

105TH CONGRESS
1ST SESSION

H. R. 1961

To amend the Immigration and Nationality Act to authorize the Attorney General to continue to treat certain petitions approved under section 204 of such Act as valid notwithstanding the death of the petitioner or beneficiary.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1997

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

A BILL

To amend the Immigration and Nationality Act to authorize the Attorney General to continue to treat certain petitions approved under section 204 of such Act as valid notwithstanding the death of the petitioner or beneficiary.

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. TREATMENT OF CLASSIFICATION PETITIONS**

4 **UPON DEATH OF PETITIONER OR BENE-**
5 **FICIARY.**

6 Section 205 of the Immigration and Nationality Act
7 (8 U.S.C. 1155) is amended—

1 (1) by striking “The Attorney General” and in-
2 serting “(a) IN GENERAL.—Subject to subsection
3 (b), the Attorney General”; and

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

5 “(b) EFFECT OF DEATH ON CERTAIN PETITIONS.—

6 “(1) DEATH OF PETITIONER.—In any case in
7 which a person who has filed a petition under sec-
8 tion 204 on behalf of a beneficiary dies after the ap-
9 proval of the petition, the Attorney General may, for
10 humanitarian reasons, disregard such death in ap-
11 plying the provisions of this Act to the beneficiary
12 and any spouse or child of the beneficiary.

13 “(2) DEATH OF BENEFICIARY.—In any case in
14 which a beneficiary of a petition filed under section
15 204 dies after the approval of the petition, the At-
16 torney General may, for humanitarian reasons, dis-
17 regard such death in applying the provisions of this
18 Act to any spouse or child of the beneficiary.”.

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