

114TH CONGRESS
2D SESSION

H. R. 4798

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Mr. HONDA (for himself, Mr. BECERRA, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. CONYERS, Mr. DEUTCH, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Ms. GABBARD, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Ms. LEE, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Ms. PELOSI, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RANGEL, Mr. SABLAN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SIRES, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, Mr. VARGAS, Mr. VEASEY, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. GALLEGO, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. JEFFRIES, Mr. MEEKS, Mr. SCOTT of Virginia, Mr. TED LIEU of California, Ms. MATSUI, Mr. TAKAI, Ms. BONAMICI, Ms. CLARK of Massachusetts, Mr. GRAYSON, Mr. PETERS, Mr. CROWLEY, and Mr. SMITH of Washington) 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Reuniting Families Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REDUCING FAMILY-BASED VISA BACKLOGS AND
 PROMOTING FAMILY REUNIFICATION

- Sec. 101. Recapture of immigrant visas lost to bureaucratic delay.
- Sec. 102. Reclassification of spouses, permanent partners, and minor children of legal permanent residents as immediate relatives.
- Sec. 103. Country limits.
- Sec. 104. Promoting family unity.
- Sec. 105. Relief for orphans, widows, and widowers.
- Sec. 106. Exemption from immigrant visa limit for certain veterans who are natives of Philippines.
- Sec. 107. Fiancée child status protection.
- Sec. 108. Equal treatment for all stepchildren.
- Sec. 109. Retention of priority dates.

TITLE II—UNITING AMERICAN FAMILIES ACT

- Sec. 201. Definitions of permanent partner and permanent partnership.
- Sec. 202. Definition of child.
- Sec. 203. Numerical limitations on individual foreign states.
- Sec. 204. Allocation of immigrant visas.
- Sec. 205. Procedure for granting immigrant status.
- Sec. 206. Annual admission of refugees and admission of emergency situation refugees.
- Sec. 207. Asylum.
- Sec. 208. Adjustment of status of refugees.
- Sec. 209. Inadmissible aliens.
- Sec. 210. Nonimmigrant status for permanent partners awaiting the availability of an immigrant visa.
- Sec. 211. Derivative status for permanent partners of nonimmigrant visa holders.
- Sec. 212. Conditional permanent resident status for certain alien spouses, permanent partners, and sons and daughters.
- Sec. 213. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.
- Sec. 214. Deportable aliens.
- Sec. 215. Removal proceedings.
- Sec. 216. Cancellation of removal; adjustment of status.

Sec. 217. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.

Sec. 218. Application of criminal penalties for misrepresentation and concealment of facts regarding permanent partnerships.

Sec. 219. Requirements as to residence, good moral character, attachment to the principles of the Constitution.

Sec. 220. Naturalization for permanent partners of citizens.

Sec. 221. Application of family unity provisions to permanent partners of certain LIFE Act beneficiaries.

Sec. 222. Application to Cuban Adjustment Act.

1 **TITLE I—REDUCING FAMILY-**
 2 **BASED VISA BACKLOGS AND**
 3 **PROMOTING FAMILY REUNI-**
 4 **FICATION**

5 **SEC. 101. RECAPTURE OF IMMIGRANT VISAS LOST TO BU-**
 6 **REAUCRATIC DELAY.**

7 (a) WORLDWIDE LEVEL OF FAMILY-SPONSORED IM-
 8 MIGRANTS.—Section 201(c) of the Immigration and Na-
 9 tionality Act (8 U.S.C. 1151(c)) is amended to read as
 10 follows:

11 “(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED
 12 IMMIGRANTS.—

13 “(1) IN GENERAL.—The worldwide level of fam-
 14 ily-sponsored immigrants under this subsection for a
 15 fiscal year is equal to the sum of—

16 “(A) 480,000;

17 “(B) the number computed under para-
 18 graph (2); and

19 “(C) the number computed under para-
 20 graph (3).

1 “(2) UNUSED VISA NUMBERS FROM PREVIOUS
2 FISCAL YEAR.—The number computed under this
3 paragraph for a fiscal year is the difference, if any,
4 between—

5 “(A) the worldwide level of family-spon-
6 sored immigrant visas established for the pre-
7 vious fiscal year; and

8 “(B) the number of visas issued under sec-
9 tion 203(a), subject to this subsection, during
10 the previous fiscal year.

11 “(3) UNUSED VISA NUMBERS FROM FISCAL
12 YEARS 1992 THROUGH 2015.—The number computed
13 under this paragraph is the difference, if any, be-
14 tween—

15 “(A) the difference, if any, between—

16 “(i) the sum of the worldwide levels of
17 family-sponsored immigrant visas estab-
18 lished for fiscal years 1992 through 2015;
19 and

20 “(ii) the number of visas issued under
21 section 203(a), subject to this subsection,
22 during such fiscal years; and

23 “(B) the number of unused visas from fis-
24 cal years 1992 through 2015 that were issued

1 after fiscal year 2015 under section 203(a),
2 subject to this subsection.”.

3 (b) WORLDWIDE LEVEL OF EMPLOYMENT-BASED
4 IMMIGRANTS.—Section 201(d) of the Immigration and
5 Nationality Act (8 U.S.C. 1151(d)) is amended to read
6 as follows:

7 “(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED
8 IMMIGRANTS.—

9 “(1) IN GENERAL.—The worldwide level of em-
10 ployment-based immigrants under this subsection for
11 a fiscal year is equal to the sum of—

12 “(A) 140,000;

13 “(B) the number computed under para-
14 graph (2); and

15 “(C) the number computed under para-
16 graph (3).

17 “(2) UNUSED VISA NUMBERS FROM PREVIOUS
18 FISCAL YEAR.—The number computed under this
19 paragraph for a fiscal year is the difference, if any,
20 between—

21 “(A) the worldwide level of employment-
22 based immigrant visas established for the pre-
23 vious fiscal year; and

1 “(B) the number of visas issued under sec-
2 tion 203(b), subject to this subsection, during
3 the previous fiscal year.

4 “(3) UNUSED VISA NUMBERS FROM FISCAL
5 YEARS 1992 THROUGH 2015.—The number computed
6 under this paragraph is the difference, if any, be-
7 tween—

8 “(A) the difference, if any, between—

9 “(i) the sum of the worldwide levels of
10 employment-based immigrant visas estab-
11 lished for each of fiscal years 1992
12 through 2015; and

13 “(ii) the number of visas issued under
14 section 203(b), subject to this subsection,
15 during such fiscal years; and

16 “(B) the number of unused visas from fis-
17 cal years 1992 through 2015 that were issued
18 after fiscal year 2015 under section 203(b),
19 subject to this subsection.”.

20 (c) ALIENS NOT SUBJECT TO DIRECT NUMERICAL
21 LIMITATIONS.—Section 201(b) of the Immigration and
22 Nationality Act (8 U.S.C. 1151(b)) is amended by adding
23 at the end the following:

24 “(3)(A) Aliens who are beneficiaries (including
25 derivative beneficiaries) of approved immigrant peti-

1 tions bearing priority dates more than ten years
2 prior to the alien’s application for admission as an
3 immigrant or adjustment of status.

4 “(B) Aliens described in section 203(d) whose
5 spouse, permanent partner, or parent is entitled to
6 an immigrant status under 203(b).”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on the date which is 60 days
9 after the date of the enactment of this Act.

10 **SEC. 102. RECLASSIFICATION OF SPOUSES, PERMANENT**
11 **PARTNERS, AND MINOR CHILDREN OF LEGAL**
12 **PERMANENT RESIDENTS AS IMMEDIATE REL-**
13 **ATIVES.**

14 (a) IN GENERAL.—Section 201(b)(2) of the Immi-
15 gration and Nationality Act (8 U.S.C. 1151(b)(2)) is
16 amended to read as follows:

17 “(2) IMMEDIATE RELATIVE.—

18 “(A) IN GENERAL.—

19 “(i) IMMEDIATE RELATIVE DE-
20 FINED.—In this subparagraph, the term
21 ‘immediate relative’ means a child, spouse,
22 permanent partner, or parent of a citizen
23 of the United States or a child, spouse, or
24 permanent partner of a lawful permanent
25 resident (and for each family member of a

1 citizen or lawful permanent resident under
2 this subparagraph, such individual's
3 spouse, permanent partner, or child who is
4 accompanying or following to join the indi-
5 vidual), except that, in the case of parents,
6 such citizens shall be at least 21 years of
7 age.

8 “(ii) PREVIOUSLY ISSUED VISA.—
9 Aliens admitted under section 211(a) on
10 the basis of a prior issuance of a visa
11 under section 203(a) to their accom-
12 panying parent who is an immediate rel-
13 ative.

14 “(iii) PARENTS AND CHILDREN.—An
15 alien who was the child or parent of a cit-
16 izen of the United States or a child of a
17 lawful permanent resident at the time of
18 the citizen's or resident's death if the alien
19 files a petition under 204(a)(1)(A)(ii) with-
20 in 2 years after such date or prior to
21 reaching 21 years of age.

22 “(iv) SPOUSE OR PERMANENT PART-
23 NER.—An alien who was the spouse or per-
24 manent partner of a citizen of the United
25 States or lawful permanent resident for

1 not less than 2 years at the time of the
2 citizen's or resident's death or, if married
3 for less than 2 years at the time of the
4 citizen's or resident's death, proves by a
5 preponderance of the evidence that the
6 marriage or permanent partnership was
7 entered into in good faith and not solely
8 for the purpose of obtaining an immigra-
9 tion benefit and was not legally separated
10 from the citizen or resident (or, in the case
11 of a permanent partnership, whose perma-
12 nent partnership was not terminated) at
13 the time of the citizen's or resident's
14 death, and each child of such alien, shall
15 be considered, for purposes of this sub-
16 section, an immediate relative after the
17 date of the citizen's or resident's death if
18 the spouse or permanent partner files a pe-
19 tition under section 204(a)(1)(A)(ii) before
20 the date on which the spouse or permanent
21 partner remarries or enters a permanent
22 partnership with another person.

23 “(v) SPECIAL RULE.—For purposes of
24 this subparagraph, an alien who has filed
25 a petition under clause (iii) or (iv) of sec-

1 tion 204(a)(1)(A) remains an immediate
2 relative if the United States citizen or law-
3 ful permanent resident spouse, permanent
4 partner, or parent loses United States citi-
5 zenship or residence on account of the
6 abuse.

7 “(B) BIRTH DURING TEMPORARY VISIT
8 ABROAD.—Aliens born to an alien lawfully ad-
9 mitted for permanent residence during a tem-
10 porary visit abroad.”.

11 (b) ALLOCATION OF IMMIGRANT VISAS.—Section
12 203(a) of the Immigration and Nationality Act (8 U.S.C.
13 1153(a)) is amended—

14 (1) in paragraph (1), by striking “23,400” and
15 inserting “127,200”;

16 (2) by striking paragraph (2) and inserting the
17 following:

18 “(2) UNMARRIED SONS WITHOUT PERMANENT
19 PARTNERS AND UNMARRIED DAUGHTERS WITHOUT
20 PERMANENT PARTNERS OF PERMANENT RESIDENT
21 ALIENS.—Qualified immigrants who are the unmar-
22 ried sons without permanent partners or unmarried
23 daughters without permanent partners (but are not
24 the children) of an alien lawfully admitted for per-
25 manent residence shall be allocated visas in a num-

1 ber not to exceed 80,640, plus any visas not required
2 for the class specified in paragraph (1).”;

3 (3) in paragraph (3), by striking “23,400” and
4 inserting “80,640”; and

5 (4) in paragraph (4), by striking “65,000” and
6 inserting “191,520”.

7 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) RULES FOR DETERMINING WHETHER CER-
9 TAIN ALIENS ARE IMMEDIATE RELATIVES.—Section
10 201(f) of the Immigration and Nationality Act (8
11 U.S.C. 1151(f)) is amended—

12 (A) in paragraph (1), by striking “para-
13 graphs (2) and (3),” and inserting “paragraph
14 (2),”;

15 (B) by striking paragraph (2);

16 (C) by redesignating paragraphs (3) and
17 (4) as paragraphs (2) and (3), respectively; and

18 (D) in paragraph (3), as redesignated by
19 subparagraph (C), by striking “through (3)”
20 and inserting “and (2)”.

21 (2) NUMERICAL LIMITATION TO ANY SINGLE
22 FOREIGN STATE.—Section 202 of the Immigration
23 and Nationality Act (8 U.S.C. 1152) is amended—

24 (A) in subsection (a)(4)—

1 (i) by striking subparagraphs (A) and
2 (B);

3 (ii) by redesignating subparagraphs
4 (C) and (D) as subparagraphs (A) and
5 (B), respectively; and

6 (iii) in subparagraph (A), as redesignig-
7 nated by clause (ii), by striking “section
8 203(a)(2)(B)” and inserting “section
9 203(a)(2)”; and

10 (B) in subsection (e), in the flush matter
11 following paragraph (3), by striking “, or as
12 limiting the number of visas that may be issued
13 under section 203(a)(2)(A) pursuant to sub-
14 section (a)(4)(A)”.

15 (3) ALLOCATION OF IMMIGRATION VISAS.—Sec-
16 tion 203(h) of the Immigration and Nationality Act
17 (8 U.S.C. 1153(h)) is amended—

18 (A) in paragraph (1)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “subsections
21 (a)(2)(A) and (d)” and inserting “sub-
22 section (d)”;

23 (ii) in subparagraph (A), by striking
24 “becomes available for such alien (or, in
25 the case of subsection (d), the date on

1 which an immigrant visa number became
2 available for the alien’s parent),” and in-
3 serting “became available for the alien’s
4 parent,”; and

5 (iii) in subparagraph (B), by striking
6 “applicable”;

7 (B) by amending paragraph (2) to read as
8 follows:

9 “(2) PETITIONS DESCRIBED.—The petition de-
10 scribed in this paragraph is a petition filed under
11 section 204 for classification of the alien’s parent
12 under subsection (a), (b), or (c).”; and

13 (C) in paragraph (3), by striking “sub-
14 sections (a)(2)(A) and (d)” and inserting “sub-
15 section (d)”.

16 (4) PROCEDURE FOR GRANTING IMMIGRANT
17 STATUS.—Section 204 of the Immigration and Na-
18 tionality Act (8 U.S.C. 1154) is amended—

19 (A) in subsection (a)(1)—

20 (i) in subparagraph (A)—

21 (I) in clause (i), by inserting “or
22 lawful permanent resident” after “cit-
23 izen”;

24 (II) in clause (ii), by striking
25 “described in the second sentence of

1 section 201(b)(2)(A)(i) also” and in-
2 sserting “, alien child, or alien parent
3 described in section 201(b)(2)(A)”;

4 (III) in clause (iii)—

5 (aa) in subclause (I)(aa), by
6 inserting “or legal permanent
7 resident” after “citizen”; and

8 (bb) in subclause (II)(aa)—

9 (AA) in subitems (AA)
10 and (BB), by inserting “or
11 legal permanent resident;”
12 after “citizen” each place
13 that term appears;

14 (BB) in subitem (CC),
15 by inserting “or legal per-
16 manent resident” after “cit-
17 izen” each place that term
18 appears; and

19 (CC) in subitem
20 (CC)(bbb), by inserting “or
21 legal permanent resident”
22 after “citizenship”;

23 (IV) in clause (iv), by inserting
24 “or legal permanent resident” after

1 “citizen” each place that term ap-
2 pears;

3 (V) in clause (v)(I), by inserting
4 “or legal permanent resident” after
5 “citizen”; and

6 (VI) in clause (vi)—

7 (aa) by inserting “or legal
8 permanent resident status” after
9 “renunciation of citizenship”;
10 and

11 (bb) by inserting “or legal
12 permanent resident” after “abus-
13 er’s citizenship”;

14 (ii) by striking subparagraph (B);

15 (iii) in subparagraph (C), by striking
16 “subparagraph (A)(iii), (A)(iv), (B)(ii), or
17 (B)(iii)” and inserting “clause (iii) or (iv)
18 of subparagraph (A)”;

19 (iv) in subparagraph (J), by striking
20 “or clause (ii) or (iii) of subparagraph
21 (B)”;

22 (B) in subsection (a), by striking para-
23 graph (2);

24 (C) in subsection (c)(1), by striking “or
25 preference status”; and

1 (D) in subsection (h), by striking “or a pe-
2 tition filed under subsection (a)(1)(B)(ii)”.

3 **SEC. 103. COUNTRY LIMITS.**

4 Section 202(a)(2) of the Immigration and Nationality
5 Act (8 U.S.C. 1152(a)(2)) is amended by striking “7 per-
6 cent (in the case of a single foreign state) or 2 percent”
7 and inserting “15 percent (in the case of a single foreign
8 state) or 5 percent”.

9 **SEC. 104. PROMOTING FAMILY UNITY.**

10 (a) **ALIENS PREVIOUSLY REMOVED.**—Section
11 212(a)(9) of the Immigration and Nationality Act (8
12 U.S.C. 1182(a)(9)) is amended—

13 (1) in subparagraph (B)—

14 (A) in clause (iii)—

15 (i) in subclause (I), by striking “18
16 years of age” and inserting “21 years of
17 age”;

18 (ii) by moving subclause (V) 4 ems to
19 the right; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(VI) Clause (i) shall not apply
23 to an alien for whom an immigrant
24 visa is available or was available on or
25 before the date of the enactment of

1 the Reuniting Families Act, and is
2 otherwise admissible to the United
3 States for permanent residence.”; and

4 (B) in clause (v)—

5 (i) by striking “spouse or son or
6 daughter” and inserting “spouse, perma-
7 nent partner, son, daughter, or parent”;

8 (ii) by striking “extreme”;

9 (iii) by inserting “permanent partner,
10 son, daughter, or” after “lawfully resident
11 spouse”; and

12 (iv) by striking “alien.” and inserting
13 “alien or, if the Secretary of Homeland Se-
14 curity determines that a waiver is nec-
15 essary for humanitarian purposes, to en-
16 sure family unity or is otherwise in the
17 public interest.”; and

18 (2) in subparagraph (C)—

19 (A) by amending clause (ii) to read as fol-
20 lows:

21 “(ii) EXCEPTIONS.—Clause (i) shall
22 not apply to an alien—

23 “(I) seeking admission more than
24 10 years after the date of the alien’s
25 last departure from the United States

1 if, prior to the alien’s reembarkation
2 at a place outside the United States
3 or attempt to be readmitted from a
4 foreign contiguous territory, the Sec-
5 retary of Homeland Security has con-
6 sented to the alien’s reapplication for
7 admission; or

8 “(II) for whom an immigrant
9 visa is available or was available on or
10 before the date of the enactment of
11 the Reuniting Families Act.”;

12 (B) by redesignating clause (iii) as clause
13 (iv); and

14 (C) by inserting after clause (ii) the fol-
15 lowing:

16 “(iii) For purposes of determining
17 whether an alien has accumulated an ag-
18 gregate period of more than 1 year of un-
19 lawful presence under clause (i), the same
20 rules of unlawful presence construction
21 under section 212(a)(9)(B)(ii) and the ex-
22 ceptions under section 212(a)(9)(B)(iii)
23 shall apply.”.

24 (b) MISREPRESENTATIONS.—The Immigration and
25 Nationality Act (8 U.S.C. 1101 et seq.) is amended—

1 (1) by amending section 212(a)(6)(C)(ii) (8
2 U.S.C. 1182(a)(6)(C)(ii)) to read as follows:

3 “(ii) MISREPRESENTATION OF CITI-
4 ZENSHIP.—

5 “(I) IN GENERAL.—Any alien
6 who willfully misrepresents, or has
7 willfully misrepresented, himself or
8 herself to be a citizen of the United
9 States for any purpose or benefit
10 under this Act (including section
11 274A) or any Federal or State law is
12 inadmissible.

13 “(II) EXCEPTION.—In the case
14 of an alien making a misrepresenta-
15 tion described in subclause (I), if the
16 alien was under the age of 21 at the
17 time of making such misrepresenta-
18 tion that he or she was a citizen, the
19 alien shall not be considered to be in-
20 admissible under any provision of this
21 subsection based on such misrepresen-
22 tation.”;

23 (2) in section 212(a)(6)(C)(iii) (8 U.S.C.
24 1182(a)(6)(C)(iii)), by striking “of clause (i)”;

1 (3) by amending subsection (i)(1) of section
2 212 (8 U.S.C. 1182(i)(1)) to read as follows:

3 “(i)(1) The Attorney General or the Secretary of
4 Homeland Security may, in the discretion of the Attorney
5 General or the Secretary, waive the application of sub-
6 section (a)(6)(C) in the case of an immigrant who is the
7 parent, spouse, permanent partner, son, or daughter of a
8 United States citizen or of an alien lawfully admitted for
9 permanent residence, or an alien granted classification
10 under clause (iii) or (iv) of section 204(a)(1)(A), if it is
11 established to the satisfaction of the Attorney General or
12 the Secretary that the admission to the United States of
13 such alien would not be contrary to the national welfare,
14 safety, or security of the United States.”; and

15 (4) by amending section 237(a)(3)(D) (8
16 U.S.C. 1227(a)(3)(D)) to read as follows:

17 “(D) MISREPRESENTATION OF CITIZEN-
18 SHIP.—

19 “(i) IN GENERAL.—Any alien who
20 willfully misrepresents, or has willfully mis-
21 represented, himself to be a citizen of the
22 United States for any purpose or benefit
23 under this Act (including section 274A) or
24 any Federal or State law is deportable.

1 “(ii) EXCEPTION.—In the case of an
2 alien making a misrepresentation described
3 in subclause (i), if the alien was under the
4 age of 21 at the time of making such mis-
5 representation that he or she was a citizen,
6 the alien shall not be considered to be de-
7 portable under any provision of this sub-
8 section based on such misrepresentation.”.

9 **SEC. 105. RELIEF FOR ORPHANS, WIDOWS, AND WIDOWERS.**

10 (a) IN GENERAL.—

11 (1) SPECIAL RULE FOR ORPHANS, SPOUSES,
12 AND PERMANENT PARTNERS.—In applying clauses
13 (iii) and (iv) of section 201(b)(2)(A) of the Immigra-
14 tion and Nationality Act, as added by section 102(a)
15 of this Act, to an alien whose citizen or lawful per-
16 manent resident relative died before the date of the
17 enactment of this Act, the alien relative may file the
18 classification petition under section 204(a)(1)(A)(ii)
19 of such Act, as amended by section
20 102(c)(4)(A)(i)(II) of this Act, not later than 2
21 years after the date of the enactment of this Act.

22 (2) ELIGIBILITY FOR PAROLE.—If an alien was
23 excluded, deported, removed, or departed voluntarily
24 before the date of the enactment of this Act based
25 solely upon the alien’s lack of classification as an

1 immediate relative (as defined in section
2 201(b)(2)(A)(iv) of the Immigration and Nationality
3 Act, as amended by section 102(a) of this Act) due
4 to the death of such citizen or resident—

5 (A) such alien shall be eligible for parole
6 into the United States pursuant to the Sec-
7 retary of Homeland Security’s discretionary au-
8 thority under section 212(d)(5) of such Act (8
9 U.S.C. 1182(d)(5)); and

10 (B) such alien’s application for adjustment
11 of status shall be considered notwithstanding
12 section 212(a)(9) of such Act (8 U.S.C.
13 1182(a)(9)).

14 (3) ELIGIBILITY FOR PAROLE.—If an alien de-
15 scribed in section 204(l) of the Immigration and Na-
16 tionality Act (8 U.S.C. 1154(l)), was excluded, de-
17 ported, removed, or departed voluntarily before the
18 date of the enactment of this Act—

19 (A) such alien shall be eligible for parole
20 into the United States pursuant to the Sec-
21 retary of Homeland Security’s discretionary au-
22 thority under section 212(d)(5) of such Act (8
23 U.S.C. 1182(d)(5)); and

24 (B) such alien’s application for adjustment
25 of status shall be considered notwithstanding

1 section 212(a)(9) of such Act (8 U.S.C.
2 1182(a)(9)).

3 (b) PROCESSING OF IMMIGRANT VISAS AND DERIVA-
4 TIVE PETITIONS.—

5 (1) IN GENERAL.—Section 204(b) of the Immi-
6 gration and Nationality Act (8 U.S.C. 1154(b)) is
7 amended—

8 (A) by striking “After an investigation”
9 and inserting the following:

10 “(1) IN GENERAL.—After an investigation”;
11 and

12 (B) by adding at the end the following:

13 “(2) DEATH OF QUALIFYING RELATIVE.—

14 “(A) IN GENERAL.—Any alien described in
15 subparagraph (B) whose qualifying relative died
16 before the completion of immigrant visa proc-
17 essing may have an immigrant visa application
18 adjudicated as if such death had not occurred.
19 An immigrant visa issued before the death of
20 the qualifying relative shall remain valid after
21 such death.

22 “(B) ALIEN DESCRIBED.—An alien de-
23 scribed in this subparagraph is an alien who—

24 “(i) is an immediate relative (as de-
25 scribed in section 201(b)(2)(A));

1 “(ii) is a family-sponsored immigrant
2 (as described in subsection (a) or (d) of
3 section 203);

4 “(iii) is a derivative beneficiary of an
5 employment-based immigrant under section
6 203(b) (as described in section 203(d)); or

7 “(iv) is the spouse, permanent part-
8 ner, or child of a refugee (as described in
9 section 207(c)(2)) or an asylee (as de-
10 scribed in section 208(b)(3)).”.

11 (2) TRANSITION PERIOD.—

12 (A) IN GENERAL.—Notwithstanding a de-
13 nial or revocation of an application for an immi-
14 grant visa for an alien whose qualifying relative
15 died before the date of the enactment of this
16 Act, such application may be renewed by the
17 alien through a motion to reopen, without fee.

18 (B) INAPPLICABILITY OF BARS TO
19 ENTRY.—Notwithstanding section 212(a)(9) of
20 the Immigration and Nationality Act (8 U.S.C.
21 1182(a)(9)), an alien’s application for an immi-
22 grant visa shall be considered if the alien was
23 excluded, deported, removed, or departed volun-
24 tarily before the date of the enactment of this
25 Act.

1 (c) NATURALIZATION.—Section 319(a) of the Immi-
2 gration and Nationality Act (8 U.S.C. 1430(a)) is amend-
3 ed—

4 (1) by inserting “or permanent partner” after
5 “spouse” each place such term appears;

6 (2) by inserting “(or, if the spouse is deceased,
7 the spouse was a citizen of the United States)” after
8 “citizen of the United States”; and

9 (3) by inserting “or permanent partnership”
10 after “marital union”.

11 (d) WAIVERS OF INADMISSIBILITY.—Section 212 of
12 the Immigration and Nationality Act (8 U.S.C. 1182) is
13 amended—

14 (1) by redesignating the second subsection (t)
15 as subsection (u); and

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

17 “(v) CONTINUED WAIVER ELIGIBILITY FOR WIDOWS,
18 WIDOWERS, AND ORPHANS.—In the case of an alien who
19 would have been statutorily eligible for any waiver of inad-
20 missibility under this Act but for the death of a qualifying
21 relative, the eligibility of such alien shall be preserved as
22 if the death had not occurred and the death of the quali-
23 fying relative shall be the functional equivalent of hardship
24 for purposes of any waiver of inadmissibility which re-
25 quires a showing of hardship.”.

1 (e) SURVIVING RELATIVE CONSIDERATION FOR CER-
2 TAIN PETITIONS AND APPLICATIONS.—Section 204(l)(1)
3 of the Immigration and Nationality Act (8 U.S.C.
4 1154(l)(1)) is amended—

5 (1) by striking “who resided in the United
6 States at the time of the death of the qualifying rel-
7 ative and who continues to reside in the United
8 States”; and

9 (2) by striking “any related applications,” and
10 inserting “any related applications (including affida-
11 vits of support),”.

12 (f) IMMEDIATE RELATIVES.—Section 201(b)(2)(A)(i)
13 of the Immigration and Nationality Act (8 U.S.C.
14 1151(b)(2)(A)(i)) is amended by striking “within 2 years
15 after such date”.

16 (g) FAMILY-SPONSORED IMMIGRANTS.—Section
17 212(a)(4)(C)(i) is amended—

18 (1) in subclause (I), by striking “, or” and in-
19 serting a semicolon;

20 (2) in subclause (II), by striking “or” at the
21 end; and

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

23 “(IV) the status as a surviving
24 relative under 204(l); or”.

1 **SEC. 106. EXEMPTION FROM IMMIGRANT VISA LIMIT FOR**
2 **CERTAIN VETERANS WHO ARE NATIVES OF**
3 **PHILIPPINES.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Filipino Veterans Family Reunification Act”.

6 (b) **ALIENS NOT SUBJECT TO DIRECT NUMERICAL**
7 **LIMITATIONS.**—Section 201(b)(1) of the Immigration and
8 Nationality Act (8 U.S.C. 1151(b)(1)) is amended by add-
9 ing at the end the following:

10 “(F) Aliens who are eligible for an immigrant
11 visa under paragraph (1) or (3) of section 203(a)
12 and who have a parent who was naturalized pursu-
13 ant to section 405 of the Immigration Act of 1990
14 (8 U.S.C. 1440 note).”.

15 **SEC. 107. FIANCÉE CHILD STATUS PROTECTION.**

16 (a) **DEFINITION.**—Section 101(a)(15)(K)(iii) of the
17 Immigration and Nationality Act (8 U.S.C.
18 1101(a)(15)(K)(iii)) is amended by inserting “, if a deter-
19 mination of the age of such minor child is made using
20 the age of the alien on the date on which the petition is
21 filed with the Secretary of Homeland Security to classify
22 the alien’s parent as the fiancée or fiancé of a United
23 States citizen (in the case of an alien parent described in
24 clause (i)) or as the spouse or permanent partner of a
25 United States citizen under section 201(b)(2)(A)(i) (in the

1 case of an alien parent described in clause (ii));” before
2 the semicolon at the end.

3 (b) ADJUSTMENT OF STATUS AUTHORIZED.—Section
4 214(d) of the Immigration and Nationality Act (8 U.S.C.
5 1184(d)(1)) is amended—

6 (1) by redesignating paragraphs (2) and (3) as
7 paragraphs (3) and (4), respectively; and

8 (2) in paragraph (1), by striking “In the event”
9 and inserting the following:

10 “(2)(A) If an alien does not marry the petitioner
11 under paragraph (1) within 3 months after the alien and
12 the alien’s minor children are admitted into the United
13 States, such alien and children shall be required to depart
14 from the United States. If such aliens fail to depart from
15 the United States, they shall be removed in accordance
16 with sections 240 and 241.

17 “(B) Subject to subparagraphs (C) and (D), if an
18 alien marries the petitioner described in section
19 101(a)(15)(K)(i) within 3 months after the alien is admit-
20 ted into the United States, the Secretary of Homeland Se-
21 curity or the Attorney General, subject to the provisions
22 of section 245(d), may adjust the status of the alien, and
23 any minor children accompanying or following to join the
24 alien, to that of an alien lawfully admitted for permanent
25 residence on a conditional basis under section 216 if the

1 alien and any such minor children apply for such adjust-
2 ment and are not determined to be inadmissible to the
3 United States.

4 “(C) Paragraphs (5) and (7)(A) of section 212(a)
5 shall not apply to an alien who is eligible to apply for ad-
6 justment of his or her status to an alien lawfully admitted
7 for permanent residence under this section.

8 “(D) An alien eligible for a waiver of inadmissibility
9 as otherwise authorized under this Act shall be permitted
10 to apply for adjustment of his or her status to that of
11 an alien lawfully admitted for permanent residence under
12 this section.”.

13 (c) AGE DETERMINATION.—Section 245(d) of the
14 Immigration and Nationality Act (8 U.S.C. 1155(d)) is
15 amended—

16 (1) by inserting “(1)” before “The Attorney
17 General”; and

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

19 “(2) A determination of the age of an alien admitted
20 to the United States under section 101(a)(15)(K)(iii) shall
21 be made, for purposes of adjustment to the status of an
22 alien lawfully admitted for permanent residence on a con-
23 ditional basis under section 216, using the age of the alien
24 on the date on which the petition is filed with the Sec-
25 retary of Homeland Security to classify the alien’s parent

1 as the fiancée or fiancé of a United States citizen (in the
2 case of an alien parent admitted to the United States
3 under section 101(a)(15)(K)(i)) or as the spouse or per-
4 manent partner of a United States citizen under section
5 201(b)(2)(A)(i) (in the case of an alien parent admitted
6 to the United States under section 101(a)(15)(K)(ii)).”.

7 (d) EFFECTIVE DATE.—

8 (1) IN GENERAL.—The amendments made by
9 this section shall be effective as if included in the
10 Immigration Marriage Fraud Amendments of 1986
11 (Public Law 99–639).

12 (2) APPLICABILITY.—The amendments made
13 by this section shall apply to all petitions or applica-
14 tions described in such amendments that—

15 (A) are pending as of the date of the en-
16 actment of this Act; or

17 (B) have been denied, but would have been
18 approved if such amendments had been in effect
19 at the time of adjudication of the petition or
20 application.

21 (3) MOTION TO REOPEN OR RECONSIDER.—A
22 motion to reopen or reconsider a petition or applica-
23 tion described in paragraph (2)(B) shall be granted
24 if such motion is filed with the Secretary of Home-

1 land Security or the Attorney General not later than
2 2 years after the date of the enactment of this Act.

3 **SEC. 108. EQUAL TREATMENT FOR ALL STEPCHILDREN.**

4 Section 101(b)(1)(B) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1101(b)(1)(B)) is amended by striking
6 “, provided the child had not reached the age of eighteen
7 years at the time the marriage creating the status of step-
8 child occurred”.

9 **SEC. 109. RETENTION OF PRIORITY DATES.**

10 Section 203 of the Immigration and Nationality Act
11 (8 U.S.C. 1153) is amended—

12 (1) by amending subsection (h)(3) to read as
13 follows:

14 “(3) RETENTION OF PRIORITY DATE.—If the
15 age of an alien is determined under paragraph (1)
16 to be 21 years of age or older for the purposes of
17 subsections (a)(2)(A) and (d), and a parent of the
18 alien files a family-based petition for such alien, the
19 priority date for such petition shall be the original
20 priority date issued upon receipt of the original
21 family- or employment-based petition for which ei-
22 ther parent was a beneficiary.”; and

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

24 “(i) PERMANENT PRIORITY DATES.—The priority
25 date for any family- or employment-based petition shall

1 be the date of filing of the petition with the Secretary of
2 Homeland Security (or the Secretary of State, if applica-
3 ble), unless the filing of the petition was preceded by the
4 filing of a labor certification with the Secretary of Labor,
5 in which case that date shall constitute the priority date.
6 The beneficiary of any petition shall retain his or her ear-
7 liest priority date based on any petition filed on his or
8 her behalf that was approvable when filed, regardless of
9 the category of subsequent petitions.”.

10 **TITLE II—UNITING AMERICAN** 11 **FAMILIES ACT**

12 **SEC. 201. DEFINITIONS OF PERMANENT PARTNER AND** 13 **PERMANENT PARTNERSHIP.**

14 Section 101(a) of the Immigration and Nationality
15 Act (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
23 older in which both parties intend a lifelong
24 commitment;

1 “(B) is financially interdependent with
2 that other individual, unless the Secretary of
3 Homeland Security or the Secretary of State
4 has determined, on a case-by-case basis, that
5 the requirement under this subparagraph is un-
6 reasonable;

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

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

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

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

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

21 **SEC. 202. DEFINITION OF CHILD.**

22 (a) TITLES I AND II.—Section 101(b)(1) of the Im-
23 migration and Nationality Act (8 U.S.C. 1101(b)(1)) is
24 amended by adding at the end the following:

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

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

10 (b) TITLE III.—Section 101(c) of the Immigration
11 and Nationality Act (8 U.S.C. 1101(c)) is amended—

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

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

20 **SEC. 203. NUMERICAL LIMITATIONS ON INDIVIDUAL FOR-**
21 **EIGN STATES.**

22 (a) PER COUNTRY LEVELS.—Section 202(a)(4) of
23 the Immigration and Nationality Act (8 U.S.C.
24 1152(a)(4)) is amended—

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

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

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

10 (b) RULES FOR CHARGEABILITY.—Section 202(b)(2)
11 of such Act (8 U.S.C. 1152(b)(2)) is amended—

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

14 (2) by inserting “or permanent partners” after
15 “husband and wife”.

16 **SEC. 204. ALLOCATION OF IMMIGRANT VISAS.**

17 (a) PREFERENCE ALLOCATION FOR SONS AND
18 DAUGHTERS OF CITIZENS.—Section 203(a)(3) of the Im-
19 migration and Nationality Act (8 U.S.C. 1153(a)(3)) is
20 amended—

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

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

1 (b) EMPLOYMENT CREATION.—Section
2 203(b)(5)(A)(ii) of such Act (8 U.S.C. 1153(b)(5)(A)(ii))
3 is amended by inserting “permanent partner,” after
4 “spouse.”

5 (c) TREATMENT OF FAMILY MEMBERS.—Section
6 203(d) of such Act (8 U.S.C. 1153(d)) is amended—

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

9 (2) by striking “or (E)” and inserting “(E), or
10 (H)”.

11 **SEC. 205. PROCEDURE FOR GRANTING IMMIGRANT STATUS.**

12 (a) CLASSIFICATION PETITIONS.—Section 204(a)(1)
13 of the Immigration and Nationality Act (8 U.S.C.
14 1154(a)(1)) is amended—

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

17 (2) in subparagraph (A)(iii)—

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

20 (B) in subclause (I), by inserting “or per-
21 manent partnership” after “marriage” each
22 place it appears;

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

25 (4) in subparagraph (A)(vi)—

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

3 (B) by inserting “, permanent partner,”
4 after “spouse”; and

5 (5) in subparagraph (B)—

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

8 (B) by inserting “or permanent partner-
9 ship” after “marriage” in clause (ii)(I)(aa) and
10 the first place it appears in clause (ii)(I)(bb);
11 and

12 (C) in clause (ii)(II)(aa)(CC)(bbb), by in-
13 serting “(or the termination of the permanent
14 partnership)” after “termination of the mar-
15 riage”.

16 (b) IMMIGRATION FRAUD PREVENTION.—Section
17 204(e) of such Act (8 U.S.C. 1154(e)) is amended—

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

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

22 (c) RESTRICTIONS ON PETITIONS BASED ON MAR-
23 RIAGES ENTERED WHILE IN EXCLUSION OR DEPOR-
24 TION PROCEEDINGS.—Section 204(g) of such Act (8

1 U.S.C. 1154(g)) is amended by inserting “or permanent
2 partnership” after “marriage” each place it appears.

3 (d) SURVIVAL OF RIGHTS TO PETITION.—Section
4 204(h) of such Act (8 U.S.C. 1154(h)) is amended—

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

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

9 **SEC. 206. ANNUAL ADMISSION OF REFUGEES AND ADMIS-
10 SION OF EMERGENCY SITUATION REFUGEES.**

11 Section 207(c) of the Immigration and Nationality
12 Act (8 U.S.C. 1157(c)) is amended—

13 (1) in paragraph (2)—

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

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

18 (C) in subparagraph (A)—

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

20 (ii) by inserting “, or (H)” after
21 “(E)”; and

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

1 **SEC. 207. ASYLUM.**

2 Section 208(b)(3) of the Immigration and Nationality
3 Act (8 U.S.C. 1158(b)(3)) is amended—

4 (1) in the paragraph heading, by inserting “OR
5 PERMANENT PARTNER” after “SPOUSE”; and

6 (2) in subparagraph (A)—

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

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

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

11 **SEC. 208. ADJUSTMENT OF STATUS OF REFUGEES.**

12 Section 209(b)(3) of the Immigration and Nationality
13 Act (8 U.S.C. 1159(b)(3)) is amended by inserting “or
14 permanent partner” after “spouse”.

15 **SEC. 209. INADMISSIBLE ALIENS.**

16 (a) CLASSES OF ALIENS INELIGIBLE FOR VISAS OR
17 ADMISSION.—Section 212(a) of the Immigration and Na-
18 tionality Act (8 U.S.C. 1182(a)) is 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

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

1 (b) WAIVERS.—Section 212(d) of such Act (8 U.S.C.
2 1182(d)) is amended—

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

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

7 (c) WAIVERS OF INADMISSIBILITY ON HEALTH-RE-
8 LATED GROUNDS.—Section 212(g)(1)(A) of such Act (8
9 U.S.C. 1182(g)(1)(A)) is amended by inserting “or per-
10 manent partner” after “spouse”.

11 (d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND
12 RELATED GROUNDS.—Section 212(h)(1)(B) of such Act
13 (8 U.S.C. 1182(h)(1)(B)) is amended by inserting “per-
14 manent partner,” after “spouse,”.

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

19 **SEC. 210. NONIMMIGRANT STATUS FOR PERMANENT PART-**
20 **NERS AWAITING THE AVAILABILITY OF AN**
21 **IMMIGRANT VISA.**

22 Section 214 of the Immigration and Nationality Act
23 (8 U.S.C. 1184) is amended—

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

1 (2) in subsection (r)—

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

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

6 **SEC. 211. DERIVATIVE STATUS FOR PERMANENT PART-**
7 **NERS OF NONIMMIGRANT VISA HOLDERS.**

8 Section 101(a)(15) of the Immigration and Nation-
9 ality Act (8 U.S.C. 1101(a)(15)) is amended—

10 (1) in subparagraph (A)—

11 (A) in clause (i), by inserting “, which
12 shall include permanent partners” after “imme-
13 diate family”;

14 (B) in clause (ii), by inserting “, which
15 shall include permanent partners” after “imme-
16 diate families”; and

17 (C) in clause (iii), by inserting “, which
18 shall include permanent partners,” after “im-
19 mediate families,”;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **SEC. 212. CONDITIONAL PERMANENT RESIDENT STATUS**
22 **FOR CERTAIN ALIEN SPOUSES, PERMANENT**
23 **PARTNERS, AND SONS AND DAUGHTERS.**

24 (a) SECTION HEADING.—

1 (1) IN GENERAL.—The heading for section 216
2 of the Immigration and Nationality Act (8 U.S.C.
3 1186a) is amended by inserting “AND PERMANENT
4 PARTNERS” after “SPOUSES”.

5 (2) CLERICAL AMENDMENT.—The table of con-
6 tents of such Act is amended by amending the item
7 relating to section 216 to read as follows:

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

8 (b) IN GENERAL.—Section 216(a) of such Act (8
9 U.S.C. 1186a(a)) is amended—

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

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

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

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

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

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

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

1 (3) in paragraph (1)(A)(ii)—

2 (A) by inserting “or has ceased to satisfy
3 the criteria for being considered a permanent
4 partnership under this Act,” after “termi-
5 nated,”; and

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

8 (d) REQUIREMENTS OF TIMELY PETITION AND
9 INTERVIEW FOR REMOVAL OF CONDITION.—Section
10 216(c) of such Act (8 U.S.C. 1186a(c)) is amended—

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

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

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

21 (1) in the heading of subparagraph (A), by in-
22 serting “OR PERMANENT PARTNERSHIP” after “MAR-
23 RIAGE”;

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

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

4 (4) in subparagraph (A)(i)(II)—

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

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

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

13 (6) in subparagraph (B)(i)—

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

16 (B) by inserting “or permanent partner”
17 after “spouse”.

18 (f) DEFINITIONS.—Section 216(g) of such Act (8
19 U.S.C. 1186a(g)) is amended—

20 (1) in paragraph (1)—

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

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

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

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

5 (4) in paragraph (4)—

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

8 (B) by inserting “or permanent partner-
9 ship” after “marriage”.

10 **SEC. 213. CONDITIONAL PERMANENT RESIDENT STATUS**
11 **FOR CERTAIN ALIEN ENTREPRENEURS,**
12 **SPOUSES, PERMANENT PARTNERS, AND CHIL-**
13 **DREN.**

14 (a) SECTION HEADING.—

15 (1) IN GENERAL.—The heading for section
16 216A of the Immigration and Nationality Act (8
17 U.S.C. 1186b) is amended by inserting “OR PERMA-
18 NENT PARTNERS” after “SPOUSES”.

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

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

22 (b) IN GENERAL.—Section 216A(a) of such Act (8
23 U.S.C. 1186b(a)) is amended, in paragraphs (1), (2)(A),

1 (2)(B), and (2)(C), by inserting “or permanent partner”
2 after “spouse” each place it appears.

3 (c) TERMINATION OF STATUS IF FINDING THAT
4 QUALIFYING ENTREPRENEURSHIP IMPROPER.—Section
5 216A(b)(1) of such Act (8 U.S.C. 1186b(b)(1)) is amend-
6 ed by inserting “or permanent partner” after “spouse” in
7 the matter following subparagraph (C).

8 (d) REQUIREMENTS OF TIMELY PETITION AND
9 INTERVIEW FOR REMOVAL OF CONDITION.—Section
10 216A(c) of such Act (8 U.S.C. 1186b(c)) is amended, in
11 paragraphs (1), (2)(A)(ii), and (3)(C), by inserting “or
12 permanent partner” after “spouse”.

13 (e) DEFINITIONS.—Section 216A(f)(2) of such Act (8
14 U.S.C. 1186b(f)(2)) is amended by inserting “or perma-
15 nent partner” after “spouse” each place it appears.

16 **SEC. 214. DEPORTABLE ALIENS.**

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

19 (1) in paragraph (1)(D)(i), by inserting “or
20 permanent partners” after “spouses” each place it
21 appears;

22 (2) in paragraphs (1)(E)(ii), (1)(E)(iii), and
23 (1)(H)(I)(I), by inserting “or permanent partner”
24 after “spouse”; and

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

4 **SEC. 215. REMOVAL PROCEEDINGS.**

5 Section 240 of the Immigration and Nationality Act
6 (8 U.S.C. 1229a) is amended—

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

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

12 **SEC. 216. CANCELLATION OF REMOVAL; ADJUSTMENT OF**
13 **STATUS.**

14 Section 240A(b) of the Immigration and Nationality
15 Act (8 U.S.C. 1229b(b)) is amended—

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

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

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

1 **SEC. 217. ADJUSTMENT OF STATUS OF NONIMMIGRANT TO**
2 **THAT OF PERSON ADMITTED FOR PERMA-**
3 **NENT RESIDENCE.**

4 (a) PROHIBITION ON ADJUSTMENT OF STATUS.—
5 Section 245(d) of the Immigration and Nationality Act (8
6 U.S.C. 1255(d)) is amended by inserting “or permanent
7 partnership” after “marriage”.

8 (b) AVOIDING IMMIGRATION FRAUD.—Section 245(e)
9 of such Act (8 U.S.C. 1255(e)) is amended—

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

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

14 “(4) Paragraph (1) and section 204(g) shall not
15 apply with respect to a permanent partnership if the alien
16 establishes by clear and convincing evidence to the satis-
17 faction of the Secretary of Homeland Security that the
18 permanent partnership was entered into in good faith and
19 in accordance with section 101(a)(52) and the permanent
20 partnership was not entered into for the purpose of pro-
21 curing the alien’s admission as an immigrant and no fee
22 or other consideration was given (other than a fee or other
23 consideration to an attorney for assistance in preparation
24 of a lawful petition) for the filing of a petition under sec-
25 tion 204(a) or 214(d) with respect to the alien permanent
26 partner. In accordance with regulations, there shall be

1 only one level of administrative appellate review for each
2 alien under the previous sentence.”.

3 (c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS
4 PAYING FEE.—Section 245(i)(1) of such Act (8 U.S.C.
5 1255(i)(1)) is amended by inserting “or permanent part-
6 ner” after “spouse” each place it appears.

7 (d) ADJUSTMENT OF STATUS FOR CERTAIN ALIEN
8 INFORMANTS.—Section 245(j) of such Act (8 U.S.C.
9 1255(j)) is amended—

10 (1) in paragraph (1)—

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

13 (B) by inserting “sons and daughters with
14 and without permanent partners,” after
15 “daughters,”; and

16 (2) in paragraph (2)—

17 (A) by inserting “or permanent partner”
18 after “spouse”; and

19 (B) by inserting “sons and daughters with
20 and without permanent partners,” after
21 “daughters,”.

22 (e) TRAFFICKING.—Section 245(l)(1) of such Act is
23 amended by inserting “permanent partner,” after
24 “spouse,”.

1 **SEC. 218. APPLICATION OF CRIMINAL PENALTIES FOR MIS-**
2 **REPRESENTATION AND CONCEALMENT OF**
3 **FACTS REGARDING PERMANENT PARTNER-**
4 **SHIPS.**

5 Section 275(c) of the Immigration and Nationality
6 Act (8 U.S.C. 1325(c)) is amended to read 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. 219. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL**
13 **CHARACTER, ATTACHMENT TO THE PRIN-**
14 **CIPLES OF THE CONSTITUTION.**

15 Section 316(b) of the Immigration and Nationality
16 Act (8 U.S.C. 1427(b)) is amended by inserting “or per-
17 manent partner” after “spouse”.

18 **SEC. 220. NATURALIZATION FOR PERMANENT PARTNERS**
19 **OF CITIZENS.**

20 Section 319 of the Immigration and Nationality Act
21 (8 U.S.C. 1430) is amended—

22 (1) in subsection (b)(1), by inserting “or per-
23 manent partner” after “spouse”;

24 (2) in subsection (b)(3), by inserting “or per-
25 manent partner” after “spouse”;

26 (3) in subsection (d)—

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

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

5 (4) in subsection (e)(1)—

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

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

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

12 **SEC. 221. APPLICATION OF FAMILY UNITY PROVISIONS TO**
 13 **PERMANENT PARTNERS OF CERTAIN LIFE**
 14 **ACT BENEFICIARIES.**

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

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

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

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

23 (A) in the subsection headings, by insert-
 24 ing “, **PERMANENT PARTNERS,**” after
 25 “**SPOUSES**”; and

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

3 **SEC. 222. APPLICATION TO CUBAN ADJUSTMENT ACT.**

4 (a) IN GENERAL.—The first section of Public Law
5 89–732 (November 2, 1966; 8 U.S.C. 1255 note) is
6 amended—

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

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

12 (b) CONFORMING AMENDMENTS.—

13 (1) IMMIGRATION AND NATIONALITY ACT.—Sec-
14 tion 101(a)(51)(D) of the Immigration and Nation-
15 ality Act (8 U.S.C. 1101(a)(51)(D)) is amended by
16 striking “or spouse” and inserting “, spouse, or per-
17 manent partner”.

18 (2) VIOLENCE AGAINST WOMEN ACT.—Section
19 1506(e)(2)(A)(I)(IV) of the Violence Against Women
20 Act of 2000 (8 U.S.C. 1229a note; division B of
21 Public Law 106–386) is amended by striking “or
22 spouse” and inserting “, spouse, or permanent part-
23 ner”.

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