

107TH CONGRESS
2D SESSION

H. R. 5377

For the relief of John Castellano.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2002

Ms. HARMAN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the relief of John Castellano.

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. GRANTING POSTHUMOUS CITIZENSHIP TO**
4 **JOHN CASTELLANO.**

5 (a) AUTHORITY OF ATTORNEY GENERAL.—Notwith-
6 standing the Immigration and Nationality Act or any
7 other provision of law, the Attorney General shall grant,
8 in accordance with this Act, posthumous citizenship at the
9 time of death to John Castellano, who died July 7, 1937,
10 if the Attorney General approves an application for post-
11 humous citizenship under subsection (b).

1 (b) REQUEST FOR POSTHUMOUS CITIZENSHIP.—A
2 request for the granting of posthumous citizenship to the
3 individual referred to in subsection (a) may be filed on
4 behalf of the individual only by the next-of-kin (as deter-
5 mined by the Attorney General) or another representative
6 (as determined by the Attorney General). The Attorney
7 General shall approve such a request respecting the indi-
8 vidual referred to in subsection (a) if the request is filed
9 not later than 2 years after the date of the enactment of
10 this Act and the Attorney General finds that the individual
11 satisfied the requirements of subsection (c).

12 (c) CRITERIA FOR GRANTING OF POSTHUMOUS CITI-
13 ZENSHIP.—The requirements referred to in subsection (b)
14 are that the individual referred to in subsection (a) is a
15 person who, while an alien or a noncitizen national of the
16 United States served honorably in an active-duty status
17 in the military, air, or naval forces of the United States
18 during any period described in the first sentence of section
19 329(a) of the Immigration and Nationality Act (8 U.S.C.
20 1440(a)), and satisfied the requirements of clause (1) or
21 (2) of the first sentence of section 329(a). The executive
22 department under which the person so served shall deter-
23 mine whether the individual satisfied the requirements of
24 paragraphs (1) and (2).

1 (d) DOCUMENTATION OF POSTHUMOUS CITIZEN-
2 SHIP.—If the Attorney General approves such a request
3 to grant the individual referred to in subsection (a) post-
4 humous citizenship, the Attorney General shall send to the
5 person who filed the request a suitable document which
6 states that the United States considers the person to have
7 been a citizen of the United States at the time of the indi-
8 vidual's death.

9 (e) NO BENEFITS TO SURVIVORS.—Nothing in this
10 Act shall be construed as providing for any benefits under
11 this Act for any spouse, son, daughter, or other relative
12 of a person granted posthumous citizenship under this sec-
13 tion.

