

107TH CONGRESS
2D SESSION

H. R. 5294

To accord honorary citizenship to the alien victims of the September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2002

Mrs. MALONEY of New York (for herself, Mr. WEINER, Ms. LEE, Mr. HONDA, Mr. SERRANO, Mr. CROWLEY, Mrs. MINK of Hawaii, Mr. RANGEL, Mr. TOWNS, Mr. FRANK, Mr. OWENS, Mr. ISRAEL, Mr. NADLER, and Mr. FROST) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To accord honorary citizenship to the alien victims of the September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks.

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.**

4 This Act may be cited as the “Terrorist Victim Citi-
5 zenship Relief Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) On September 11, 2001, the United States
4 suffered a series of attacks which led to the deaths
5 of thousands of people.

6 (2) Hundreds of foreign nationals perished in
7 the attacks on the American institutions on Amer-
8 ican soil.

9 (3) At that time, the Immigration and Natu-
10 ralization Service was processing applications for ad-
11 justment in immigration status for immigrants who
12 perished in the attacks.

13 (4) The immigrant or nonimmigrant status of
14 many immigrant families depends on the sponsor-
15 ship of those who perished.

16 (5) The Immigration and Naturalization Serv-
17 ice has publicly stated that it does not intend to take
18 action against foreign nationals whose immigration
19 status is in jeopardy as a direct result of the attack.

20 (6) Commissioner of the Immigration and Nat-
21 uralization Service James Ziglar stated that “the
22 Immigration and Naturalization Service will exercise
23 its discretion toward families of victims during this
24 time of mourning and readjustment”.

25 (7) Only Congress has the authority to change
26 immigration law to address unanticipated omissions

1 in existing law to account for the unique cir-
2 cumstances surrounding the events of September 11,
3 2001.

4 **SEC. 3. DECEASED ALIEN VICTIMS OF TERRORIST ATTACKS**
5 **DEEMED TO BE UNITED STATES CITIZENS.**

6 Notwithstanding title III of the Immigration and Na-
7 tionality Act (8 U.S.C. 1101 et seq.), and except as pro-
8 vided in section 5, each alien who died as a result of a
9 September 11, 2001, terrorist attack against the United
10 States, shall, as of that date, be considered to be an hon-
11 orary citizen of the United States if the alien held lawful
12 status under the immigration laws of the United States
13 as of that date.

14 **SEC. 4. CITIZENSHIP ACCORDED TO ALIEN SPOUSES AND**
15 **CHILDREN OF CERTAIN VICTIMS OF TER-**
16 **RORIST ATTACKS.**

17 Notwithstanding title III of the Immigration and Na-
18 tionality Act (8 U.S.C. 1101 et seq.), and except as pro-
19 vided in section 5, an alien spouse or child of an individual
20 who was lawfully present in the United States and who
21 died as a result of a September 11, 2001, terrorist attack
22 against the United States shall be entitled to naturaliza-
23 tion as a citizen of the United States upon being adminis-
24 tered the oath of renunciation and allegiance in an appro-
25 priate ceremony pursuant to section 337 of the Immigra-

1 tion and Nationality Act, without regard to the current
2 status of the alien spouse or child under the immigration
3 laws of the United States, if the spouse or child applies
4 to the Attorney General for naturalization not later than
5 two years after the date of enactment of this Act. The
6 Attorney General shall record the date of naturalization
7 of any person granted naturalization under this section as
8 being September 10, 2001.

9 **SEC. 5. EXCEPTIONS.**

10 Notwithstanding any other provision of this Act, an
11 alien may not be naturalized as a citizen of the United
12 States, or afforded honorary citizenship, under this Act
13 if the alien is—

14 (1) inadmissible under paragraph (2) or (3) of
15 section 212(a) of the Immigration and Nationality
16 Act, or deportable under paragraph (2) or (4) of sec-
17 tion 237(a) of that Act, including any terrorist per-
18 petrator of a September 11, 2001, terrorist attack
19 against the United States; or

20 (2) a member of the family of a person de-
21 scribed in paragraph (1).

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