

107TH CONGRESS
2D SESSION

H. R. 5354

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 permanent resident status to the alien spouses and children of certain victims of such attacks.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2002

Mr. PALLONE 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 permanent resident status 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 of 2002”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

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

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

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

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

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

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

23 (7) Only Congress has the authority to change
24 immigration law to address unanticipated omissions
25 in existing law to account for the unique cir-

1 cumstances surrounding the events of September 11,
2 2001.

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

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

13 **SEC. 4. PERMANENT RESIDENT STATUS ACCORDED TO**
14 **ALIEN SPOUSES AND CHILDREN OF CERTAIN**
15 **VICTIMS OF TERRORIST ATTACKS.**

16 Notwithstanding the Immigration and Nationality
17 Act (8 U.S.C. 1101 et seq.), and except as provided in
18 section 5, an alien spouse or child of an individual who
19 was lawfully present in the United States and who died
20 as a result of a September 11, 2001, terrorist attack
21 against the United States shall be granted status as a per-
22 manent resident alien, without regard to the current sta-
23 tus of the alien spouse or child under the immigration laws
24 of the United States, if the spouse or child applies to the

1 Attorney General for permanent resident status not later
2 than two years after the date of enactment of this Act.

3 **SEC. 5. EXCEPTIONS.**

4 Notwithstanding any other provision of this Act, an
5 alien may not be afforded honorary citizenship or granted
6 permanent resident status, under this Act if the alien is—

7 (1) inadmissible under paragraph (2) or (3) of
8 section 212(a) of the Immigration and Nationality
9 Act, or deportable under paragraph (2) or (4) of sec-
10 tion 237(a) of that Act, including any terrorist per-
11 petrador of a September 11, 2001, terrorist attack
12 against the United States; or

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

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