

107TH CONGRESS
1ST SESSION

H. R. 2897

To provide for the granting of posthumous citizenship to certain aliens lawfully admitted for permanent residence who died as a result of the hijackings of 4 commercial aircraft, the attacks on the World Trade Center, or the attack on the Pentagon, on September 11, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2001

Mr. SERRANO introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for the granting of posthumous citizenship to certain aliens lawfully admitted for permanent residence who died as a result of the hijackings of 4 commercial aircraft, the attacks on the World Trade Center, or the attack on the Pentagon, on September 11, 2001, 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. POSTHUMOUS CITIZENSHIP FOR TERRORIST**
4 **ATTACK VICTIMS.**

5 (a) PERMITTING GRANTING OF POSTHUMOUS CITI-
6 ZENSHIP.—Notwithstanding any provision of title III of

1 the Immigration and Nationality Act (8 U.S.C. 1401 et
2 seq.), the Attorney General shall provide, in accordance
3 with this section, for the granting of posthumous citizen-
4 ship, as of September 10, 2001, to a person described in
5 subsection (b), if the Attorney General approves an appli-
6 cation for such citizenship filed under subsection (e).

7 (b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS CITI-
8 ZENSHIP.—A person referred to in subsection (a) is a per-
9 son who—

10 (1) while an alien or a noncitizen national of
11 the United States, died as a result of an injury in-
12 curred in one or more of the events described in sub-
13 section (c);

14 (2) was not culpable for any of such events; and

15 (3) on September 11, 2001—

16 (A) had pending an application for natu-
17 ralization, or for a certificate of citizenship,
18 filed with the Attorney General by the person;
19 or

20 (B) was the beneficiary of a pending appli-
21 cation for naturalization filed with the Attorney
22 General by a parent of the person.

23 (c) EVENTS DESCRIBED.—

24 (1) IN GENERAL.—The events described in this
25 subsection are the following:

1 (A) The hijacking of American Airlines
2 Flight 11 on September 11, 2001, the crash of
3 that aircraft into the World Trade Center in
4 New York, New York, and the subsequent de-
5 struction that resulted.

6 (B) The hijacking of United Airlines
7 Flight 175 on such date, the crash of that air-
8 craft into the World Trade Center in New
9 York, New York, and the subsequent destruc-
10 tion that resulted.

11 (C) The hijacking of American Airlines
12 Flight 77 on such date, the crash of that air-
13 craft into the Pentagon in Arlington, Virginia,
14 and the subsequent destruction that resulted.

15 (D) The hijacking of United Airlines
16 Flight 93 on such date, and the crash of that
17 aircraft in Stony Creek Township, Pennsyl-
18 vania.

19 (2) RESPONSE PERSONNEL INCLUDED.—Any
20 person who died as a result of an injury incurred
21 while assisting in the emergency response to an
22 event described in paragraph (1) (such as military
23 personnel, law enforcement officers, firefighters,
24 emergency management personnel, search and res-
25 cue personnel, medical personnel, engineers and

1 other personnel providing technical assistance, and
2 volunteers) shall be considered to have died as a re-
3 sult of an injury incurred in such event.

4 (d) REQUIREMENTS.—

5 (1) IN GENERAL.—Unless otherwise provided
6 by this section, no person may be granted post-
7 humous citizenship under this section who would not
8 otherwise have been eligible for naturalization on the
9 date of the person’s death. Unless otherwise pro-
10 vided by this section, any provision of law that spe-
11 cifically bars or prohibits a person from being natu-
12 ralized as a citizen of the United States shall be ap-
13 plied to the granting of posthumous citizenship
14 under this section.

15 (2) WAIVER OF ENGLISH LANGUAGE AND GOV-
16 ERNMENT REQUIREMENTS.—Notwithstanding sec-
17 tion 312 of the Immigration and Nationality Act (8
18 U.S.C. 1423), or any similar provision of law requir-
19 ing that a person demonstrate an understanding of
20 the English language or a knowledge and under-
21 standing of the fundamentals of the history, and of
22 the principles and form of government, of the United
23 States in order to be naturalized, no such dem-
24 onstration shall be required for the granting of post-
25 humous citizenship under this section.

1 (3) WAIVER OF OATH.—No oath of renunci-
2 ation or allegiance shall be required for the granting
3 of posthumous citizenship under this section.

4 (4) INVESTIGATION OF APPLICANTS; EXAMINA-
5 TION OF APPLICATIONS.—To the maximum extent
6 practicable, the investigation and examination de-
7 scribed in section 335 of the Immigration and Na-
8 tionality Act (8 U.S.C. 1446) shall be conducted
9 with respect to an application described in sub-
10 section (b)(3) in the same manner as they otherwise
11 would have been conducted if the subject of the ap-
12 plication had not died.

13 (e) REQUESTS FOR POSTHUMOUS CITIZENSHIP.—A
14 request for the granting of posthumous citizenship to a
15 person described in subsection (b) may be filed on behalf
16 of the person only by the next of kin (as defined by the
17 Attorney General) or another representative (as defined
18 by the Attorney General), and must be filed not later than
19 2 years after the later of—

20 (1) the date of the enactment of this section; or

21 (2) the date of the person's death.

22 (f) DOCUMENTATION OF POSTHUMOUS CITIZEN-
23 SHIP.—If the Attorney General approves such a request
24 to grant a person posthumous citizenship, the Attorney
25 General shall send to the individual who filed the request

1 a suitable document which states that the United States
2 considers the person to have been a citizen of the United
3 States on and after September 10, 2001.

4 (g) NO BENEFITS TO SURVIVORS.—Nothing in this
5 section shall be construed as providing for any benefits
6 under the Immigration and Nationality Act for any
7 spouse, son, daughter, or other relative of a person grant-
8 ed posthumous citizenship under this section.

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