

119TH CONGRESS  
1ST SESSION

# H. R. 6565

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

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2025

Ms. CHU (for herself, Ms. ANSARI, Ms. BALINT, Ms. BARRAGÁN, Ms. BONAMICI, Mr. CARSON, Mr. CASTRO of Texas, Ms. CROCKETT, Ms. DELBENE, Mr. ESPAILLAT, Mr. FROST, Ms. GARCIA of Texas, Mr. GARCIA of California, Mr. GOMEZ, Mrs. GRIJALVA, Ms. NORTON, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KRISHNAMOORTHY, Mr. LIEU, Ms. MATSUI, Mr. MCGOVERN, Ms. MENG, Mr. NADLER, Ms. OMAR, Mr. QUIGLEY, Mrs. RAMIREZ, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. SIMON, Mr. SMITH of Washington, Ms. STANSBURY, Mr. TAKANO, Mr. THANEDAR, Ms. TOKUDA, Mr. VARGAS, Ms. VELÁZQUEZ, and Ms. WASSERMAN SCHULTZ) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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”.

1           (b) TABLE OF CONTENTS.—The table of contents for  
2 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 the Philippines.
- Sec. 107. Fiancée child status protection.
- Sec. 108. Equal treatment for all stepchildren.
- Sec. 109. Retention of priority dates.
- Sec. 110. Relief for spouses and children on other visas.
- Sec. 111. Extension of the application period for certain aliens present in the United States for adjustment of status.
- Sec. 112. Expansion of cancellation of removal.
- Sec. 113. Prohibition on removal of aliens with pending applications.

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.  
 Sec. 223. Nationality at birth.

TITLE III—PROMOTING DIVERSITY AND PROTECTING AGAINST  
DISCRIMINATION IN OUR IMMIGRATION SYSTEM

- Sec. 301. Increasing diversity visas.  
 Sec. 302. Addressing the impact of the Muslim and African bans.

TITLE IV—ADDRESSING THE NEEDS OF REFUGEE FAMILIES

- Sec. 401. Prioritization of family reunification in refugee resettlement process.  
 Sec. 402. Priority 3 family reunification cases.  
 Sec. 403. Admission of refugee families and timely adjudication.

**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

1           “(C) the number computed under para-  
2           graph (3).

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

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

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

13           “(3) UNUSED VISA NUMBERS FROM FISCAL  
14           YEARS 1992 THROUGH 2025.—The number computed  
15           under this paragraph is the difference, if any, be-  
16           tween—

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

18           “(i) the sum of the worldwide levels of  
19           family-sponsored immigrant visas estab-  
20           lished for fiscal years 1992 through 2025;  
21           and

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

1 “(B) the number of unused visas from fis-  
2 cal years 1992 through 2025 that were issued  
3 after fiscal year 2025 under section 203(a),  
4 subject to this subsection.”.

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

9 “(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED  
10 IMMIGRANTS.—

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

14 “(A) 140,000;

15 “(B) the number computed under para-  
16 graph (2); and

17 “(C) the number computed under para-  
18 graph (3).

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

23 “(A) the worldwide level of employment-  
24 based immigrant visas established for the pre-  
25 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 2025.—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 2025; 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 2025 that were issued  
 18 after fiscal year 2025 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).”.

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

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

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

15 “(2) IMMEDIATE RELATIVE.—

16 “(A) IN GENERAL.—

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

1 spouse, permanent partner, or child who is  
2 accompanying or following to join the indi-  
3 vidual), except that, in the case of parents,  
4 such citizens shall be at least 21 years of  
5 age.

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

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

20 “(iv) SPOUSE OR PERMANENT PART-  
21 NER.—An alien who was the spouse or per-  
22 manent partner of a citizen of the United  
23 States or lawful permanent resident for  
24 not less than 2 years at the time of the  
25 citizen’s or resident’s death or, if married



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

21 “(v) SPECIAL RULE.—For purposes of  
22 this subparagraph, an alien who has filed  
23 a petition under clause (iii) or (iv) of sec-  
24 tion 204(a)(1)(A) remains an immediate  
25 relative if the United States citizen or law-

1           ful permanent resident spouse, permanent  
2           partner, or parent loses United States citi-  
3           zenship or residence on account of the  
4           abuse.

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

9           (b) ALLOCATION OF IMMIGRANT VISAS.—Section  
10          203(a) of the Immigration and Nationality Act (8 U.S.C.  
11          1153(a)) is amended—

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

14           (2) by striking paragraph (2) and inserting the  
15          following:

16           “(2) UNMARRIED SONS WITHOUT PERMANENT  
17          PARTNERS AND UNMARRIED DAUGHTERS WITHOUT  
18          PERMANENT PARTNERS OF PERMANENT RESIDENT  
19          ALIENS.—Qualified immigrants who are the unmar-  
20          ried sons without permanent partners or unmarried  
21          daughters without permanent partners (but are not  
22          the children) of an alien lawfully admitted for per-  
23          manent residence shall be allocated visas in a num-  
24          ber not to exceed 80,640, plus any visas not required  
25          for the class specified in paragraph (1).”;

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

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

5           (c) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

13           (B) by striking paragraph (2);

14           (C) by redesignating paragraphs (3) and  
15           (4) as paragraphs (2) and (3), respectively; and

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

19           (2) ALLOCATION OF IMMIGRATION VISAS.—Sec-  
20           tion 203(h) of the Immigration and Nationality Act  
21           (8 U.S.C. 1153(h)) is amended—

22           (A) in paragraph (1)—

23           (i) in the matter preceding subpara-  
24           graph (A), by striking “subsections

1 (a)(2)(A) and (d)” and inserting “sub-  
2 section (d)”;

3 (ii) in subparagraph (A), by striking  
4 “becomes available for such alien (or, in  
5 the case of subsection (d), the date on  
6 which an immigrant visa number became  
7 available for the alien’s parent),” and in-  
8 serting “became available for the alien’s  
9 parent,”; and

10 (iii) in subparagraph (B), by striking  
11 “applicable”;

12 (B) by amending paragraph (2) to read as  
13 follows:

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

18 (C) in paragraph (3), by striking “sub-  
19 sections (a)(2)(A) and (d)” and inserting “sub-  
20 section (d)”.

21 (3) PROCEDURE FOR GRANTING IMMIGRANT  
22 STATUS.—Section 204 of the Immigration and Na-  
23 tionality Act (8 U.S.C. 1154) is amended—

24 (A) in subsection (a)(1)—

25 (i) in subparagraph (A)—

1 (I) in clause (i), by inserting “or  
2 lawful permanent resident” after “cit-  
3 izen”;

4 (II) in clause (ii), by striking  
5 “described in the second sentence of  
6 section 201(b)(2)(A)(i) also” and in-  
7 serting “, alien child, or alien parent  
8 described in section 201(b)(2)(A)”;

9 (III) in clause (iii)—

10 (aa) in subclause (I)(aa), by  
11 inserting “or legal permanent  
12 resident” after “citizen”; and

13 (bb) in subclause (II)(aa)—  
14 (AA) in subitems (AA)  
15 and (BB), by inserting “or  
16 legal permanent resident;”  
17 after “citizen” each place  
18 that term appears;

19 (BB) in subitem (CC),  
20 by inserting “or legal per-  
21 manent resident” after “cit-  
22 izen” each place that term  
23 appears; and

24 (CC) in subitem  
25 (CC)(bbb), by inserting “or

1 legal permanent resident”  
2 after “citizenship”;

3 (IV) in clause (iv), by inserting  
4 “or legal permanent resident” after  
5 “citizen” each place that term ap-  
6 pears;

7 (V) in clause (v)(I), by inserting  
8 “or legal permanent resident” after  
9 “citizen”; and

10 (VI) in clause (vi)—

11 (aa) by inserting “or legal  
12 permanent resident status” after  
13 “renunciation of citizenship”;  
14 and

15 (bb) by inserting “or legal  
16 permanent resident” after “abus-  
17 er’s citizenship”;

18 (ii) by striking subparagraph (B);

19 (iii) in subparagraph (C), by striking  
20 “subparagraph (A)(iii), (A)(iv), (B)(ii), or  
21 (B)(iii)” and inserting “clause (iii) or (iv)  
22 of subparagraph (A)”;

23 (iv) in subparagraph (J), by striking  
24 “or clause (ii) or (iii) of subparagraph  
25 (B)”;

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

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

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

7 **SEC. 103. COUNTRY LIMITS.**

8 Section 202(a)(2) of the Immigration and Nationality  
9 Act (8 U.S.C. 1152(a)(2)) is amended by striking “7 per-  
10 cent (in the case of a single foreign state) or 2 percent”  
11 and inserting “20 percent (in the case of a single foreign  
12 state) or 5 percent”.

13 **SEC. 104. PROMOTING FAMILY UNITY.**

14 (a) REPEAL OF THREE- AND TEN-YEAR AND PERMA-  
15 NENT BARS.—Section 212(a)(9) of the Immigration and  
16 Nationality Act (8 U.S.C. 1182(a)(9)) is amended to read  
17 as follows:

18 “(9) ALIENS PREVIOUSLY REMOVED.—

19 “(A) ARRIVING ALIEN.—Any alien who has  
20 been ordered removed under section 235(b)(1)  
21 or at the end of proceedings under section 240  
22 initiated upon the alien’s arrival in the United  
23 States and who again seeks admission within 5  
24 years of the date of such removal (or within 20  
25 years in the case of a second or subsequent re-

1           moval or at any time in the case of an alien  
2           convicted of an aggravated felony) is inadmis-  
3           sible.

4           “(B) OTHER ALIENS.—Any alien not de-  
5           scribed in subparagraph (A), and who seeks ad-  
6           mission within 10 years of the date of such  
7           alien’s departure or removal (or within 20 years  
8           of such date in the case of a second or subse-  
9           quent removal or at any time in the case of an  
10          alien convicted of an aggravated felony), is in-  
11          admissible if the alien—

12                   “(i) has been ordered removed under  
13                   section 240 or any other provision of law;  
14                   or

15                   “(ii) departed the United States while  
16                   an order of removal was outstanding.

17          “(C) EXCEPTION.—Subparagraphs (A)  
18          and (B) shall not apply to an alien seeking ad-  
19          mission within a period if, prior to the date of  
20          the alien’s reembarkation at a place outside the  
21          United States or attempt to be admitted from  
22          foreign contiguous territory, the Secretary of  
23          Homeland Security has consented to the alien’s  
24          reapplying for admission.”.



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

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

5                   “(ii) MISREPRESENTATION OF CITI-  
6                   ZENSHIP.—

7                           “(I) IN GENERAL.—Any alien  
8                           who willfully misrepresents, or has  
9                           willfully misrepresented, himself or  
10                          herself to be a citizen of the United  
11                          States for any purpose or benefit  
12                          under this Act (including section  
13                          274A) or any Federal or State law is  
14                          inadmissible.

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

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

3           (3) by amending subsection (i)(1) of section  
4       212 (8 U.S.C. 1182(i)(1)) to read as follows:

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

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

19           “(D) MISREPRESENTATION OF CITIZEN-  
20      SHIP.—

21           “(i) IN GENERAL.—Any alien who  
22           willfully misrepresents, or has willfully mis-  
23           represented, himself or herself to be a cit-  
24           izen of the United States for any purpose  
25           or benefit under this Act (including section

1                   274A) or any Federal or State law is de-  
2                   portable.

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

11           (c) WAIVERS OF INADMISSIBILITY.—Section 212 of  
12 the Immigration and Nationality Act (8 U.S.C. 1182) is  
13 amended by inserting after subsection (b) the following:

14           “(c) Notwithstanding any other provision of law, the  
15 Secretary of Homeland Security or the Attorney General  
16 may waive the operation of any one or more grounds of  
17 inadmissibility set forth in this section for humanitarian  
18 purposes, to assure family unity, or when it is otherwise  
19 in the public interest. This waiver shall be available to in-  
20 dividuals eligible for relief under subsection (h).”.

21           (d) WAIVERS OF DEPORTABILITY.—Section 237 of  
22 the Immigration and Nationality Act (8 U.S.C. 1227) is  
23 amended by adding at the end the following:

24           “(e) Notwithstanding any other provision of law, the  
25 Secretary of Homeland Security or the Attorney General

1 may waive the operation of any one or more grounds of  
2 removal set forth in this section for humanitarian pur-  
3 poses, to assure family unity, or when it is otherwise in  
4 the public interest.”.

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

6 (a) IN GENERAL.—

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

18 (2) ELIGIBILITY FOR PAROLE.—If an alien was  
19 excluded, deported, removed, or departed voluntarily  
20 before the date of the enactment of this Act based  
21 solely upon the alien’s lack of classification as an  
22 immediate relative (as defined in section  
23 201(b)(2)(A)(iv) of the Immigration and Nationality  
24 Act, as amended by section 102(a) of this Act) due  
25 to the death of such citizen or resident—

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

6 (B) such alien's application for adjustment  
7 of status shall be considered notwithstanding  
8 section 212(a)(9) of such Act (8 U.S.C.  
9 1182(a)(9)).

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

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

20 (B) such alien's application for adjustment  
21 of status shall be considered notwithstanding  
22 section 212(a)(9) of such Act (8 U.S.C.  
23 1182(a)(9)).

24 (b) PROCESSING OF IMMIGRANT VISAS AND DERIVA-  
25 TIVE PETITIONS.—

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

4                   (A) by striking “After an investigation”  
5           and inserting the following:

6           “(1) IN GENERAL.—After an investigation”;  
7           and

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

9           “(2) DEATH OF QUALIFYING RELATIVE.—

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

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

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

22                           “(ii) is a family-sponsored immigrant  
23           (as described in subsection (a) or (d) of  
24           section 203);

1 “(iii) is a derivative beneficiary of an  
2 employment-based immigrant under section  
3 203(b) (as described in section 203(d)); or

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

8 (2) TRANSITION PERIOD.—

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

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

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

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

3           (2) by inserting “(or, if the spouse is deceased,  
4           the spouse was a citizen of the United States)” after  
5           “citizen of the United States”; and

6           (3) by inserting “or permanent partnership”  
7           after “marital union”.

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

11          (1) by redesignating the second subsection (t)  
12          as subsection (u); and

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

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

23          (e) SURVIVING RELATIVE CONSIDERATION FOR CER-  
24          TAIN PETITIONS AND APPLICATIONS.—Section 204(l)(1)



1 of the Immigration and Nationality Act (8 U.S.C.  
2 1154(l)(1)) is amended—

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

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

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

14 (g) FAMILY-SPONSORED IMMIGRANTS.—Section  
15 212(a)(4)(C)(i) is amended—

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

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

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

21 “(IV) the status as a surviving  
22 relative under section 204(l); or”.

1 **SEC. 106. EXEMPTION FROM IMMIGRANT VISA LIMIT FOR**  
2 **CERTAIN VETERANS WHO ARE NATIVES OF**  
3 **THE 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 **SEC. 110. RELIEF FOR SPOUSES AND CHILDREN ON OTHER**  
 11 **VISAS.**

12 (a) WORK AUTHORIZATION FOR HOLDERS.—Section  
 13 214 of the Immigration and Nationality Act (8 U.S.C.  
 14 1184) is amended by adding at the end the following:

15 “(s) In the case of an alien spouse or child over the  
 16 age of 16 admitted under subparagraphs (E), (H), (L),  
 17 and (O) of section 101(a)(15)(H) who is accompanying  
 18 or following to join a principle alien admitted under such  
 19 section, the Secretary shall authorize such nonimmigrant  
 20 to engage in employment in the United States and provide  
 21 the nonimmigrant with an ‘employment authorized’ en-  
 22 dorsement or other appropriate work permit.”.

23 (b) PROTECTING H-4 CHILDREN WHO AGE OUT OF  
 24 STATUS.—

1           (1) Section 214(g)(4) of the Immigration and  
2           Nationality Act (8 U.S.C. 1184(g)) is amended by  
3           inserting at the end “The following exceptions apply:

4                   “(A) Any alien who—

5                           “(i) is the beneficiary of a petition  
6                           filed under section 204(a) of that Act for  
7                           a preference status under paragraph (1),  
8                           (2), or (3) of section 203(b) of that Act;  
9                           and

10                           “(ii) is eligible to be granted that sta-  
11                           tus but for application of the per country  
12                           limitations applicable to immigrants under  
13                           those paragraphs, may apply for, and the  
14                           Attorney General may grant, an extension  
15                           of such nonimmigrant status until the  
16                           alien’s application for adjustment of status  
17                           has been processed and a decision made  
18                           thereon.

19                           “(B) The children, accompanying or fol-  
20                           lowing to join, an alien described in (A) shall be  
21                           eligible to apply for and receive an extension of  
22                           their nonimmigrant status, regardless of their  
23                           age, so long as—



1 “(i) the parent of a minor described  
2 in (A) maintains their nonimmigrant sta-  
3 tus; and

4 “(ii) the alien was under 18 years of  
5 age when they were first granted non-  
6 immigrant status as an alien accom-  
7 panying or following to join, the non-  
8 immigrant parent.”.

9 (2) Section 203(h) of the Immigration and Na-  
10 tionality Act (8 U.S.C. 1153(h)) is amended by in-  
11 serting at the end of the paragraph:

12 “(5) Notwithstanding paragraph (1), a deter-  
13 mination of whether an alien described under section  
14 204(g)(4)(B) satisfies the age requirement for pur-  
15 poses of a derivative visa or adjustment of status ap-  
16 plication under paragraph (1), (2), or (3) of section  
17 203(b) of the of the Immigration and Nationality  
18 Act shall be made using the age of the alien on the  
19 date the petitioner files a petition on behalf of the  
20 parent beneficiary with the Secretary of Homeland  
21 Security (or the Secretary of State, if applicable),  
22 unless the filing of the petition was preceded by the  
23 filing of a labor certification with the Secretary of  
24 Labor, in which case that date shall be used to iden-  
25 tify the age.”.

1 **SEC. 111. EXTENSION OF THE APPLICATION PERIOD FOR**  
2 **CERTAIN ALIENS PRESENT IN THE UNITED**  
3 **STATES FOR ADJUSTMENT OF STATUS.**

4 Section 245(i) of the Immigration and Nationality  
5 Act (8 U.S.C. 1255(i)) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A), in the undesig-  
8 nated matter following clause (ii), by striking  
9 the semicolon and inserting “; and”;

10 (B) in subparagraph (B)—

11 (i) in clause (i), by striking “April 30,  
12 2001” and inserting “the date that is not  
13 later than 5 years after the date of the en-  
14 actment of the Reuniting Families Act”;  
15 and

16 (ii) in clause (ii), by striking “; and”  
17 and inserting a period; and

18 (C) by striking subparagraph (C); and

19 (2) by amending paragraph (3)(B) to read as  
20 follows:

21 “(B) Any remaining portion of such fees remitted  
22 under such paragraphs shall be deposited into the Immi-  
23 gration Examinations Fee Account established under sec-  
24 tion 286(m).”.

1 **SEC. 112. EXPANSION OF CANCELLATION OF REMOVAL.**

2 (a) IN GENERAL.—Section 240A of the Immigration  
3 and Nationality Act (8 U.S.C. 1229b) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A), by striking  
7 “10” and inserting “7”; and

8 (ii) by amending subparagraph (D) to  
9 read as follows:

10 “(D) establishes that removal would result  
11 in extreme hardship to—

12 “(i) the alien; or

13 “(ii) the alien’s spouse or permanent  
14 partner, parent, or child who is a citizen of  
15 the United States or an alien lawfully ad-  
16 mitted for permanent residence.”; and

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

18 “(7) AFFIRMATIVE APPLICATION PROCESS.—

19 “(A) IN GENERAL.—The Secretary of  
20 Homeland Security may cancel the removal of,  
21 and adjust to the status of an alien lawfully ad-  
22 mitted for permanent residence, an alien de-  
23 scribed in paragraph (1) or (2), who—

24 “(i) demonstrates that the alien is the  
25 spouse, permanent partner, parent, son or

1 daughter, or legal guardian of a citizen of  
2 the United States; and

3 “(ii) submits to the Secretary of  
4 Homeland Security an application at such  
5 time, in such manner, and containing such  
6 information as the Secretary may reason-  
7 ably require.

8 “(B) NUMERICAL LIMITATIONS.—Notwith-  
9 standing any other provision of law, an alien  
10 admitted to the United States under this sec-  
11 tion shall not be subject to any numerical limi-  
12 tation.”; and

13 (2) by striking subsection (e).

14 (b) REGULATIONS.—The Secretary of Homeland Se-  
15 curity shall promulgate regulations setting forth proce-  
16 dures and requirements with respect to the processing and  
17 adjudication of affirmative applications for cancellation of  
18 removal under paragraph (7) of section 240A(b) of the  
19 Immigration and Nationality Act (8 U.S.C. 1229b(b)), as  
20 added by subsection (a)(1)(B).

21 **SEC. 113. PROHIBITION ON REMOVAL OF ALIENS WITH**  
22 **PENDING APPLICATIONS.**

23 (a) IN GENERAL.—Section 235 of the Immigration  
24 and Nationality Act (8 U.S.C. 1225) is amended—

1 (1) in the section heading, by inserting “; **PRO-**  
2 **HIBITION ON REMOVAL**” after “**HEARING**”; and

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

4 “(e) PROHIBITION ON REMOVAL OF ALIENS WITH  
5 CERTAIN PENDING PETITIONS AND APPLICATIONS.—

6 “(1) BENEFICIARIES OF PETITIONS FOR IMMI-  
7 GRANT VISAS.—An alien who is the beneficiary (in-  
8 cluding a spouse or child of the principal alien, if eli-  
9 gible to receive a visa under section 203(d)) of a pe-  
10 tition for classification under section 204 that was  
11 filed with the Secretary of Homeland Security and  
12 who is prima facie eligible for approval may not be  
13 removed while such petition or application is pending  
14 or a decision on such petition or application is on  
15 appeal.

16 “(2) APPLICANTS FOR CERTAIN NONIMMIGRANT  
17 AND SPECIAL IMMIGRANT CLASSIFICATIONS AND  
18 CANCELLATION OF REMOVAL.—An applicant for  
19 classification as a nonimmigrant described in sub-  
20 paragraph (T), (U), or (V) of section 101(a)(15), an  
21 applicant for classification as a special immigrant  
22 under section 101(a)(27)(J), or an applicant for  
23 cancellation of removal under section 240A may not  
24 be removed while such application is pending or a  
25 decision on such application is on appeal.”.

1 (b) CONFORMING AMENDMENT.—The table of con-  
 2 tents at the beginning of the Immigration and Nationality  
 3 Act (8 U.S.C. 1101 et seq.) is amended by striking the  
 4 item relating to section 235 and inserting the following:

“Sec. 235. Inspection by immigration officers; expedited removal of inadmis-  
 sible arriving aliens; referral for hearing; prohibition on re-  
 moval.”.

## 5 **TITLE II—UNITING AMERICAN** 6 **FAMILIES ACT**

### 7 **SEC. 201. DEFINITIONS OF PERMANENT PARTNER AND** 8 **PERMANENT PARTNERSHIP.**

9 Section 101(a) of the Immigration and Nationality  
 10 Act (8 U.S.C. 1101(a)) is amended—

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

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

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

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

20 “(B) is financially interdependent with  
 21 that other individual, unless the Secretary of  
 22 Homeland Security or the Secretary of State  
 23 has determined, on a case-by-case basis, that

1 the requirement under this subparagraph is un-  
2 reasonable;

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

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

9 “(E) is not a first-, second-, or third-de-  
10 gree blood relation of that other individual.

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

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

17 **SEC. 202. DEFINITION OF CHILD.**

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

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

24 “(ii) a child adopted by an alien permanent  
25 partner while under the age of 16 years if the child

1       has been in the legal custody of, and has resided  
2       with, such adoptive parent for at least 2 years and  
3       if the child was under the age of 18 at the time the  
4       permanent partnership was formed.”.

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

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

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

15 **SEC. 203. NUMERICAL LIMITATIONS ON INDIVIDUAL FOR-**  
16 **EIGN STATES.**

17       (a) PER COUNTRY LEVELS.—Section 202(a)(4) of  
18 the Immigration and Nationality Act (8 U.S.C.  
19 1152(a)(4)) is amended—

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

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



1           (3) in the heading of subparagraph (C), by  
2       striking “AND DAUGHTERS” and inserting “WITH-  
3       OUT PERMANENT PARTNERS AND UNMARRIED  
4       DAUGHTERS WITHOUT PERMANENT PARTNERS”.

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

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

9           (2) by inserting “or permanent partners” after  
10      “husband and wife”.

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

12      (a) PREFERENCE ALLOCATION FOR SONS AND  
13 DAUGHTERS OF CITIZENS.—Section 203(a)(3) of the Im-  
14 migration and Nationality Act (8 U.S.C. 1153(a)(3)) is  
15 amended—

16           (1) in the heading, by inserting “AND DAUGH-  
17      TERS AND SONS WITH PERMANENT PARTNERS” after  
18      “DAUGHTERS”; and

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

21      (b) EMPLOYMENT CREATION.—Section  
22 203(b)(5)(A)(ii) of such Act (8 U.S.C. 1153(b)(5)(A)(ii))  
23 is amended by inserting “permanent partner,” after  
24 “spouse,”.

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

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

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

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

8 (a) CLASSIFICATION PETITIONS.—Section 204(a)(1)  
 9 of the Immigration and Nationality Act (8 U.S.C.  
 10 1154(a)(1)) is amended—

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

13 (2) in subparagraph (A)(iii)—

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

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

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

21 (4) in subparagraph (A)(vi)—

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

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

1 (5) in subparagraph (B)—

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

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

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

12 (b) IMMIGRATION FRAUD PREVENTION.—Section  
13 204(c) of such Act (8 U.S.C. 1154(c)) is amended—

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

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

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

23 (d) SURVIVAL OF RIGHTS TO PETITION.—Section  
24 204(h) of such Act (8 U.S.C. 1154(h)) is amended—

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

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

5 **SEC. 206. ANNUAL ADMISSION OF REFUGEES AND ADMIS-**  
 6 **SION OF EMERGENCY SITUATION REFUGEES.**

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

9 (1) in paragraph (2)—

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

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

14 (C) in subparagraph (A)—

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

16 (ii) by inserting “, or (H)” after  
 17 “(E)”; and

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

20 **SEC. 207. ASYLUM.**

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

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

25 (2) in subparagraph (A)—

- 1 (A) by inserting “or permanent partner”  
 2 after “spouse”;  
 3 (B) by striking “or” after “(D),”; and  
 4 (C) by inserting “, or (H)” after “(E)”.

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

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

9 **SEC. 209. INADMISSIBLE ALIENS.**

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

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

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

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

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

21 (b) WAIVERS.—Section 212(d) of such Act (8 U.S.C.  
 22 1182(d)) is amended—

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

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

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

7           (d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND  
8           RELATED GROUNDS.—Section 212(h)(1)(B) of such Act  
9           (8 U.S.C. 1182(h)(1)(B)) is amended by inserting “per-  
10          manent partner,” after “spouse,”.

11          (e) WAIVER OF INADMISSIBILITY FOR MISREPRESEN-  
12          TATION.—Section 212(i)(1) of such Act (8 U.S.C.  
13          1182(i)(1)) is amended by inserting “permanent partner,”  
14          after “spouse,”.

15       **SEC. 210. NONIMMIGRANT STATUS FOR PERMANENT PART-**  
16                               **NERS AWAITING THE AVAILABILITY OF AN**  
17                               **IMMIGRANT VISA.**

18          Section 214 of the Immigration and Nationality Act  
19          (8 U.S.C. 1184) is amended—

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

22               (2) in subsection (r)—

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

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

3 **SEC. 211. DERIVATIVE STATUS FOR PERMANENT PART-**  
4 **NERS OF NONIMMIGRANT VISA HOLDERS.**

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

7 (1) in subparagraph (A)—

8 (A) in clause (i), by inserting “, which  
9 shall include permanent partners” after “imme-  
10 diate family”;

11 (B) in clause (ii), by inserting “, which  
12 shall include permanent partners” after “imme-  
13 diate families”; and

14 (C) in clause (iii), by inserting “, which  
15 shall include permanent partners,” after “im-  
16 mediate families,”;

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

22 (a) SECTION HEADING.—

23 (1) IN GENERAL.—The heading for section 216  
24 of the Immigration and Nationality Act (8 U.S.C.

1       1186a) is amended by inserting “AND PERMANENT  
2       PARTNERS” after “SPOUSES”.

3               (2) CLERICAL AMENDMENT.—The table of con-  
4       tents of such Act is amended by amending the item  
5       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.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (2) in subparagraph (A)(i), by inserting “or  
 24 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 (c)(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 the heading for paragraph (2), by insert-  
 17          ing “, PERMANENT PARTNER,” after “SPOUSE”; and

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

20   **SEC. 217. 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) of the Immigration and Nationality Act (8

1 U.S.C. 1255(d)) is amended by inserting “or permanent  
2 partnership” after “marriage”.

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

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

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

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

24 (c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS  
25 PAYING FEE.—Section 245(i)(1) of such Act (8 U.S.C.



1 1255(i)(1)) is amended by inserting “or permanent part-  
2 ner” after “spouse” each place it appears.

3 (d) ADJUSTMENT OF STATUS FOR CERTAIN ALIEN  
4 INFORMANTS.—Section 245(j) of such Act (8 U.S.C.  
5 1255(j)) is amended—

6 (1) in paragraph (1)—

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

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

12 (2) in paragraph (2)—

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

15 (B) by inserting “sons and daughters with  
16 and without permanent partners,” after  
17 “daughters,”.

18 (e) TRAFFICKING.—Section 245(l)(1) of such Act is  
19 amended by inserting “permanent partner,” after  
20 “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(c)(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”.

1 **SEC. 223. NATIONALITY AT BIRTH.**

2 Section 301 of the Immigration and Nationality Act  
3 (8 U.S.C. 1401) is amended by adding at the end the fol-  
4 lowing:

5 “(i) Any reference to ‘a person born of parents’ in  
6 this section shall include the following:

7 “(1) Any legally recognized parent-child rela-  
8 tionship formed within the first year of a person’s  
9 life regardless of any genetic or gestational relation-  
10 ship.

11 “(2) Either parent of a child born through As-  
12 sisted Reproductive Technology who is legally recog-  
13 nized as a parent in the relevant jurisdiction regard-  
14 less of any genetic or gestational relationship.

15 “(3) The spouse of a parent at the time of  
16 birth, where both of the following apply:

17 “(A) At least one parent is a legally recog-  
18 nized parent.

19 “(B) The marriage occurred before the  
20 child’s birth and is recognized in the United  
21 States, regardless of where the parents reside.”.

1 **TITLE III—PROMOTING DIVER-**  
2 **SITY AND PROTECTING**  
3 **AGAINST DISCRIMINATION IN**  
4 **OUR IMMIGRATION SYSTEM**

5 **SEC. 301. INCREASING DIVERSITY VISAS.**

6 Section 201(e) of the Immigration and Nationality  
7 Act (8 U.S.C. 1151(e)) is amended by striking “55,000”  
8 and inserting “80,000”.

9 **SEC. 302. ADDRESSING THE IMPACT OF THE MUSLIM AND**  
10 **AFRICAN BANS.**

11 Section 201 of the Immigration and Nationality Act  
12 (8 U.S.C. 1151) is amended by adding at the end the fol-  
13 lowing:

14 “(g) DIVERSITY VISAS.—Notwithstanding section  
15 204(a)(1)(I)(ii)(II), an immigrant visa for an alien se-  
16 lected in accordance with section 203(e)(2) in fiscal year  
17 2017, 2018, 2019, 2020, 2021, or 2022 shall remain  
18 available to such alien (and the spouse and children of  
19 such alien) if—

20 “(1) the alien was refused a visa, prevented  
21 from seeking admission, or denied admission to the  
22 United States solely because of Executive Order  
23 13769, Executive Order 13780, Presidential Procla-  
24 mation 9645, or Presidential Proclamation 9983; or

“(2) because of restrictions or limitations on visa processing, visa issuance, travel, or other effects associated with the COVID–19 public health emergency—

“(A) the alien was unable to receive a visa interview despite submitting an Online Immigrant Visa and Alien Registration Application (Form DS–260) to the Secretary of State; or

“(B) the alien was unable to seek admission or was denied admission to the United States despite being approved for a visa under section 203(c).”.

## **TITLE IV—ADDRESSING THE NEEDS OF REFUGEE FAMILIES**

### **SEC. 401. PRIORITIZATION OF FAMILY REUNIFICATION IN REFUGEE RESETTLEMENT PROCESS.**

(a) IN GENERAL.—The Secretary of State shall prioritize refugees seeking reunification with relatives living in the United States, regardless of the nationality of such refugees.

(b) REGULATIONS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall promulgate regulations to ensure that an individual seeking admission to the United States as

1 a refugee shall not be excluded from being inter-  
2 viewed for refugee status based on—

3 (A) a close family relationship to a citizen  
4 or lawful permanent resident of the United  
5 States;

6 (B) a potential qualification of the indi-  
7 vidual for an immigrant visa; or

8 (C) a pending application by the individual  
9 for admission to the United States.

10 (2) SIMULTANEOUS CONSIDERATION.—The reg-  
11 ulations promulgated under paragraph (1) shall en-  
12 sure that an applicant for admission as a refugee is  
13 permitted to pursue simultaneously admission to the  
14 United States—

15 (A) as a refugee; and

16 (B) under any visa category for which the  
17 applicant may be eligible.

18 (c) NOTICE OF SEPARATE TRAVEL.—In the case of  
19 an applicant for admission under section 207 of the Immi-  
20 gration and Nationality Act (8 U.S.C. 1157) the applica-  
21 tion of whom is placed on hold for more than three months  
22 and one or more members of the family of the applicant  
23 have separate pending applications for admission under  
24 such section, the Secretary of Homeland Security shall—



1           (1) notify any individual on that case who is eli-  
2           gible to travel separately of the option to separate  
3           the case of the individual from the family unit; and

4           (2) permit the individual to travel based on the  
5           satisfaction by the individual of all security and  
6           other requirements for a refugee application.

7           (d) USE OF EMBASSY REFERRALS.—

8           (1) IN GENERAL.—The Secretary of State shall  
9           set forth a plan to ensure that each United States  
10          embassy and consulate is equipped and enabled to  
11          refer individuals in need of resettlement to the  
12          United States refugee admissions program.

13          (2) TRAINING.—The Secretary of State shall  
14          undertake training for embassy personnel to ensure  
15          that each embassy and consulate has sufficient  
16          knowledge and expertise to carry out this paragraph.

17   **SEC. 402. PRIORITY 3 FAMILY REUNIFICATION CASES.**

18          (a) IN GENERAL.—Because of the importance of re-  
19          uniting immediate refugee families who have been sepa-  
20          rated while fleeing from persecution, Priority 3 processing  
21          shall be made available to individuals of all nationalities,  
22          including stateless individuals.

23          (b) UNIVERSAL ELIGIBILITY FOR ALL NATIONALI-  
24          TIES.—

1           (1) IN GENERAL.—Eligible Priority 3 Affidavit  
2           of Relationship filers will include those admitted in  
3           asylum, refugee, or Afghan and Iraqi special immi-  
4           grants admitted under section 1059 of the National  
5           Defense Authorization Act for Fiscal Year 2006  
6           (Public Law 109–163; 8 U.S.C. 1101 note), section  
7           1244 of the Refugee Crisis in Iraq Act of 2007  
8           (Public Law 110–181; 8 U.S.C. 1157 note), and sec-  
9           tion 602 of the Afghan Allies Protection Act of 2009  
10          (Public Law 111–8; 8 U.S.C. 1101 note).

11          (2) ELIGIBLE AFFIDAVIT OF RELATIONSHIP  
12          FILES.—Eligible Affidavit of Relationship (referred  
13          to in this section as “AOR”) filers include individ-  
14          uals who are lawful permanent residents of the  
15          United States or United States citizens who initially  
16          were admitted to the United States in a status de-  
17          scribed in paragraph (1).

18          (c) REQUIREMENTS.—The United States-based filer  
19          shall be at least 18 years of age at the time that the AOR  
20          is filed. The filer shall file the AOR not later than 5 years  
21          after the date they were admitted as a refugee or special  
22          immigrant or were granted asylum. The Secretary of State  
23          may reject any AOR for a relationship that does not com-  
24          port with public policy, such as underage or plural mar-  
25          riages.

1 (d) FAMILY MEMBERS INCLUDED.—

2 (1) IN GENERAL.—The following family mem-  
3 bers of the United States-based family members are  
4 qualified for Priority 3 access:

5 (A) Spouse or permanent partner.

6 (B) Unmarried children who are younger  
7 than 21 years of age.

8 (C) Parents.

9 (2) PARTNERS.—The Secretary of State may  
10 allow a qualifying individual to file for Priority 3 ac-  
11 cess for a partner of any gender if the filer can pro-  
12 vide evidence of a relationship with the partner for  
13 at least one year overseas prior to the submission of  
14 the AOR and considered that person to be his or her  
15 spouse or life partner, and that the relationship is  
16 ongoing, together with evidence that legal marriage  
17 was not an obtainable option due to social or legal  
18 prohibitions.

19 (e) DERIVATIVE REFUGEE STATUS.—In addition to  
20 the qualifying family members of a United States-based  
21 individual identified above, the qualifying family member's  
22 spouse or permanent partner, as well as unmarried chil-  
23 dren younger than 21 years of age, may derive refugee  
24 status from the principal applicant for refugee status.

1 (f) ADDITIONAL QUALIFYING FAMILY MEMBERS.—

2 On a case-by-case basis, an individual may be added to  
3 a qualifying family member’s Priority 3 case if that indi-  
4 vidual—

5 (1) lived in the same household as the quali-  
6 fying family member in the country of nationality or,  
7 if stateless, last habitual residence;

8 (2) was part of the same economic unit as the  
9 qualifying family member in the country of nation-  
10 ality or, if stateless, last habitual residence; and

11 (3) demonstrates exceptional and compelling  
12 humanitarian circumstances that justify inclusion on  
13 the qualifying family member’s case.

14 **SEC. 403. ADMISSION OF REFUGEE FAMILIES AND TIMELY**  
15 **ADJUDICATION.**

16 Section 207(c)(2) of the Immigration and Nationality  
17 Act (8 U.S.C. 1157(c)(2)) is amended to read as follows:

18 “(2)(A)(i) Irrespective of the date on which such ref-  
19 ugee was admitted to the United States, the spouse or per-  
20 manent partner, or a child (as defined in section  
21 101(b)(1)) of any refugee, or the parent or de facto guard-  
22 ian (as determined by the Secretary of Homeland Secu-  
23 rity) of such a child who qualifies for admission under  
24 paragraph (1), if not otherwise entitled to admission under  
25 such paragraph and not described in section

1 101(a)(42)(B), shall be entitled to the same admission  
2 status as such refugee if—

3 “(I) accompanying, or following to join,  
4 such refugee; and

5 “(II) admissible (except as otherwise pro-  
6 vided under paragraph (3)) as an immigrant  
7 under this chapter.

8 “(ii) The admission to the United States of a spouse  
9 or permanent partner, child, parent, or guardian described  
10 in clause (i) shall not be charged against the numerical  
11 limitation established in accordance with the appropriate  
12 subsection under which the refugee’s admission is charged.

13 “(B) A mother or father who seeks to accompany,  
14 or follow to join, an alien child granted admission as a  
15 refugee under this subsection shall continue to be classi-  
16 fied as a parent for purposes of this paragraph if the alien  
17 child attains 21 years of age while the application filed  
18 under this paragraph is pending.

19 “(C) The parent or de facto guardian (as determined  
20 by the Secretary of Homeland Security) of a refugee child  
21 admitted under this section and was admitted under the  
22 Unaccompanied Refugee Minors Program (as described in  
23 subparagraph (D), (E), or (H) of section 101(b)(1)) shall  
24 be treated in accordance with subparagraph (A) if such  
25 parent or guardian seeks to follow to join such refugee

1 child and the minor consents to being joined by such indi-  
2 vidual.

3 “(D)(i) Not later than 1 year after the date on which  
4 an application for refugee status is filed under this para-  
5 graph—

6 “(I) required screenings and background checks  
7 shall be completed; and

8 “(II) the application shall be adjudicated.

9 “(ii) The adjudication of an application may exceed  
10 the timeframe under clause (i) only in exceptional cir-  
11 cumstances in which additional time to process an applica-  
12 tion is necessary to satisfy national security concerns, if  
13 the Secretary of Homeland Security has—

14 “(I) made a determination that the applicant  
15 meets the requirements for refugee status under this  
16 section; and

17 “(II) notified the applicant of such determina-  
18 tion.”.

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