART-**  
4 **NERSHIPS.**

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

7 “(c) Any individual who knowingly enters into a mar-  
8 riage or permanent partnership for the purpose of evading  
9 any provision of the immigration laws shall be imprisoned  
10 for not more than 5 years, or fined not more than  
11 \$250,000, or both.”.

12 **SEC. 19. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL**  
13 **CHARACTER, ATTACHMENT TO THE PRIN-**  
14 **CIPLES OF THE CONSTITUTION.**

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

17 **SEC. 20. APPLICATION OF FAMILY UNITY PROVISIONS TO**  
18 **PERMANENT PARTNERS OF CERTAIN LIFE**  
19 **ACT BENEFICIARIES.**

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

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

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

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

2 (A) in the subsection headings, by insert-  
3 ing “, PERMANENT PARTNERS,” after  
4 “SPOUSES”; and

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

7 **SEC. 21. APPLICATION TO CUBAN ADJUSTMENT ACT.**

8 (a) IN GENERAL.—The first section of Public Law  
9 89–732 (November 2, 1966; 8 U.S.C. 1255 note) is  
10 amended—

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

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

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 101(a)(51)(D) (8 U.S.C.  
18 1101(a)(51)(D)) is amended by striking “or spouse”  
19 and inserting “, spouse, or permanent partner”.

20 (2) Section 1506(c)(2)(A)(i)(IV) of the Violence  
21 Against Women Act of 2000 (8 U.S.C. 1229a note;  
22 division B of Public Law 106–386) is amended by  
23 striking “or spouse” and inserting “, spouse, or per-  
24 manent partner”.

○