

111TH CONGRESS  
1ST SESSION

# S. 424

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2009

Mr. LEAHY (for himself, Mr. FEINGOLD, Mr. SCHUMER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. KERRY, Mr. BROWN, Mr. MENENDEZ, Mrs. MURRAY, Mr. DODD, Mr. AKAKA, Mr. LAUTENBERG, Mr. INOUE, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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,*

1 **SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION**  
 2 **AND NATIONALITY ACT; TABLE OF CON-**  
 3 **TENTS.**

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

6 (b) **AMENDMENTS TO IMMIGRATION AND NATION-**  
 7 **ALITY ACT.**—Except as otherwise specifically provided in  
 8 this Act, if an amendment or repeal is expressed as the  
 9 amendment or repeal of a section or other provision, the  
 10 reference shall be considered to be made to that section  
 11 or provision in the Immigration and Nationality Act (8  
 12 U.S.C. 1101 et seq.).

13 (c) **TABLE OF CONTENTS.**—The table of contents for  
 14 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 individuals intend a lifelong  
 12 commitment;

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

15 “(C) is not married to, or in a permanent  
 16 partnership with, any individual other than that  
 17 other individual;

18 “(D) is unable to contract with that other  
 19 individual a marriage cognizable under this Act;  
 20 and

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

1           “(53) The term ‘permanent partnership’ means  
2           the relationship that exists between 2 permanent  
3           partners.”.

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

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

7           (1) by “spouse” each place it appears and in-  
8           serting “spouse or permanent partner”;

9           (2) by striking “spouses” and inserting  
10          “spouse, permanent partner”;

11          (3) by inserting “(or, in the case of a perma-  
12          nent partnership, whose permanent partnership was  
13          not terminated)” after “was not legally separated  
14          from the citizen”; and

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

18 **SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOR-**  
19 **EIGN STATES.**

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

22          (1) in the paragraph heading, by inserting “,  
23          PERMANENT PARTNERS,” after “SPOUSES”;

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

4 (3) in the heading of subparagraph (C), by  
5 striking “AND DAUGHTERS” inserting “WITHOUT  
6 PERMANENT PARTNERS AND UNMARRIED DAUGH-  
7 TERS WITHOUT PERMANENT PARTNERS”.

8 (b) RULES FOR CHARGEABILITY.—Section 202(b)(2)  
9 (8 U.S.C. 1152(b)(2)) is amended—

10 (1) by striking “his spouse” and inserting “his  
11 or her spouse or permanent partner”;

12 (2) by striking “such spouse” each place it ap-  
13 pears and inserting “such spouse or permanent part-  
14 ner”; and

15 (3) by inserting “or permanent partners” after  
16 “husband and wife”.

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

18 (a) PREFERENCE ALLOCATION FOR FAMILY MEM-  
19 BERS OF PERMANENT RESIDENT ALIENS.—Section  
20 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

21 (1) by striking the paragraph heading and in-  
22 serting the following:

23 “(2) SPOUSES, PERMANENT PARTNERS, UNMAR-  
24 RIED SONS WITHOUT PERMANENT PARTNERS, AND

1 UNMARRIED DAUGHTERS WITHOUT PERMANENT  
2 PARTNERS OF PERMANENT RESIDENT ALIENS.—”;

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

5 (3) in subparagraph (B), by striking “or un-  
6 married daughters” and inserting “without perma-  
7 nent partners or the unmarried daughters without  
8 permanent partners”.

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) by striking the paragraph heading and in-  
13 serting the following:

14 “(2) MARRIED SONS AND DAUGHTERS OF CITI-  
15 ZENS AND SONS AND DAUGHTERS WITH PERMANENT  
16 PARTNERS OF CITIZENS.—”; and

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

19 (c) EMPLOYMENT CREATION.—Section  
20 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended  
21 by inserting “permanent partner,” after “spouse,”.

22 (d) TREATMENT OF FAMILY MEMBERS.—Section  
23 203(d) (8 U.S.C. 1153(d)) is amended—

24 (1) by inserting “or permanent partner” after  
25 “section 101(b)(1)”; and

1           (2) by inserting “, permanent partner,” after  
2           “the spouse”.

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

4           (a) CLASSIFICATION PETITIONS.—Section 204(a)(1)  
5 (8 U.S.C. 1154(a)(1)) is amended—

6           (1) in subparagraph (A)—

7                 (A) in clause (ii), by inserting “or perma-  
8                 nent partner” after “spouse”;

9                 (B) in clause (iii)—

10                         (i) by inserting “or permanent part-  
11                         ner” after “spouse” each place it appears;  
12                         and

13                         (ii) in subclause (I), by inserting “or  
14                         permanent partnership” after “marriage”  
15                         each place it appears;

16                 (C) in clause (v)(I), by inserting “perma-  
17                 nent partner,” after “is the spouse,”; and

18                 (D) in clause (vi)—

19                         (i) by inserting “or termination of the  
20                         permanent partnership” after “divorce”;  
21                         and

22                         (ii) by inserting “, permanent part-  
23                         ner,” after “spouse”; and

24           (2) in subparagraph (B)—

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

3 (B) in clause (ii)—

4 (i) in subclause (I)(aa), by inserting  
5 “or permanent partnership” after “mar-  
6 riage”;

7 (ii) in subclause (I)(bb), by inserting  
8 “or permanent partnership” after “mar-  
9 riage” the first place it appears; and

10 (iii) in subclause (II)(aa), by inserting  
11 “(or the termination of the permanent  
12 partnership)” after “termination of the  
13 marriage”.

14 (b) IMMIGRATION FRAUD PREVENTION.—Section  
15 204(c) (8 U.S.C. 1154(c)) is amended—

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

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

20 **SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION**  
21 **OF EMERGENCY SITUATION REFUGEES.**

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

23 (1) in paragraph (2)—

24 (A) by inserting “, permanent partner,”  
25 after “spouse” each place it appears; and



1 (B) by inserting “, permanent partner’s,”  
2 after “spouse’s”; and

3 (2) in paragraph (4), by inserting “, permanent  
4 partner,” after “spouse”.

5 **SEC. 8. ASYLUM.**

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

8 (1) in the paragraph heading, by inserting “,  
9 PERMANENT PARTNER,” after “SPOUSE”; and

10 (2) in subparagraph (A), by inserting “, perma-  
11 nent partner,” after “spouse”.

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

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

15 **SEC. 10. INADMISSIBLE ALIENS.**

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

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

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

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

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

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

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

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

9 (c) WAIVERS OF INADMISSIBILITY ON HEALTH-RE-  
10 LATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C.  
11 1182(g)(1)(A)) is amended by inserting “, permanent  
12 partner,” after “spouse”.

13 (d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND  
14 RELATED GROUNDS.—Section 212(h)(1)(B) (8 U.S.C.  
15 1182(h)(1)(B)) is amended by inserting “permanent part-  
16 ner,” after “spouse,”.

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

21 **SEC. 11. NONIMMIGRANT STATUS FOR PERMANENT PART-**  
22 **NERS AWAITING THE AVAILABILITY OF AN**  
23 **IMMIGRANT VISA.**

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

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

3 (2) in paragraph (2), by inserting “or perma-  
4 nent partnership” after “marriage” each place it ap-  
5 pears.

6 **SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS**  
7 **FOR CERTAIN ALIEN SPOUSES, PERMANENT**  
8 **PARTNERS, AND SONS AND DAUGHTERS.**

9 (a) SECTION HEADING.—

10 (1) IN GENERAL.—The heading for section 216  
11 (8 U.S.C. 1186a) is amended by striking “AND  
12 SONS” and inserting “, PERMANENT PARTNERS,  
13 SONS,”.

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

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

17 (b) IN GENERAL.—Section 216(a) (8 U.S.C.  
18 1186a(a)) is amended—

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

21 (2) in paragraph (2)—

22 (A) in subparagraph (A), by inserting “or  
23 permanent partner” after “spouse”;

1 (B) in subparagraph (B), by inserting  
2 “permanent partner,” after “spouse,”; and

3 (C) in subparagraph (C), by inserting  
4 “permanent partner,” after “spouse,”.

5 (c) TERMINATION OF STATUS IF FINDING THAT  
6 QUALIFYING MARRIAGE IMPROPER.—Section 216(b) (8  
7 U.S.C. 1186a(b)) is amended—

8 (1) in the subsection heading, by inserting “OR  
9 PERMANENT PARTNERSHIP” after “MARRIAGE”;  
10 and

11 (2) in paragraph (1)(A)—

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

14 (B) in clause (ii)—

15 (i) by inserting “or has ceased to sat-  
16 isfy the criteria for being considered a per-  
17 manent partnership under this Act,” after  
18 “terminated,”; and

19 (ii) by inserting “or permanent part-  
20 ner” after “spouse”.

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

24 (1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii),  
25 (3)(C), (4)(B), and (4)(C), by inserting “or perma-

1       nent partner” after “spouse” each place it appears;  
2       and

3               (2) in paragraph (3)(A), (3)(D), (4)(B), and  
4       (4)(C), by inserting “or permanent partnership”  
5       after “marriage” each place it appears.

6       (e) CONTENTS OF PETITION.—Section 216(d)(1) (8  
7 U.S.C. 1186a(d)(1)) is amended—

8               (1) in subparagraph (A)—

9                       (A) in the heading, by inserting “OR PER-  
10       MANENT PARTNERSHIP” after “MARRIAGE”;

11                      (B) in clause (i)—

12                               (i) by inserting “or permanent part-  
13       nership” after “marriage”;

14                               (ii) in subclause (I), by inserting be-  
15       fore the comma at the end “, or is a per-  
16       manent partnership recognized under this  
17       Act”; and

18                               (iii) in subclause (II)—

19                                       (I) by inserting “or has not  
20       ceased to satisfy the criteria for being  
21       considered a permanent partnership  
22       under this Act,” after “terminated,”;  
23       and

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

1 (C) in clause (ii), by inserting “or perma-  
2 nent partner” after “spouse”; and

3 (2) 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. 13. CONDITIONAL PERMANENT RESIDENT STATUS**  
2 **FOR CERTAIN ALIEN ENTREPRENEURS,**  
3 **SPOUSES, PERMANENT PARTNERS, AND CHIL-**  
4 **DREN.**

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

7 (1) in the section heading, by inserting “, PER-  
8 MANENT PARTNERS,” after “SPOUSES”; and

9 (2) in paragraphs (1), (2)(A), (2)(B), and  
10 (2)(C), by inserting “or permanent partner” after  
11 “spouse” each place it appears.

12 (b) **TERMINATION OF STATUS IF FINDING THAT**  
13 **QUALIFYING ENTREPRENEURSHIP IMPROPER.**—Section  
14 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by insert-  
15 ing “or permanent partner” after “spouse” in the matter  
16 following subparagraph (C).

17 (c) **REQUIREMENTS OF TIMELY PETITION AND**  
18 **INTERVIEW FOR REMOVAL OF CONDITION.**—Section  
19 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs  
20 (1), (2)(A)(ii), and (3)(C), by inserting “or permanent  
21 partner” after “spouse”.

22 (d) **DEFINITIONS.**—Section 216A(f)(2) (8 U.S.C.  
23 1186b(f)(2)) is amended by inserting “or permanent part-  
24 ner” after “spouse” each place it appears.

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

“Sec. 216A. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.”.

4 **SEC. 14. DEPORTABLE ALIENS.**

5 Section 237(a)(1) (8 U.S.C. 1227(a)(1)) is amend-  
 6 ed—

7 (1) in subparagraph (D)(i), by inserting “or  
 8 permanent partners” after “spouses” each place it  
 9 appears;

10 (2) in subparagraphs (E)(ii), (E)(iii), and  
 11 (H)(i)(I), by inserting “or permanent partner” after  
 12 “spouse”;

13 (3) by inserting after subparagraph (E) the fol-  
 14 lowing:

15 “(F) PERMANENT PARTNERSHIP FRAUD.—

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

22 “(i) the alien obtains any admission to  
 23 the United States with an immigrant visa  
 24 or other documentation procured on the



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

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

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

23 **SEC. 15. REMOVAL PROCEEDINGS.**

24 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 “perma-  
 5 nent partner,” after “spouse,”.

6 **SEC. 16. 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”; and

11 (2) in paragraph (2)—

12 (A) in the paragraph heading, by inserting  
 13 “, PERMANENT PARTNER,” after “SPOUSE”;  
 14 and

15 (B) in subparagraph (A), by inserting “,  
 16 permanent partner,” after “spouse” each place  
 17 it appears.

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

21 (a) PROHIBITION ON ADJUSTMENT OF STATUS.—  
 22 Section 245(d) (8 U.S.C. 1255(d)) is amended by insert-  
 23 ing “or permanent partnership” after “marriage”.

24 (b) AVOIDING IMMIGRATION FRAUD.—Section 245(e)  
 25 (8 U.S.C. 1255(e)) is amended—

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

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

4 “(4)(A) Paragraph (1) and section 204(g) shall not  
5 apply with respect to a permanent partnership if the alien  
6 establishes by clear and convincing evidence to the satis-  
7 faction of the Secretary of Homeland Security that—

8 “(i) the permanent partnership was entered  
9 into in good faith and in accordance with section  
10 101(a)(52);

11 “(ii) the permanent partnership was not en-  
12 tered into for the purpose of procuring the alien’s  
13 admission as an immigrant; and

14 “(iii) no fee or other consideration was given  
15 (other than a fee or other consideration to an attor-  
16 ney for assistance in preparation of a lawful peti-  
17 tion) for the filing of a petition under section 204(a)  
18 or 214(d) with respect to the alien permanent part-  
19 ner.

20 “(B) The Secretary shall promulgate regulations that  
21 provide for only 1 level of administrative appellate review  
22 for each alien under subparagraph (A).”.

23 (c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS  
24 PAYING FEE.—Section 245(i)(1)(B) (8 U.S.C.

1 1255(i)(1)(B)) is amended by inserting “, permanent  
2 partner,” after “spouse”.

3 **SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR**  
4 **MISREPRESENTATION AND CONCEALMENT**  
5 **OF FACTS REGARDING PERMANENT PART-**  
6 **NEERSHIPS.**

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

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

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

17 Section 316(b) (8 U.S.C. 1427(b)) is amended by in-  
18 serting “, permanent partner,” after “spouse”.

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

22 Section 1504 of the LIFE Act Amendments of 2000  
23 (division B of Public Law 106–554; 114 Stat. 2763–325)  
24 is amended—

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

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

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

6 (A) in each of the subsection headings, by  
7 inserting “, PERMANENT PARTNERS,” after  
8 “SPOUSES”; and

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

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

12 (a) **IN GENERAL.**—The first section of Public Law  
13 89–732 (8 U.S.C. 1255 note) is amended—

14 (1) in the next to last sentence, by inserting “,  
15 permanent partner,” after “spouse” the first 2  
16 places it appears; and

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

19 (b) **CONFORMING AMENDMENT.**—Section  
20 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is amended by  
21 striking “or spouse” and inserting “, spouse, or perma-  
22 nent partner”.

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